full confidence that it is the wish of Government, as it most sin-

it is hoped, therefore,
rit by which it is
peace,
the func-

EDW. LIVI

EDWARD LIVIN

June 25, 1835

Havi
we b
r de
ag
e to
ther
ton,
red,
com
inen
inspi
polit

Dall

Message by the Government of France, and in neither did they produce any further explanations than those derived from the nature of our Government, and this seems on those occasions to have been deemed sufficient for in both cases the objections were virtually abandoned. One, when Messrs. Marshall, Gery, and Pinkney, were refused to be received; and again in the negotiation between Prince Polignac and Mr. Rives, in the former case, although the passage of the President was alleged as the the refusal to receive the Ministers, any such explanation, received & honorably accredited. In the latter the allusion in the message to an apprehended collision, was exempted for that the message made by Mr. Rives to the constituted duties of the President seems to have removed the objection.

having intimated that the United States would not, in any event, permit their Chief Magistrate to be questioned by any foreign Government, in relation to his official communications with the co-ordinate branches of his own, it is scarcely necessary to consider the case of such an explanation being required as the condition on which the fulfilment of a treaty or any pecuniary advantage was to depend. The terms of such a proposition need only be stated to show that it would be not only inadmissible, but rejected as offensive to the nation to which it might be addressed. In this case it would be unnecessary, as well as inadmissible,—France has already received, by the voluntary act of the President, every explanation on which the most scrupulous regard to national honor could insist. That which could not have been given in any demand, that which can never be given on any condition now under discussion, a fortunate concession of circumstances, and I shall proceed to show, has brought about.

Earnestly desirous of restoring the good understanding between the two nations, as soon as a misapprehension with the President's Message was shown, I suppressed every feeling which the mode of expressing that dissatisfaction was calculated to produce, and without waiting for instructions, I hastened, on my own responsibility, to make a communication to your predecessor in office on that subject. In this under the reserve that the President did not be called on for an explanation, I did at last give one, that I thought would have removed all injurious impressions. This is the

to the Government in causing it. Again sir,

the whole tenor of that part of my letter which relates to the execution of the treaty made by Mr. Serrurier, while it asserts the construction put upon it by the President to be a true one, and appeals to facts and circumstances to support that construction, yet it avoids charging the French Government with any intentional violation, attributing their delay to an erroneous construction only. In the letter I again quote literally, I have entered into the detail with the object of showing that although Ministers of the King, under the interpretations which they seem to have given to Mr. Serrurier's promise, may have considered themselves at liberty to defer the presentation of the law until the period which they thought would best ensure its success, yet the President interpreting that promise differently, feeling that in consequence of it he had forborne to do what might be strictly called a duty, and stating that its performance had not taken place, could not avoid stating the whole case clearly and distinctly to Congress. Thus sir, the President, in stating the acts of which he thought his country had a right to complain, does not make a single imputation of improper motive, and to avoid all misconstruction, he offers a voluntary declaration that none such were intended.

The part of the message which seems to have caused the greatest sensation in France, is that in which, after a statement of the causes of complaint, it enters into a consideration of the measure to obtain redress, which, in a public point, is sanctioned by the laws of nations. The complaint seems to be, that in a discussion of the efficacy and convenience of such a measure was given to reprisals, considered be a remedial, not as a hostile measure and this has been construed into a menace. If any explanations were necessary on this head, they are given in the message itself. It is there expressly disavowed, that the power and high character of France are appealed to, to show that it never could be induced by threats to do what its sense of justice denied. If the measure to which I have more than once alluded should be resorted to, and the humiliation attending a compliance with it could be endured, and if it were possible, under such circumstances, to give an explanation, what more would be required than is contained in the message itself, that it was not intended as

The view I have now taken of the subject be correct, I have succeeded in conveying to his Majesty's ministers the conviction I myself feel, that no right exists in any foreign nation to ask explanation of, or even notice any communications between the different branches of our Government; that to admit it even in a single instance would be a dangerous precedent, and a derogation from national dignity, and that in the present instance an explanation that ought to be satisfactory has been voluntarily given. I have thus demonstrated that any measure founded on such supposed rights, is not only inadmissible, but is totally unnecessary, and consequently that His Majesty's ministers may at once declare that previous explanations given by the minister of the United States, and subsequently approved by the President, had satisfied them on the subject of the Message.

The motives of our government during the whole course of this controversy, have been misunderstood, or not properly appreciated, and the question is daily changing its character. A negotiation entered into for pecuniary compensation to individuals, involved no positive obligation on their government to procure it to extremities. A solemn treaty, ratified by the constitutional organs of the two powers, secured the private interests in question. The exertion required by it a perfect right to insist on its stipulations. All doubts as to their justice seem now to have been removed, and every objection to the payment of a debt acknowledged to be just, will be severely scrutinized by the impartial world. What character will be given to a refusal to pay such a debt on the allegation, whether well or ill founded, of an offence to national honor, it does not become us to say. The French nation is the last that would grant pecuniary redress at any number of millions it could withhold as a compensation for an injury offered to the United States, commercial as they are, since the last war would settle such an account. The concession I allude to would be unworthy of both, and it is sincerely to be hoped that it will not be made.

which he trusts may be temporary, the consciousness not only of having performed your duty, but of having realized the anticipation of your country, and secured for yourself and your country the just appreciation of the world.

I am, sir, very respectfully, your obedient servant.

(Signed) JOHN FORSYTH.

From the Journal de Honfleur of 6th May last.

The very active part that Mr. Livingston has taken in the unpleasant affair of the treaty of the twenty-five millions, very naturally attracted the attention of the government to all the steps taken by him and the very instant of his embarcation at Havre, Mr. Livingston might, without vanity, consider himself kept under the watchful eye of the suspicious Ministerial police, which he had found the means of discomfiting in a manner that may be called rather cavalier, and even a little ridiculous.

Thus, when our correspondent from Paris announced to us that the ambassador of the American Andrew Jackson at Havre had excited the solicitude of our Government, we felt no surprise in learning that the last station of Mr. Livingston on the shore of France should have been made the subject of an official note addressed to the mayor.

But if on either hand, we could readily believe that the government would display great ingenuity in watching all the steps of the American Ambassador on the other, we were quite satisfied as to the conduct which the old diplomatist would pursue in the circumstances in which he found himself, and in which he had placed during between the treaty which was concluded, and the conditional suspension of the payment of the indemnity. Mr. Livingston has grown gray under the weight of public affairs, and it is not at his age, and with the phlegmatic disposition natural to his country, with which he appears to be endowed, that in imprudent salliès, or even confidential communications, he would suffer they to escape him, which the high mission with which he was charged, rendered it his duty to conceal.

During the few days which Mr. Livingston passed at Havre, he occupied himself much less, it is said, in gratifying the curiosity of indiscreet listeners, than with things entirely unconnected with his political mission, which he was on the eve of terminating. He con-