

DAVID OUTLAW, THOS. J. LEMAY, Editors.

THOMAS J. LEMAY, PROPRIETOR AND PUBLISHER.

TERMS. Subscriptions, three dollars per annum...

THE UNITED STATES AND FRANCE. FROM THE EVENING EDITOR OF THE JOURNAL OF COMMERCE OF JAN. 19.

Letter of the Duke de Broglie To M. PAVOT, late U. S. Charge d' Affaires of France at Washington.

We have come into possession of the following letter, being the same which Mr. FORSYTH, on the 11th September, allowed the French Charge d' Affaires to read to him...

Translated for the Journal of Commerce. Paris, June 17, 1835.

Sir: There no longer exists on our part any obstacle to the entire accomplishment of the treaty concluded on the 11th of July, 1831, between France and the United States.

I say on our part, for every thing now depends on the Government of the United States; it belongs to them to remove the only obstacle that still subsists.

The Government having discovered nothing in this clause at variance with its own sentiments, or the course which it had intended to pursue, the project of law, sanctioned on the 18th of April by the Chamber of Deputies, was carried on the 27th to the Chamber of Peers.

I also annex the report of the committee, presented to the Chamber of Peers on the 5th of June. You will thereby see how far that House concurred in the opinion of the Chamber of Deputies.

Mr. Livingston has left Paris, without waiting for the vote of the Chamber of Peers, leaving Mr. Barton as Charge d' Affaires.

You will find a copy of it subjoined.

In a note dated 27th, Mr. Livingston assigns as the cause of his departure, the silence observed by the French Government in relation to a previous note of the 18th, in which that Minister, agreeably to orders from his Government, demanded the explanation of an expression made use of by Mr. Serurier in a note he passed to Mr. Forsyth at the time he left.

That explanation, sir, we will show ourselves very willing to furnish, if it should be asked for again, when we ourselves shall have received those which we have a right to expect. Annexed are copies of the two notes of the 18th and 27th.

On the 25th, Mr. Livingston had addressed to me a third note of great length, in which, whilst he forbears making allusion to the amendment introduced by the Chamber of Deputies, he fully enters into its principle and probable consequences, as you may ascertain by reading that paper.

As long as the amendment was but a simple project, the initiative of which did not even belong to the Government, I thought proper to abstain from entering into any controversy on this subject with the Minister of a foreign Government.

Now that the project has become a law by the concurrence of the Chambers, and the sanction of the King, it is my duty to justify against objections which are utterly groundless.

I shall first recall a few facts. The project of law relative to the execution of the treaty signed on the 4th of July, 1831, had been presented three times to the Chamber of Deputies, viz. the 6th of April, 1833; the 11th of June of the same year; and the 13th of January of the year following, when it was rejected by a majority of 8 votes on the 1st of April, 1834.

The news of its rejection was known at Washington on the 6th of May, through a packet which sailed from Liverpool on the 6th of April.

On the 4th of June Mr. Serurier informed the Secretary of State that the King's Government had determined to present a new project of law at the next session of the Chambers.

The loss of the bill having occasioned the resignation of the Minister who had signed it, and this circumstance having caused different changes in the Cabinet, the Government could not definitively adopt that determination until the 8th of April.

The brig Le Courier bearer of new instructions to Mr. Serurier, had moreover met with a long and a stormy passage.

At the express request of Mr. McLane, then Secretary of State, Mr. Serurier communicated the next day, in writing, the declaration which he had already made verbally.

responsibility towards the powers whom that law might empower, is what we must admit.

In the month of August, the Chambers were assembled, but merely for form, and for the sole purpose of complying with the provisions of the 42d article of the Charter.

Mr. Livingston at Paris, and the President of the United States at Washington, having seemed to regret that the opportunity of this annual meeting had not been embraced to place again before the Chambers the project of law relative to the treaty of the 4th of July, it was easy to make them understand that, in setting with that precipitancy, we would not only have departed from all established usages, but compromised, instead of securing, the passage of the law.

The same considerations were very naturally opposed to the request made at a subsequent period by Mr. Livingston, for a special session in the Fall. That Minister most, no doubt, have urged them with his Government, since the latter showed itself entirely convinced of their validity and justice.

The new Secretary of State, Mr. Forsyth, said, in the month of October, to Mr. Serurier, the President readily understands why this business has not been taken up at the opening of the session in August; he can now account for the fact that the demand made by Mr. Livingston of a special session in the Fall was declined.

Nothing consequently could prepare the French Government for the language of the message sent by the President to Congress. We were aware that that message would contain a statement of the transactions connected with the treaty of the 4th of July. Mr. Forsyth had, on the 19th of November, given notice of it to Mr. Serurier.

What must then have been our astonishment when the message reached this side of the Atlantic! And could it be expected that the French Government, after having fulfilled the double duty of satisfying its own dignity by recalling its Minister from Washington, and of redeeming the faith of treaties by obtaining from the Chambers the appropriation necessary to the completion of the convention of the 4th of July?

Such is, in fact and in substance, the course which the amendment introduced by the Chamber of Deputies has pointed out to the Government; such is the course which the Government intended to have pursued, even if the law had not made it their duty.

Nevertheless, it is against this course, so simple, so reasonable, that Mr. Livingston seems to wish to protest beforehand.

Mr. Livingston fully admits in his note of the 27th of April, the right of foreign Governments to take proper exception to the acts and language of the Government which he represents.

"Should the President," he observes, "do an official executive act affecting a foreign Power, or an exceptional language, in addressing it, through his Minister, or through theirs; should a law be passed injurious to the dignity of another nation, in all these, and other similar cases, a demand for explanation would be respectfully received, and answered in the manner that justice, and a regard to the dignity of the complaining nation, would require."

"The utmost freedom," says Mr. Livingston, "the most freedom from all restraint in the details into which he is obliged to enter, of international concerns, and of the measures in relation to them, is essential to the proper performance of this important part of his functions."

"We cannot, sir, admit such a principle; we cannot admit it; at least without condition or limit, in an absolute, general and peremptory sense."

It does not depend upon a nation, from the mere fact of its having adopted such or such a form of government, to acquire, with regard to foreign powers, more rights than it would have had, or to arrogate to itself other rights than those which it would have enjoyed, under any other form of government.

Nations are free to choose, without any constraint, the government they please; precisely for that reason, and under this condition, that such a choice concerns them exclusively, and that whatever that choice may be, it cannot affect the rights or injure the legitimate interests of other nations.

Now, it is the acknowledged right of every Government, when the legal representative, or when the official organ of another Government expresses himself publicly in reference to it, in language which is deemed offensive, to demand an explanation of it. Such a right the Constitution of the United States can neither abolish, modify, nor restrict. It is an international right (in strict international law). It suits the People of the United States to divide the power of the Union between a President and a Congress. Be it so. It suits them to oblige the President to give publicly to Congress an account of the state of foreign relations. Their right is unquestionable. But that the President of the United States, the official organ, the legal representative of the Union towards foreign nations, thereby acquires the right to press himself publicly upon foreign Governments in language offensive to those Governments, that he should, in asserting the liberty, the freedom necessary for such communications, dispense with all reserve in his language, and with all

responsibility towards the powers whom that law might empower, is what we must admit. Irresponsibility, (inviolability) whether it relates to persons, to acts, or to words—irresponsibility when it is legally established, is a purely national institution, a purely internal regulation, and can never be used as an argument in the intercourse which Governments hold with each other.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

part of it which relates to the relations between the United States and France, it will possibly be found that, passing successively from phrase to phrase, none will see with that cannot bear an interpretation more or less plausible, none of which, strictly speaking, it cannot be said that it is a simple expose of such or such a fact true in itself, or the assertion of such or such a right which has no consistency, or the performance of such or such an obligation imposed on the President by the very nature of his functions.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

It is not so, however, at least we hope it is not. But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, or that allegation, or that expression; we contend about the substance, which is the same in all the messages.

I saw, indeed, many unfavorable and hostile indications, but I thought the course of difference between the two nations was too trivial to terminate so disastrously. I could not believe that two great and enlightened nations, blessed with constitutional governments, and between whom so many endearing recollections existed to bind together in mutual sympathy and kindness, would, at this advanced stage of civilization, plunge into war for a cause so frivolous.

I fear (said Mr. C.) that the condition in which the country is now placed has been the result of a deliberate and systematic policy. I am bound to speak my sentiments freely; it is due to my constituents and the country to act with perfect candor and truth on a question in which their interest is so deeply involved.

I will not assert that the Executive has deliberately aimed at war from the commencement; but I will say that, from the beginning of the controversy to the present moment, the course which the President has pursued is precisely the one calculated to terminate in a conflict between the two nations.

It has been in his power, at every period, to give the controversy a direction by which the peace of the country might be preserved without the least sacrifice of reputation or honor, but he has preferred the opposite.

I feel (said Mr. C.) how painful it is to make these declarations; how unpleasant it is to occupy a position which might, by any possibility, be construed in opposition to our country's cause; but, in my conception, the honor and the interests of the country can only be maintained by pursuing the course that truth and justice may dictate.

Acting under this impression, I do not hesitate to assert, after a careful examination of the documents connected with this unhappy controversy, that, if war must come, we are the authors—we are the responsible party. Standing, as I fear we do, on the eve of a conflict, it would to me have been a source of pride and pleasure to make an opposite declaration; but that sacred regard to truth and justice which I trust will ever be my guide under the most difficult circumstances, would not permit.

I cannot (said Mr. C.) but call back to my recollection the position which I occupied twenty-four years since, as a member of the other House. We were then, as I fear we are now, on the eve of a war with a great and powerful nation. My voice then was raised for war, because I then believed that justice, honor, and necessity demanded it.

It is now raised for peace, because I am under the most solemn conviction that, by going to war, we would sacrifice justice, honor, and interest. The same motive which then impelled to war, now impels to peace.

I have not (said Mr. C.) made this assertion lightly. It is the result of mature and deliberate reflection. It is not my intention to enter into a minute examination of that unhappy train of events which has brought the country to its present situation, but I will briefly touch on a few prominent points, beginning with that most unfortunate negotiation which seems destined to terminate so disastrously for the country.

From the accession of the present King, his Ministry avowed itself favorable to the settlement of our claims. It could scarcely be otherwise. The King had just been raised to the throne, under a revolution originating in popular impulses, which could not but dispose him favorably towards us. Lafayette, at the time, possessed much power and influence, and had greatly contributed to elevate Louis Philippe to his present station.

feared opposition on the part of the Chambers, which might place the relation between the two countries in a more dangerous state, by refusing to make the appropriation. How prophetic! as if he had foreseen what has since come to pass. I do not profess to give his words; I did not anticipate the discussion, and have not come prepared with documents; but what I state is substantially what he said.

With this apprehension, he asked our Minister to wait the short period of two months; for the meeting of the Chambers, that they might be consulted before the conclusion of the treaty, in order to avoid the possibility of the embarrassment which has since occurred, and which has so dangerously embroiled the relations of the two countries.

Mr. Rives objected, and the treaty was concluded. Extract of a part of the correspondence between Mr. Rives and the French Minister during the negotiation, taken from the Report of the Committee on Foreign Relations during the last session.

"I appear from a despatch of Mr. Rives to the Secretary of State, under the date of the 18th of September, 1830, at his first interview with the French Secretary of Foreign Affairs after the revolution, which placed the crown on the throne; that the French Minister said, that he thought that the principle of indemnity would be admitted, but that the amount of the claims was a very complex question, depending on a great variety of considerations, and requiring minute and detailed examination; such he believed our claims would excite, much less opposition with the Government (meaning the King and his Ministers,) than with the Chambers; that he had thought of an organization of a commission to examine the subject, consisting of members of both Chambers, as the best means of preparing those bodies for an ultimate decision; and he should submit the proposition at an early day to the Council of Ministers; the subsequent despatch of Mr. Rives, of the 9th November, 1830, he says, 'the dispositions of the King, as well with regard to this subject [the American claims] as to the general relations between the two countries, are every thing we could desire.' The difficulty exists in the extreme reluctance of the nation to pay more than indemnity, and the necessity which the Government feels itself under of consulting the representatives of the nation, and of securing their approbation to any arrangement which may be ultimately concluded.

The commission appointed to examine our claims made their report on the 13th of January, 1831, says, 'the King, in reply to his remarks, reiterated the sentiments he had heretofore expressed to me, and referred to the measures he had taken, with a view to bring the differences between the two countries to a conclusion.' 'The King proceeded to say, that since the reading of the President's message, he had 'remonstrated' against all unnecessary delays in the prosecution of the business, and assured me that every thing should be done, on his part, to bring it to the earliest termination, notwithstanding the disastrous state of the finances.'

The commission appointed to examine our claims made their report on the 13th of January, 1831, says, 'the King, in reply to his remarks, reiterated the sentiments he had heretofore expressed to me, and referred to the measures he had taken, with a view to bring the differences between the two countries to a conclusion.' 'The King proceeded to say, that since the reading of the President's message, he had 'remonstrated' against all unnecessary delays in the prosecution of the business, and assured me that every thing should be done, on his part, to bring it to the earliest termination, notwithstanding the disastrous state of the finances.'

The commission appointed to examine our claims made their report on the 13th of January, 1831, says, 'the King, in reply to his remarks, reiterated the sentiments he had heretofore expressed to me, and referred to the measures he had taken, with a view to bring the differences between the two countries to a conclusion.' 'The King proceeded to say, that since the reading of the President's message, he had 'remonstrated' against all unnecessary delays in the prosecution of the business, and assured me that every thing should be done, on his part, to bring it to the earliest termination, notwithstanding the disastrous state of the finances.'

The commission appointed to examine our claims made their report on the 13th of January, 1831, says, 'the King, in reply to his remarks, reiterated the sentiments he had heretofore expressed to me, and referred to the measures he had taken, with a view to bring the differences between the two countries to a conclusion.' 'The King proceeded to say, that since the reading of the President's message, he had 'remonstrated' against all unnecessary delays in the prosecution of the business, and assured me that every thing should be done, on his part, to bring it to the earliest termination, notwithstanding the disastrous state of the finances.'

The commission appointed to examine our claims made their report on the 13th of January, 1831, says, 'the King, in reply to his remarks, reiterated the sentiments he had heretofore expressed to me, and referred to the measures he had taken, with a view to bring the differences between the two countries to a conclusion.' 'The King proceeded to say, that since the reading of the President's message, he had 'remonstrated' against all unnecessary delays in the prosecution of the business, and assured me that every thing should be done, on his part, to bring it to the earliest termination, notwithstanding the disastrous state of the finances.'

The commission appointed to examine our claims made their report on the 13th of January, 1831, says, 'the King, in reply to his remarks, reiterated the sentiments he had heretofore expressed to me, and referred to the measures he had taken, with a view to bring the differences between the two countries to a conclusion.' 'The King proceeded to say, that since the reading of the President's message, he had 'remonstrated' against all unnecessary delays in the prosecution of the business, and assured me that every thing should be done, on his part, to bring it to the earliest termination, notwithstanding the disastrous state of the finances.'