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PARIS, December 5.

**CONSERVATIVE SENATE.**

SEPTENNIAL OF DECEMBER 4TH, 1866.  
On Tuesday, the 2d of this month, at noon, in obedience to the will of the Emperor and King, the Prince, Arch-Chancellor of the Empire, presented himself to the Senate. His Highness was dressed in grand costume, and was received with the accustomed ceremonies; having taken his seat, he spoke as follows:—

**GENTLEMEN,**  
From the moment when the reins of government were placed, with the consent of the nation, in the hands of his imperial and royal majesty, he established between himself and you confidential relations, and an interchange of thoughts, in order that you might participate in the grand designs, conceived and executed for the good of the Empire.

Accordingly, you have early witnessed, that the original desires of the Emperor were for peace; and that this generous sentiment has never been abandoned.

Before he stepped on the field of battle, he offered peace to his enemies.

When crowned with victory, his triumphant hand always presented the olive branch.

He had hoped that these extraordinary and successive offers, would be received with the same interest, and, ultimately, produce a general pacification, so much desired by the people of Europe, and so necessary to their happiness.

The hope of his majesty has been illusive. Europe, attracted towards repose by the victories of France, has been retarded without intermission, to fresh combats, by the influence of Great-Britain, and by the ambitious pretensions of Russia.

Those coalitions which have been destroyed, have given birth to new coalitions.

The moderation of the victor has encouraged the vanquished.

The mighty efforts of military genius, as well as the exploits of an army which head neither long marches, the seasons, the climate, nor the number of its enemies, have hitherto been enabled to produce aught but brilliant successes, of which a permanent peace has never been the fruit.

Meanwhile, England seizes upon the commerce of the world—all the productions of industry in the two hemispheres, have been devoured in that island.

Russia, so long unknown in the deliberations of Europe, forms at present the disorders of the West; whilst, at the same time, she menaces the East with her vast power.

The Ottoman Empire is dispirited, and its troubles aggravated. The rights of its sovereignty, it may also be said, are rendered uncertain.

In such a conjuncture, in the midst of these machinations and of these convulsions, his majesty considered it his duty to abandon a course wherein he could perceive no prospect of peace, which was solicited by the victor alone.

Henceforth, therefore, peace must be rendered desirable to those who provoke war.

And war must be made fatal to those who suffer themselves to be dragged into it.

These cabinets must be reduced to that happy impotency, when they shall no more be able to delude.

In fine, from those princes who have been so often vanquished, clemency must be withdrawn for a time, and the sceptre which they have so much abused, be broken in their hands.

Hence gentlemen, a new line of conduct; and the additional measures necessary to insure success.

The first and the most important of these measures, consists in sustaining the power of the nation, by the continuance of the same means, and by the development of its strength.

It must be evident, that a people who violate the laws of civilization, should be deprived of all communication with civilized people.

The conquests of his majesty must be secured—and the authors of the present disorders discarded, until the moment when England shall acknowledge the principles which, with polished people, temper the differences inseparable from their intentions; until the epoch when our just obligations shall be discharged towards our faithful allies; in fine, until a general peace shall establish the repose of Europe; and shall permit all her people to reap the entire enjoyment of the products of their labor.

You will perceive, gentlemen, in all this, a design equally great and glorious. The immediate advantages, which it offers cannot escape your penetrating wisdom; they will be found in an ample recompense for that perseverance and the momentary sacrifices which are to be paid in its price.

The guarantee for the accomplishment of this design, for his majesty, shall be the love of his people; the fidelity of the Senate, so frequently called to the courage of the armies; but, above all, that genius whose inspirations the event has never belied; and that heroic ardor which knows no obstacles, which it is occupied for the glory of France and the welfare of humanity.

His highness having finished his discourse, the senator Porcher, one of the secretaries, mounted the tribune, and read the following communications:—

**Extract from the Memoirs of the Secretary of State AT THE PALACE OF LERVEN, Novem<sup>r</sup> 21, 1866.**

Napoleon, Emperor of the French and King of Italy:

We have decreed and do decree as follows—The Senate shall assemble on the 2d of the month of December approaching, in the ordinary place of its sittings, under the presence of our Highness the Arch-Chancellor of the Empire.

(Signed) NAPOLEON.  
By the Emperor.

The Minister, Secretary of State—  
(Signed) H. B. MARAT.

**MESSAGE**  
Of His Majesty the Emperor and King to the Senate.

**SEVENTH.**  
We deem it expedient, in the circumstances in which the affairs of Europe generally are placed, to make known to you, and to the nation, the principles which we have adopted for the regulation of our conduct.

Our extreme moderation, after every one of the three last wars, has been the cause of that which has succeeded them. It was from that moderation, likewise, that we have been compelled to struggle against a fourth coalition, nine

months after the third had been dissolved, nine months after those signal victories which we have achieved under Divine Providence, and which seemed to promise a long repose to the continent.

But a great many cabinets of Europe are sooner or later influenced by England; and without a solid peace with that power, our people will be unable to enjoy the benefits which are the first aim of our labors, the only object of our life. Thus, notwithstanding our triumphant situation, we have been stopped in our late negotiations with England neither by the arrogance of her language, nor by the sacrifices which she wished to impose upon us. The island of Malta to which was attached in a manner the honor of this war, and which, retained by England in contempt of treaties, was the principal cause of it, we had ceded; we had consented that, to the possession of Ceylon and the empire of the Myfure, England should add that of the Cape of Good Hope.

But all our efforts must have miscarried when the councils of our enemies ceased to be animated with the noble ambition of reconciling the good of the world with the present prosperity of their own country; & their present prosperity with a lasting prosperity; and no prosperity can be lasting for England, unless it is founded upon an exaggerated and unjust policy, which would strip sixty millions of inhabitants, their neighbors, rich and brave, of all trade and all navigation.

Immediately after the death of the principal minister of England, it was early for us to perceive, that the continuation of the negotiations had no longer any other object but to cover the plots of this fourth coalition in its birth.

In his new position, we have adapted for the inviolable principle of our conduct, to evacuate neither Berlin nor Warsaw, nor the provinces which the force of arms has made to fall into our hands, before the general peace be concluded. The Spanish, Dutch and French colonies, restored before the foundation of the Ottoman power be strengthened, and the absolute independence of a vast empire, the first interest of our people, irrevocably consecrated.

We have put the British islands in a state of blockade, and have ordered against them dispositions repugnant to our heart. It has been painful to us to make the interests of private persons depend upon the disputes of kings, and to return, after so many years of civilization, to the principles which characterize the barbarity of the first ages of nations. But we have been constrained, for the good of our people and of our allies, to oppose to the common enemy the same arms he made use of against us. These determinations, commanded by a just sentiment of reciprocity, have been inspired neither by passion nor by hatred. What we offered after having diffused the three coalitions which had centred upon us, to the glory of our people, we still offer at this day, when our arms have obtained new triumphs. We are ready to make peace with England; we are ready to make it with Russia, with Prussia; but it can only be concluded upon such bases as that it may not permit any power whatever to arrogate to herself any right of supremacy over us, that it shall restore the colonies to their mother country, and that it shall secure to our trade and industry the prosperity which they ought to attain.

And if the whole of these difficulties removes for some time yet the re-establishment of general peace, however long this delay may be, it will appear long to our heart. But we are certain that our people will appreciate the wisdom of our political motives, that they will judge with us that a partial peace is only a truce which makes us lose all our acquired advantages to give rise to a new war, and that in fine, it is only in a general peace that France can find happiness.

We are in one of those important moments for the destiny of nations; and the French people will show themselves worthy of the one which awaits them. The Senate's constitution which we have ordered to be promulgated to you, and which will place at our disposal in the first days of the year, the conscription of 1867, which, in ordinary circumstances, should only be raised in September, will be executed with exactness by fathers as well as by children. And at what finer moment could we call the young Frenchmen to arms? They will have to cross, for the purpose of repairing to their colours, the capitals of our enemies and the fields of battle rendered illustrious by the victories of their elder brothers.

Given at Berlin, the 21st Nov. 1866.  
Signed, NAPOLEON.  
By the Emperor.

The Minister secretary of state,  
Signed, H. B. MARAT.

*Report of the minister for foreign affairs to his majesty, the emperor and king.*

**SIRE,**  
A fourth coalition was formed. In less than a month it has been continued. In less than a month Prussia has seen her army, her strong places, her capital and her provinces fallen into the power of your majesty, and now she implores for peace.

In the preceding coalitions, every enemy of France, as soon as he was vanquished, also fled for and obtained peace. It was hoped that particular and successive treaties of peace would lead to a general one, at once honorable and secure. Three times has this hope been disappointed; three times has experience proved that in following the same system of moderation and generosity, France would be constantly deceived. Each coalition, upon being destroyed, engendered a new one, and France was menaced with an eternal war.

The French empire has attained a degree of power and greatness which your majesty did not seek. Attacked on all sides with unexampled fury, and placed in the alternative of dying or conquering, France has fought only for her safety, and, victorious, she has made use of victory only to display her moderation. She has not destroyed those who wished to destroy her; she had made immense conquests, she has kept only a small number of them; she would have kept still less of them, if the blind passions which glowed around her, had not put her under the necessity of aggrandizing herself for her own preservation. Now that she is attacked for the fourth time with the same spirit of hatred and with the same views of destruction, your majesty has no other aim but to recover what is indispensable to the prosperity of your people. But it is an aim which you cannot attain but by availing yourself of all the greatness of your advantage, and by reserving your conquests as objects of compensation in the arrangements of the general peace.

Two powers, enemies of the repose of Europe, have united for the purpose of perpetuating the discord of war. The objects of their ambition are different, but the same hatred animates them against France, because they know that France cannot cease opposing the accomplishment of their pernicious designs. Unceasingly occupied in seeking & exciting new enemies against her, they employ for this purpose every kind of artifice and intrigue, menaces, caresses, corruption, calumny; and when they aspire to invade, oppress, and enslave every thing, it is France they accuse of pre-

England pretends to the exclusive navigation of the sea. She arrogates to herself the monopoly of all trade and all industry, and whenever the irresistible force of events has obliged France to intervene in the concerns of the petty states her neighbors, and to intervene in them for their own repose, England has given the signal of accusations and complaints. She that first founded the alarm, and became a few years or a few countries submitted for centuries past to the influence of France, were again submitted to it, she represented France as menacing the independence of the great states. Was it upon petty states, which were submitted for a century past to her influence and in a manner drawn into the sphere of her activity? Was it not on the contrary upon states considered at all times as the principal ones in Europe, that England exercised her violations, when the powers of the north, who had united for the purpose of defending the eternal principles of neutrality, were forced to subscribe to her monstrous pretensions, and to sacrifice, with their own interests, the dearest interest of France? At that time the independence of nations was not only menaced, it was attacked, violated, and, as far as depended on England, annihilated. Of what use was it that England had been obliged to acknowledge, by the convention of Petersburgh, a few principles, which neither her education nor her principles had been able to get a hold upon? Immediately after, she openly trampled on them, or eluded them, in a manner at once the most tyrannical and the most feeble, the right of blockade. This right cannot, in reason and according to treaties, be applied to any other but places invested and in danger of being taken. She pretended, however, to extend it to harbours, to the mouths of rivers, to whole coasts, and in fine, to a whole empire. Certainly, France never was invested and in danger of being taken by England, and all France has been declared in a state of blockade. By acting in this manner, does not England loudly proclaim that she acknowledges, now, that treaties are nothing to her, and that she admits of no other right but that of force; and that she deems every thing legitimate which she can do with impunity?

The government of Russia, when it ought to be fully taken up with the care of vivifying its immense states, and of expiating by the benefits of a wise legislation, and a paternal administration, the crime which in one day may reduce from the rank of independent nations, an ancient, numerous and illustrious nation, worthy of a better fate, covers and menaces to swallow up the vast empire of the Ottomans. The same manoeuvres which it made use of against Poland in now employ against Turkey. It blows upon her provinces the spirit of rebellion and revolt, it excites, arms and supports the Servians against the Porte. It renews, upon Slovakia, the attempts it had made, but fruitlessly, in 1788. Wallachia and Moldavia were governed by two unfaithful and treacherous chiefs; the Porte had declared them to be a foreign nation, and deposed them. Russia, not content with giving them an asylum, marched troops towards the Danube, and menacing the Porte to declare war against it, she required their being re-established. The Porte had the grief of being itself constrained to reinstate its declared enemies, and to depose the men of its own choosing. Thus its independence has been violated by an attempt which a once strikes at the dignity of all thrones. The moment she has no more the choice of her governors, she is no longer a sovereign, she is a vassal, or rather Wallachia and Moldavia no longer belong to her, but in name; and these two great and rich provinces, governed by men sold to Russia, are become for the latter a real conquest.

With such enemies, whose hatred your majesty's moderation has been unable to disarm, and who notwithstanding your victories, still march to their object, listening only to their passions, and respecting no right, your majesty is not free to follow the emotions of your generosity. The very inclination which leads you to wish for peace, makes it a law for you to relinquish none of your conquests before the entire and absolute independence of the Ottoman empire, an independence which is the first interest of France, be acknowledged and guaranteed; before the Spanish, Dutch and French colonies, the loss of which has been solely occasioned by the diversion effected by the four coalitions, be restored, and a general code be adopted, conformably to the dignity of all crowns, and capable of securing the rights of all nations on the high seas.

The justice and necessity of this determination will be universally felt; it will be a benefit for your majesty's allies, and for all commercial towns of your empire, which have been deposed only by favor of a life fame war, the events of which have put so many vast states in the power of your majesty. In any other system, the interests of these allies and of so many populous cities would be abandoned; the fruits of the most astonishing victories would be lost, and France, in the midst of unheard of triumphs, after so many exploits which have aggrandized and covered her with glory, would have no prospect of repose; she would not perceive the period when she might lay down her arms, betake herself to the peaceful occupations of industry and commerce, to which nature calls her, and make upon another theatre less shining, but sweeter conquests, which she should not have bought by the edition of blood that is so dear to her, and which equaling her happiness to her glory, would cost humanity no tears.

(Signed) CH. MAUR. TALLEYRAND,  
Prince of Benevento.

Berlin, November 15, 1866.

*Report of the minister for foreign relations to his majesty, the emperor and king.*

**SIRE,**  
Three centuries of civilization have bestowed on Europe a right of persons which, according to the expression of an illustrious writer, human nature cannot sufficiently acknowledge.

This right is founded on the principle, that nations ought to do to themselves; in peace the greatest benefit, and in war, the least evil possible.

Conformably to the maxim, that war is not a relation between one man and another, but a relation between one state and another, in which individuals are only enemies accidentally, not as men, not even as members or subjects of the state; but merely as its defenders, the rights of persons do not allow that the right of war, and the right of conquest which is derived from it, should extend to peaceable and unarmed citizens, to habitations and private property, to commercial merchandise, to warehouses which contain them, to the waggons which transport them along rivers and over seas, in short to the persons and property of private individuals.

This right which has arisen out of civilization, has favored its progress. It is to it that Europe has been indebted for the maintenance and growth of her prosperity, even in the midst of the frequent wars which have divided her.

England alone has preserved or refused the usages of barbarous times. It is by her refusal to renounce privateering that this unjust and cruel practice has been maintained in spite of France, who, in time of peace lately moved by ideas of justice and humanity, had projected to

France has done every thing, to mitigate at least an evil which she could not prevent—England, on the contrary, has done every thing to aggravate it.

Not contented with attacking merchantmen and treating the crews of unarmed vessels as prisoners of war, she has regarded as an enemy every one belonging to the enemy's state, and has also made prisoners of war the merchants and commercial agents who were on their voyage to transact their business.

But it was not sufficient for her views thus to invade private property, to strip & oppress innocent and peaceable private persons. Having remained for a long time behind hand with the nations of the continent who preceded her in the road of civilization, and having received all the benefits of it, she conceived the rash project of becoming the sole possessor, and thus depriving every one else of them. It is her with that she should be on earth no other industry but her own, and no other trade but what she carries on herself. She has perceived that, in order to succeed, it was not enough for her to disturb, but that she ought still to exert herself to the utmost to produce a total interruption in the communications between nations. It is with this view that, under the name of right of blockade, she has invented and brought into practice the most monstrous theory.

Conformably to reason and the usage of all civilized nations, the right of blockade is only applicable to fortified places.

England has endeavored to extend it to unfortified places of commerce, to havens and to the mouths of rivers.

A place is only to be blockaded when it is invested in such a manner, that no attempt can be made to approach it, without being exposed to an immediate danger.

England has declared those places blockaded, before which she had not a single ship of war.

She has done more, for she has declared in a state of blockade, places which all her assembled forces were incapable of blockading, immense coasts and a vast empire.

Afterwards, drawing from a chimerical right and from a supposed fact, the consequence that she might justly make her prey, and carrying it into effect, of every thing going to the places laid under interdiction by a simple declaration of the British admiralty, and of every neutral navigator, and driven them to a distance from ports whither their interest attracted them, and which the law of nations authorized them to frequent.

Thus it is that she has turned to her profit and to the detriment of Europe, but more particularly of France, the audacity with which she mocks at all rights, and insults even reason itself.

Against a power which forgets to such a pitch all ideas of justice and all humane sentiments, what can be done, but to forget then for an instant one's self, in order to constrain her to violate them no longer? The right of natural defence allows of the opposing an enemy with the arms he makes use of, and to cause, if I may so express myself, to react against him his own principles and folly. Moreover, when the principles of civilization are attacked by unexampled enterprises, and that Europe is threatened, to preserve and avenge it is not only a right, but it is also a duty for that power which alone has the means of doing so.

Since England has dared to declare that the whole of France should be in a state of blockade, let France declare, in her turn, that the British Islands are blockaded.

Since England looks on every Frenchman as an enemy, let every Englishman or English subject, found in the countries occupied by the French armies, be made a prisoner of war.

Since England aims her blows at the private property of peaceable merchants, let the property of every Englishman and subject of England, of whatever nature soever, be confiscated.

Since England is resolved on annihilating all industry on the continent, who ever carries on a trade in English merchandise, favors her design to the utmost of his power, and becomes her accomplice. Let all trade in English merchandise be declared illegal;—and let all the produce of the English manufacturing or colonies found in the places occupied by the French troops, be confiscated.

Since England is resolved on interrupting navigation & all maritime commerce, let no vessel coming from the British islands or colonies, be received, either into the ports of France or into those of the countries occupied by the French army, and let every vessel which shall attempt to sail from those ports to England, be seized and confiscated.

Your majesty, I know, will with regret adopt such measures, and it is with regret that I propose them; but the situation of Europe renders them necessary, and besides, as soon as England will admit the rights of persons, such as are universally followed, by polished nations, as soon as she will acknowledge that the right of war is one and the same on land as on sea, that this right and that of conquest cannot extend either to private property, or to unarmed & peaceable individuals, and that the right of blockade ought to be restrained to fortresses really invested, your majesty will cause a stop to be put to these rigorous, but not unjust measures; for justice between nations is only exact reciprocity.

Signed, CH. MAUR. TALLEYRAND,  
Prince of Benevento.

Berlin, 20th Nov. 1866.

**MESSAGE.**

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

In execution of the act of the last session of Congress, entitled "An act to

regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, I appointed Thomas Moore, of Maryland, Joseph Kerr, of Ohio, and Eli Williams, of Maryland, commissioners to lay out the said road, and to perform the other duties assigned to them by the act. The progress which they made in the execution of the work, during the last season, will appear in their report now communicated to Congress. On the receipt of it, I took measures to obtain consent for making the road, of the states of Pennsylvania, Maryland, and Virginia, through which the commissioners proposed to lay it out. I have received acts of the legislatures of Maryland and Virginia, giving the consent desired; that of Pennsylvania has the subject still under consideration, as is supposed. Until I receive full consent to a free choice of route through the whole distance, I have thought it safest neither to accept, nor reject finally, the partial report of the commissioners. So no matters suggested in the report belong exclusively to the legislature.

TH. JEFFERSON.  
January 31, 1807.

**REPORT.**

THE commissioners acting by appointment under the law of congress, intitled "An act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio," beg leave to report to the President of the United States, and to promise that the duties imposed by the law became a work of greater magnitude, and a task much more arduous than was conceived before entering upon it, from which circumstance the commissioners did not allow themselves sufficient time for the performance of it, before the severity of the weather obliged them to retire from it; which was the case in the first week of the present month, December. That not having fully accomplished their work, they are unable fully to report a discharge of all the duties enjoined by the law, but as the most material and principal part has been performed, and as a communication of the progress already made, may be useful and proper during the present session of congress and of the legislature of those states through which the route passes; the commissioners respectfully state, that at a very early period it was conceived that the maps of the country were not sufficiently accurate to afford a minute knowledge of the true courses between the extreme points on the rivers, by which the researches of the commissioners were to be governed. A survey for that purpose became indispensable, and considerations of public economy suggested the propriety of having this survey precede the personal attendance of the commissioners.

Josias Thompson, (a surveyor of professional merit) was taken into service, and authorized to employ two chain-carriers and a marker, as well as one vanguard and a pack-horse-man and horse, on public account; the latter being indispensable and really beneficial in accelerating the work. The surveyor's instructions are contained in the document No. 1, accompanying this report.

Calculating on a reasonable time for the performance of the instructions to the surveyor, the commissioners by congress, passed on the 1st day of September last, for their meeting at Cumberland, to proceed in the work. Neither of them, however, reached that place until the 3d of that month, on which day they all met.

The surveyor having under his instructions laid down a plat of his work, showing the meanders of the Potomac and Ohio rivers, within the limits prescribed for the commissioners, as also the road between those rivers, which is commonly travelled from Cumberland to Charlestown, in part called Braddock's road, and the same being produced to the commissioners, whereby straight lines and their true courses were shown between the extreme points on each river, and the boundaries which limit the powers of the commissioners being thereby ascertained, serving as a basis whereon to proceed in the examination of the grounds and face of the country; the commissioners thus prepared, commenced the business of exploring, and in this it was considered that a faithful discharge of the discretionary powers vested by the law, made it necessary to view the whole, to be able to judge of a preference due to any part of the grounds; which imposed a task of examining a space comprehending upwards of 2000 square miles, a task rendered still more incumbent by the solicitude and importunities of the inhabitants of every part of the district, who severally conceived their grounds entitled to a preference.

It becoming necessary in the interim to run various lines of experiment for ascertaining the geographical position and the service suffering great delay for want of another surveyor, it was thought consistent with the public interest to employ in that capacity Arthur Rider, the vanguard who had been chosen with qualifications to meet such an emergency, and whose service as vanguard, could then be dispensed with. He commenced, as surveyor on the 22d day of September, and continued so, until the 1st day of December, when he was retained as a necessary assistant to