

FRANCE.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Correspondence between the United States Minister in Paris and the Secretary of State of the United States, in reference to events which have recently occurred in France.

JANUARY 23, 1852.

Referred to the Committee on Foreign Affairs, and ordered to be printed.

WASHINGTON, January 20, 1852.

To the Senate and House of Representatives of the United States.

I communicate to both Houses of Congress, a report from the Department of State, containing copies of the correspondence which has taken place between that Department, and the Minister of the United States in Paris, respecting the political occurrences which have recently taken place in France.

MILLARD FILLMORE.

DEPARTMENT OF STATE,
Washington, January 19, 1852.

I have the honor to lay before the President the correspondence which has taken place between this Department and the Minister of the United States in Paris, respecting the important events which have occurred in France since the first of last month, for his consideration and disposition.

DANL. WEBSTER.

To the PRESIDENT.

Mr. Rives to Mr. Webster.

[No. 115.]

LEGATION OF THE UNITED STATES,
Paris, December 3, 1851.

SIR: The denouement towards which events have been rapidly tending for some weeks past, though no one was able to foresee the precise shape it would take, burst upon Paris yesterday morning. At an early hour a decree of the President was placarded in the streets, by which he assumes to dissolve the National Assembly and the Council of State, declaring universal suffrage to be re-established, convoking the people in their primary assemblies for the third week of the present month, and proclaiming martial law

over the whole extent of the first military division of France, of which Paris is the centre. The palace of the National Assembly was surrounded by troops, so as to prevent the entry of members; and considerable bodies of troops were also stationed at all the principal points of communication.

The decree of the President was accompanied by a proclamation addressed to the people, in which he charges the Assembly with having meditated plots against the public peace, as well as against the authority he himself holds directly from the nation, announcing that he had therefore dissolved it, and now appealed to the whole people as judge between him and it. He lays down the basis of a new constitution, of which the fundamental points are to be, a responsible chief elected for ten years, ministers depending upon the executive power, a council of state to digest and propose laws, a legislative body to discuss and vote them, and a second assembly or senate, composed of the most eminent men, to act as a balancing power and as guardian of the constitution and the public liberties. Upon these principles as the outline of a political regime, borrowed from that founded by the first consul at the beginning of the century, he invites the people to pronounce their suffrages, and pledges himself to abide by their decision. At the same time he addressed a proclamation to the army, calling upon them to respect and to cause to be respected the free exercise of the national sovereignty, of which he declares himself to be the legitimate representative. Copies of these documents, and of other public acts intended to give effect to them, will be found in the number of the *Moniteur* herewith enclosed.

Several of the leading members of the National Assembly were arrested at their houses in the night between the 1st and 2d instant, and were immediately sent to the fortress of Vincennes, in the vicinity of Paris. This morning it is reported they have been transferred to the more distant prison of Ham. Among them are Generals Changarnier, Cavaignac, Lamoricière and Bedeau, Colonel Charras, two of the Questeurs of the Assembly, Messieurs Baze and Le Flo, Monsieur Theirs, Monsieur Roger (du Nord), &c., &c. About two hundred of the members of the Assembly (not having been able to meet in the usual place of holding their sessions) collected at the mayoralty of the tenth arrondissement, and after organizing themselves under the presidency of Monsieur Daru, one of the vice presidents of the body, were proceeding to adopt a decree of forfeiture against the President, when they were arrested by a military detachment and conducted to a *caserne* or barracks, where they were kept under surveillance during the night.

Paris has been almost as tranquil during the progress of these astounding events as in its ordinary daily aspect; and if it and the country should continue so, the fact must be considered to be conclusive proof of the little attachment the nation has to its constitution, as well as of the little sympathy which exists between it and the Assembly, whose late proceedings, it cannot be disguised, have greatly lessened the influence and consideration of that body with the people. Of the final result, however, of the extraordinary measures which have been pursued here, and of the degree of acceptance they may find with the nation, it is yet altogether too soon to form an opinion. I hasten to communicate them to you, almost in the moment of their occurrence, that I may be the more sure of this despatch reaching you by the pending steamer of the 6th instant.

I have the honor to be, with great respect, your most obedient servant,

W. C. RIVES.

Hon. DANIEL WEBSTER,
Secretary of State.

In the name of the French People, the President of the Republic decrees :

Article 1. The National Assembly is dissolved.

Article 2. Universal suffrage is re-established. The law of the 31st of May is abrogated.

Article 3. The French people are convoked in their respective districts from the 14th to the 21st of December.

Article 4. The state of siege is decreed in all the extent of the military division.

Article 5. The Council of State is dissolved.

Article 6. The Minister of the Interior is charged with the execution of the present decree.

Given at the Palace of the Elysée, the 2d December.

LOUIS NAPOLEON BONAPARTE.

The Minister of the Interior, DE MORNAY.

The following proclamation of the President to the people was also placarded, headed "Appeal to the People."

Frenchmen ! The present situation cannot last longer. Every day which passes aggravates the dangers of the country. The Assembly, which ought to be the firmest support of order, has become a centre of conspiracies. The patriotism of three hundred of its members has not been able to check its fatal tendencies. Instead of making laws for the general interest, it forges arms for civil war ; it attacks the power which I hold directly from the people ; it encourages all bad passions ; it compromises the repose of France. I have dissolved it, and I make the people judge between it and myself.

The Constitution, you know, was made with the view of enfeebling in advance the power that you were about to confide to me. Six millions of suffrages were a striking protest against it, and yet I have faithfully respected it. Provocations, calumnies, and outrages have found me impassible. But now that the fundamental compact is no longer respected, even by those who incessantly invoke it, and that men who have already ruined two monarchies wish to tie my hands in order to overthrow the Republic, my duty is to baffle their perfidious projects, to maintain the Republic, and to save the country by invoking the solemn judgment of the only Sovereign I acknowledge in France—the people.

I make, then, a loyal appeal to the whole nation, and I say to you, if you wish to continue the state of disquietude which degrades us and compromises our future, choose another in my place, for I will no longer retain a government, which is powerless to do good, which renders me responsible for acts I cannot prevent, and binds me to the helm when I see the vessel driving towards the abyss. If, on the contrary, you have confidence in me, give me the means of accomplishing the great mission which I hold from you.

This mission consists in closing the era of revolutions by satisfying the legitimate wants of the people, and protecting them against subversive passions. It especially consists in creating institutions which shall survive men, and which are the foundations on which something durable can be placed.

Persuaded that the instability of the government and the preponderance of a single Assembly are permanent causes of trouble and discord, I submit

to your suffrages the following fundamental bases of a constitution, which assemblies will develop at a later period :

1. A responsible Chief named for ten years.
2. Ministers dependent upon the Executive power alone.
3. A Council of State, composed of the most distinguished men, preparing laws, and maintaining their discussion before the legislative body.
4. A Legislative Body, discussing and voting the laws, named by universal suffrage, without scrutinizing the list, which violates the electoral principle.

5. A Second Assembly, composed of all the distinguished men of the country—a preponderating power, guardian of the fundamental compact, and of the public liberties. This system, created by the first consul at the commencement of the century, has already given to France repose and prosperity; it would still guaranty them. Such is my deep conviction. If you share in it, declare it by your votes. If, on the contrary, you prefer a Government without force, monarchical or republican, taken from I know not what past, or from what chimerical future, reply in the negative. Thus, then, for the first time since 1804, you will vote with your eyes open, knowing for whom and for what you are voting. If I do not obtain the majority of your votes, I shall call for the meeting of a new Assembly, to whom I will deliver the mandates I have received from you. But if you believe in the cause of which my name is the symbol—that is, France regenerated by the revolution of '89 and organized by the Emperor—if you believe that cause to be still yours, proclaim it by consecrating the powers I ask of you. Thus France and Europe will be preserved from anarchy; obstacles will be removed; all rivalries will have disappeared; for all will reflect on the decision of the people—the decree of Providence.

Given at the Palace of the Elysée, this 2d day of December.

LOUIS NAPOLEON BONAPARTE.

The following is the proclamation to the army, headed “Proclamation of the President of the Republic to the Army:”

Soldiers! Be proud of your mission—you will save the country; for I count on you not to violate the laws, but to cause to be respected the first law of the country—national sovereignty, of which I am the legitimate representative.

For a long time you have suffered, like me, by the obstacles which opposed themselves both to the good I wished to do you, and to the demonstrations of your sympathy in my favor. These obstacles are broken down, (*brisées*.) The Assembly has endeavored to attack the authority which I hold from the whole nation. It has ceased to exist.

I make an honest appeal to the people and the army, and I say to them, “Either give me the means of assuring your prosperity, or choose another in my place.”

In 1830, as in 1848, you were treated as if conquered, (*en vaincus*.) After having branded your heroic disinterestedness, you were not considered worthy of having your sympathies and your wishes consulted, and yet you are the *élite* of the nation. To-day, in this solemn moment, I am resolved that the army shall be heard.

Vote then freely as citizens. But as soldiers do not forget that the passive observance of the orders of the chief of the Government is the rigorous duty of the army, from the general down to the soldier. It is for me,

responsible for my actions before the people and before posterity, to take the measures which seem to me indispensable for the public good.

As to you, remain immovable within the rules of discipline and honor. Aid, by your imposing attitude, the country to manifest its will in calm and reflection. Be ready to repress any attack on the free exercise of the sovereignty of the people.

"Soldiers, I do not speak to you of the souvenirs which my name recalls. They are engraved in your hearts. We are united by indissoluble ties; your history is mine. There is between us in the past, community of glory and misfortune; there will be in the future, community of sentiments and of resolutions for the repose and grandeur of France.

Given at the Palace of the Elysée, this 2d December.

LOUIS NAPOLEON BONAPARTE.

The following is the "Proclamation of the Prefect of Police to the inhabitants of Paris:"

The President of the republic, by a courageous initiative, has just baffled the machinations of parties, and put an end to the agony of the country. It is in the name of the people, for their interest, and for the maintenance of the republic, that the event has been accomplished. It is to the judgment of the people that Louis Napoleon Bonaparte submits his conduct.—The grandeur of the act will make you sufficiently understand with what imposing and solemn calm the free exercise of popular sovereignty should be manifested. To-day, then, as yesterday, let order be our flag; let all good citizens, animated like me by the love of the country, afford me their co-operation with the firmest resolution.

Inhabitants of Paris: Have confidence in him whom six millions of votes raised to be the first magistrate of the country. When he calls on the whole people to express its will, the factious alone can wish to throw an obstacle in the way. Any attempt at disorder will therefore be promptly and inflexibly repressed.

DE MAUPAS.

PARIS, *December 2.*

The following circular was addressed to the commissaries of police by the Prefect:

Monsieur le Commissaire: The more circumstances become serious, the more important do your functions also become. Watch with courage and unflinching energy for the purpose of supporting and maintaining the public tranquillity. Do not tolerate the slightest assemblage on any point of the capital; do not permit any meeting, the object of which may appear to you to be suspicious. Let no attempt at disturbance take place without immediately putting a stop to it by inflexible measures of repression. I rely on your devotedness; rely on my support.

DE MAUPAS.

Mr. Rives to Mr. Webster.

[No. 116]

LEGATION OF THE UNITED STATES,
Paris, December 4, 1851.

SIR: I communicated to you yesterday the leading acts of the extraordinary *coup d'état* by which the constitution of the country had, the day before, been overthrown. At that time no overt resistance had been manifested by any portion of the population of Paris. In the course of yesterday, however, some partial attempts were made under the lead of a few members of the national assembly, belonging to the section denominated the *mountain*, to organize a popular resistance. Barricades were formed in one or two of the Faubourg Saint Antoine, which were immediately attacked and carried by the military. One member of the assembly, Monsieur Baudin, was killed, and two others, Messieurs Madier Moubjau and Schoelcher, were wounded.

These incidents have naturally created a good deal of excitement among the people, and may lead to further demonstrations of resistance. In the mean time, the measures taken by the government to repress these attempts are of the most summary character. An *arreté* of the minister of war is published this morning, declaring that any person taken in the act of constructing or defending a barricade, or with arms in his hands, shall be subjected to the *most rigorous laws of war*, and another appears in the name of the perfect of police, prohibiting all assemblages, sedition cries, and the reading in public or placarding of any political writings, under the summary procedure incident to a *state of siege* as proclaimed by the President's decree of the 2d instant. The high court of Justice, whose duty it is made by the constitution to meet for the purpose of judging the President as soon as he shall have attempted to dissolve, prorogue or otherwise impede the functions of the national assembly, was itself dissolved by a commissioner of police, attended by a military escort, the moment it was constituted; and to-day it is said that the court of cassation, the highest tribunal of ordinary civil and criminal jurisdiction has been prevented, by like summary means, from holding its sessions.

The press is also subjected to such restraints that only seven or eight journals now appear of the large number which was before published in Paris, and them, with the exception of the two or three which are devoted to the support of the President, merely register the decrees and other acts of the government, or such articles as are especially authorized by the police. Placed as Paris thus is, under the absolute regime of a *state of siege*, it is exceedingly difficult to arrive at a correct knowledge of what is passing, either here or in the departments, beyond the immediate sphere of one's own observation. We must, therefore, await the further progress of events to be able to form an intelligent opinion of the chances of success the President may have in the high-handed and illegal career on which he has entered.

Registers were opened yesterday in Paris for receiving the votes of the army on the issue which the President has presented to the country. You will perceive from the decree herewith enclosed that the proposition on which the army and the people are invited to vote, affirmatively or negatively, is conceived in the following general terms. "The French people desire the maintenance of the authority of Louis Napoleon Bonaparte, and delegate to him the powers necessary to make a constitution on the bases proposed in his proclamation of the 2d December, 1851."

It is said that the votes of the army given yesterday, so far as they are

yet known, were pronounced unanimously in favor of this formula; such a result was naturally to be expected from the principle of *passive obedience*, which has been sedulously inculcated for some time past, as the first duty of the soldier; more particularly as the mode of voting prescribed, by which each voter's name is to be inscribed on a register open to inspection, as being for or against the proposition submitted, admits of no secrecy or independence in the exercise of his opinions. The same consideration will doubtless have more or less influence on the votes of a numerous class of citizens.

I have the honor to be, with great respect, your most obedient servant,
W. C. RIVES.

HON. DANIEL WEBSTER,

Secretary of State.

Mr. Rives to Mr. Webster.

[No. 117.]

LEGATION OF THE UNITED STATES,
Paris, December 10, 1851.

SIR: The partial efforts at popular resistance which I mentioned in my last despatch as having been made in some quarters of Paris on the 3d inst., were renewed on the following day with somewhat more of system, and on a more extended scale. Barricades were erected on the Boulevards, near the Porte St. Dennis and the Porte St. Martin, and in many of the smaller streets in the neighborhood of those points. They were all, however, successively carried by the military in the course of the day, as the parties which defended them were nowhere very numerous or well organized. Many persons were killed, particularly on the side of the resisters, but in the enforced silence of the press here, at present, there are no means of ascertaining the number of the victims. It seems to be certain, however, that the troops which were employed on the occasion, acted in a spirit of great ferocity, and no mercy was shown. A considerable number of persons, also, who fell into the hands of the government in the sequel of these affairs, has since been shot in the Champ de Mars; but, for the reason above mentioned, the precise number of these military executions is not known, being variously stated from fifty to one hundred and fifty.

With the irregular struggles of the 4th inst., which were so relentlessly and decisively crushed by the preponderating numbers and force of the military, all armed resistance to the *coup d'etat* of the President has ceased here. The streets of Paris now present, and have for several days past presented, with but little change, their usual appearance of a crowded and curious population flowing through them, intent on business or pleasure. The absolute regime of the government, however, is maintained without any relaxation. Arrests of suspected individuals continue to be made from day to day; and yesterday a decree of the President (of which a copy is enclosed,) was published in the *Moniteur* interdicting all persons placed under the surveillance of the haute police from residing in Paris or its *banlieue*, authorising the minister of the interior to fix the place in which they shall reside, and investing him at the same time with full authority, in case the conditions of residence imposed shall be broken, to transport the individuals committing such breach to the penitentiary colonies of Cayenne or Algeria, where they

are to be subjected to labor, to strict military law, and be deprived of their civil and political rights.

So far as we have been able to learn here, there has been no formal or organized resistance to the Presidential *coup d'état* in any of the departments. There have been, according to the accounts published by the Government, some outbreaks in the small towns of the interior, assuming the shape of violent invasions of property and personal security by bands of lawless men, which are studiously put forth as specimens of the *socialist* devastation which was in store for the whole country if the President had not interposed to save it. In all this I believe there is great exaggeration. It is, nevertheless, this fear of socialism and anarchy, diffused more or less through all classes of society who possess any thing, which has given the President the fatal power, for the time, of overturning the constitution and civil and political liberties of his country, more, perhaps, even than the bayonets of the army. I shall not be surprised, therefore, if the result of the appeal (so called) which the President has made to the nation, should be the ratification of what he has done, and the prolongation and enlargement of his powers in the form proposed, by a majority of those who may pronounce their suffrages on the occasion.

The objections to the mode of voting originally prescribed, and which was mentioned in my last despatch, were so obvious and undeniable that the Government has abandoned it, and a decree of the President was published a few days ago substituting for it the vote by secret ballot as more consistent with the freedom and independence of the vote, for which a scrupulous respect is professed. A circular has been addressed by the Minister of the Interior also to the prefects of the departments, prescribing numerous regulations for the purpose, as he declares, of surrounding this process of collecting the will of the nation with every guarantee to secure its fairness and integrity. Copies of both of these official acts are herewith enclosed. However plausible these forms, the inevitable consequence of the circumstances in which the nation is now placed is, that it will vote to a greater or less degree *under duress*.

In the extraordinary state of things which has arisen here, the relations to be maintained by me with the government in the first moments of so violent a change, have presented questions of more or less delicacy. In the interest and for the protection of the large number of my countrymen who are here, and who, under the absolute regime which now exists in Paris, are exposed to constant surveillance and even the danger of arrest, I have found it necessary to continue my communications, though informally, with the Department of Foreign Affairs. No such necessity, however, existing with regard to the head of the government, I have abstained, for the present, from appearing at the weekly receptions of the President. A different course has, I learn, been pursued by the rest of the diplomatic corps, with, perhaps, one exception only, that of the representative of Switzerland. Without presuming to judge of the considerations of policy, of interest, or of principles which may have influenced the course of other members of the diplomatic corps, I felt it did not become me, representing as I did a free constitutional republic and a people imbued with a sacred hereditary attachment to the fundamental guaranties of civil and political liberty, to seem, by my presence, on an occasion succeeding so soon the successful *coup d'état* of the President, to give either a personal or official sanction to measures by which all those guaranties had been trodden under foot.

I enclose you herewith the leading article of the Government journal, (the Patrie,) from which you will see that the presence of the diplomatic corps and of all others who attended the President's reception on the 8th instant, was interpreted as "an *adhesion* to the patriotic and courageous measures which, (in the language of that journal,) has saved France." While bearing in mind that it is the practice and just maxim of the United States to acknowledge and respect governments *de facto*, when they are accepted or acquiesced in by the nation, whose sole right it is to determine the question of its own political organization; and while I shall studiously avoid, by any act or omission of mine, to compromise the good relations which it must ever be the wish of the United States to maintain with this great country, I could not but think that any proceeding on my part which could be interpreted into an *adhesion* to what had taken place here, would be unbecoming my position as a representative of the American republic, while the French nation itself had not yet decided the appeal which was made to it.

I have the honor to be, with great respect, your most obedient servant,

W. C. RIVES.

HON. DANL. WEBSTER,
Secretary of State.

IN THE NAME OF THE FRENCH PEOPLE.

The President of the Republic upon the proposition of the Minister of the Interior :

Considering that France requires order, labor and security; that for too many years society has been disturbed and convulsed by the machinations of anarchists, as well as by the attempts at insurrection of the members of secret societies and fugitives from justice, always ready to become the instruments of disorder; considering that this class of men, by habitual revolt, not only compromise the public safety and tranquillity, but also authorize unjust attacks and odious calumnies against the honest working classes of Lyons and Paris; considering that the present laws are insufficient and require modifications, reconciling at the same time the duties of humanity with the demands of public safety; be it decreed :

ART. 1. Every individual placed under the surveillance of the secret police, who shall be found guilty of disobeying their ban, shall be transported, as a measure of public safety, to some prison-colony—to Cayenne or Algiers. The duration of banishment will be not less than five nor more than ten years.

ART. 2. The same punishment will be applicable to persons found guilty of belonging to secret societies.

ART. 3. The effect of placing persons under the surveillance of the secret police, will be, in future, to give to the Government the power to decide on the place of banishment of those condemned. The administration will decide upon the formalities necessary to prevent the prisoner's escape.

ART. 4. It is forbidden to all persons under the surveillance of the secret police to reside in the city or suburbs of Paris.

ART. 5. The individuals designated in the preceding article must leave Paris and the environs within ten days from the promulgation of the present

decree, unless they obtain a permission from the administration to delay their departure. There will be delivered to those who request it a map of the route which they will be allowed to take to their domiciles, or to the places of residence to which they are ordered.

ART. 6. In case of disobedience to the fourth and fifth articles of the present decree, the disobedient will be transported to a prison colony, either Algiers or Cayenne, as a measure of public safety.

ART. 7. The individuals transported in virtue of the present decree will be subjected to manual labor at the prison establishment; they will be deprived of their civil and military rights; military law will be applicable to them. In case of an attempt to escape, the condemned will be subjected to an imprisonment which will not last longer than the time which they have still to be banished. They will be subjected to military discipline and subordination towards their civil or military governors during the period of their imprisonment.

ART. 8. The Executive will determine the organization of these prison colonies.

ART. 9. The Ministers of War and of the Interior, are charged with the execution of the present decree.

Done at the palace Elysee, with the advice of the Ministry.

LOUIS NAPOLEON BONAPARTE.

A. DE MORNEY,

The Minister of the Interior.

[Translation.]

In the name of the French people, the President of the Republic, considering that the mode of election promulgated by the decree of the 2d December, had been adopted under other circumstances as guarantying the sincerity of election; but considering that the vote by ballot, as actually practised, appears to be a better guaranty for the real meaning of the votes, (intelligence des suffrages;) considering that the essential object of the decree of the 2d December is to obtain the free and sincere expression of the will of the people;—decrees:

Articles 2, 3, and 4 of the decree of the 2d December are modified as follows:—

Art. 2. The election shall take place by universal suffrage. All Frenchmen aged twenty-one years, enjoying their civil and political rights, are called on to vote.

Art. 3. They will be required to justify either by their inscription on the electoral lists drawn up in virtue of the law of March 15, 1849, the conditions required by that law.

Art. 4. The ballot will be opened during the days of the 20th and 21st December, in the cheffien of each commune, from eight in the morning to four in the afternoon. The suffrage will take place by secret ballot, by yes or no, by means of a manuscript or printed bulletin.

LOUIS NAPOLEON BONAPARTE.

Given at the palace of the Elysée, December 4.

DE MORNAY,

Minister of the Interior.

[Translation.]

Proclamation of the President of the Republic to the French people.

The disturbances are appeased. Whatever may be the decision of the people, society is saved. The first part of my task is accomplished. The appeal to the nation to terminate the conflicts of parties, would cause, I knew, no serious risk of public tranquillity. Why should the people rise against me? If I no longer possess your confidence, if your ideas have changed, it is not necessary to cause precious blood to flow; it suffices to deposite an adverse vote in the urn. I shall always respect the decree of the people; but until the nation shall have spoken, I will not shrink from any effort, from any sacrifices, to baffle the attacks of the factious. This task, besides, is rendered easy to me. On the one hand, it has been seen how insensate it is to struggle against an army united by the ties of discipline, and animated by the sentiment of military honor, and by devotedness to the country. On the other hand, the calm attitude of the inhabitants of Paris, and the reprobation with which they brand émeutes, have sufficiently testified for whom the capital has pronounced. In the populous quarters, in which, formerly, insurrection rapidly found recruits among workmen easily led away, anarchy this time only met with profound repugnance for its detestable excitations. Thanks be rendered for it to the intelligent and patriotic population of Paris. Let it persuade itself more and more, that my sole ambition is to assure the repose and prosperity of France. Let it continue to lend its coöperation to the government, and in a short time the country can calmly accomplish the solemn act which is to inaugurate a new era for the republic.

Given at the palace of the Elysée, the 8th December.

LOUIS NAPOLEON BONAPARTE.

[Translation—from La Patrie.]

PARIS, December 9.

The reception of last evening, Monday, at the Elysée, was the most numerous attended of any which has yet taken place this year. The saloons usually appropriated for these weekly receptions could not contain the multitude of persons which crowded in them; and it was found necessary to throw other saloons open all of a sudden, and to light up hastily the old ball-rooms.

The army was represented by about a hundred generals, and a very large number of superior officers. There was also an abundance of ex-representatives present.

The diplomatic corps, in all its completeness, surrounded the President of the republic. In short, the greatest portion of the high functionaries, both of the civil and judiciary order, formed part of this assemblage; and thus evinced, by their presence, a perfect adhesion to the courageous and patriotic measure which has saved France from the frightful anarchy with which she was threatened in 1852. Enlightened as to its own true interests, and the actions of demagogues, the whole of the moderate party will follow this example.

AMEDEE DE LESENA.

Mr. Rives to Mr. Webster.

[No. 119.]

LEGATION OF THE UNITED STATES,
Paris, December 18, 1851.

SIR: The troubles which have broken out in the departments since the presidential *coup-d'état* of the 2d instant, have, it is understood, been almost entirely suppressed. Not less than twenty-five departments have been successively declared in a state of siege, and put under martial law since that event; and the whole number of departments now in that condition is about thirty out of the eighty-six, into which the territory of the republic is divided.

The public tranquillity in this city has not been disturbed in the slightest degree, since my last despatch. The government has, nevertheless, as a measure of precaution, dissolved and disarmed two of the legions of the national guards here; and this morning a circular of the minister of the interior to the prefects of the departments is published, by which the prefects are authorized, at their discretion, to suspend or dissolve the national guards within their respective jurisdictions, to disarm citizens in whose hands the possession of arms may not be considered as a guaranty for the preservation of order, and also to fill vacancies among the officers, by appointments to be made by the prefect, instead of elections by the national guards themselves, as heretofore practised. Instructions of the same minister to the prefect of the police of Paris are also published, by which that officer is enjoined to take prompt and vigorous measures for the execution of the decree mentioned in my last despatch, respecting persons placed under the surveillance of the haute-police, which applies equally to all persons convicted of, belonging to, or being connected with any secret society. Both of these classes of persons are required to be immediately expelled, not only from Paris, but if need be, from France; and it is announced in connexion with those orders, that the government will have ready in fifteen or twenty days, five vessels-of-war, capable of transporting to the penitentiary colony of Cayenne more than two thousand persons.

These measures sufficiently mark the unrelenting spirit in which the government pursues its system of repression. Since the 2d of December, Presidential decrees have taken the place of laws; and the legislation, as well as the administration of the country, has been by the sole authority of the President. To palliate, in some degree, this appearance of autocratic government, what is called a *commission consultative*, consisting, as it is definitively constituted, of one hundred and seventy-eight persons named by the President, has been organized under the vice-presidency of Monsieur Baroche, the former minister of foreign affairs. This commission, as its functions are defined by the decree establishing it, is to give its opinion on such *projets* of decrees in matters of legislation, as may be submitted to it by the President, and is also to perform, in general, the functions of the *council of state*, as that body was organized previous to the revolution of 1848. It is specially charged to sum up and verify the votes of the people at the polls, to be opened on the 20th and 21st inst., for the prolongation and enlargement of the President's powers, on the returns from the departments. I send you herewith, the decree by which the consultative commission has been definitively constituted, and which contains the list of all the names which now compose it, embracing one hundred and thirty-five persons who were members of the late national assembly, some twenty generals, several

persons who have belonged to former cabinets of the President, as well as all the members of the present, and a few names belonging to the judicial magistracy. A former decree promulgated a composition of the commission not so numerous, but yet comprising the names of several distinguished persons who refused to serve upon it, some of whom notified their refusal in terms of lofty independence or proud disdain.

In my last despatch I mentioned to you that since the late extraordinary events here, I had abstained from appearing at the usual weekly receptions of the President, while the rest of the diplomatic corps, with the exception at that time, of the representative of Switzerland, had pursued a different course. Since the date of that despatch, the representative of Switzerland, under instructions from his government, has followed the example of the rest of the diplomatic corps, and I am now the only foreign diplomatic agent of any grade, who has not attended the President's receptions, since the revolutionary *coup d'etat* by which the constitution was overthrown.

In pursuing this course, I have taken counsel, not merely of the feelings and sentiments natural to the bosom of an American citizen under such circumstances, but also of those higher considerations of principle and duty which should control the conduct of a public agent. Representing as the United States do before the world, the great cause of free popular and republican institutions, it seemed to me that it would be in some measure to betray that course, if a person entrusted to act or to speak in their name, should go forward, with any appearance of indecent haste, to salute a dictatorial power which had risen by violence on the ruins of a written republican constitution, however defective, here. On the other hand, the President, having appealed to the nation to ratify his illegal acts, and pledged himself, in the event of an unfavorable decision, to surrender at once the position he now holds by no tenure but that of force, he can have no just cause of complaint, if the representative of a foreign power thinks proper to await the decision of the only rightful tribunal in questions of interior political organization, whose judgment has been formally invoked.

These are the principles which, in the absence of instructions from my Government, I have assumed as the proper guides of my conduct, in a novel and delicate situation, rendered the more responsible by the opposite course taken by all the rest of the diplomatic corps. I trust they may meet the approbation of those to whom alone I am accountable.

I have the honor to be, with great respect, your most obedient servant,

W. C. RIVES.

[Translation.]

FRENCH REPUBLIC.

In the name of the French people, on the proposition of the keeper of the seals, Minister of Justice, the President of the Republic Decrees:

ART. 1. The consultative commission is definitively composed as follows:—

Messrs. Abbateur, formerly a counsellor of the Court of Appeals, (Court de Cassation) Loiret.

Achard (General) Mosellé.

André (Ernest) Seine.

André (Charante.)
 D'Argout, Governor of the Bank of France, a late Minister.
 Arrighi de Padone, (General)- Corsica.
 D'Audiffret, President of the Court of Accounts.
 De Bar (General) Seine.
 Baraguez d'Hilliers (General) Doubs.
 Barbaroux, late Attorney General, Réunion.
 Baroche, late Minister of the Interior, and of Foreign Affairs, Vice President of the Commission, Charente Inferieure.
 Barrot (Ferdinand) Ex Minister, Seine.
 Barthe, Ex-Minister, first President of the Court of Accounts.
 Batailli (Haute Vienne.)
 Bavoux (Evariste) Seine et Marne.
 De Beaumont (Somme.)
 Bérard (Lot-et-Garonne.)
 Berger, Prefet de la Seine, Puy-de-dome.
 Bertrand (Yonne.)
 Bidoult (Cher.)
 Bigret (Côtes-du-Nord.)
 Billiault, Lawyer.
 Bineau, Ex-Minister, (Maine-et-Loire.)
 Boinvilliers, Ex-staff bearer of the order of Advocates, Seine.
 Bonjean, Advocate General at the Court of Cassation, (Drôme.)
 Bonlatigner.
 Bourbousson (Vauchese.)
 Bréhier (Manche.)
 De Cambacères (Hubert.)
 De Cambacères (Aisne.)
 Carlier, Ex-Prefect of Police.
 De Casabianca, Ex-Minister, Corsica.
 De Castellane (General) principal Commandant at Lyon.
 De Caulaincourt (Calvados.)
 Cécile (Vice-admiral) Seine-Inferieure.
 Chadenet (Meuse.)
 Charlemagne (Indre.)
 Chassaigne-Goyon (Puy-de-dome.)
 De Chasseloup Laubat (General) Seine-Inferieure.
 De Chasseloup Laubat (Prosper) Charente-Inferieure.
 Chaix d'Est-Ànge, avocate in Paris, Marne.
 De Chazelles, Mayor of Clermont Ferrand, Puy-de-dome.
 Collas (Gironde.)
 De Crouseilhès, Ex-Counsellor of the Court of Cassation, Ex-Minister Basses Pyrénées.
 Curial (Orne.)
 De Caverille (Cotes du Nord.)
 Dabeaux (Haute Geronne.)
 Dariste (Basses Pyrenees.)
 Daviet, Ex-Minister.
 Delacosta, Ex-Commissary General of the Rhone.
 Delajus (Charente-Inferieure.)
 Delavau (Indre.)
 Delheit (Lot.)

Denjoy (Gironde.)
 Desjobert (Seine-Inferieure.)
 Desmaroux (Allier.)
 Drouyn-de-Lhuys (Seine-et-Marne) Ex-Minister.
 Ducos (Theodore) Seine, Minister of the Navy and of the Colonies.
 Dumas (of the Institute) Nord, Ex-Minister.
 Dupin (Charles) of the Institute, Seine-Inferieure.
 Durrieu (General) Landes.
 Duval (Maurice) Ex-prefect.
 Eschassériaux (Charente-Inferieure.)
 Exelmans (Marshal) Grand Chancellor of the Legion of honor.
 Favre (Ferdinand) Loire-Inferieure.
 De Flahault (General) Ex-Embassador.
 Fortout, Minister of public instruction (Basses Alpes.)
 Fould (Achille) Minister of Finances, Seine.
 De Fourment (Somme.)
 Fonquier d'Herouet (Aisne.)
 Frémy (Yonne.)
 Furtado (Seine.)
 Gase (Haute Garonne.)
 Gaslond (Manche.)
 De Gasparin, Ex-Minister.
 De Girardin (Ernest) Charente.
 Giraud (Augustin) Maine et Loire.
 Giraud (Charles) of the institute, member of the board of public instruction, Ex-Minister.
 Godelle (Aisne.)
 Goulhot de Saint Germain, Manche.
 De Grammont, (General) Loire.
 De Grammont, Haute Saône.
 De Greslau, Réunion.
 De Grouchy (General) Gironde.
 Hallez-Claparède, Bas Rhin.
 D'Hautpout (General) Ex-Minister, Aude.
 Hebert (Aisne.)
 De Heerkeren, Haut Rhin.
 D'Herambault, Pas-de-Calais.
 Hermann.
 Heurtier, Loire.
 Husson (General) Aube.
 Janvier, Tarnet Garonne.
 Lalazc, Hautes-Pyrénées.
 Lacrosse, Ex-minister, Finistere.
 Ladourette, Moselle.
 De Lagrange (Frederick) Gers.
 De Lagrange, Gironde.
 De La Hitte (General) Ex-minister.
 Delangle, Ex-attorney General.
 Languetin, President of the municipal commission.
 De Lariboisière, Ile-ët-Vellaine.
 Lawœstine (General.)
 Lebeuf, Seine-et-Marne.

Lebréton (General) Eure-et-Loire
 Le Comte, Yonne.
 Le Conte, Cotes-du-Nord.
 Lefébvre-Lurufié, Minister of Commerce, Eure.
 Lélut, Haute-Saône.
 Lemaire, Manche.
 Lemerier, Charente.
 Leguien, Pas-de-Calais.
 Lestiboudois, Nord.
 Levasseur, Seine-Inferieure.
 Le Verrier, Manche.
 Lezay de Marnésia, Lois-et-cher.
 Magnau (General) Commander-in-chief of the army in Paris.
 Magne, minister of public works, Dordogne.
 Maigne, (Edmond) Dordogne.
 Marchaut, Nord.
 Matthieu Bodet, advocate in the court of Cassation, Charente.
 De Maupas, Prefect of police.
 De Mérode, Nord.
 Mesnard, President of the Court of Cassation.
 Meynadier,, Ex-Prefect, Lozère.
 Mimerel, Nord.
 Monin, senior mayor of Paris.
 De Montalembert, Doubs.
 De Morny, minister of the Interior, Puy-de-Dome.
 De Mortemart, (Henry) Seine-Inferieure.
 De la Moskowa (Colonel) Moselle.
 De Mouchy, Oise.
 De Moustier, Doubs.
 Murat (Lucien) Lot.
 Odier (Antoine) Proctor of the Bank of France.
 D'Ornano, (General) Indre-et-Loire.
 De Parien, Ex-Minister, Cantas.
 Pascalis, counsellor in the Court of Appeals.
 Petet, (General) Aricège
 Pepin Lehalleur, Seine-et-Morne.
 De Persigny, Nord.
 De Planey, Oise.
 Plichon, Mayor of Arras, Pas-de-Calais.
 Portalis, First President of the Court of Appeals.
 Pongérard, Mayor of Rennes, Ille-et-Vilaine.
 De Préval (General.)
 De Rancé, (Algérie).
 Randon (General) Ex-minister, Governor General of Algeria.
 Reynaud de Saint Jean d'Angely, (General,) ex-minister, Charente Inférieure.
 Renouard de Bussiéres, Bas Rhin.
 Renouard, Lozère.
 Rogé (General.)
 Rouher, keeper of the seals, Minister of Justice, Puy-de-dome.
 De Rozer, Ex-minister Attorney-General at the Court of Appeals in Paris.
 De Saint Arnaud, (General) Minister of War.
 De Saint Arnaud, Advocate at the Court of Appeals in Paris.

De Salis, Moselle.

Sapers, Tiere.

Schneider, Ex-minister.

De Legur D'Aguessean, Hautes-Pyrénées.

Seydoux, Nord.

Thayer, Amédée.

Theulen, Cotes-du-Nord.

De Thorigny, Ex-minister.

Toupot de Béveaux, Haute Marne.

Tourangin, Ex-prefect.

Troplong, First President of the Court of Appeals in Paris.

De Turgot, Minister of Foreign Affairs.

Vaillant, Marshal of France.

Vaisse, ex-Minister, Nord.

De Vandeuil, Haute Marne.

Vast-Vimeux (General) Charente-Inférieure.

Vauchelle, mayor of Versailles.

Viard, Meurthe.

Vieillard, Manche.

Vuillefroy.

Vuitry, Under Secretary of State, in the Department of Finance.

De Wagram.

ART. 2. The deliberative commissions will assemble from the 23d of next December, for the purpose of proceeding to count the votes which have been polled, in pursuance of the decrees of the 2d and 4th of the present month.

ART. 3. M. Prosper Hochet, secretary-general of the late council of State, is appointed secretary-general of the consultative commission.

ART. 4. M. Denis Lagarde, ex-recording secretary of the legislative assembly, is appointed recording secretary and principal recorder of the minutes of the consultative commission.

Given at the palace of the national Elysée, with the approval of the council of ministers, this December 13, 1851.

LOUIS NAPOLEON BONAPARTE.

E. RONHER,

Keeper of the Seals, Minister of Justice.

Mr. Rives to Mr. Webster.

[No. 120.]

LEGATION OF THE UNITED STATES,

Paris, December 24, 1851.

SIR : The election to obtain the sense of the nation on the formula (here called *plebiscite*.) for prolonging the authority of the President for ten years and investing him with the power to establish a constitution on the basis laid down in his proclamation of the 2d inst., was held throughout France on the 20th and 21st instant. The result in the capital is already precisely ascertained, being 135,238 affirmative votes to 79,768 negative, the whole number of persons entitled to vote in Paris being 291,034, of whom, consequently, somewhat less than eighty thousand abstained from voting. It is yet too soon to have received authentic returns from all the departments.

Information, however, has reached here from fifty odd out of the eighty-six into which the territory of France is divided, showing that in those departments alone about five millions of affirmative votes have been given, &c.; about half a million of negative. There can be no doubt, therefore, that the *plebiscite*, as it is called, conferring a virtual sovereign authority on the President, has been voted, not only by a large majority of those who have participated in this show of popular election, but by a decided majority also of the whole number of voters in the nation, which is ordinarily estimated at from ten to eleven millions.

I have the honor to be, with great respect, your most obedient servant,
W. C. RIVES.

Mr. Rives to Mr. Webster.

NC. 121.

LEGATION OF THE UNITED STATES,

Paris, January 1, 1852.

SIR: The *commission consultative*, charged with the duty of summing up and verifying the votes of the French people on the question submitted to the nation by the President, completed their examination and made their report yesterday; from which it appears that 7,439,216 votes were given in favor of the *plebiscite* for prolonging and enlarging his powers in the manner proposed, and 640,737 against it. This unprecedented majority is two millions more than that by which the President was originally elected, and constitutes about three-fourths of the whole number of voters in France.

The *commission* repaired yesterday evening to the Elysée in a body for the purpose of laying their report before the President. I enclose you herewith the address made on the occasion by Monsieur Baroche as the organ of the *commission*, and the answer of the President, both indicating the spirit in which the new institutions of the country are likely to be framed.

After the presentation of the report of the *commission consultative* the diplomatic corps was received by the President, as is usual on the occasion of the new year, and most generally, as in the present instance, on the eve of new year's day. The French nation, with which alone the authority resides to determine the nature and form of its own institutions, having solemnly decided, and by so imposing a majority, in favor of the new order of things, I felt I should be no longer justified in absenting myself from the usual official receptions of the President, especially, as on this occasion, a formal invitation to attend was addressed to me, in common with the other members of the diplomatic corps, by the Minister of Foreign Affairs. The President, in passing along the line of the diplomatic corps, when he came to me, addressed me in his usual civil and courteous manner, and asked me if I had heard from my Government since the late events here. On my telling him that I had not, he added, with apparent cordiality, that he hoped the changes which had taken place here would in no manner interrupt the friendly relations between the two countries.

I send you herewith several decrees of the President providing for a national commemoration of the result of the late expression of the popular

will, and also for the restoring the imperial emblem of the eagle to the French colors.

I have the honor to be, with great respect, your most obedient servant,
W. C. RIVES.

HON. DANIEL WEBSTER,
Secretary of State.

Mr. Webster to Mr. Rives.

No. 38.

DEPARTMENT OF STATE,
Washington, January 12, 1852.

SIR : Your despatches have been regularly received up to the 24th of last month.

The movement made by the President of the republic of France, on the 2d ultimo, created surprise here as well as with you, not only by the boldness and extent of its purpose, but also by the secrecy with which preparation for it had been made, the suddenness of its execution, and the success which appeared to have attended it.

It is quite natural that you should be in no haste to appear at the public receptions of the President after the overthrow of the written republican constitution of France. You sympathize in this respect with the great body of your countrymen. If that overthrow had become necessary, its necessity is deeply to be deplored; because, however imperfect its structure, it was the only great republican government existing in Europe, and all Americans wished it success. We feel as if the catastrophe which has befallen it may weaken the faith of mankind in the permanency and solidity of popular institutions. Nevertheless, and although our own Government is now the only republic ranking among countries of the first class, we cling to its principles with increased affection. Long experience has convinced us of its practicability to do good, and its power to maintain liberty and order. We know that it has conferred the greatest blessings on the country, and raised her to eminence and distinction among the nations; and if we are destined to stand the only great republican nation, so we shall still stand.

Before this reaches you the election will be over; and if, as is probable, a decided majority of the people should be found to support the President, the course of duty for you will become plain. From President Washington's time down to the present day it has been a principle, always acknowledged by the United States, that every nation possesses a right to govern itself according to its own will, to change institutions at discretion, and to transact its business through whatever agents it may think proper to employ. This cardinal point in our policy has been strongly illustrated by recognizing the many forms of political power which have been successively adopted by France in the series of revolutions with which that country has been visited. Throughout all these changes the Government of the United States has conducted itself in strict conformity to the original principles adopted by Washington, and made known to our diplomatic agents abroad, and to the nations of the world, by Mr. Jefferson's letter to Gouverneur Morris, of the 12th March, 1793; and if the French people have now, substantially, made another change, we have no choice but to acknowledge that also; and as the Diplomatic Representative of your country in France,

you will act as your predecessors have acted, and conform to what appears to be settled national authority. And while we deeply regret the overthrow of popular institutions, yet our ancient ally has still our good wishes for her prosperity and happiness, and we are bound to leave to her the choice of means for the promotion of those ends.

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