

## THE ALABAMA QUESTION.

To the Editor of the Times.

SIR.—It is the great privilege of nations who enjoy the blessings of free government that the policy of their rulers, whether in domestic or foreign affairs, must ultimately be determined by the public opinion of the people themselves. The question of the relations between England and America does not belong finally to the disposal of any Secretary of State on either side of the Atlantic. It must be decided by the deliberate verdict of the national judgment, formed upon adequate knowledge and mature consideration. When such tremendous issues are at stake, no trouble is superfluous which tends to the formation of a ripe judgment. The substantial is—Has Mr. Seward demanded that which was obviously unfair, or has Lord Stanley declined what was reasonable? Upon the determination of these questions must depend the responsibility of the failure of the settlement of the matters in dispute. I shall, therefore, at risk of exhausting your patience, offer some further observations which bear upon the questions on which it so much concerns us to arrive at a just conclusion.

I have already pointed out my grounds for affirming that Mr. Seward, on behalf of himself and his Government, is debased by his own conduct and statements from contending now that at the time of the publication of the Queen's Proclamation of Neutrality a state of civil war did not exist in the United States, or from asserting that the assumption by the Government of the United States of the belligerent rights of blockade did not impose on England the situation of neutrals—a situation which was accepted but did not create. If that be so, then the demand on which the negotiation has gone off was demonstrably unfair and unjust. Before I leave Mr. Seward, I must call attention to another document that places the matter, if possible, in a clearer light than those I have already cited. On April 19, the President of the United States signed a Proclamation of Blockade. This was communicated officially by Mr. Seward to Lord Lyons on April 27. On that day a further proclamation was issued. On the 29th, Lord Lyons had an interview with Mr. Seward, in which he sought information as to the manner in which the blockade was to be enforced. He communicated the result of this interview in a despatch to Lord Russell dated May 2. On that occasion, Mr. Seward promised to give Lord Lyons a copy of the instructions issued to the blockading squadron. On May 4, 1861, Lord Lyons writes to Lord Russell:—

"I took measures this morning to remind Mr. Seward privately of this promise, and in return I received the following communication from the State Department:—

"The Secretary of the Navy has furnished us with a copy of his instructions about the blockade, but as we have not been able to find a precedent for communicating them to foreign Governments, you must not expect a copy at present. You may, however, be thus informally assured that the blockade will be conducted as strictly according to the recognized rules of public law, and with as much liberality towards neutrals, as any blockade ever was by a belligerent."—Parliamentary Papers, 1861; Correspondence Respecting Blockade, page 6.

Now, Sir, it is impossible to exaggerate the importance of this document. It is no loose

phrase incidentally dropped in some casual despatch. It is the official reply of the Department of State to a request on the part of the English Minister that the American Government would define precisely the respective situations of England and America. Lord Lyons, with the accustomed prudence of that experienced diplomatist, had not, in his previous conversation with Mr. Seward, employed the words "neutrals" or "belligerents." He had asked what would be the manner in which the blockade would be enforced on "foreign nations." And what is the written answer of Mr. Seward? He says:—"The blockade is to be enforced according to the recognized rules of public law." And this is the Minister who now says that it was a "closing of the ports by municipal law." It is Mr. Seward who, on May 4, 1861, in a paper drawn up directly *ad hoc*, with the distinct object of defining the situations of the two countries, designates the United States of America as belligerents and the English nation as neutrals. He claims for himself the one situation, and he assigns to us the other. It is this Minister who now denounces the Queen's Proclamation issued nine days after—which was nothing more nor less than substantially the same as his own declaration—as "an act of wrongful intervention, without the sanction of the law of nations." And, this document having been handed to the representative of the English nation by Mr. Seward himself on the 4th of May, we are required by the same man to submit to arbitration the question whether we owe reparation to America for asserting on the 13th of May that the United States were belligerent and England neutral. In the face of this document, I invite any man, either in England or America, to disprove my assertion that the first man who "baptized" England a neutral and America a belligerent was Mr. Seward himself, the official organ of the United States.

If I continue the examination of Mr. Seward's correspondence, it is not for the purpose of achieving a too easy triumph over a politician who makes his statements of fact accommodate themselves to the exigencies of the occasion. Mr. Seward is the mouthpiece of the American Government, and we are entitled to say to that Government, "You have no right to come forward and make a demand upon us at one time upon one statement of facts, and then come and make another demand upon us founded on an exactly opposite statement of the same facts. You shall not demand and obtain from us in 1861 a recognition and submission to your blockade on the avowment that there existed an 'open, flagrant, deadly war,' and then turn round upon us in 1867 and demand reparation on the assertion that there was no blockade and no war. There is an old sound maxim of the law, '*allegans non est audiendus*.' I ask you to submit the following account of the state of affairs in America at the time of and immediately preceding the Queen's Proclamation of Neutrality, as given by Mr. Seward in the year 1861 and the year 1866, to the judgment of the public opinion of England and America, in order that a just decision may be arrived at whether Mr. Seward is entitled to be heard on this subject. It is the more necessary that these citations should be multiplied because I see Lord Hobart suggests that I have 'caught Mr. Seward tripping' on a single occasion. It is my object that not on one occasion, or in a casual expression, but in his whole conduct and correspondence with Europe in the end of April and the beginning of May, 1861, Mr. Seward took precisely the same view of the

facts of the political situation of America at that which led the English Government, on May 13, to issue the Proclamation of Neutrality. And that being so, I say he is not now to be heard when he says that the facts are exactly the opposite of what he then asserted. I have drawn up his statements of 1861 and 1867 in parallel columns in order that they may be the more readily compared. I invite Mr. Bemis' attention to those parallel passages of what I may call Mr. Seward's "Polyglott."

"MR. SEWARD TO MR. LORD SEWARD TO LORD SCHURZ, THE AMERICAN MINISTER AT MARLBOROUGH, STANLEY. Jan. 12, 1867.

"Before the Queen's Proclamation of Neutrality, (i.e., before the Queen's Proclamation, May 13, 1861, or six days after the despatch of Mr. Schurz, since the foundations of the disturbance in the of the Federal Republic United States were laid with such merely a local insidious care and concert. It wanted the summate wisdom, an name of war to enable insurrection has deceived it to be a civil war, and loped itself and usurped to live endowed as at the organization and such with maritime attitude of a separate and other belligerent political power. This rights. Without that organization consists authorized name of several members of might die, and was this Union under the not expected to live and name of 'The Confederate States of America, but to perish a mere irregular insurrection. It was, and usurping authority therefore, not without ty has instituted civil design that the President The Government dent declined to con of the United States, for upon the insurrection the first place, in rection the pregnant indulges ho profound baptismal name of apprehension for its civil war, to the safety, even although justice of the nation the Government to whose destiny was in which you are acerb his hands. What the dited and many others President thus wisely of the European Con- and humanely declin- tinent should inter- ed to do, the Queen vened in this UNHAPPY of Great Britain too promptly performed.

She baptised the slave insurrection within the United States a civil war, and thus, so far as the British nation and its influence could go, gave it a name to live and flourish and triumph over the American Union. By this proceeding the Queen of Great Britain intervened in the purely domestic and internal affairs of the United States, and derogated from the authority of their Government. Reference to the events of the time will show that she misunderstood the actual situation entirely."

"The President of the United States has being, at the time adopted defensive referred to (i.e., May and repressive since 13, 1861.) Officially sures, including the and legally held by employment of Fed the Government of eral forces by land the United States to and by sea, with the ho a local insurrection, establishment of a MAR- this Government had rime blockade." (It the right to close this is to be observed that ports in the States the President's Pro within the scene of clamoration of Blockade insurrection by arms of April 19, 1861, CIPAL LAW, and to for- states on the face of bid strangers from it that it is declared all intercourse."

in pursuance of "laws of nations.") "The revolutionists "While as yet the have opposed to these civil war was UNDE- inevitable measures DEVELOPED, and THE IN AN ARMY OF INVASION SURGENTS WERE WITH-