ernment the principal part of the controversy, how can it be contended that they do not demand that this question is to form pa t of the arbitartion? It is quite obvious that, having regard to the ground on which Mr. Seward puts the whole claim for indemnity, the first point the arbitrator would be called on to decide would be whether the recognition of belligerent rights, which is made the fundamental basis of the claims, was or was not justifiable.

I therefore dismiss as wholly untenable the hypothesis that the American Government has not, in fact, demanded that the the conduct of England in the recognition of the belligerent rights of the South shall be made a subject of arbitration. Indeed, I cannot understand how any one who has read the recent correspondence can come to any other conclusion than that, it is the only question which they really care to raise at all.

But then there still remains the question, is this demand of the American Government one which ought to have been conceded? And here I regret to find myself as directly at issue in point of opinion with Lord Hobert as I am on the other part of the question in respect of matters of fact. It is said some times, with a false appearance of plausibility, that the more right you are the more you ought to be willing to consent to arbitration. This is a mere sophism. There are many questions which a man or a nation that is perfectly, clearly in the right, ought not to submit to arbitration. Suppose we were asked by the American Government to submit to arbitration the question of the right of the British Crown to Canada, or Jamaica, or Ireland. Would any sane minister assent to the demand? Or would it be any argument in favour of submitting to such an arbitration that the decision must be in our favour? The real truth is that the rule of common sense and common practice is exactly the opposite. Just men are willing to refer to arbitration questions upon which other persons may entertain a reasonable doubt, but not those upon which there can be no doubt at all. I will just put this test question—If America, or any foreign Government, were to demand that we should submit to arbitration this question, "Is England entitled to exercise the rights of an independent nation?" is there any man who will say that the English Government should assent to such a reference because it is probaple, or even certain, that we should succeed upon this issue?"

Now, the particular case of the Alabama, and it may be of other vessels, I think, and I have always thought, is one which might be very fairly made the subject of arbitration. I have my own strong opinion that no impartial tribunal could pronounce in favour of the Ameriran claims of indemnity. But I can conceive persons entertaining a very reasonable doubt on the two points which might fairly be raised, namely,—1st, whether the English Government took proper precautions and exhibited adequate vigilance; and 2nd, whether, if they did not, indemnity was due. I will not go into any argument upon these points now; I have dealt with both formerly at great length. These are the points which Lord Stanley has expressed himself willing to refer to arbitration, and these are the points upon which Mr. Seward has refused arbitration (perhaps because he was conscious of the weakness of his case) unless the arbitration were, in fact, to be founded on the question whether the recognition of belligerent rights was not the primary wrong, from which the rest were only derivative accidents.

Now, Sir, is the question of the right and the propriety of the recognition of the belligerent rights of the South by Great Britain on May 13, 1861, a matter upon which any reasonable person can or does entertain the smallest doubt? It is a matter upon which no statesman, no jurist, no sane man, I may say, in Europe has ever entertained any doubt whatever. But let us see how American authority stands upon this question. The individual position of Mr Seward with reference to it will be found to be most singular. I do not know that public attention has been directed to it yet as clearly as it deserves to be. In his recent correspondence Mr. Seward says:—

"A domestic disturbance arose in the country, which, although it had severe peculiarities, yet was, in fact, only such a seditious insurrection as is incidental to natural progress in every State."

And again in the same dispatch:—

"While as yet the civil war was undeveloped and the insurgents were without any organized military force or a treasury, and long before they pretended to have a flag or to put either an armed ship or even a merchant vessel upon the sea, Her Majesty's Government acting precipitately, as we have always complained, proclaimed the insurgents a belligerent power."

And in his final dispatch of the 12th of January, 1867, in answer to Lord Stanley's argument on this point, Mr. Seward says.—

"Before the Queen's proclamation of neutrality the disturbance in the United States was merely a local insurrection. *It wanted the name of war to enable it to be a civil war* (mark the words), and to live endowed as such with maritime and other belligerent rights. *Without that authorized name it must die, and was expected not to live and be a flagrant civil war, but to perish a mere insurrection.* It was therefore not without lawful and wise design that the President declined to confer upon the insurrection the pregnant baptismal name of civil war, to the prejudice of the nation whose destiny was in his hands. What the President thus wisely and humanely declined to do, the Queen of Great Britain too promptly performed. *She baptized 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."

This is Mr. Seward's statement of the case in 1867. He says that but for the English proclamation of neutrality there would never have been civil war in the United States; that it was England who gave it the name of war; and that but for our "intervention" it would have been a mere domestic insurrection with which the world would have had nothing to do. Now, let us see what was the language of the writer of these despatches in 1861, at the time when these events were in progress. On May 4th, 1861—that is, nine days before the English proclamation of neutrality was put forth—Mr. Seward writes to Mr Dayton, the American Minister in Paris:—

"The insurgents have instituted revolution with open, flagrant, deadly war, to compel the United States to acquiesce in the dismemberment of the Union. *The United States have accepted this civil war as an inevitable necessity.*"

This paper is a record laid on the table of Congress, circulated through the world, and yet the man who wrote it now says that on May 13, 1861, "the disturbance in the United States was merely a local insurrection;" that "it wanted the name of war to enable it to be a civil war and to live; that "without that authorized name it might die, and was not expected to live and be a flagrant civil war," and that "the President declined to confer upon the insurrection the pregnant baptismal name of civil war, to the prejudice of the nation whose destiny was in his hands," but that this was done by "the Queen of England, who baptized the slave insurrection within the United States a civil war."

Will any man who reads the dispatch of May 4, 1861, deny, if the "local insurrection" wanted the name of war to make it a civil war," that long before the "Queen of Great Britain too promptly performed the office," the "pregnant baptismal name" of "open, flagrant, deadly war" had been bestowed upon it by Mr. Seward, who now charges against England as a wrong, for which he demands reparation, the very act which he had performed nine days before? On May 4th, Mr. Seward writes officially,—"The United States have accepted this civil war as an inevitable necessity." But for the Queen of Great Britain to affirm on May 13th that a civil war had been accepted by the United States is a wrong, forsooth, for which England is to pay an indemnity!

I might multiply similar quotations to any extent, but I will only take one more, which, I think, will put the matter in as clear a light as any other. Every one is acquainted with the conclusive argument derived from the blockade proclaimed by the President in April, 1861. Mr. Seward has spent half his time and exhausted all his ingenuity in an attempt to escape from the consequences of this first capital blunder of his administration. In spite of the solemn decision of the Supreme Court on the point, it now suits him to declare that at the time these proclamations were issued, they were not acts of war, but simply acts of domestic authority in closing the ports. He writes in his despatch of the 12th of January, 1867:

"The disturbance being, at the time referred to, officially and legally held by the Government of the United States to be a local insurrection, this Government had a right to close the ports in the States within the scene of insurrection by municipal law, and to forbid *strangers* from all intercourse therewith, and to use the armed and naval forces for that purpose. A blockade was legitimately declared to that end; and until the state of civil war should actually have developed, the existence of a blockade would have conferred no belligerent rights on the insurgents."

All this I need hardly say is mere nonsense. A blockade which confers a right to seize neutral vessels on the high seas cannot be "legitmately declared to the end" of closing ports by municipal law. It is hardly necessary to point out the absurdity of asserting that the "blockade would have conferred no belligerent rights on the insurgents until the state of civil war should actually have developed," the fact being that until a war of some kind had developed there could have been no right to declare a blockade at all. But it is the less requisite to insist on this because, as we have already seen, Mr. Seward says, on May 4, that "open, deadly, flagrant civil war" did exist, and therefore, by his own admission at that date, at least, the proclamation must have conferred belligerent rights on the insurgents. These are just the sort of absurdities into which a man falls when he forces himself to argue against reason and common sense.

But let us turn once more from Mr. Seward, in 1867, when he is trying to give his own colour to the facts, to Mr. Seward in 1861, when he is dealing with the facts themselves. The Spanish Minister at that time writes to ask Mr. Seward for some explanation of the

(*For continuation see* 11 *page.*)