

ratified by them. At this very time a treaty was pending with Great Britain, and the President and Secretary of State expressed their willingness to insert such a proposition if the British Minister would assent to it; but though Mr. Crampton intimated that he would be glad to put his name to such a treaty, yet for some reason, when the treaty was ratified by the Senate, there was no article providing for the submission of all differences between the parties to a board of arbitrators, but only of those which should arise under the treaty.

MR. COBDEN'S MOTION IN 1849.

The British Government were not so favourably inclined to stipulated arbitration as was the Government of the United States, as appears from the report of a debate in the House of Commons, on June 12th, 1849, when Mr. Cobden moved :—

"That an humble address be presented to her Majesty, praying that she will be graciously pleased to direct her principal Secretary of State for Foreign Affairs to enter into communications with foreign powers, inviting them to concur in treaties binding the respective parties, in the event of any future misunderstanding which cannot be arranged by amicable negotiation, to refer the matter in dispute to the decision of arbitrators."

In opening the debate Mr. Cobden said :—

"By arbitration I do not mean necessarily crowned heads or neutral States. I do not confine myself to the plan of referring disputes to neutral powers. I see the difficulty of two independent States like England and France doing so, as one might prefer a republic for an arbitrator, and the other a monarchy. I should prefer to see these disputes referred to individuals, whether designated commissioners or plenipotentiaries, or arbitrators appointed from one country to meet men appointed from another country, to enquire into the matter and decide upon it; or, if they cannot do so, to have the power of calling in an umpire, as is done in all arbitrations. I propose that these individuals should have absolute power to dispose of the questions submitted to them."

To show that his plan is practicable, he cites successful instances of arbitration between the United States and England, and then goes on to strengthen his position by argument, answering by anticipation the objection that a treaty by which two nations agreed to arbitrate all their disputes would be violated. He finds no more difficulty in trusting individuals as arbitrators than as negotiators.

Lord Palmerston, then Secretary of State for Foreign Affairs, after some debate by other members, spoke at length, maintaining that private individuals were even less to be trusted than