

Twenty-Eighth Congress

Dec. 4, 1843-Mar. 3, 1845

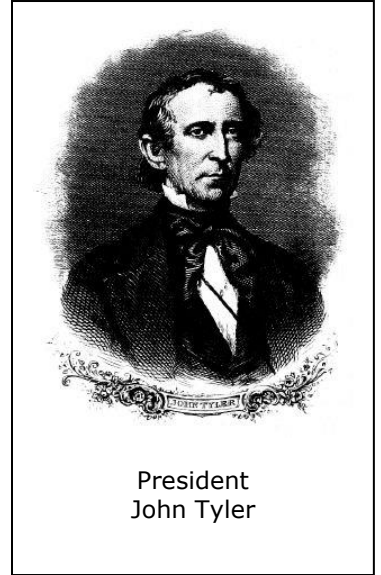
Administration of John Tyler

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Historical Background

President John Tyler’s expansionist tendencies continued to guide his foreign policy during the 28th Congress. The President’s first, exploratory moves toward the annexation of Texas reveal the sectional tensions that were to build in the coming decades. As a slave owner, President Tyler was convinced that the economic viability of the south was contingent upon the expansion of slavery in newly annexed territories. Slavery was permitted under the terms of the Constitution of the Republic of Texas and many white Texans were in favor of joining the United States and bolstering the pro-slavery southern bloc. Be that as it may, some, including Texas President Sam Houston, appreciated their newly won independence and were in no hurry to submit to another federal authority. Moreover, though the Mexican government exercised no authority in the territory, they did not recognize Texas’s independence and Mexican President Antonio Lopez de Santa Ana warned that the United States faced war if it made moves toward annexation. Thus, when Secretary of State John C. Calhoun concluded a treaty of annexation with the Republic of Texas on April 12, 1844, and the Senate rejected it that June, virtually every political figure in the United States had something to say about the issue.

Former President Andrew Jackson and other pro-slavery politicians came out for annexation, whereas former Kentucky Senator Henry Clay (the Whig Presidential candidate in 1844), Former President Martin Van Buren, and Missouri Senator Thomas Hart Benton all denounced the treaty as a reckless provocation likely to lead to war with Mexico. In general, many in the northern states opposed annexation because they viewed it as a southern plot to spread slavery. Though proponents of annexation claimed otherwise, their assertions were belied by Secretary of State Calhoun’s vociferous support for slavery in Texas. After the Senate rejected the treaty by a vote of 35 to 16 on June 8, President Tyler urged Congress to vote Texas into the



House	Senate
Majority Party: Democrats (147 seats)	Majority Party: Whigs (29 seats)
Minority Party: Whigs (72 seats)	Minority Party: Democrats (23 seats)
Other Parties: Law and Order (1 seat) Independent Democrat (1 seat) Independent Whig (1 seat)	Other Parties: None
Speaker of the House: John Winston Jones	President Pro Tempore: Willie P. Mangum

Union by a simple majority, thereby obviating the necessity of a two-thirds Senate vote required for ratification. Though unprecedented, the lame duck Congress viewed the victory of James K. Polk in the 1844 Presidential election as a *de facto* plebiscite on annexation, given Polk's strong endorsement of the annexation effort. Thus, on March 1, 1845, three days before Polk's inauguration, Tyler signed the joint resolution of Congress providing for annexation. It marked the first time that a joint resolution had been used to approve the acquisition of territory or acceptance of territory.

Congress also enacted during the 28th Congress a law establishing the first Tuesday after the first Monday in November as the uniform Election Day for Presidential electors.

Sources:

Dell, Christopher and Stephen W. Stathis. [*Major Acts of Congress and Treaties Approved by the Senate, 1789-1980*](#), Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

Tyler, John [*Message from the President, to the Congress, at the Commencement of the First Session of the Twenty-Eighth Congress*](#), House, Dec. 5, 1843, 28th Congress, 1st Session, H.doc.2/1 (Pr10.1/1:843). ProQuest Congressional, 439 H.doc.2/1

Tyler, John. [*Message from the President, to the Congress, at the Commencement of the First Session of the Twenty-Eighth Congress*](#), House, Dec. 3, 1844. 28th Congress, 2nd Session, H.doc.2/1 (Pr10.1/1:844). ProQuest Congressional, 463 H.doc.2/1

War or Peace?

Though a slave owner, President Tyler continued a naval presence on the west coast of Africa to disrupt the African slave trade and cut down on piracy in the region. His aim was to intercept any American ships that were headed from the Ivory Coast with slaves on board. President Tyler noted that "the U.S. is the only nation which has by its laws subjected to the punishment of death, as pirates, those who may be engaged in the slave trade."

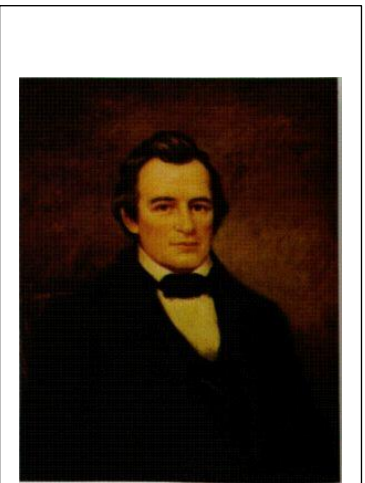
Texas Annexation

Believing that the expansion of slavery was vital to the continuing strength of the southern economy, President John Tyler revived the issue of the annexation of Texas in 1842. That year, he ordered his Secretary of State, Abel Upshur, to draft the necessary treaty with Texas. After Upshur's death, responsibility for completing the treaty fell to Tyler's new Secretary of State, John C. Calhoun. The treaty was submitted to the Senate on April 22, 1844 accompanied by a message from Tyler urging annexation. Tyler cited national interest, the security of Southern states, and the danger posed by the abolitionist sentiments of Great Britain as arguments in favor of Texas's accession to the Union.

Anticipating a Mexican reprisal in the event of Senate approval of the treaty, Tyler ordered Army and Naval personnel to the Texas frontier. Some in the Senate question Tyler's authority to deploy the military without



President Pro Tempore
Willie P. Mangum



Speaker of the House
John Winston Jones

Congressional consultation and passed a resolution of inquiry, requesting funding totals for the order. Asserting his authority as Commander-in-Chief of the armed forces, Tyler didn't budge on the issue.

The Senate rejected the treaty on June 8, 1844 by a vote of 35-16. Opposition to the measure was led by abolitionists, who argued that President Tyler and Secretary of State Calhoun were part of a slaveholders' conspiracy. Tyler next proposed incorporating Texas into the Union via a joint resolution, requiring a simple majority of both chambers, rather than a two-thirds majority in the Senate. Though the Congress initially rejected this scheme, Tyler again appealed to the Congress after James K. Polk's victory in the 1844 election. As Polk had come out strongly in favor of annexation, many in the lame duck Congress viewed the election as a plebiscite on the question and therefore approved the measure. The February 1845 Texas Annexation Resolution was the first time such a procedure was used to approve a treaty or to acquire territory. The accession of Texas into the Union as a slave state would continue to fuel the incipient sectional crisis that was beginning to polarize the country and would ultimately lead to the young republic's greatest challenge yet: the Civil War.

Sources:

Tyler, John [*Message from the President, to the Congress, at the Commencement of the First Session of the Twenty-Eighth Congress*](#), House, Dec. 5, 1843, 28th Congress, 1st Session, H.doc.2/1 (Pr10.1/1:843). ProQuest Congressional, 439 H.doc.2/1

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Tyler, John. [*Presidential message communicating reports on drawing of money from Treasury for stationing troops or increasing military force near frontiers of Texas, and for placing naval force in Gulf of Mexico*](#). Senate, May 23, 1844. 28th Congress, 1st Session, S.doc.345. ProQuest Congressional, 435 S.doc.345

Economic Trends and Conditions

After nearly a decade of economic contraction touched off by the Panic of 1837, wages, prices and commercial output were finally beginning to stabilize by 1844. Enmity between the Congress and President John Tyler thwarted meaningful cooperation between the branches of government on issues such as the establishment of a national bank or adjusting tariffs. Be that as it may, the President's commitment to fostering economic growth through the expansion of foreign trade led him to send delegations to negotiate new treaties with Qing China and the Zollverein confederation of Germanic states. In July 1844 the United States signed the Treaty of Wanghia with the Chinese Government, the first ever diplomatic agreement between China and the United States.

In his final State of the Union address, President Tyler summed up the accomplishments of his administration by approvingly pointing to, among a host of other achievements, the revival of commerce and manufacturing and

the rapid growth of cities. He also stated that he helped welcome technological advancements that fostered the nation's mission, confidently observing that "the influence of our political system is destined to be as actively and as beneficially felt on the distant shores of the Pacific as it is now on those of the Atlantic Ocean. The only formidable impediments in the way of its successful expansion are so far in the progress of modifications by the improvements of the age."

Sources:

Tyler, John [*Message from the President, to the Congress, at the Commencement of the First Session of the Twenty-Eighth Congress*](#), House, Dec. 5, 1843, 28th Congress, 1st Session, H.doc.2/1 (Pr10.1/1:843). ProQuest Congressional, 439 H.doc.2/1

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Major Treaties

Treaty of Wanghia (Treaty of Peace, Amity, and Commerce). Treaty between the United States and the Qing Empire in China, providing for a fixed tariff regime in the five treaty ports; the right of Americans in China to learn the Chinese language, which was formerly prohibited; judicial extraterritoriality in which U.S. citizens living in China would be tried for crimes under U.S. law, under the authority of the American Consul. Concluded July 3, 1844. Approved Jan. 17, 1845. ([8 Stat. 592](#))

Sources:

["Treaty with China. July 3, 1844."](#) (8 Stat. 592; July 3, 1844). ProQuest Congressional

1843 Events

- **Mar. 8:** The Danish government re-establishes the Althing in Iceland as an advisory body, by royal decree
- **Apr. 11:** [A British act of Parliament separates Gambia from Sierra Leone, west Africa, as a crown colony](#)
- **Apr. 15:** American novelist Henry James is born
- **May 4:** Natal in southern Africa is proclaimed a British colony
- **May 22:** [A Wagon Train leaves from Elm Grove, Missouri for Oregon, inaugurating the Oregon Trail](#)
- **July 19:** English engineer Isambard Kingdom Brunel's ship Great Britain is launched at Bristol, England, becoming the first propeller-driven iron ship to cross the Atlantic
- **Aug. 9:** Britain formally annexes the Indian province of Sind (in modern-day Pakistan), having militarily subdued its inhabitants
- **Nov. 25:** [Mount Etna erupts in Italy, killing 69 villagers in Bronte](#)
- **Nov. 28:** [King Louis-Phillipe of France and Queen Victoria of England formally recognize Hawaiian Independence \(Ka La Kuokoa\) in the Anglo-Franco proclamation](#)

1844 Events

- **Jan. 15:** [The University of Notre Dame receives its charter from Indiana](#)
- **Feb. 27:** [The Dominican Republic gains independence from Haiti](#)
- **Mar. 16:** A constitution is granted by King Otto I of Greece, establishing a representative system of two chambers, the Senate and the Chamber of Deputies
- **May 24:** [The first public telegraph line is strung between Washington, DC, and Baltimore, Maryland. The first message is transmitted by US artist and inventor Samuel Finley Breese Morse who asks 'What hath God wrought?'](#)
- **June 15:** [Charles Goodyear secures a patent for a process strengthening rubber called vulcanization](#)
- **June 27:** Joseph Smith, founder of the Mormon Church, is killed by a mob in Illinois
- **July 3:** [The United States signs the Treaty of Wanghia with the Chinese Government, the first ever diplomatic agreement between China and the United States](#)
- **July 25:** [The Exclusion Law in Oregon prohibits slaves and free African Americans from entering or remaining in the territory](#)
- **Aug. 28:** Friedrich Engels and Karl Marx meet in Paris, France
- **Nov. 6:** The Dominican Republic drafts its first Constitution
- **Dec. 4:** James K. Polk narrowly defeats Henry Clay in the U.S. Presidential election of 1844 calling for the “reoccupation” of Oregon and the “reannexation” of Texas

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Hale, John Parker. [Resolutions of the Legislature of New Hampshire, in relation to slavery and the domestic slave trade.](#) Senate, Feb. 19, 1847. 29th Congress, 2nd Session, S.doc.155. ProQuest Congressional, 495 S.doc.155

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Young, McClintock. [Electro magnetic telegraph. Communication \[...\] announcing the completion of the electromagnetic telegraph between the cities of Washington and Baltimore](#). Committee on Commerce, House, June 4, 1844. 28th Congress, 1st Session, H.doc.270. ProQuest Congressional, 444 H.doc.270

Major Acts

Presidential Election Day Act. Named the first Tuesday after the first Monday in November as Election Day for Presidential electors. Approved Jan. 23, 1845. ([5 Stat. 721, Chap. 1](#))

Texas Annexation Resolution. Declared the consent of Congress for the establishment of Texas as a State, and for its admission to the Union. Approved Mar. 1, 1845. ([5 Stat. 797, Chap. 8](#))

Sources:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#). Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

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