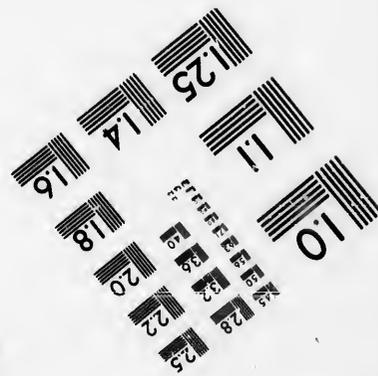
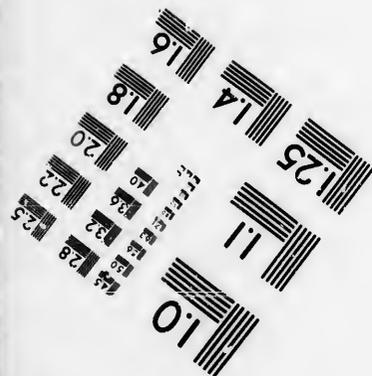
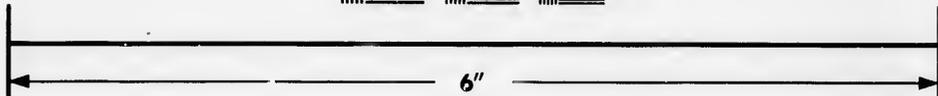
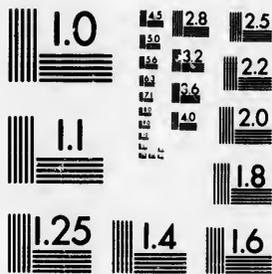


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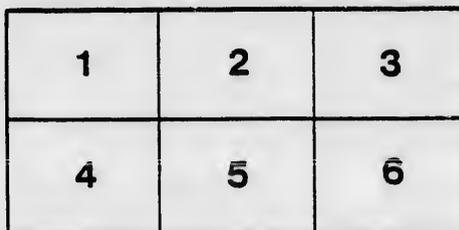
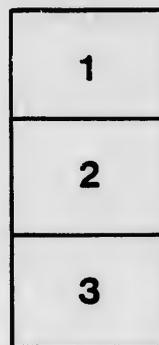
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Vol. 113

RECRUITING IN THE
UNITED STATES.

(No. II.)

LORD CLARENDON'S Despatch of 30th April, 1856.

LONDON, 12th MAY, 1856.

PRINTED BY J. WILSON, GEORGE COURT, PICCADILLY.

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RECRUITING IN THE UNITED STATES.

ON 29th of January, 1856, Lord Clarendon received from Mr Buchanan, the United States' Minister, a copy of a despatch from Mr Marcy. Of this despatch, the important portion, viz., that containing the decision of the United States' Government, is here given :—

“ Her Majesty's Minister to this Government, Mr Crampton, has taken a conspicuous part in organising and executing the scheme of recruiting for the British army within the United States. Were it possible, with due regard to the evidence and disclosures in the case, to assign him a subordinate part in that scheme, even that would not allow the President to change the course which he is obliged, under the circumstances, to pursue toward him. Any participation in the project, as it has been developed, of raising recruits in this country for the British service, was incompatible with his official relations to this Government. His connexion with that affair has rendered him an unacceptable representative of her Britannic Majesty near this Government, and you are directed by the President to ask her Majesty's Government to recall him.”

“ Mr Rowcroft, the British Consul at Cincinnati, and Mr Matthew, the British Consul at Philadelphia, are implicated in the recruiting project, and you are further directed by the President to ask for their removal for that cause.”

"The persons connected with the British Consulate at New York have been actively engaged in furthering the recruiting scheme. Mr Stanley, the assistant or clerk of the consul, has taken a more open and effective part than the consul himself, and is now under an indictment for violating the law against foreign recruiting. The consul, Mr Barclay, could not but know of Mr Stanley's conduct in that matter, but he still retains him in the consulate. Besides the responsibility that rightfully attaches to Mr Barclay for the improper conduct of an employee in his office and under his immediate and daily observation, this Government is satisfied that he has himself not only favoured the recruiting of the British army, but has participated in it. Moreover, the improper conduct of Mr Barclay in the case of the bark Maury has justly given offence to the commercial community in which he resides and with which he has official connexion."

"For these reasons this Government deems it proper to instruct you to ask the Government of Great Britain to withdraw Mr Barclay from the post of British consul at New York."

"You are directed by the President to read this despatch to the Earl of Clarendon, and, should he desire it, to hand him a copy."

"The copies of the original documents to which I have referred are contained in Hertz's trial. I send you herewith an authentic report of that trial, which you will offer to Lord Clarendon as a document connected with this despatch. I also send herewith a copy of the proceedings of the Chamber of Commerce in the city of New York relative to Mr Barclay's conduct in the case of the bark Maury. This, also, you will present to Lord Clarendon, as furnishing one ground for the request herein made for the withdrawal of Mr Barclay.

"I am, Sir, respectfully, your obedient servant,

"W. L. MARCY."

"JAMES BUCHANAN, Esq., &c., &c., &c."

Lord Clarendon has taken three months to consider what answer could be given to this demand. He has at last produced a reply, which we will now proceed to examine.

It is as follows,—

“THE EARL OF CLARENDON TO MR DALLAS.

“Foreign-office, April 30, 1856.

“The undersigned, &c., had the honour to receive, on the 29th of January, from Mr Buchanan, Envoy Extraordinary and Minister Plenipotentiary of the United States at this court, a copy of a despatch dated the 28th of the previous December, addressed to Mr Buchanan by Mr Marcy, Secretary of State of the United States, containing observations on a despatch which the undersigned had directed her Majesty's Minister at Washington to communicate to Mr Marcy. Mr Marcy's despatch was in continuation of the discussion which had been some time pending between the two Governments, on the subject of the conduct which was alleged by the Government of the United States to have been pursued by certain of her Majesty's officers in giving effect to the intentions of her Majesty's Government to receive into the military service of the Queen any persons who, coming from any quarter into her Majesty's dominions, might there be willing to engage in that service.

“The undersigned has hitherto deferred replying to Mr Marcy's despatch, not only because it was more consistent with the respect which her Majesty's Government entertained for the United States, thoroughly to inquire into the allegations contained in it, but also because it was just and right towards her Majesty's officers whose conduct was impugned, to put them in possession of the charges brought against them, and to give them that opportunity of explanation and defence which was then for the first time afforded them.

“The undersigned, before he adverts to Mr Marcy's last despatch, must express his deep regret that the Government of the United States should have deemed it necessary to continue a controversy on a question which Mr Buchanan considered at the time would be finally settled by the note of the undersigned of July 16, 1855, a note which Mr Buchanan said he would transmit with much satisfaction to his Government. The undersigned had indeed hoped that that note, together with his subsequent communications of the 27th of September to Mr Buchanan, and of the 16th of November, through Mr Crampton, to the Government of the United States, would have been accepted by a friendly Government such as that of the United States, as a disclaimer of any intention to give offence, and as a satisfaction for any offence which that Government might have been led by circumstances to think had, though unintentionally, been given.”

As regards this note of 16th of July, 1855, it is to be

remembered that, although Lord Clarendon coolly expresses his regret at the course of the United States' Government, he had already on the 29th of January, been taken to task by Mr Buchanan for omitting to state that the expression of "satisfaction" was used before there was any idea of Mr Crampton's complicity. Lord Clarendon then said to Mr Buchanan,

"I regret not having embraced your remark in my despatch to Mr Crampton." (Vide 'Blue Book,' Recruiting in United States, delivered May 2, 1856, page 247.)

Notwithstanding his apology, Lord Clarendon deliberately repeats this statement for the mere sake apparently of making a point.

"For what has been the course of the transactions which have given rise to this correspondence?"

"On the breaking out of the late war between the Western Powers and Russia, the British Government was informed that many persons resident within the United States—some, natives of the continent of Europe, and some, natural born subjects of her Majesty—were desirous of entering into the military service of Great Britain. The British Government, believing the information they had received on this matter to be well founded, and being anxious to increase as rapidly as possible their military force, took steps to avail themselves of this disposition, and gave directions that any persons presenting themselves within the British North American Provinces, willing to enlist and found fit for service, should be engaged for the British army. But her Majesty's Government gave the most positive orders that in making arrangements for this purpose nothing should be done to infringe in any manner whatsoever the neutrality laws of the United States.

"It was not doubted that such arrangements might be carried into execution without any violation of those laws, because those laws prohibit enlistments or engagements only within the territories of the United States; they do not forbid citizens of the United States or residents therein from leaving those territories, nor do they forbid such citizens or other persons from engaging or enlisting in military service elsewhere, when of their own free will and without any previous contract or engagement they may have left those territories.

"The intentions of the British Government, and the arrangements made to carry those intentions into execution, were not concealed from the Government of the United States.

"Those intentions and arrangements were frankly stated by Mr Crampton to Mr Marey in a conversation on the 22nd of March, 1855, and the only observations which Mr Marey made in reply were that

the neutrality laws of the United States would be rigidly enforced, but that any number of persons who desired it might leave the United States and get enlisted into any foreign service."

Is it "frank" in Lord Clarendon to invert the order of Mr Marcy's sentences? Read Crampton's despatch, 'Blue Book,' page 133.

"Up to this point, therefore, there was no misunderstanding as to the purpose of the British Government, and no difference of opinion as to the legality of the course which that Government intended to pursue.

"But the British Government soon found, by accounts which reached them from the United States, that it would be difficult to prevent the execution of the contemplated arrangements from being attended by circumstances which might give rise to discussions between the two Governments. It was seen that, however strict might be the orders of her Majesty's Government that nothing should be done in contravention of the laws of the United States, and however scrupulous her Majesty's officers in America might be in obeying those orders, yet a misconception of the precise bearing of those laws might lead some of those officers unintentionally to overstep their limits, while other persons, either from honest zeal or for the sake of gain, or from a desire to entrap her Majesty's officers, might do things at variance with the provisions of those laws. Her Majesty's Government, therefore, being most anxious that nothing should happen to disturb the good understanding between the two Governments, and being desirous of showing unequivocally their respect for the laws of the United States, at once, and of their own accord, determined to give up the further prosecution of the arrangements in question, and they accordingly sent out to Canada and to Nova Scotia on the 22nd June, 1855, orders to discontinue all further proceedings in the matter of enlistment for the Foreign Legion."

This confession is most important. It is to be regretted that Lord Clarendon has not deemed it advisable to state the particular reasons which induced this change of opinion on the part of her Majesty's Government.

In the debate on the Foreign Enlistment Bill, objections of this character had been started, but were then treated with contemptuous indifference by her Majesty's advisers.

For various reasons a reference to the above debate will be found of much interest.

"A fortnight after these orders had been sent out the undersigned received from Mr Buchanan a note, dated July 6th, alleging that the neutrality laws of the United States had in many instances been violated by persons taking steps, either with or without the approbation of the British Government, for the purpose of engaging or enlisting within the United States recruits for the British service; and Mr Buchanan, in the conclusion of his note, stated that "the President would be much gratified to learn that her Majesty's Government had not authorised the proceedings complained of, but had condemned the conduct of its officials engaged therein, and had visited them with its marked displeasure, as well as taken decisive measures to put a stop to conduct contrary to the law of nations, the laws of the United States, and the comity which ought ever to prevail in the intercourse between the two friendly Powers."

"The undersigned, in reply to this note, expressed to Mr Buchanan, on the 16th of July, the regret of her Majesty's Government if the law of the United States had been in any way infringed by persons acting with or without authority from her Majesty's Government; and he stated that any such infringement of the law of the United States would be contrary to the wishes and the positive instructions of the British Government.

"The undersigned went on to explain his reasons for believing that no person authorised to act for the British Government had violated the law of the United States; and in conclusion he stated that the request of the President that decisive measures might be taken to put an end to these proceedings had been anticipated by the spontaneous act of her Majesty's Government, who had, a fortnight before the receipt of Mr Buchanan's note, sent out orders to put an end to the arrangement for enlisting within the North American provinces persons who might come there from other places.

"Mr Buchanan, in reply, said, in a note dated the 18th of July, that he should feel much satisfaction in transmitting to his Government the note of the undersigned.

"So strong appears to have been the impression on the mind of Mr Buchanan of the satisfactory nature of this communication, that when afterwards he received a despatch from Mr Marcy with renewed instructions to address remonstrances to the British Government on the subject of the recruiting proceedings, he abstained from acting upon those instructions, and withheld Mr Marcy's despatch containing them from the knowledge of her Majesty's Government, obviously because he perceived by its date, the 15th of July, that it was written long before the note of the undersigned of the 16th of July could have been received by Mr Marcy, and because he concluded that when that note should have been received, the Government of the United States would be satisfied with its contents. For a considerable time this conclusion appeared well founded. On the 5th of September, however, Mr Marcy addressed a note to Mr Crampton, not alleging that fresh subjects of complaint had arisen since the receipt in America of the British orders of the 22nd of June, but going back to the same transactions to which Mr Buchanan's note of the 6th of July had adverted, and renewing all his original complaints, as if no notice had been taken of his former representations, as if no regret had been expressed, and as if no measures had been adopted to put an instant stop to the proceedings out of which his complaints had originated.

"A communication so much at variance with what Mr Buchanan's note of the 18th of July had led her Majesty's Government to expect might well be received with some feelings of surprise, inasmuch as they believed that they had given to the Government of the United States every satisfaction which one Government could reasonably expect to receive from another in a case of this kind."

It is hardly credible that all this is spun out of the simple finale to a letter of Mr Buchanan of the 18th of July, 1855.

"The undersigned will have much satisfaction in transmitting a copy of his lordship's note to the Secretary of State by the next steamer," and, moreover, as before stated, that Lord Clarendon knew that the complicity of Crampton had not then appeared. (Vide 'Blue Book,' No. 70, page 173).

Why, what does Lord Clarendon imagine that his diplomatic correspondents mean when they—"renew the assurance of the highest consideration."

Does he believe them?

This trash is really too ridiculous to dwell on.

Had Lord Clarendon "a case" he need not resort to such transparent claptrap.

"The undersigned, however, on the 27th of September, replied to Mr Marcy's note, answering the allegations renewed in it and repeating that her Majesty's Government had no reason to believe that any of her Majesty's servants, or any agents duly authorised by them, had disregarded the injunctions to respect and to obey the laws of the United States.

"Nevertheless the Government of the United States still considered this answer unsatisfactory, and on the 13th of October, Mr Marcy addressed another despatch on these matters to Mr Buchanan, which was communicated to the undersigned on the 1st of November. In that despatch Mr Marcy renews his general assertions that her Majesty's officers in America had violated the laws of the United States; he refers to his despatch of the 15th July, which Mr Buchanan has abstained from communicating on the supposition that the note of the undersigned of the 16th July had finally settled the question at issue, and he states that the said despatch of the 15th of July indicated the satisfaction which the Government of the United States believed it had a right to claim from the Government of Great Britain.

"This despatch of the 15th of July, which was not communicated to the undersigned by Mr Buchanan till the 2nd of November, concludes

by saying that "the President is disposed to believe that her Majesty's Government has not countenanced the illegal proceedings of its officers and agents since its attention was first directed to the subject, and will consider it alike due to itself and to the United States to disavow their acts and deal with them in such a manner as their grave offence merits," but that "as recruiting for the British army, in the mode alluded to, is still prosecuted (as he believed) within the United States by officers and agents employed for that purpose, the President instructs Mr Buchanan to say to her Majesty's Government that he expects it will take prompt and effective measures to arrest their proceedings and to discharge from service those persons now in it who were enlisted within the United States, or who left the United States under contract made here to enter and serve as soldiers in the British army."

"This, then, is the satisfaction which, as late as the 13th of October, Mr Mreay declared was that which the Government of the United States demanded.

"With respect to the first part of this demand, her Majesty's Government deny that any illegal proceedings were, so far as they knew, committed by its officers or authorised agents, and therefore they have none to disavow, and no officers or agents to deal with as offenders. With regard to the other points specified by Mr Marey, the undersigned on the 16th of November, deeming it respectful to the Government of the United States to do so, entered into a detailed and, as he hoped, a satisfactory, reply to the arguments and statements contained in Mr Marey's despatch of the 13th of October. In that reply the undersigned stated that the most material point, that of the alleged recruiting had been already disposed of; for, nearly four months before the date of that despatch, the recruiting arrangements and proceedings had been abandoned by orders sent by her Majesty's Government on the 22nd of June; and that the second part of the satisfaction required it was not in their power to give, because no person had to their knowledge been enlisted within the United States, or left the United States under contract made therein to enter into service in the British army. And he further added that if it could be shown that any men had been so enlisted, they should immediately be discharged and sent back to the United States.

"The undersigned thus showed that the satisfaction claimed by the Government of the United States had long since been given as far as it was in the nature of things possible to give it, and, in addition to the satisfaction asked for, he expressed the regret of her Majesty's Government if anything had been done by any person, authorised or unauthorised, which could be considered an infringement of the law of the United States."

Really, with every deference to the Earl of Clarendon,

"The undersigned thus showed" nothing of the sort.

Why he has stated in this very despatch that the discontinuance of the recruiting was a spontaneous act, not by way of amends to the United States, but by way of relieving the

British Government from the consequences of their own acts. Notwithstanding this, his Lordship takes the credit of having yielded it, as the satisfaction claimed by the United States' Government. Lord Clarendon proceeds to admit this a few lines further on—

"It might naturally have been supposed that the correspondence would here have ended. Regret had been expressed for any infringement of the law of the United States, if any had taken place, notwithstanding the positive and repeated orders of her Majesty's Government to the contrary. The satisfaction which the Government of the United States, after mature deliberation, had demanded had either been spontaneously and by anticipation granted, or had been shown to be impracticable because there was no man in the British service whose enlistment, or contract to enlist, had, to the knowledge of her Majesty's Government, taken place in the manner specified by Mr Marcy in his despatch of the 15th of July, and whose discharge, therefore, could form part of the satisfaction indicated by Mr Marcy. Her Majesty's Government, however, expressed their readiness to give that satisfaction also, if any case should be established to which it could apply.

"Her Majesty's Government were, however, disappointed in the confident expectation which they had entertained that this further explanation would prove satisfactory, for on the 29th of January of the present year, Mr Buchanan communicated to the undersigned a despatch from Mr Marcy, dated the 28th of December preceding, recapitulating the complaints of the Government of the United States, and making a demand in the way of satisfaction different from those which were mentioned in Mr Marcy's note of the 15th of July, and which were referred to in his despatch of the 13th of October, as the satisfaction which the Government of the United States believed itself entitled to claim. This demand consisted in an application for the recall of her Majesty's Minister at Washington, and of her Majesty's Consuls at Philadelphia, New York, and Cincinnati. It will naturally be asked whether any new ground had been found for this demand, or whether any new event had happened between the 13th of October and 28th of December, in which these officers of her Majesty had been concerned. Nothing of the kind had taken place, and the accusations made against these officers in Mr Marcy's despatch of the 28th of December, rest upon statements which were equally within the knowledge of the Government of the United States on the 13th of October, when no such demand was made."

As regards this attempt to confuse dates, it should be remembered that Mr Crampton was in Halifax in May, 1855; that it was during May that he did the acts that form the

ground of the complaint against him ; that his conduct did not come before the United States' Government judicially until September, 1855 ; that nothing said or done by them before that judicial knowledge can be held to prejudice their case ; that, therefore, a reference by Mr Marcy on 13th October to his former note of 15th July, absolute concludes nothing, and that it follows, as a necessary consequence, that there is nothing to justify Lord Clarendon's "disappointment," or "the confident expectation" that he had entertained.

The deep respect that Lord Clarendon entertains for the Government of the United States, precludes him, of course, from questioning the right of the United States to frame their own case ; he must therefore allow them, even in the alternative that he has suggested, the full right to extend and amplify their demand, if they became convinced that their moderation up to 15th July, their disinclination to push demands, deemed just by them to the extreme limit, had been met by disingenuousness, untruthfulness, and aristocratic hauteur.

" Before the undersigned proceeds to reply to Mr Marcy's note of the 28th of December, he must notice an erroneous construction which Mr Marcy has there put upon a passage in a despatch of the 12th of April, 1855, from the undersigned to Mr Crampton, which was communicated by him to Mr Marcy. The passage is as follows :—" I entirely approve of your proceedings as reported in your despatch No. 57 of the 12th ultimo, with respect to the proposed enlistment in the Queen's service of Foreigners and British subjects in the United States." Mr Marcy assumes, and argues upon the assumption, that the meaning of this passage was, that the enlistments of the persons mentioned, and which were approved of by her Majesty's Government, were to take place within the United States ; whereas the sentence, according to its obvious meaning, relates to Foreigners and British subjects resident in the United States. The word "in" has reference to the place where they resided, and not to the place where they were to be enlisted ; and if any doubt could arise on this point, that doubt must have been removed by the concluding passage, which adverts to the neutrality law of the United States, and says that her Majesty's Government would on no account run any risk of infringing that law. This construction of the passage under consideration does not appear to have occurred to Mr Marcy at the time when the despatch of the undersigned of the 12th of April was communicated to him by Mr

Lumley. So far from it, Mr Marcy expressed to Mr Lumley his satisfaction with that despatch, and desired that he might be furnished with a copy of it, in order that he might show it to his colleagues.

"The undersigned must also further observe that Mr Marcy, in the same despatch, has misconceived the meaning of an expression used by the undersigned in making an offer, above referred to, that any man who might have been enlisted within the United States should be immediately discharged and sent back. The reference there made to British law was merely intended to indicate that if persons had been enlisted under the circumstances supposed, such enlistment would have been at variance with British, as well as with American, law, but the undersigned did not mean that respect would not be paid, in the discharge of men, to the principles of the law of the United States alone should that law appear to have been violated in a single case.

"In reply to the general statements of Mr Marcy's despatch, the undersigned must repeat that her Majesty's Government gave the most positive orders that no man should be enlisted or engaged within the territory of the United States, and that the neutrality laws of the United States should be strictly and scrupulously respected; but Mr Marcy now contends that this was not enough, and though in conversation with Mr Crampton, on the 22nd of March, 1855, he said that he could not object to any number of persons going to Nova Scotia, to be there enlisted, provided the neutrality laws of the United States were not infringed, he now argues that the enlistment in Nova Scotia of persons coming thither from the United States was a violation of the policy of the United States, and that not to respect that policy was an offence on the part of Great Britain against the sovereign rights of the United States."

Mr Crampton hints, without actually stating it, that Mr Marcy had given him to understand, between themselves, that he was bound to make a show of respect for the law, but that for his (Marcy's) part, he did not care if half the United States enlisted."—(Vide 'Blue Book,' No. 69, page 172. Mr Crampton's Letter, Feb. 22, 1856.)

This is worth attention, because it goes far to corroborate the statement made by Hertz.

What Mr Marcy did say was, that "Persons might leave the United States, and enlist in the British or any other army, *but* that any person violating the neutrality laws would be prosecuted, and, if convicted, punished."

Now with the *erroneous impression* on Mr Crampton's

mind as to Mr Marcy's opinion, what more likely than that he should say, in answer to Hertz's inquiry—

“How am I to be backed in case a charge is made against me?”

“The law is exceedingly lax.”—(‘Blue Book,’ page 109.)

“Now in reply to this the undersigned begs to observe, that the policy of a nation in regard to its internal arrangements must be sought for in the laws of that nation; that what those laws forbid, it must be understood to be the policy of the state to prohibit, and that what those laws do not forbid, it must be understood to be the policy of the state to allow. In every state, whatever may be its form of government, there is a sovereign power; that sovereign power may impose upon the subjects or citizens of such state what duties, obligations, and restrictions it may think fit, and it is a necessary conclusion that when the sovereign power puts a limit to its enactments, whether of obligation or of prohibition, it means to leave its subjects or citizens free in regard to all matters not within the enactments of the law. This principle is indeed admitted by Mr Buchanan's note of the 6th of July, wherein he lays it down that the neutral policy of the United States is “defined and enforced” in the statute of 1818.

“Different countries have different laws in regard to the enlistment of their subjects and citizens in the military and naval service of other states, and these laws vary according to the different policy of these countries with respect to such matters.

“In Great Britain the law not only prohibits recruiting or enlisting within the British dominions for the service of any foreign state, without the permission of the sovereign, but it goes further, and prohibits any subject of her Majesty from enlisting even elsewhere without the royal permission. The policy of Great Britain hence appears to be to prevent British subjects from entering at all into the service of foreign states without the permission of the crown.

“The law of the United States appears to be different. Her Majesty's Government understood, and that understanding is confirmed by Mr Buchanan's note of the 6th of July, that the law of the United States only forbids enlistments, recruiting, and contracts or engagements within the United States, and hiring or retaining persons to quit the United States with intent to be enlisted elsewhere, but it does not forbid citizens of the United States who may have used their natural right of quitting the United States to enlist into the service of a foreign state when they have left their own country. The sovereign power of the United States might, if it had chosen to do so, have followed its citizens with a prohibitory enactment beyond the territory of the United States; but it has not thought fit to do so, and the just and inevitable conclusion is that what it might have forbidden, but has not forbidden, it has designedly allowed; that is to say, in other words, that it is the policy of the United States to prevent foreign enlistments within the United States, but that it is not the policy of the United States to forbid the citizens of the United States to enlist, when out of

the United States, into the service of foreign states if they should choose to do so.

"Such being the state of this matter, it is obvious that the British Government cannot justly be charged with any disregard of the policy of the United States, nor with any disrespect of their sovereign rights, by taking into the Queen's military service any persons who, having come from the United States, freely and without contract or engagement, into a British territory, might there be willing to enlist."

On this subject it may be as well to quote the Act of Congress of 1818 :—

"If any person shall, within the territory of the United States, hire or retain any person to go beyond the limits of the United States, with the intent to be enlisted in the service of a foreign Prince, he shall be deemed guilty of a high misdemeanor."—('Act of Congress,' 1818.)

This is very simple. The person hiring or retaining must be *within* the territory of the United States. The parties prosecuted *were* within that territory. Mr Crampton went out of the territory to conspire to violate the law of the United States. He is not prosecuted for a high misdemeanor—in fact his case does not come under the law—but because his connexion with the parties who did violate the law was "conspicuous" and has made him an unacceptable representative of her Britannic Majesty, the President asks his recall.

"The real question at issue between her Majesty's Government and that of the United States, are, whether the British Government ordered or contemplated any violation of the neutrality laws of the United States; whether, if the British Government did not order or contemplate such violation, those laws were nevertheless violated by persons acting with the authority or approbation of the British Government; and lastly, whether if any violation of the law of the United States did take place, sufficient satisfaction has been given to the Government of that country.

"In regard to the first point, the British Government neither ordered nor contemplated any violation whatever of the laws of the United States, but, on the contrary, issued the most positive and repeated orders that those laws should not be infringed by any persons acting under their authority."

This is mere assertion; a simple plea of "not guilty." The

question is, "What did they do?"—not "What did they say?"

Of course they did not want to be found out.

"In regard to the second point, Mr Marcy alleges that notwithstanding the orders of the British Government, officers and agents of that Government did within the United States do things which were a violation of the neutrality laws of the United States, and Mr Marcy specifically makes his charge against Mr Crampton, her Majesty's Minister at Washington, and against her Majesty's Consuls at Cincinnati, Philadelphia, and New York."

That is not so.

The allegation, as against Mr Crampton, is, that his connexion with the illegal acts complained of had made him an unacceptable representative of her Britannic Majesty.

Now what does Mr Crampton say? What do her Majesty's Ministers, after three months' consideration, offer as a full and valid defence to the charges brought against them? Do they even produce a denial by Mr Crampton of the truth of the charge affecting him?

NO, THEY DO NOT.

And why? Because a denial would be useless without the proof to support it.

What did Lord Clarendon state in the House of Lords on January 31st, 1856?

"Instructions were sent to the Governor of Nova Scotia, to consider whether persons from the United States, desirous of enlisting in the British Army, could be received at Halifax. These instructions were made known to Mr Crampton, and he was told, that however desirous her Majesty's Government were to obtain recruits, they were still more anxious that there should be no violation or infringement of the municipal law of the United States. Shortly afterwards, an agent opened an agency office; and upon complaint being made,

Mr Crampton desired that it might be made public that the British Government did not recruit, or raise soldiers in the United States, and he made known his instructions to Mr Marcy, who then expressed himself satisfied. The passage of persons, wishing to go to Canada to enlist was paid, and Judge Kane laid down the rule, that to pay the passage of men to a foreign port, and then to enlist them, was no violation of international law. . . . From the commencement, the British Government have disclaimed all intention of infringing the law of the United States. . . . With the conduct of Mr Crampton we are perfectly satisfied, for I am convinced that neither intentionally or unintentionally, nor accidentally, did he violate any law of the United States."—*Lord Clarendon's Speech, House of Lords, January 31, 1856.*—(Vide 'Times,' February 1st.)

His Lordship does not even carry his case as far on the 30th of April as he did on the 31st of January.

He does not *now* pretend that her Majesty's Ministers had been guided by the advice of Judge Kane, (the very Judge, be it remembered, who tried and convicted Hertz).

That is a statement good enough for Parliament, but his Lordship does not "try it on" with Mr Marcy. Now let us again revert to the actual charge against Crampton, the acts constituting his "connexion" with the offenders against the law, which "connexion" makes him "unacceptable" at Washington.

It appears that having had his explanation with Marcy, he proceeded to Halifax and that *there*, with the Governor of Nova Scotia and others, he proceeded to take such steps as he thought most suitable to procure men for the Foreign Legion, and that there he received from *Captain* Max Strobel a certain plan of proceedings.

This, be it remembered, is Crampton's own statement of the 27th of November, 1855.—(Vide 'Blue Book,' page 133).

What does Lord Clarendon say, what does he give as Crampton's denial? Why this:

"With respect to Mr Crampton, the undersigned has to state that Mr Crampton positively and distinctly denies the charge brought against him; he declares that he never hired, or retained, or engaged a single person within the United States for the service of her Majesty, and that he never countenanced or encouraged any violation of the law of the United States."

The charge being for misconduct at *Halifax*, he says he
 "Never hired, retained, or engaged a single person *within* the United States."

It would be an equally good defence, entitled to just as much consideration, if he said they were not single, they were all married.

But let us see (always with strict reference to the 'Blue Book') what Crampton himself states on November 27, 1855:

Having stated that his object in going to Halifax was to put a stop to the proceedings of persons connected with the Foreign Legion, and that he had left with his Secretary of Legation a message to that effect for Mr Marcy (vide 'Blue Book, No. 55, page 132), Mr Crampton quietly proceeds, on the very next page, to give the narrative of his intercourse with *Captain Strobel*, at Halifax, for the purpose of raising men for this very same Foreign Legion.—(Vide 'Blue Book,' page 133).

Need more be said?

However, let us go on—

"I accordingly left Washington on May 2," * * * *
 "I returned to Washington on June 3."—(Vide Blue Book, page 133.)

Here is one whole month—the very month in which it is alleged he formed that "connexion" which rendered him "unacceptable." Where are his communications with the English Government during the month of May, 1855?

Why, with a whole 'Blue Book,' for the defence, is not one single despatch given?

Will any one believe that during that whole month, in which, to the neglect of the duties of his office, he was recruiting for the German Legion, he sent no despatch to the Foreign Office?

It is utterly incredible. In fact, Lord Clarendon does not say so.

Now comes the question, Where are his despatches, and what did he say?

Not one word is given in the 'Blue Book' from Mr Crampton, until, *seven months later*, we have the laboured despatch quoted above, in order to supply the omission.

What is the obvious inference?—

That the "truth" was fatal to the case—

That Crampton's despatches were suppressed because they would not venture to produce them.

There is another significant fact which shows that this 'Blue Book' is quite as important for what it does not, as for what it does, contain. Mr Crampton says:

"I went up to Quebec, and had some conversation with Sir Edmond Head on this subject."—(Vide 'Blue Book,' page 133.)

Now Canada is not an unimportant colony. Canada had made most liberal offers of men and money, which her Majesty's Ministers had treated with cool contempt. In the whole 'Blue Book' what space do we find devoted to Canada?

A despatch of six lines at page 4,

Another of three lines at page 9,

and at page 16 a reference occupying two lines to a communication from Lord Panmure.

Eleven lines in a 'Blue Book' of 267 pages. What is the reason of this ominous omission?

Because Sir Edmond Head was so alarmed for the safety of Canada, in consequence of Mr Crampton's proceedings

that he not only would not have anything to do with his plans, but sent to warn off his agents, whose mere presence in Canada he would not permit.

This is the reason why the Honourable Joseph Howe, about whom the colonial papers said so much, and Lord Clarendon says so little, got no farther than Niagara.

The next portion of Lord Clarendon's statement is really deserving of the deepest consideration, although on grounds purely English, and for reasons other than those connected with Crampton's case.

As against the United States' Government, it is of no weight whatever.

Lord Clarendon not being able to give any denial, by Crampton, of the charge against him, proceeds to attack the character of the witnesses, evidently without seeing that such a course would take him on to very dangerous ground.

Hertz was convicted of a misdemeanor in a United States' Court, on evidence that implicated Crampton.

Lord Clarendon assumes the right to go behind that evidence.

Now what did our Government, no longer ago than Feb. 7, 1856, lay down as a principle, connected with this very question of Foreign Enlistment, on the occasion—not of the request for the recall, but of the actual imprisoning and punishing of a British Consul by his Majesty the King of Prussia?

They said, and mark it, because the sentence in *italics* has an important bearing (as coming from Lord Palmerston) on this argument.

FOREIGN ENLISTMENT.

“Mr H. BAILLIE said—I wish to ask the First Lord of the Treasury, whether he has any objection to lay on the table of the House the correspondence which has taken place with the Prussian Government, relative to the employment of agents

For the enlistment of troops, and in reference to the arrest of her Majesty's Consul at Cologne upon the charge of being engaged in such proceedings ; also any communications which may have been made by the authorities of the Hanse Towns with reference to the subject of enlistment.

" LORD PALMERSTON—I certainly shall object to produce to the House the correspondence with regard to our Consul at Cologne. There were charges brought against Mr Curtis which her Majesty's Government had good reason to believe were supported by evidence not entitled to credence. A great deal of communication passed between her Majesty's Government and the Prussian Government. The trial at Cologne and the condemnation of Mr Curtis followed, which in our opinion was not just ; *but we could not expect the Prussian Government to acquiesce in our opinion, as they were entitled to place confidence in the judgment of their own tribunal.* Nevertheless, as a matter of courtesy towards her Majesty's Government, the King of Prussia pardoned Mr Curtis as soon as the final sentence of the court was delivered. The correspondence involved a good deal of controversy. The transaction has ended satisfactorily and amicably, and I think no public advantage would arise, but the contrary, from laying the papers on the table of the House. (Hear, hear). With regard to the other question, there has really been no correspondence on the subject. Representations were made to the Government of Hamburg with respect to enlistment going on, and a communication was made by the Hamburg Government to Colonel Hodges, but it did not need any reply. At Hamburg five or six persons were tried and convicted of enlisting contrary to law. No communication has, however, been made to her Majesty's Consul-General at Hamburg, and there is nothing to produce on the subject. (Hear)."—'Times,' February the 8th, 1856.

Lord Clarendon appears to think that simply because he

has to deal with a Republican President, instead of a Despotic monarch, a different rule is to be acted on, and we are placed by him in the very dangerous position of attempting to enforce this doctrine, although it is utterly untenable and will not bear a moment's examination.

Does not Lord Clarendon see that he in effect declares that the United States' Government ought to have at once sent away Crampton and tried and convicted the Consuls? He thus imposes a penalty on moderation and offers a premium on violence.

"The charge brought against Mr Crampton is mainly founded upon evidence given by Strobel on the trial of Hertz, and on the so-called confession of Hertz himself. One of these persons, Strobel, was, in consequence of his misconduct, dismissed from employment by the Lieutenant-Governor of Nova Scotia at Halifax, and afterwards applied to Mr Crampton, and endeavoured to extort money from him by a threat, which was of course disregarded. The undersigned has the honour to transmit as inclosures to this note documents which sufficiently prove that both Strobel and Hertz are wholly unworthy of credit. It is impossible for her Majesty's Government to set the assertions of such men as these against the declaration of Mr Crampton, a man of unquestionable honour.

"The undersigned must, indeed, remark that the whole proceeding in regard to the trial of Hertz was of such a nature that, whilst her Majesty's Minister and her Majesty's Consuls might be, and indeed, were, inculpated by the evidences of unscrupulous witnesses, that Minister and those Consuls had not any means or any opportunity of rebutting the charges which were thus incidentally and indirectly brought against them.

"With regard to her Majesty's Consuls at Cincinnati, Philadelphia, and New York, they all equally deny the charges which have been brought against them, and they declare that they have in no way whatever infringed the laws of the United States.

"With respect to Mr Roweroff, her Majesty's Consul at Cincinnati, the undersigned has to observe that legal proceedings against that gentleman are still pending. As to the origin, character, and nature of those proceedings, the undersigned might have much to say; but, as they are still pending, he abstains from doing so. He must, however, be permitted to remark that it would, at all events, be inconsistent with the plainest principles of justice to assume as established charges which are still the subject matter of judicial investigation.

"The accusation against Mr Mathew, her Majesty's Consul at Philadelphia, rests entirely upon assertions made by Hertz. Those assertions are positively denied by Mr Mathew; and her Majesty's Government can scarcely believe that the Government of the United

States, with the knowledge which it will have obtained of the character of Hertz, will hesitate to concur with the Government of her Majesty in giving credit to Mr Mathew.

"With respect to Mr Barelay, her Majesty's Consul at New York, he declares that he neither favoured the alleged recruiting nor participated in it, nor was informed of the hiring, retaining, or engaging any man for that purpose.

"Her Majesty's Government cannot but accept the denial of these gentlemen as more worthy of belief than the assertions and evidence of such men as Hertz and Strobel."

Lord Clarendon has supplied the evidence that in the proceedings of the British Government under the Foreign Enlistment Act they employed as agents various individuals, among whom we find the names of *Captain Strobel, Hertz, and Reuss.*—(Vide 'Blue Book'.)

Let all those members of the House of Commons who took part in the debate on the Foreign Enlistment Bill, all who heard what was said by Government in its favour and remember the reasons given against it, lend their best attention to Lord Clarendon's own account of the men in whose hands our Government (having scornfully rejected Canadian aid) placed the honour of the Country.

First as to Mr Hertz

"Commonwealth of Pennsylvania, city of Philadelphia, ss.

"Be it known that on the day of the date hereof, before me, Edward Hurst, notary public for said commonwealth, duly commissioned and sworn, residing in said city, personally appeared Maximilian August Thoman, of the city of New York, who, being by me duly sworn according to law, did depose and say,—

"That he recently had a conversation with Sigismund Zeise, now the confidential clerk of P. R. Scherr, No. 142 Coates street, in Philadelphia aforesaid, liquor-dealer, who stated to him, the deponent, that Henry Hertz, now residing at No. 424 South Twelfth street, Philadelphia, was about two years and six months ago a salesman in the employment

of the said P. R. Scherr and his then co-partner, Henry Gerner, and that he, the said Zeise, was at the same time employed in the said establishment.

"That while the said Hertz was acting as salesman in said employment he, in co-operation with said Gerner, swindled Mr Scherr, the other co-partner, out of sundry sums of money, by sending liquors, wines, and other articles to different customers without charging them in the books of the concern, or crediting the firm with the money received therefore, which they appropriated to their own use.

"That said Zeise in said conversation further stated, that said P. R. Scherr instituted a suit and recovered a verdict against his partner the said Gerner in one of the courts in the city of Philadelphia, and that the said Gerner, as well as the said Henry Hertz, were obliged to leave the said establishment, the latter being actually turned out of doors as a man who had wronged his employer by a swindling operation.

"That said Zeise in said conversation also stated that said Gerner and said Henry Hertz on one occasion endeavoured to induce him, the said Zeise, to join them in the swindling process of sending articles of merchandise to different persons, without charging them in the books of the concern, or of giving the firm credit for the amount received therefore ; that he declined their overture, and gave information of the fact to his employer, the said P. R. Scherr.

"The deponent further states that William Mehler was present during the said conversation, and heard the whole of it.

"M. A. THOMAN.

"Sworn and subscribed before me, this 2nd day of November, 1855.

"EDWARD HURST, Notary Public."

(Vide 'Bluc Book.')

This is not all ; Lord Clarendon's friends appear to have enjoyed considerable notoriety.

Other affidavits follow with reference to the same concern, which in all respects confirm the allegations of this statement.

It appears that this was not the only occasion on which Mr Hertz gave umbrage to the respectable citizens of the United States. Here is a record of another little transaction in watches not of the most creditable kind :—

“State of Pennsylvania, city of Philadelphia, ss.

“Personally appeared before me, the subscriber, an alderman and justice of the peace of the city of Philadelphia, Franklin Butler, who being duly sworn, deposes and says :—That he resides in the city of Philadelphia, and is an importer of watches and jewelry. Deponent says he knows one Henry Hertz ; that he has known him about two years ; that he knows his character by public report ; that it is bad as relates to financial matters ; that in January last said Hertz, who had before importuned deponent to let him have watches on credit, which deponent refused, obtained from deponent two gold watches, upon the representation that he had a purchaser for them, and that he would return the watches or the money on the following Saturday. After procuring the watches deponent heard nothing from Hertz, and sent repeatedly to him, but could not get the watches or the money. Finally, by threats of prosecution, he obtained from him one of the watches, by giving him a receipt in full, and allowing him to keep the other watch. Deponent says the watch that was obtained was procured through his counsel, upon condition that there should be no prosecution. Deponent says that, from his own knowledge of the said Henry Hertz, as well as from the character of him derived from others, he emphatically says that he would not believe him on his oath.

“FRANK BUTLER.

“Sworn and subscribed before me, this 6th day of March, 1856.

“J. B. KENNEY, Alderman.”

(Vide ‘Blue Book.’)

The reputation of Lord Clarendon's friend was "*bad as relates to financial matters!*"

The prevailing impression in the States among those who had the best opportunities of watching Mr Hertz's many-sided career was, that the fellow was a Russian spy. *Captain Strobel* was another individual of the same class. There are two or three pages of affidavits affecting this worthy of the same kind as the one which follows at page 27.

One has heard indirect and vague hints that another "eminent German" also a "military man" and also a friend of Lord Clarendon's, was a Russian spy. What a capital thing a 'Blue Book' would be with a few pages of affidavits on *that* subject. But now we come to a more important gentleman, one on whom her Majesty's commission was bestowed—a fit associate for the heroes of the Crimea, provided for them by her Majesty's Government, on whose introduction this worthy was at once introduced to the "best society"

"His Excellency, Sir Gaspard, and Lady le Marchant, request the honour of Captain M. F. O. Von. Strobel's company at dinner, on Sunday, 8th April, at quarter to Seven o'clock.

"Belvidere.

An answer is requested."

(Vide 'Blue Book,' page 55.)

Again,

"Dear Strobel,—I am directed by the General to acquaint you, that Mr Crampton wants to see you at his house, at ten o'clock, to-morrow morning—be punctual. If you like, come up to my house at half-past nine o'clock, and we will go together.

"Yours truly

"J. W. PRESTON, 76th Reg't.

"Tuesday, 13th May, Halifax."

(Vide 'Blue Book,' page 51.)

Again,

"Colonel Clarke, the officer of the Seventy-sixth Regiment requests the honour of Captain Strobel and the officers of the Foreign Legion, company at dinner, on Wednesday, 18th April.

An answer will oblige."

Colonel Fraser, Colonel Stotherd, and the officers of the Royal Artillery and Royal Engineers, request the honour of Captain Max F. O. Strobel's company at dinner, on Tuesday, the 3rd April, at Seven o'clock.

Artillery Park,"

An answer is requested."

(Vide 'Blue Book,' page 55.)

And to conclude

"Provincial Secretary's Office, May, 3rd, 1855.

"Dear Sir,—I am directed by his Excellency, the Lieutenant-Governor, to introduce to you the bearer, Lieutenant Kuentzel. He comes with letters to Sir Gaspard from Mr Crampton. You will please explain to him the steps necessary for him to take to secure his commission.

Your Ob't Serv't,

"BRUCE McDONALD.

"Captain Strobel, 1st Company Foreign Legion."

(Vide 'Blue Book,' page 55.)

He comes *from* Mr Crampton, Eh! *from where?*

Mr Crampton says he was in the U. S. on and before 2nd May, 1855!—(Vide 'Blue Book,' page 133.)

Did he hire and retain Lieutenant Kuentzel in the United States?

Now, what does Lord Clarendon say of this man, bearing, be it remembered, her Majesty's Commission:

"State of New York, ss.

"By this public instrument be it known to all whom the same doth or may concern, that I, Charles Edwards, a public notary in and for the State of New York, by letters patent under the great seal of the said State, duly commissioned and

sworn, and in and by the said letters patent invested 'with full power and authority to attest deeds, wills, codicils, agreements, and other instruments in writing, and to administer any oath or oaths to any person or persons,' do hereby certify that on the day of the date hereof before me personally came and appeared Maximilian August Thoman, of No. 7 Allen street, New York; and he, being sworn by me, did depose and say that, from all he knows and has been informed, he verily believes that Captain Max Strobel is, and has been for some months past, in the pay of the Russian Government, and is made use of by Russian officials in the United States; and he says that the amount he (Strobel) receives for the same has been openly stated, namely, the sum of twenty-five dollars a-week.

"Whereof an attestation being required, I have granted this under my notarial firm and seal.

"Done at the City of New York, in the said State of New York, the 26th day of October, in the year of Our Lord, 1855.

"In præmissorum fidem.

"M. A. THOMAN.

"CHARLES EDWARDS,

"35 Pine street, New York."

"Major Henry Jacob Faek, of Newark, New Jersey, United States, swears that before the revolution in Baden he was an officer in the Bavarian Artillery—that he knew every man in the said artillery—that he understands that Captain Max Strobel gave out that he was not in the Bavarian Artillery at all. The Major, however, has a recollection that there was a man of the name of Strobel in some other branch of the army, in a subordinate capacity, who lay under a criminal charge."

Yet one more, Dr Reuss, and he is really only worth notice among the crowd of Lord Clarendon's friends, because, he

"Gote a cousin in London, an Ambassador of a German Kingdom."

Yes, and he is not the only one.

"Sir!—I hope that your Excellency will be a gentleman againste me. One day my lady toll to me: 'Look out whatt you do and trust not to mutch.' I answert her: 'If I dont find more a place, I am sur to find satisfaction, then an Englishman is *every time a gentleman!* Now, Sir, I must hear every day: '*You see now wat kind of gentleman you did find in the English Governement!*' And in deed—Sir Gaspard le Marchant treated me in a verry mean manner, like a man out the easte of the people. He dont know, that I am out a family as good as him self, and I like to be a gentleman forever, wat I cannot be, wehn you dont give me satisfaction, I can give you any security for my [? illegible]. I gote letters to somme gentlemen in the U.S. service,—to gentlemen of *power*; this letter will be given to you—if you be a gentleman against me.

"Sir! In ENTHOUSIASME for *Her glorious Majesty* I lost now my existense. It is the same with me, likewise the 1,100 men in the West. I am sure that *Her Majesty* will never be satisfait with such a treat of gentlemen, who like to go in her Majesty's serviee. And you cane exspect that I *will* and *CAN find* my righth, and if *it must be before the Throne!* I gote a cousin in London—an *Ambassador* of a *German KINGDOM*,—the *next cousin to my lady!* Think you that he will do *nothing* for me?

"I know also somme other men in London, who know to find the way to *Her glorious Majesty* every day!

"Then, Sir, *I am ruined*, without my fault; then Sir Gaspard can not spick t' at I didn't done my bussiness! That was an *verry simple intrigue* of Mr Preston.

"Sir! satisfait me now, and you will find out that I like to do every time like a gentleman.

"In the best trust to your Excellency, I remain, &c.,

"DR REUSS.

“ Washington, August 11, 1855, 11 o'clock.

“ P.S.—I didn't understand how Sir Gaspard could treat a man in such a manner—a man who is seduced by his name, and who gave up his place *and existence* for his call!!! It is, in deed, *to much for the logic* of a man of *philosophie and reason*.

“ Yours,
“ DR REUSS.”

Can there be two opinions as to the character of these men.

Does Mr Crampton or does Lord Clarendon venture to deny that these men, that the “Dear Strobel,” of the 13th of May, the “Russian spy” of the 26th of October, were employed by the British Government?

That they *did* recruit in the United States?

Does Mr Crampton even condescend to say why he gave a telegraphic cypher to Hertz? (‘Blue Book,’ page 54.) Or to deny having done so? No, a thousand times, no.

There is no *attempt* at an answer to the American case.

Mr Crampton only denies the hiring and retaining *in* the United States.

He is charged with being connected with parties who infringed the United States' laws and that charge

HE DOES NOT DARE TO MEET.

This is what he *does* give to justify himself.

This farrago of absurdity, this tissue of nonsense, from a third-rate American paper is gravely produced by Mr Crampton, adopted by Lord Clarendon, and submitted to Parliament, as *evidence*.

The extract is from the *Pennsylvanian*, quoted by Mr Crampton:—

“ ‘England for centuries has been bullying and bribing the world;’ ‘her insolence is astounding.’ ‘In the Pacific,

in the Atlantic, on the Isthmus, everywhere, that haggard voluptuary, Great Britain, who has been so long drunk with the blood of other nations that she now reels and totters with her own inanity, glares upon us with her red eyeballs, and bids us depart.' 'England is a harlot'—'a whitened sepulchre,' &c. Sir Gaspard le Marchant and Mr Crampton are 'base conspirators,' and, in the opinion of the editor, 'a disgrace to the Order of the Garter,' to which, he thanks God, 'he, being a simple Republican, does not belong.'

Pah !

Is there any doubt as to the real state of the case on Lord Clarendon's own showing?

They had dirty work to do, and got dirty agents to do it.

To accomplish their purpose, they prostituted and debased the Queen's Commission.

Being *found out* they defrauded their miserable tools of their pay, because to pay would have been openly to acknowledge them.

The American Government may have mistated their case, they may have used improper language, they may have in some respects pursued a wrong and objectionable course.

That is their business.

Let the people of the United States settle that; we have nothing to do with it.

But the conduct of our Government is an English question.

How does Lord Clarendon conclude?

"But Mr Marey considers that the conduct of Mr Barelay in the affair of the barque Maury ought to be an additional reason why her Majesty's Government should recall him. Upon this the undersigned must observe that Mr Barelay received information on oath from persons in the service of the United States, leading to the belief that the barque Maury was fitting out with designs hostile to British interests, and at variance with the neutrality laws of the United States. It was Mr Barelay's bounden duty to communicate that information without delay to her Majesty's Minister at Washington. Mr Barelay did so, and his direct action in the matter was then at an end. Mr Crampton submitted this information to the proper authorities of the United States, in order that they might determine what proceed-

ings, if any, it might be right to take thereupon. The officers of the United States considered the *prima facie* case against the Maury to be sufficient to call for proceedings on their part. Such proceedings were accordingly instituted by them, and not by Mr Barclay, whose conduct in regard to the Maury was in strict performance of his duty, and received the approval of her Majesty's Government.

"With regard to the last point, the undersigned must refer to the offers of satisfaction, and to the explanations already made, and to the repeated expression of the sincere regret of her Majesty's Government, if, contrary to their intentions, and to their reiterated directions, there has been any infringement of the laws of the United States.

"The undersigned has now had the satisfaction of communicating to the Government of the United States the statements and declarations of her Majesty's Minister at Washington and of her Majesty's Consuls at Cincinnati, Philadelphia, and New York, as to the conduct imputed to them.

"The Government of the United States had been led to suppose that the law and the sovereign rights of the United States had not been respected by her Majesty's Government, and, relying upon evidence deemed to be trustworthy, they believed that that law and those rights had been infringed by British agents. If such had been the case, the Government of the United States would have been entitled to demand, and her Majesty's Government would not have hesitated to afford the most ample satisfaction, for no discredit can attach to the frank admission and complete reparation of an unquestionable wrong. Her Majesty's Government, however, unequivocally disclaim any intention either to infringe the law or to disregard the policy, or not to respect the sovereign rights of the United States, and the Government of the United States will now for the first time learn that her Majesty's Minister at Washington, and her Majesty's Consuls at New York, Philadelphia, and Cincinnati, solemnly affirm that they have not committed any of the acts that have been imputed to them. The Government of the United States will now also for the first time have an opportunity of weighing the declarations of four gentlemen of unimpeached honour and integrity against evidence upon which no reliance ought to be placed. The undersigned cannot but express the earnest hope of her Majesty's Government that these explanations and assurances may prove satisfactory to the Government of the United States, and effectually remove any misapprehension which may have hitherto existed; and he cannot doubt that such a result will afford as much pleasure to the Government of the United States as to that of her Majesty, by putting an end to a difference which has been deeply regretted by her Majesty's Government, for there are no two countries which are bound by stronger ties or by higher considerations than the United States and Great Britain to maintain unbroken the relations of perfect cordiality and friendship.

"The undersigned, &c.

"(Signed)

"CLARENDON."

He does not venture to reply to the request for the recall of Mr Crampton and the Consuls; he merely submits their denial.

That denial has been shown not to meet the case raised by the Government of the United States. Even if it was a full and complete denial, what effect could it produce when it is known that the prisoner Hertz was defended at the expense of the British Authorities, when Mr Consul Mathews admits having paid Hertz money?

The Whigs have got a theory that it is time to show firmness towards the United States; that we have too long been in the habit of giving them whatever they might ask, supposing that they asked loudly; that the two last Boundary Treaties are evidence of this, that by the one we gratuitously surrendered a territory of great value, and that the Ashburton treaty was a mere capitulation.

That our reputation abroad has been lowered by the idea that no matter what the question, the United States had only to talk of war, in order to obtain from us all she asked.

We are said to have been mild and forbearing; they violent and obtrusive.

It is unfortunately too true that the Americans, in every negotiation, have obtained undue advantages from us.

The reason is very simple:—

They employ men of business who have some comprehension of the merits of their own case.

We employ Downing-street officials, not only ignorant of the true interests of the country and the colonies, but who would blush to have it thought that they were reduced so low as to be forced to understand them.

The Americans despatch their business; we send ours to the Circumlocution Office.

Now it seems that the result not being at all satisfactory, a stand is to be made, and what they call in Downing Street, a "decided course," to be taken for the future.

This "decided course," it is argued, will not be dangerous because the interests of the South, the great producers of cotton, would be so perilled by war with Great

Britain, that it is considered certain that they will dissolve the Union sooner than see the English market closed to them.

No doubt the interests of the South are directly engaged in favour of peace—no doubt the political power of the South is very great.

But apart from the injustice of attributing such an unpatriotic policy to the Southern States, for that is not an English question, is it true that such would be the result?

Is it safe to risk, on such an issue, the prosperity of millions of our fellow-subjects, who give either their capital or their labour to the cotton manufacture?

It is not only politically false that such would be the course of the Southern States, but the following figures from the United States' Census of 1850, prove that there is no such preponderating material interest as would induce it.

The annual value of the Cotton Crop of the United States is - - 98,603,720 dollars.

This we are to regard as a heavy recognisance to keep the peace, in fact, as depriving them of their best resource if estreated.

Let us now take the annual value of some other articles not dependent on the British market.

We find Indian Corn	-	-	296,035,522 dollars.
Wheat	-	-	100,485,944 "
Hay	-	-	96,870,494 "
Oats	-	-	43,975,253 dollars.
Butter, Milk, and Eggs	-	-	67,412,043 "
with various others, which, together (exclusive, of course, of Cotton) give a total of	-	-	1,228,087,606 "

The acreage of the United States producing Cotton is - - 5,000,000 acres.

That of the above-named products - 82,500,000 "

We here see that the interest which it is supposed will induce the United States to submit as a Republic, to treatment that we do not venture on, in the case of a monarchy of no commercial importance to us, is not in value equal to 8 per cent. of the annual production of the country.

The proposed course may be "decided," but we choose a most unfortunate time to enter upon it.

We pick out the only case in which we have ever been clearly and distinctly in the wrong, and then discuss and quarrel about that, with the full knowledge that we have another discussion pending with the United States of very much greater importance, and in which the greatest possible aid and assistance would result to us if the recruiting question had been settled in a friendly spirit. As it is we shall enter on the final discussion of the Central American question, with the great disadvantage that when a fair, manly, and honourable course was open to us, we did not choose to adopt it.

It is of course impossible to form an opinion here as to the course that the American Government will take on receipt of Lord Clarendon's despatch.

They may send Mr Crampton away, or they may allow him to remain.

In either case the evil is done. The feeling of ill-will is raised.

A whole people are convinced that the Government of this country has not merely outraged them by breaking their laws, but insulted them by false and evasive explanations.

One full, creditable, and truthful statement at first would have avoided a state of things so much to be deplored.

As for Lord Clarendon's reply it is indeed difficult to decide by it, who cuts the most contemptible figure; and of the whole party, Crampton and Hertz, who stole the watch; Clarendon and Strobels, the Russian spy; Palmerston and Reuss, "who got a German cousin;" Barclay and the per-

jured Policeman of New York; the Honourable and "slippery" Joseph Howe; Sir Gaspard le Marchant and Kuntzel; Mathew, who paid the money at Jones; Colonel Fraser and Colonel Clarke, Bruce McDonald, Angus McDonald, Lieutenant Preston, Asehenfeld, Shumann, and Baron von Schwarzenhorn, who are to be blamed and who to be pitied?

And for what have we done all this ?

What have we gained by thus insulting the Government of the United States ?

Let the Ministerial paper of this day, 12th May, 1856, reply.

They say, in an article on the mutiny in the German Legion last week,

"It is satisfactory to observe that the unpleasant disturbance at Plymouth in the detachments of the German Legion in that garrison was easily repressed, and has been promptly punished; and that the mutineers were not part of those old trained soldiers of whom the great bulk of the Foreign Legions is composed, but consisted of the raw undisciplined recruits who sought relief from temporary adversity in the United States in the British service at the colonial depôt of Halifax, Nova Scotia. For, although the Foreign Legions in her Majesty's pay must very shortly be disbanded, it would have been disagreeable had they lost at the approach of their discharge the high character for efficiency, training, and subordination which they had already acquired."

The organ of her Majesty's Ministers tells us, that the sole blot on the Foreign Enlistment Act, has been

RECRUITING IN THE UNITED STATES.

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