

Sentiments and propositions which they had declared could not justly be imputed to the Government or People of the United States, are set up as obstacles to the performance of an act of conceded justice to that Government and people. They had declared that the honor of France required the fulfilment of the engagement into which the King had entered, unless Congress adopted the recommendations of the message. They ascertained that Congress did not adopt them, and yet that fulfilment is refused unless they first obtain from the President explanations of an opinion characterized by themselves as personal and inoperative.

The conception that it was my intention to menace or insult the Government of France, is as unfounded, as the attempt to extort from the fears of that nation what her sense of justice may deny, would be vain and ridiculous. But the constitution of the United States imposes on the President the duty of laying before Congress the condition of the country in its foreign and domestic relations, and of recommending such measures as may, in his opinion, be required by its interests. From the performance of this duty he cannot be deterred by the fear of wounding the sensibilities of the people or Government of whom it may become necessary to speak; and the American People are incapable of submitting to an interference by any Government on earth, however powerful, with the free performance of the domestic duties which the constitution has imposed on their public functionaries. The discussions which intervene between the several departments of our Government belong to ourselves; and for any thing said in them, our public servants are only responsible to their constituents, and to each other. If, in the course of their consultations, facts are erroneously stated, or unjust deductions are made, they require no other inducement to correct them, however informed of their error, than their love of justice, and what is due to their own character; but they can never submit to be interrogated upon the subject as a matter of right, by a foreign power. When our discussions terminate in acts, our responsibility to foreign powers commences, not as individuals, but as a nation. The principle which calls in question the President for the language of his message, would equally justify a foreign power in demanding explanation of the language used in the report of a committee, or by a member in debate.

This is not the first time that the Government of France has taken exception to the messages of American Presidents. President Washington and the first President Adams, in the performance of their duties to the American People, fell under the animadversions of the French Directory. The objection taken by the Ministry of Charles the Tenth, and removed by the explanations made by our Minister upon the spot, has already been adverted to. When it was understood that the Ministry of the present King took exception to my message of last year, putting a construction upon it which was disavowed on its face, our late Minister at Paris, in answer to the note which first announced a dissatisfaction with the language used in the message, made a communication to the French Government, under date of the 29th of January, 1835, calculated to remove all impressions, which an unreasonable susceptibility had created. He repeated, and called the attention of the French Government to, the disavowal contained in the message itself, of any intention to intimidate by menace—he truly declared that it contained, and was intended to contain, no charge of ill faith against the King of the French, and properly distinguished between the right to complain, in unexceptionable terms, of the omission to execute an agreement, and an accusation of bad motives

in withholding such execution; and demonstrated that the necessary use of that right ought not to be considered as an offensive imputation. Although this communication was made without instructions, and entirely on the Minister's own responsibility, yet it was afterwards made the act of this Government by my full approbation, and that approbation was officially made known, on the 25th of April, 1835, to the French Government. It, however, failed to have any effect. The law, after this friendly explanation, passed with the obnoxious amendment, supported by the King's Ministers, and was finally approved by the King.

The People of the United States are justly attached to a pacific system in their intercourse with foreign nations. It is proper, therefore, that they should know whether their Government has adhered to it. In the present instance, it has been carried to the utmost extent, that was consistent with a becoming self-respect. The note of the 29th of January, to which I have before alluded, was not the only one which our Minister took upon himself the responsibility of presenting, on the same subject, and in the same spirit. Finding that it was intended to make the payment of a just debt dependent on the performance of a condition which he knew could never be complied with, he thought it a duty to make another attempt to convince the French Government, that whilst self-respect and regard to the dignity of other nations would always prevent us from using any language that ought to give offence, yet we could never admit a right in any foreign Government to ask explanations of, or to interfere in any manner in, the communications which one branch of our public council made with another; that in the present case, no such language had been used, and that this had in a former note been fully and voluntarily stated before it was contemplated to make the explanation a condition: and that there might be no misapprehension, he stated the terms used in that note, and he officially informed them that it had been approved by the President; and that, therefore, every explanation which could reasonably be asked, or honorably given, had been already made—that the contemplated measure had been anticipated by a voluntary and friendly declaration, and was therefore not only useless, but might be deemed offensive, and certainly would not be complied with, if annexed as a condition.

When this latter communication, to which I especially invite the attention of Congress, was laid before me, I entertained the hope that the means it was obviously intended to afford, of an honorable and speedy adjustment of the difficulties between the two nations, would have been accepted; and I therefore did not hesitate to give it my sanction and full approbation. This was due to the Minister who had made himself responsible for the act; and it was published to the People of the United States, and is now laid before their representatives, to show how far their Executive has gone in its endeavors to restore a good understanding between the two countries. It would have been at any time communicated to the Government of France, had it been officially requested.

The French Government having received all the explanation which honor and principle permitted, and which could in reason be asked, it was hoped it would no longer hesitate to pay the instalments now due. The agent authorized to receive the money, was instructed to inform the French Minister of his readiness to do so. In reply to this notice, he was told the money could not then be paid, because the formalities required by the act of the Chambers had not been arranged.

Not having received any official communication of the intentions of the French Government, and anxious to bring, as far as

practicable, this unpleasant affair to a close before the meeting of Congress, that you might have the whole subject before you, I caused our Charge d' Affaires at Paris, to be instructed to ask for the final determination of the French Government; and in the event of their refusal to pay the instalments now due, without further explanations, to return to the United States.

The result of this last application has not yet reached us, but is daily expected. That it may be favorable, is my sincere wish. France having now, through all the branches of her Government, acknowledged the validity of our claims, and the obligation of the treaty of 1831, and there really existing no adequate cause for further delay, will at length, it may be hoped, adopt the course which the interests of both nations, not less than the principles of justice, so imperiously require. The treaty being once executed on her part, little will remain to disturb friendly relations of the two countries; nothing indeed which will not yield to the suggestions of a pacific and enlightened policy, and to the influence of that mutual good will, and those generous recollections, which we may confidently expect will then be revived in all their ancient force.

In any event, however, the principles involved in the new aspect which has been given to the controversy, is so vitally important to the independent administration of the Government, that it can neither be surrendered nor compromised without national degradation. I hope it is unnecessary for me to say, that such a sacrifice will not be made through any agency of mine. The honor of my country shall never be stained by an apology from me, for the statement of truth and the performance of duty, nor can I give any explanation of my official acts, except such as is due to integrity and justice, and consistent with the principle on which our institutions have been framed. This determination will, I am confident, be approved by my constituents. I have, indeed, studied their character to but little purpose, if the sum of twenty-five millions of francs will have the weight of a feather in the estimation of what appertains to their national independence; and if, unhappily, a different impression should at any time obtain, in any quarter, they will, I am sure, rally round the Government of their choice, with alacrity and unanimity, and silence forever the degrading imputation.

Having thus frankly presented to you the circumstances which, since the last session of Congress, have occurred in this interesting and important matter, with the views of the Executive in regard to them, it is at this time only necessary to add, that whenever the advice, now daily expected from our Charge d' Affaires, shall have been received, they will be made the subject of a special communication. (to be continued.)



TARBOROUGH,

SATURDAY, DEC. 19, 1835.

Congress assembled on Monday the 7th inst. In the Senate the Vice President took the chair—and in the House of Representatives, James K. Polk, of Tennessee, was elected Speaker by the following vote: Polk 132, John Bell 84, scattering 6, blank 9. On the same day, Messrs. Blair & Rives, editors of the Globe, were elected Printers to the House, as follows: Blair & Rives (for Van Buren) 133—Gales & Seaton, (for Webster or Harrison) 59—Bradford & Learned (for White) 26—blank and scattering 5. This election probably exhibits the rel-

ative strength of the Presidential candidates in the House.

On Tuesday, the President's message was received. We exceedingly regret our inability to lay this masterly and important State paper entire before our readers; we have, however, inserted the whole of that part relating to our affairs with France, the mild and conciliatory yet firm and dignified tone of which, appears to meet with unqualified approbation. The lucid expose of our domestic as well as of our foreign relations, has seldom been equalled and never surpassed.

On Wednesday, both Houses attended the funeral of Nathan Smith, Senator from Connecticut.

A correspondent of the Petersburg Constellation mentions the death also of Mr. Wildman, Representative from Connecticut, and of Mr. Kane, Senator from Illinois—and adds that "Gen. Speight of N. C. is dangerously ill."

The amended Constitution.—The following is the official statement of the votes given in the several counties in this State, for the ratification or rejection of the amended Constitution. The aggregate varies but little from that given for the call of the Convention, which was 27,550 for, and 21,694 against it—majority 5,856. The majority for ratification is only 5,165, as follows:—

Counties.	For.	Against.
Anson,	815	44
Ashe,	466	88
Bertie,	96	315
Beaufort,	90	639
Bladen,	6	564
Brunswick,	0	466
Buncombe,	1322	22
Burke,	1359	1
Columbus,	3	391
Caswell,	466	162
Camden,	61	333
Cumberland,	331	439
Carteret,	32	332
Currituck,	22	115
Chatham,	556	200
Craven,	131	270
Cabarrus,	598	46
Chowan,	7	322
Davidson,	1034	33
Duplin,	56	532
Edgecombe,	29	1324
Franklin,	85	617
Granville,	433	308
Greene,	9	423
Guilford,	971	237
Gates,	12	502
Halifax,	239	441
Hyde,	2	431
Hertford,	7	516
Haywood,	484	8
Iredell,	1194	18
Johnston,	73	776
Jones,	22	239
Lenoir,	54	320
Lincoln,	1887	42
Macon,	502	19
Martin,	14	795
Mecklenburg,	1097	67
Moore,	110	370
Montgomery,	538	103
Nash,	8	757
New Hanover,	54	365
Northampton,	12	286
Orange,	1031	246
Onslow,	97	357
Pasquotank,	7	442
Person,	180	287
Pitt,	32	710
Perquimons,	10	431
Robeson,	86	458
Rowan,	1570	24
Randolph,	426	163
Rockingham,	612	68
Rutherford,	1557	2
Richmond,	263	43
Stokes,	1061	71
Surry,	1751	4
Sampson,	148	463
Tyrrell,	1	459
Wake,	243	1124
Warren,	46	580
Wayne,	28	966
Washington,	14	409
Wilkes,	1757	8
Yancy,	564	13
	26,771	21,606
	21,606	

Majority, 5,165

On Wednesday last, Gen. Samuel F. Patterson was re-elected

Public Treasurer for the ensuing year, by nearly an unanimous vote.

On Friday, Thomas L. West was elected an Engrossing Clerk, vice William Hall, resigned.

Thomas J. Pasteur (Van Buren) has been elected, without opposition, a Senator from Craven County, vice R. D. Spaight, chosen Governor.—*Raleigh Reg.*

We learn that at the meeting of the Board of Trustees of the University, which took place in this city on Saturday evening last, Governor Swain was chosen President of the Institution, in place of the lamented Rev. Dr. Caldwell, deceased. This appointment has excited equal curiosity and surprise; and affords a fruitful theme for commentary. But we forbear at this time, a single remark.

Raleigh Standard.

Rail Road Delegates.—We understand that General B. W. S. Cabell, from Danville; Thos. Newton, Esq. of Norfolk; and Stephen Cowley, Esq. of Portsmouth, (near Norfolk) are in this city; being delegated by the citizens of those towns, to attend the session of our Legislature, for the purpose of obtaining an act of incorporation for what is to be called the Chesapeake and Mississippi Rail Road Company,—a magnificent project, designed to be extended from the rail roads on the Roanoke, to the Mississippi river.—*ib.*

In the Senate, Mr. Cooper's resolution for the adjournment of the Legislature on Monday next, 21st inst. has finally passed, 44 to 15, and was sent to the Commons. It is not thought, however, that an adjournment can take place before the 24th or 25th,—if, indeed, sooner than than the last of the month.—*ib.*

GENERAL ASSEMBLY.

[Abstract of such of the proceedings as are of general interest, or particularly so to our readers.]

SENATE.

Saturday, Dec. 5.

Mr. Williams, of Beaufort, presented the petition of Tannahill & Lavender, praying that they, with others, be granted the exclusive privilege of navigating the Tar River with steamboats, in consideration of their removing the obstructions in said river. Referred.

Mr. Fox presented a bill to incorporate the Charleston and Cincinnati Rail Road Company.

The bill to suppress more effectually the vice of gaming, passed its second reading, after some discussion—ayes 70, noes 54. [Mr. Sharpe in the affirmative.]

Monday, Dec. 7.

The bill relative to the Public Lands was taken up, and after some discussion again laid on the table.

The bill to relieve the Bank of Cape Fear from the obligation to establish a Branch in Raleigh, was rejected on its second reading.

Tuesday, Dec. 8.

On motion of Mr. Wellborn, the Judiciary committee were instructed to inquire into the expediency of amending the law for the punishment of Vagrants, so that it may be put in full force.

The Public Land bill was further discussed, and again laid on the table.

Wednesday, Dec. 9.

Mr. Wyche from the committee of finance, made a report respecting the Public Treasury, and further reported that they had burnt Treasury notes to the amount of 3,100 dollars.

Mr. Polk reported sundry resolutions relating to incendiary publications. [These resolutions we will hereafter publish.]

The bill respecting the Public Lands was again taken up, debated and laid on the table.

Thursday, Dec. 10.

The resolution fixing the day of adjournment of the Legislature on the 21st Dec. instant, was taken up and adopted 44 to 15.

Mr. Hill submitted a resolution to amend the Charter of the Bank of the State, so as to authorize the increase of its capital \$200,000; in order that the University

and Literary Fund may receive the Read and laid on the table.

Friday, Dec. 11.

The Public Land bill was further considered, and a motion to strike out all after the word resolved negatived—ayes 23, noes 17. The original resolutions were then read a second time and passed; and being read the third time the debate was resumed on a motion to strike out the whole after the word resolved, and continued until the Senate adjourned.

HOUSE OF COMMONS.

Saturday, Dec. 12.

The Public Land resolutions submitted by Mr. Clingman were taken up and further discussed. The question on the first branch of the first resolution, viz. that Congress has no right to give to the new States the land within their respective limits, was decided in the affirmative—118 to 6. The second branch, that Congress should not reduce the minimum price of these lands, without doing justice to the old States, was passed 107 to 18—[On these two questions, Messrs. Deberry in the affirmative, Phippen in the negative.] The second resolution, which declares that the proceeds of the Public Lands ought to be divided among the States, passed 70 to 10. [Messrs. Deberry and Phippen the negative.] The last resolution, which requests the Governor to forward the resolutions to the Senators and Representatives of Congress, passed 81 to 40.

Monday, Dec. 13.

Mr. Taylor presented a bill to reduce the salaries of the Judges of the Supreme Court. Rejected 65 to 49.

The bill to regulate peddling was debated, and the license fixed at \$25 by a vote of 67 to 32, after which the bill passed its second reading.

Tuesday, Dec. 14.

The bill to incorporate the Raleigh and Gaston Rail Road Company passed its second reading, after some debate on several amendments which were rejected.

Wednesday, Dec. 15.

The bill to regulate the practice of hawking and peddling was read the second time. Mr. Waddell moved an amendment, the effect of which was to prohibit, but resident booksellers from peddling without license and regular examination by the County Clerk &c.—some discussion ensued, which Mr. Deberry advocated an amendment with much earnestness, and spoke of the insidious manner resorted to by these peddlars to circulate their fraudulent productions; it was high time for the Legislature to take a decided stand upon this subject, before evil was too greatly multiplied. The amendment prevailed, and the bill passed its last reading.

Thursday, Dec. 16.

Mr. Waddell presented the petition of sundry counties of towns in the State of Virginia, praying the passage of a law incorporating a Company authorized to construct a Rail Road from the town of Evansham, in the county of Wythe, by Danville, through the territory of this State to some point on the Roanoke river. Referred to a select committee.

Mr. Irion, a bill to incorporate the Milton and Salisbury Rail Road Company.

Friday, Dec. 17.

The bill to amend an act passed in 1830, for the better regulation of the Patrol, was read a second time and indefinitely postponed by the casting vote of the Speaker.

Turpentine.—This article, some time past, has been at an excellent price in this market. Turpentine, new, now sells from \$4 10 a \$4 20; old, \$4 10 per barrel.—*Wash. Reg.*

It gives us much pleasure to say that the Directors of the Bank of Cape Fear have determined to establish a Branch at that Institution in this place, and that Benjamin Ruyon, Esq. appointed Cashier. We shall soon see it in operation.