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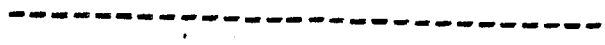
1920

THESIS.

EDITH ELLEN BAKER.

M.A. history
1920.

THE RELATIONS OF
GREAT BRITAIN AND AMERICA.
(ESPECIALLY FROM 1861 - 1866)



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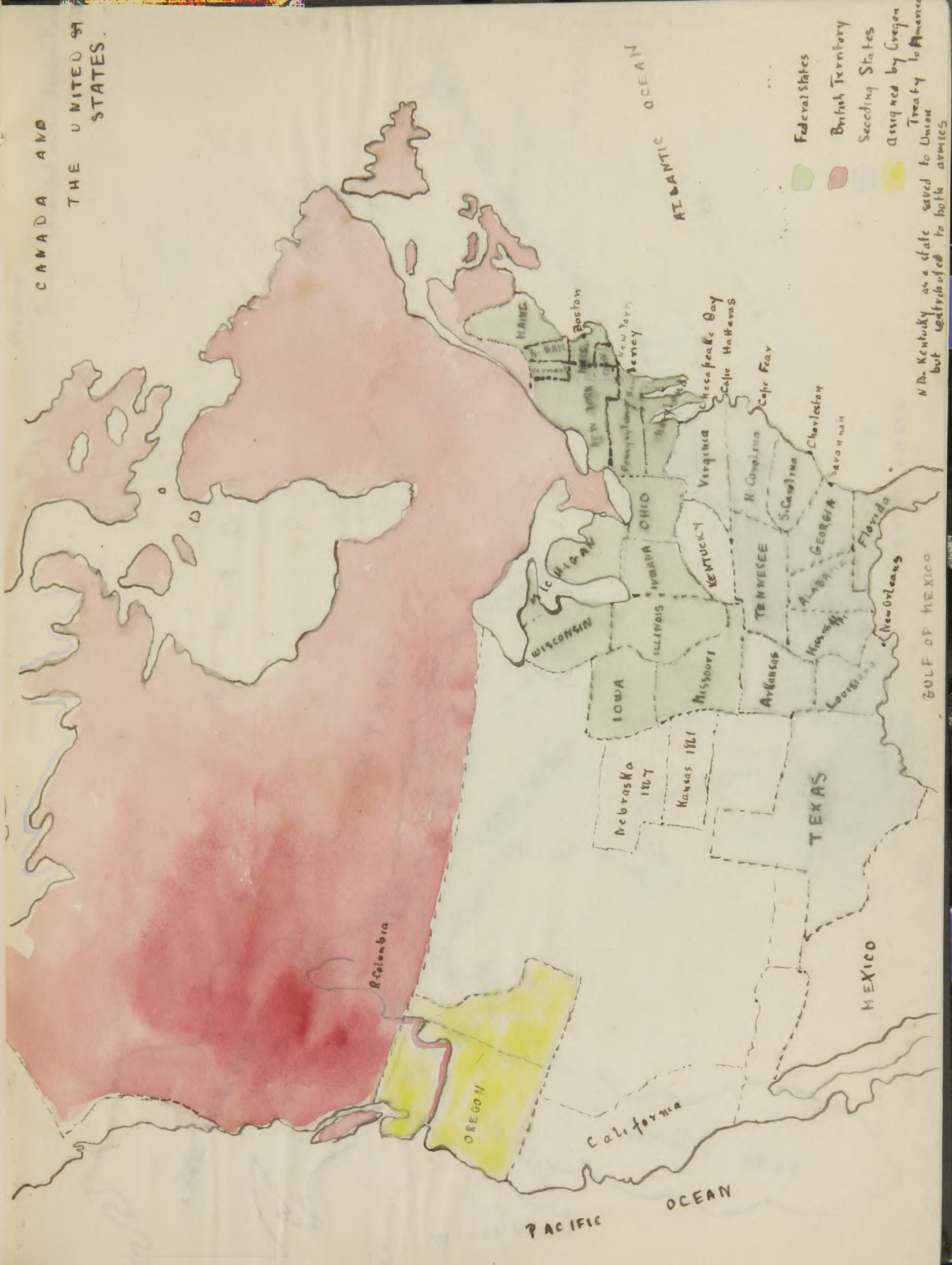
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CANADA AND THE UNITED STATES.

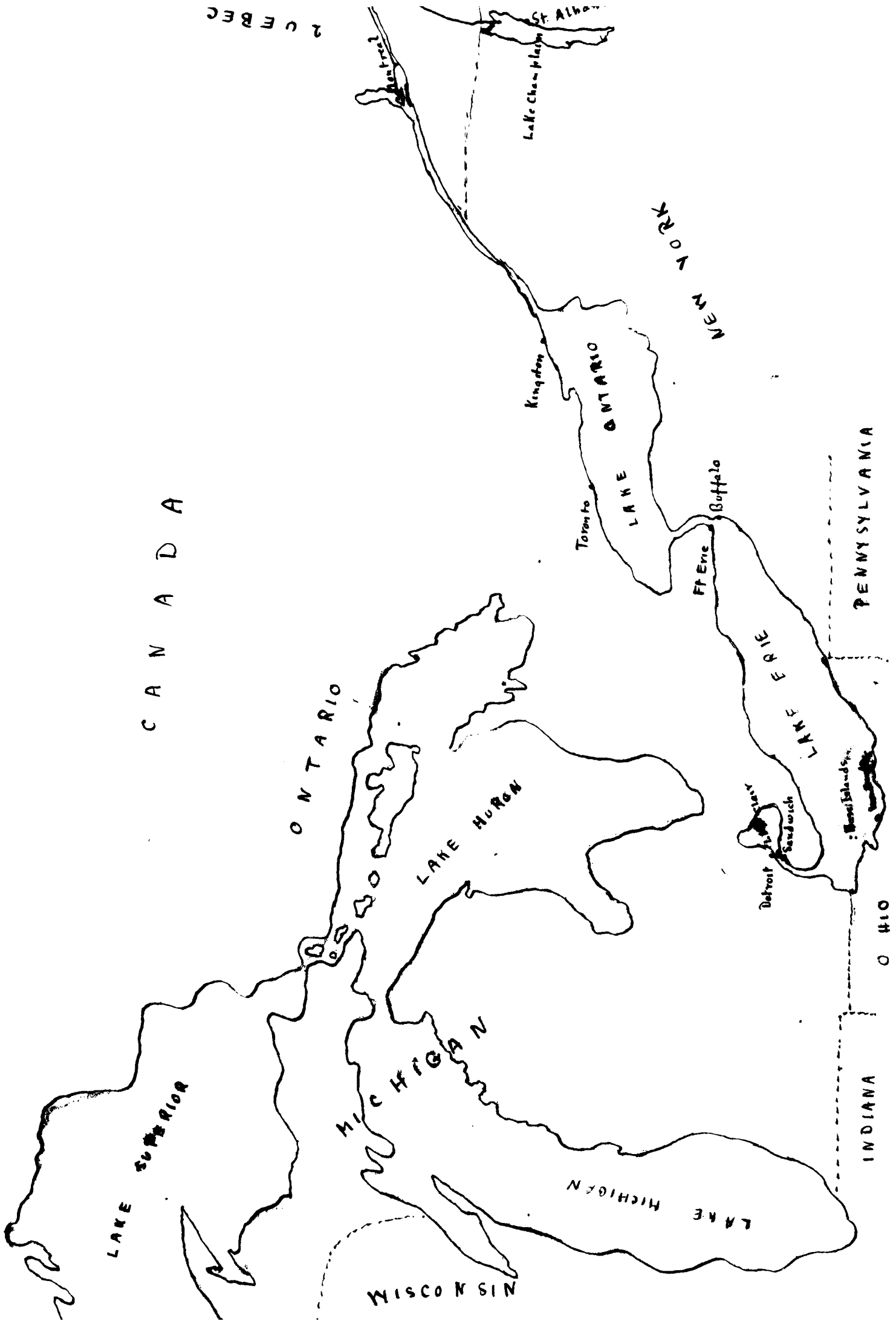


Federal States
 British Territory
 Seceding States
 Assigned by Oregon Treaty to America

N.B. Kentucky as a state saved to Union but contributed to both armies

Showing

Towns connected with Fenian Rail



CANADA

ONTARIO

LAKE HURON

MICHIGAN

LAKE SUPERIOR

WISCONSIN

LAKE MICHIGAN

Detroit

Sandwich

Toledo

Ft. Erie

Buffalo

Toronto

Kingston

Montreal

St. Albans

Lake Champlain

NEW YORK

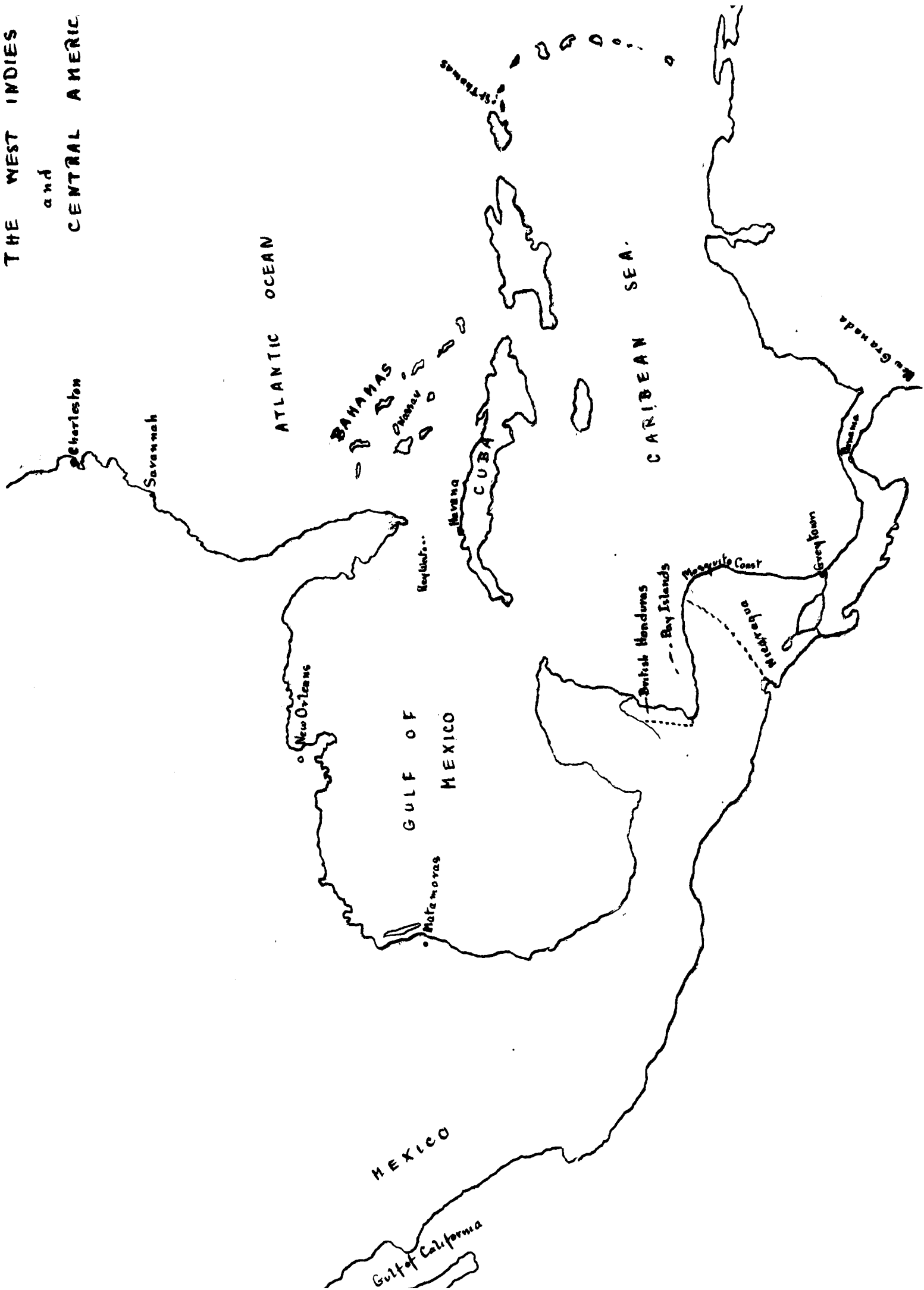
PENNSYLVANIA

OHIO

INDIANA

QUEBEC

showing
THE WEST INDIES
and
CENTRAL AMERICA



(Especially from 1861 to 1866.)

INTRODUCTION.

The student of any period of history is always confronted with fascinating problems, dealing with present or past actualities. At one time we are confronted with colonial acquisition, at another with social and intellectual development, at another with constitutional progress and internal reform, and at another with the relations of state and state; and of all the many problems which history presents, surely the last mentioned is the most enthralling and important, for not only do the relations of state and state affect a nation's foreign affairs but often internal development is also concerned. For instance, when John of England lost his possessions in France, the dissatisfaction which was caused in England, forced him to grant Magna Carta, and Elizabeth's haste to settle the religious problem in 1558-9, was mainly caused by the condition of things abroad. Prince Bismarck, too, in his Memoirs in a letter to Roon in 1861 says as follows:- "My belief is that nothing but a change in our foreign attitude can liberate the position of the Crown in domestic matters".

Therefore, one may claim that the relations of state and state are supremely important and exceptionally interesting. Morier complains bitterly in his Memoirs, that in the sixties, we are no longer at the centre of affairs in Europe, but at the same time one must admit that the relations of Great Britain with Louis Napoleon, with Italy, and with the Balkan Peninsula are exceedingly interesting. Yet the ordinary man in the street will always feel a certain sentimental curiosity concerning our relations with America. This, of course, is due to the fact that both Great Britain and America are two powerful nations, possessing a common speech, literature, and love of independence; and to a certain extent, in spite of America's foreign element, the tie of blood and kinship must be considered, for nothing can obliterate the fact that originally America was a British colony - a child of the mother country who had fought valiantly for her independence and who had conquered the mother from whom she had sprung.

What then, we ask ourselves, will be the policy of Great Britain towards the child who had defeated her, and how will America treat her kindred nation across the Atlantic ?

Goldwin Smith, Regius professor of History at Oxford, a leading political thinker and writer, and president of the Manchester Union & Emancipation Society, wrote in January 1865, that there were two lines of policy which Britain could pursue with regard to America. One alternative was to treat her as a natural enemy and do all that was possible to crush her and destroy her greatness; but the other alternative was to treat her as our natural friend; and show on every proper occasion and in every way consistent with our honour, that we were sensible of the blood tie which united us, and that we could divest American greatness of danger by making it our own.

It may be safely stated, that after 1783 the government of Great Britain never committed itself to the first alternative, although, as will be seen later, there were certain very powerful classes in this country, which during the Civil War of 1861-65, would have rejoiced at the shattering of the great American Republic. Nor did we exactly adopt the second alternative,

but never was our avowed policy a definitely hostile one, aiming at disruption.

The separation of Great Britain and America, which began in 1776, was sealed in 1783, when the independence of the United States was recognised by the British Government. But although peace was formally made, bitter feelings still existed, owing to the behaviour of the British forces and the Hessian mercenaries, the harshness of Americans to those loyal to the British crown, the cold contempt expressed by the English, and the assertive arrogance of the Americans.

Besides these bitter memories there were also controversies with regard to certain important material interests, which the treaty of 1783 had left unsettled. Then in 1812, owing to the maritime policy of Great Britain, America declared war against her, but happily peace was made in 1814 by the Treaty of Ghent. This, however, merely sanctioned the formal resumption of reciprocal commerce as before the war, and still the disputed points remained. Fortunately, however, by the beginning of the Civil War, some of these had been settled. For instance, the Webster Ashburton Treaty of 1842 defined the disputed boundary of the United States between Maine and New Brunswick; and although important omissions were made, on the whole it was honourable for each side. What was arranged was arranged fairly; and what was omitted was deferred without prejudice. Then again in 1846 the dispute as to the possession of the Oregon country was settled by Great Britain granting concessions which she had at first refused.

The Reciprocity Treaty of 1854 also furthered a friendly understanding. By this, the citizens of the United States were allowed to take fish in the bays, harbours and creeks of the British North American provinces, without any restriction as to distance from shore. Newfoundland only was excepted. In return for this, Canadian colonists were allowed to send into America duty free, the principal products of the soil, mines and forests. The navigation of the St. Lawrence River was also allowed to the United States and the British colonists were allowed to navigate Lake Michigan. Of course the fact of the existence of this Treaty, shows the desire to maintain friendly relations between the two countries, and undoubtedly at the beginning of the sixties, a general appearance of harmony existed.^{Also} Great Britain had just given up the long disputed right of forcibly visiting and searching American vessels on the high seas, in time of peace, for British seamen;

In 1850, the Clayton Bulwer Treaty had been signed. This was negotiated because of the situation created by the project of an inter-oceanic canal across Nicaragua, each signatory being jealous of the activities of the other in Central America. Great Britain had large and indefinite territorial claims in three regions - British Honduras, the Mosquito Coast and the Bay Islands. On the other hand the United States held in reserve ready for ratification, treaties with Nicaragua and Honduras, which gave her a certain diplomatic vantage with which to balance the de facto dominion of Great Britain. But as it was impossible to agree on these points, the canal question was put in the foreground, and the treaty bound both parties not to obtain or maintain any exclusive control of the proposed canal, or unequal advantage in its use. It also guaranteed the neutralization of such a canal and it stipulated that neither signatory should ever occupy, fortify, colonize or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast or any part of Central America.

But there was a long controversy over the meaning

of these terms, for Great Britain claimed that the treaty did not apply to her settlement at Honduras, and that she could still retain the Bay Islands and her protectorate over the Mosquito coast. By 1860 however this controversy had been settled, for Great Britain withdrew from the Mosquito Coast and recognised the Bay Islands as part of the Republic of Honduras, - a settlement which the United States accepted without cavil for many years. The Prince of Wales had also just visited America in a private character, and this, according to the speech of President Buchanan in December 1860, had proved entirely auspicious and had increased the kindly and kindred feelings of the two nations.

But this satisfactory state of affairs was not to last much longer, and we shall see how the Civil War brought tension of a most threatening sort between the two countries, but how rupture, in spite of the undoubted ill-feeling which existed, was avoided.

The problem of slavery in the United States had always been a more or less difficult one, and every time the matter was discussed, it tended to become more dangerous. Abolitionists of a vehement type had appeared in the Northern States in the early thirties, and the Missouri Compromise of 1820 (which admitted Missouri into the Union as a slave state, but which excluded slavery from the rest of Louisiana lying north of latitude $36^{\circ}30''$) was disliked by North and South, as the population of America spread towards the West and new communities asked to be admitted. Then in 1854 was passed the Kansas-Nebraska Bill, which declared the Missouri Compromise inoperative and void, and which allowed each territory before it was admitted into the Union to decide whether it should be admitted as a free soil or a slave-holding state. Public excitement ran very high, and matters were brought to a crisis in 1860 by the election of Abraham Lincoln as President, for the South knew that he was a determined opponent of the extension of slavery. It was now practically certain that a breach would occur, and the beginning was made on December 20th 1860.

The despatch of Lord Lyons, the British ambassador at Washington, is worth quoting. It is dated December 24th 1860 and is as follows :-

"On the 20th instant the Convention at Charleston passed unanimously an Ordinance declaring that the union now subsisting between South Carolina and other states under the name of the United States of America "is dissolved". The secession of South Carolina has been for some time regarded as certain. The formal accomplishment of it, has, therefore, not in itself produced much sensation".

Before Lincoln was inaugurated as President, March 4th 1861, 6 other Southern States had also withdrawn from the Union, and delegates whom they had appointed, had met in convention at Montgomery, Alabama, to frame a provisional constitution and choose a provisional executive for a separate Southern confederacy. Mr. Jefferson Davis, who had been a senator of the United States from Mississippi, was chosen as President, and a permanent constitution was adopted. This action of the South took the North by surprise and before the authorities at Washington had decided what to do, every fortified place in the South was in possession of the Confederacy, with very few exceptions - one of which was Fort Sumter in Charleston harbour.

Even now, men's thoughts were turning to compromise, but when Fort Sumter was attacked by the Confederates on April 12th

and forced to surrender two days later, it was quite clear that the issue of the struggle would be decided by war. Indeed, the civil war had now begun, and both parties called for volunteers at home and began to look for sympathy abroad. And it was to England that men's eyes chiefly turned. W.H. Russell, the war correspondent of "The Times", writing from the Confederate States a few weeks later, said, in support of this view, that England was the only power in Europe for the good opinion of which the combatants really seemed to care. This was only to be expected, because of the tie of kinship which existed. Great Britain, too, was economically the leading power of the world, and her mercantile marine and navy held first place. Therefore, her support would be invaluable. Democracy was also a factor which had to be considered. Both nations had steadily advanced in this direction since the Treaty of Ghent, and although manhood suffrage was not yet established in Great Britain, there were signs that this could not be long delayed. When one considers that these ideas, which were now approaching their triumph in Great Britain, were ideas that America held to be peculiarly her own, one can easily imagine why men's thoughts at the beginning of the conflict, at once turned to Great Britain. Her attitude, therefore, was to be all-important. The following chapters will show what this was to be.

CHAPTER 1.

GREAT BRITAIN AND THE BEGINNING OF THE STRUGGLE.

The reference to American affairs made by Queen Victoria on February 5th 1861, at the opening of Parliament, almost struck the note which the policy of Great Britain, was to continue, for she mentioned the serious difference which had arisen amongst the North American States and expressed her heartfelt wish that these differences might be susceptible of a satisfactory adjustment. The speech of the Earl of Derby, a former Prime Minister, expressed similar views, for he stated that no one viewed with more regret than himself the present disruption of the United States.

A little later in the month, on February 21st, before Great Britain knew that America was to be torn asunder by internal strife, we find Lord John Russell, the British secretary of Foreign Affairs, writing to Lord Lyons that 'the success or failure of Mr. Seward's plans to prevent the disruption of the North American Union is a matter of deep interest to Her Majesty's Government. But they can only expect and hope. They would not be acting prudently were they to obtrude their advice on the dissentient parties in the United States. Supporting, however that Mr. Lincoln acting under bad advice should endeavour to provide excitement for the public mind, by raising questions with Great Britain, her Majesty's Government would feel no hesitation as to the policy they would pursue.' He then proceeded to state that the British Government would be very forbearing, but their forbearance would spring from consciousness of strength and not from the timidity of weakness.

To my mind this despatch, viewed in the light of events which followed, is very significant.

In May 1861, the Palmerston - Russell ministry

had been in power nearly two years. Palmerston was Premier, Russell had charge of Foreign Affairs, Gladstone was Chancellor of the Exchequer and Sir George Comewall Lewis was the Secretary for War. It was generally supposed that the sympathies of Russell would incline towards the North as representing anti-slavery sentiment, but that Palmerston would array himself more or less openly on the side of the South.

Russell's views are well seen by the following speech made on the eve of the Civil War.

"My honourable friend, (Sir John Ramsden), alluded the other night to one subject, in a tone which I was very sorry to hear used by anyone. My honourable friend said that "the great Republican bubble in America had burst". Now, sir, I am proud to confess that- - - - if a despotic government fall and the people, who have been subjected to it, are likely to obtain better and freer government, I cannot conceal that it gives me satisfaction.- - - - But I own I have very different feelings when a great Republic, (which has enjoyed for 70 or 80 years, institutions under which the people have been free and happy), enters into a conflict in which that freedom and happiness is placed in jeopardy.- - - - Therefore I do not think it just or seemly that there should be among us anything like exultation at their discord."

Such language was exceedingly generous, and although at times, during the struggle, the policy of the British Government hesitated and wavered, and caused much disaffection in America, yet on the whole the above speech well revealed the views of the great bulk of the British people.

But from the outset, the South had the sympathy

and favour of the higher classes, of the press, and of the most eminent men in society and politics. This was partly due to the fact that an aristocratic class could have no sympathy with a democratic political institution, and was consequently glad to hope and believe that "the great Republican bubble in America had burst". The Southern democracy was also considering^{ed} less pronounced and aggressive than the Northern, and the recent recurrence of the North to protection in the Morrill Tariff, ^{menaced} the prosperity of British manufactures, while Free Trade undoubtedly appealed to both Britain and the South.

But the sympathy of the masses was with the North, and surely this had some effect on the policy of a Government, which was based upon popular or democratic support. It is also a noteworthy fact that from 1861 - 65, no meetings open to the general public were held to support the Confederates, because no resolution adverse to the North could have been carried.

From the election of Lincoln, until three days preceding his inauguration, a period of nearly four months, (which embraced the whole drama of secession and the organisation of the Confederacy), not a word of information with regard to these proceedings was sent by the retiring Buchanan cabinet to foreign powers. But on February 28th, Black the Secretary, sent a diplomatic circular to the American representatives at foreign courts, which stated that the Government had not relinquished its constitutional jurisdiction within the territory of the seceding States and that it did not desire to do so. Also it considered that any recognition of their independence must be opposed. Then when the Lincoln administration began and Mr. Seward became Secretary of State, he too notified the American representatives that they were to "use

all proper and necessary measures to prevent the success of efforts which may be made, by persons, claiming to represent the seceding states, to procure recognition". Mr Dallas was then the American minister in London, and on April 8th, he was granted an interview with Lord John Russell, who stated that the British Government was in no hurry to recognise the separation as complete and final; but that on the other hand he could not bind her Majesty's Government, nor tell how and where circumstances might arise which would make a decision necessary. He expressed his regret at the events which had occurred, but declined, at that moment to enter into any further discussion. He stated, however that "the coming of Mr. Adams, (the newly appointed American representative for London), would doubtless be regarded as the appropriate occasion for finally discussing and determining the question" of the attitude of Great Britain towards America. (The British consul at Charleston in Southern Carolina had meanwhile received orders to continue his functions, but if he should be required to recognise the independence of South Carolina, he was to refer home for instructions).

Consequently the despatch of Mr Dallas to Mr. Seward, the day following the interview, states that, "His lordship assured me with great earnestness, that there was not the slightest disposition in the British Government to grasp at any advantage which might be supposed to arise from the unpleasant domestic differences in the United States, but on the contrary that they would be highly gratified if these differences were adjusted and the Union restored to its former unbroken position. I pressed upon him how important it must be that this country and France should abstain, at least for a considerable time, from doing what by encouraging groundless hopes,

would widen a breach still thought capable of being closed. He seemed to think the matter not ripe for decision one way or the other, and remarked that what he had said was all that at present it was in his power to say". This despatch was considered by the State Department of the United States as fairly satisfactory, and the confidence which it caused probably explains the reason why Adams was not hurried to his post.

The attitude of Seward towards England must now be considered. In London his political reputation was not good, for he was believed in official circles to be unreliable and tricky. At any rate, to a certain extent he was indiscreet. In 1860, for instance, during the visit of the Prince of Wales to America, Seward had told the Duke of Newcastle, who was at the head of the Prince's suite, that "I expect soon to hold a very high office here in my own country; it will then become my duty to insult England and I mean to do so". See Life of C.F. Adams by his son. p.165-176.

Naturally one can only explain this by regarding it as mere banter, but it was in the very worst taste, and was often thought of in England when relations became strained. Undoubtedly at this time, Seward had not grasped the real meaning of the situation in America, and from the evidence available it seems quite apparent that his idea was to unite North and South against a foreign foe. On April 4th, he told W.H. Russell that "Any attempt against us by a foreign power would revolt the good men of the South and arm all men in the North to defend their government".

The violence of his language at this time also seems to point to the fact that he had hopes of achieving his idea. On April 1st he had declared that "the Southern commissioners could not be received by the government of any foreign power, officially

or otherwise, even to hand in a document or to make a representation, without incurring the risk of breaking off relations with the United States". Of course no Government would allow itself to be intimidated by this threat.

The same idea is apparent in his pamphlet, "Some Thoughts for the President's Consideration", which was found in manuscript amongst Lincoln's papers after his death. This, too, was drawn up in April, and proposes a general foreign war to the President as a national distraction. This policy, of course, has often been waged with success, but it was not possible to then use it in America, and the idea can only be condemned as reckless and wild.

Then on April 10th, he wrote to Adams a letter of instructions with regard to the policy he was to pursue in Great Britain. "You will not rely on mere sympathies or national kindness. You will make no admission of weakness in our Constitution. You will in no case listen to any suggestion of compromise by this government, under foreign auspices, with its discontented citizens. You may assure them that if they determine to recognise the Confederates, they may at the same time prepare to enter into alliance with the enemies of the Republic. You alone will represent your country at London. When you are asked to divide that duty with others, diplomatic relations between the government of Great Britain and this Government will be suspended. - - - You will indulge in no expression of harshness, or disrespect, or even impatience, with regard to the seceding States, their agents, or their people".

Of course, it is quite apparent that the tone of this letter is uncompromising, and to a certain extent a veiled hostility can be discovered.

Another action of Seward at this time also, according

to Lord Lyons, made an unfavourable impression upon the British Government. This was the dispatch of a certain Mr. Ashman, (a secret agent) to Canada, without consulting Lord Lyons, and the refusal to give the British Government any information upon the subject until June. Then Seward stated that the object of the mission was to ascertain public feeling in Canada with regard to the setting out of privateers on the St. Lawrence, and that Mr. Ashman had, by that time, been recalled.

Again, on May 1st, Seward told Lyons that he had received intelligence that the "Peerless", an iron steamer, had been sold to the de facto Southern Government and was on her way out of Lake Ontario to be used as a privateer. He stated that it was believed that she carried the British flag and that she had regular British papers, but that he had sent an order to the naval officers of the United States to seize her under any flag and with any papers. Lyons naturally protested, and Seward gave way so far as to promise that if the information, on which the seizure was made, should prove incorrect, full satisfaction should be given to the Government of Her Majesty and the parties aggrieved. Russell, on May 18th, informed Lyons that the British Government would accept the assurance.

Later, Seward stated that the dispatch of Mr. Ashman to Canada, was owing to the information he had received concerning the "Peerless, for the governor-general had been asked to detain her and he had refused. One can, of course, understand Seward's annoyance at the refusal, but the British Government ought to have been notified of the mission of Ashman.

Fortunately, the "Peerless" did not cause friction between Britain and America, for the governor-general afterwards

intervened, and prevented her from sailing until all danger of her being converted into a privateer was past.

Still, Seward's attitude was undoubtedly unfriendly, and Lyons reported that incredible as it might appear, he really believed that the American Secretary of State wished to overawe both England and France by threatening language.

That England, at this period was quite determined not to interfere, is quite apparent; for the Under-Secretary for Foreign Affairs, announced on April 29th that Her Majesty's Government, after mature deliberation, had decided that it was not desirable for Britain to obtrude her advice or counsel on the Government of the United States, and that Lord Lyons, therefore, had been instructed to give no advice unless asked to do so by the contending parties.

But certain questions were now arising which the British Government found itself obliged to consider. For instance, on April 17th, President Davis had issued a proclamation which invited applications for letters of marque and reprisal, under which privateers were offered the opportunity to roam the seas and ravage the commerce of the Northern States.

Lincoln, on the 19th, issued a counter proclamation, which declared that the ports of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana & Texas, were under a state of blockade. On the 27th the blockade was also extended to the ports of Virginia and North Carolina, in pursuance of the laws of the United States and of the law of nations in such case provided. For this purpose a competent force will be posted so as to prevent entrance and exit of vessels from the ports aforesaid. If, therefore, with a view to violate such blockade, a vessel shall approach or shall attempt to

leave either of the said ports, she will be duly warned by the commander of one of the blockading vessels, who will indorse on her register the fact and date of such warning, and if the same vessel shall again attempt to enter or leave the blockaded port, she will be captured and sent to the nearest convenient port for such proceedings against her and her cargo as prize, as may be deemed advisable". It was also stated that persons, who molested a vessel of the United States, would be held amenable to the laws of the United States for the prevention and punishment of piracy.

Naturally if this Proclamation were carried into effect, the interests of British commerce would be seriously affected. The British Government had as yet heard nothing definite on the subject, and on May 1st, Lord John Russell sent for Mr. Dallas with regard to the reports concerning Lincoln's intentions. During the interview, he informed the American representative that Messrs Yancey & Rost, the Confederate commissioners, had arrived in England and had asked for an interview and that he was not unwilling to see them unofficially. At the same time he stated that England and France would act together and take the same course with regard to recognition of the Southern Confederacy.

Dallas thereupon informed Lord John that Adams was to sail from Boston that day, and that he would be in London in a fortnight. Lord John then agreed to pay no attention to mere rumours, but to await the arrival of the new minister, who would know the intentions of his government. Meanwhile, in America, Lord Lyons was trying to obtain information with regard to the blockade, and his efforts were practically as unsuccessful as those of Russell in England. As early as February 12th, we find him writing that the principal engines to

be employed to force back the seceding states into the Union, were cutting off postal communication and stopping foreign trade. He continues, "It seems to be taken for granted that all foreign Powers will acquiesce in the exclusion of their merchant vessels from the ports of the South".

This, of course was the first hint with regard to the blockade and shows the trend of opinion in America.

On April 27th, the State Department sent Lord Lyons copies of the Proclamation of the 19th, _____ but even this was far from satisfactory, for the communication was accepted as the announcement of an intention to set on foot a blockade, and not as a notification of its actual commencement. Of course, it was to the advantage of British trade to obtain definite information, and this is what Lyons had attempted to do. On the 29th, he had an interview with Seward, but he did not obtain any definite announcement with regard to the rules which the Americans would impose and observe.

One trouble was that the blockade would become effective in different places at different times, and that British vessels might be captured in ignorance of the fact that a blockade existed. Naturally any illegal seizure would irritate the British Government.

When Lyons pressed for some definite information for the guidance of British vessels, Seward promised that he would send him a copy of the instructions, issued to the officers of the blockading squadron, and that he felt confident they would be found satisfactory. He also promised that if the rules of the blockade should bear hardly on British subjects, he would be ready to consider the equity of the matter.

On May 4th the instructions had not arrived, so Lyons

reminded Seward of his promise. Then the State Department wrote that no copy could yet be communicated, because of the inconvenience of publicity. The existence of the blockade would, however, be made known in proper form by the blockading vessels.

This same day, Lyons was able to forward to England a copy of a note, which Seward had addressed to the Spanish minister in Washington, and which stated that the blockade would be strictly enforced upon the principals recognised by the law of nations; that armed vessels of neutral states would have the right to enter and leave blockaded ports; and that merchant vessels in port when the blockade took effect would be allowed a reasonable time for their departure.

It will be quite clear from this, that the British Government was left more or less in ignorance upon a point which concerned certain of her vital interests, and I consider that the publication of the Queen's Proclamation was not actuated by any hostility towards the North, because we made no formal protest with regard to the insufficiency of the evidence regarding the blockade. At first, it almost seems as if the action of the American Government was discourteous, but when we consider the difficulties of blockading a coast of 3,000 miles, this charge ^{must} ~~may~~ be dropped.

Another point in favour of the desire of the American Government to carry out the blockade according to international law, is found in the fact that fifteen days were allowed for any vessel to leave a blockaded port even after the blockade had begun, and that vessels captured before the expiration of that time were restored to their owners.

As yet, therefore, the state of things was more or less satisfactory.

On May 1st, however, orders were given to the Admiralty to send sufficient re-inforcements to Her Majesty's squadron on the North American and West Indian station, lest British vessels, engaged in trade off the coast of the United States and in the Gulf of Mexico, should suffer inconvenience from the issue of letters of marque. But nothing was to be done by the forces which would indicate partiality.

This was announced in the House of Commons on May 2nd, but when Lord John was asked whether privateers sailing under the flag of an unrecognised Power, would be dealt with as pirates, no satisfactory answer could be given, and all that could be said was that the Government felt it was their duty to use every possible means to avoid taking any part in the struggle, and that nothing but an imperative sense of their duty to protect British interests and honour would justify interference. Lord John also stated that before he answered the above question, he wished to obtain the best possible advice upon the subject.

The next day he received the Confederate commissioners unofficially. (The recognition of the Confederacy still hung in the balance). One can only describe the arguments of the Southerners as weak, and to a certain extent as apologetic, for Lord John was assured that it was the heavy duties which the North had forced the South to pay and not the attachment to slavery which has caused the secession. Lord John has described the interview in a letter to Lyons. "I said that I could hold no official communication with the delegates of the Southern States.---- They pointed to the new tariff of the United States as a proof that British manufacturers would be nearly excluded from the North and freely admitted in the South. Other observations were made but not of very great importance. The

delegates concluded by stating that they should remain in London for the present, in the hope that the recognition of the Southern Confederacy would not be long delayed".

The delegates themselves expressed their satisfaction with the interview. One cannot help thinking, however, that this was merely done to arouse the suspicions of the North, for Lord John had made no promise and had given no guarantee of recognition.

On May 6th, Lord John announced that the Attorney & Solicitor General, the Queen's Advocate, and the Government, had come to the opinion that the Southern Confederacy of America, according to principals, which seemed to them to be just, must be treated as a belligerent. On May 11th., Dallas communicated Lincoln's proclamation of the blockade; and on May 13th, the much discussed proclamation of the Queen was issued. This stated that none of Her Majesty's subjects were to serve in the army or navy of either of the belligerents, or fit out vessels for warlike purposes in Her Majesty's dominions. No person in Her Majesty's dominions was to attempt to persuade anybody to enlist or to embark for the purpose of enlistment in America. The armament of ships of war was not to be increased in British ports, and Her Majesty's subjects were forbidden to break the blockade and also prohibited from carrying officers, soldiers, dispatches or any article judged as contraband of war, for either party. Of course, the proclamation derived its great importance from the fact that it recognised the Confederacy as a belligerent, with rights ascribed to a power engaged in international war.

This was opposed to the Northern theory that the Southerners were insurgents, and that they should be treated as rebels and traitors. Also it gave to any cruisers which might be built for the Confederates.

the quality of privateers instead of that of pirates. Naturally this was a decided disadvantage to the North and it caused much irritation. Also a certain section of the Federal Government was not slow in observing, (although it seems to me their observation was unjust), that the proclamation had followed hard upon the unofficial reception of the Commissioners. Complaints were also made that it was issued with unseemly haste, and without regard to the assurances given to Mr. Dallas. Personally, I consider that the haste was rather unseemly, and that the British Government ought to have awaited the arrival of Mr. Adams before taking so decisive a step. As it was, the Proclamation appeared in the London Gazette on May 14th, the day Mr. Adams arrived in London.

Of course, to the agitated North it seemed as if the British Government had hastened its action designedly, in order to avoid listening to arguments against it, and they were quite convinced that it made clear that official sympathy was with the Confederates, and that the recognition of the Confederacy as an independent power was merely a question of time. When troops were sent to Canada, the impression that the ruling classes of Great Britain desired to aid the South, received still more support. This sending out of reinforcements was discussed in Parliament. Certain members thought that the North would regard the act as one of hostility, but Palmerston defended it by saying that it was simply a measure of precaution.

Queen Victoria was also of the opinion that troops should be sent to Canada, and she, as we shall discover in December, loathed the idea of war with the United States. She wrote to Lord Palmerston on May 30th, that she thought it of great importance that we should be strong in Canada and that the Artillery should be increased by two

3
battalions, as that arm could not be supplied by the Colony. She continues, "The Naval Forces would, however, require strengthening even more. It is less likely that the remnant of the United States could send expeditions by land to the North while quarrelling with the South, than that they should commit acts of violence at sea".

With regard to the 'definite assurances' given to Mr. Dallas, I cannot find that they exist. Lord John had said that he could not bind Her Majesty's Government nor tell when circumstances might arise which would make a decision, with regard to the independence of the Confederates, necessary.

This seems to me exactly the opposite of any definite assurance, and I do not think the Proclamation can be attacked on these grounds.

Many varying opinions with regard to its publication have naturally been expressed. Motley, on June 18th, wrote to his wife that, "Had the English declaration been delayed a few weeks or even days, I do not think it would ever have been made, and I cannot help thinking that it was a most unfortunate mistake". John Bright, too, said that the recognition of the Confederates was done with unfriendly haste; and Adams, later, in an interview with Lord Russell remarked "that the action taken seemed --- a little more rapid than was absolutely called for by the occasion".

But I am convinced that the Proclamation was not issued in any unfriendly spirit towards the North. President Davis had invited applications for letters of marque, and Lincoln had proclaimed a state of blockade. Therefore one had to expect maritime warfare and British interests had to be considered, and if the Confederates had not been recognised they would probably have preyed upon British shipping. Consequently, the best way to protect British interests was to recognise

that a state of war existed, and this could only be done when both sides were recognised as belligerents.

The London Times of May 16th presented the matter in a cynical and sneering fashion, but with undoubted truth :- "Being no longer able to deny the existence of a dreadful civil war, we are compelled to take official notice of it.---- Our foreign relations are too extensive, the stake we hold in the commerce of the world is too vast, and, we may add, our attitude is a matter of too much importance for us to allow ourselves the gratification of saying "Peace when there is no peace", so largely indulged in up to the very last moment by the statesmen of America herself. Yes, there is war--- Eteocles and Polynices are confronting each other with hostile weapons, and England, like the venerable queen of Thebes, stands by to behold the unnatural combat of her children".

Lord Russell, in an interview with Adams in June, also ably defended the British position, by saying that unless the Proclamation had been published, our naval commanders and mercantile marine would have been left without positive orders, and this would not have been right. Also we could not treat 5,000,000 men, who had declared their independence, like a band of marauders. Besides, the United States, themselves, had not treated the Southerners whom they had captured as traitors or rebels, and our measures of severity could not be expected to exceed those of the North.

Britain's position is also justified by Dana & Woolsey, two of the best authorities on international law; and in December 1862, even the United States Supreme Court declared that the President's proclamation of blockade was "itself official and conclusive evidence to the Court, that a state of war existed".

James Ford Rhodes also inclines towards the British point of view, for he thinks that after the Confederates had won the battle of Bull Run in July, the Proclamation could not possibly have been delayed; and what greater damage resulted to the Northern cause from having the proclamation issued May 17th instead of August 1st ?

But the bitterness which the Proclamation caused in the North must here be mentioned, as it probably had some effect on the continual pressing of the Alabama claims by the American Government. Motley wrote on June 14th that there was a deep and intense feeling of bitterness and resentment towards England just then in Boston. Other letters from New York are in a similar strain. Augustus Belmont, financier, banker and democrat, wrote on May 28th, "it would be difficult for me to convey to you an idea of the general feeling of disappointment and irritation produced in this country, by the manifesto of the British Government, by which a few revolted States are placed in their relations with Great Britain, upon the same footing as the Government of the United States". Of course, the North greatly disliked the encouragement which the proclamation gave to the South; but, on the other hand, the latter overestimated the value of the declaration to themselves.

We must now consider Southern diplomacy with regard to Great Britain, and this is a more or less simple matter at the beginning of the war. The Confederates wished, of course, to get any possible aid from Great Britain, but the chief thing they wanted was their recognition by Europe as an independent nation. Hence the interview of the Confederate Commissioners, Messrs Yancey, Rost, and Mann, with Lord John, and later the mission of Mason & Slidell.

~~Of course~~ The all important factor in the eyes of the South

was that of cotton, because Great Britain depended almost wholly for her supply on the Confederates, and it was from this supply that we made our most important manufactures. On July 2nd, the Richmond Examiner said as follows :- "By the end of this summer, the stock of cotton and tobacco in Europe will be exhausted. Europe must have more, or witness the commencement of the most terrible of revolutions at home a revolution arising from starvation. It is, therefore, a matter of compulsion that they should break through the blockade and obtain our crop under the right of their neutral flag".

The above exactly summed up the prevailing idea of the South, - they confidently thought that the want of cotton would compel Europe to recognise them and break the federal blockade; and so on May 21st, we find that the Confederate Congress passed an act which forbade the export of cotton except through Southern ports, which of course, were now blockaded !

James L Orr, the chairman of the House Committee of Foreign Affairs of the Confederate Congress, stated that the Confederacy never had a foreign policy, nor did its government ever consent to attempt a high diplomacy with European powers. The son of C.F. Adams considers this statement consistent with facts, because he believed that Jefferson Davis overestimated the importance of the cotton factor. But I consider that the Confederate Congress did have a foreign policy and that it was bound up with the attempt to obtain recognition; and it will be seen later that diplomacy was attempted with France and England.

It cannot be denied that the importance of cotton was overestimated. "Cotton et King", was the cry of the South and this was universally believed. A Charleston merchant said to W.H. Russell, pointing to some bales of cotton early in 1861, "Look there's the key

which will open all our ports --- you must recognise us, sir, before the end of October".

James Ford Rhodes thinks that Jefferson Davis did not share the overweening confidence of his people, but from the biography by Mrs Davis is quite clear that he did. "The President and his advisers",^x she wrote, "looked to the stringency of the English Cotton market and the suspension of the manufactories to send up a ground swell from the English operatives, that would compel recognition:----- Foreign recognition was looked forward to as an assured fact".

W.H.Russell wrote at the same time from Montgomery:-"They firmly believe that the war will not last a year. They believe in the irresistible power of cotton". During July, August & September we find the Southern press advocating that cotton should be absolutely withheld until the Confederacy was legally recognised.

Of course, Britain did desire to obtain cotton, and Palmerston's remark to Belmont in July was, "We do not like slavery, but we want cotton and we dislike very much your Morill Tariff". It was at this time, too that Belmont was struck by the lack of sympathy for the North amongst commercial classes. Yet it is greatly to their credit^{of the latter} that they valiantly supported the Government's policy, in spite of financial loss.

We must now return to the Queen's Proclamation and the arrival of Mr Adams, the newly appointed American Minister. We can easily imagine his feelings as he read the London Gazette, and his son informs us that he considered that the act of the British Government had given an adverse and unfortunate opening to his diplomatic career. An interview was arranged for him at the Foreign Office, the day after his arrival, but owing to the death of Russell's brother, this was postponed until May 18th.

The appointed day arrived, and the interview took place. Adams at once expressed his disappointment with regard to the feeling which existed in England towards America. He also stated that he regretted the issue of the Queen's Proclamation, and he alluded especially to the speech of the Lord Chancellor on the previous Thursday, in which he had characterized the South as a belligerent State and ~~and~~ the war as *iustum bellum*. To this Russell replied that more stress had been laid upon these events than they deserved, and that the advice of the legal officers was that a war existed, and that under the circumstances it must be spoken of as a war of two sides. But this did not imply an opinion of its justice. It merely endeavoured to bring the management of the war within the rules of modern civilised warfare. "This", said Russell, "was all that was contemplated by the Queen's Proclamation. It was designed to show the purport of existing laws, and to explain to British Subjects their liabilities in case they should engage in the war".

Then Russell asked for information with regard to the blockade. Was it the design of the United States to institute an effective blockade along its whole extent of coast, or to make only a declaration to that effect, and to confine the actual blockade to particular points? As no government could recognise the validity of mere paper blockades, he could hardly suppose they meant the latter. Adams replied that he had every reason for affirming that it was the intention to make an effective blockade, and that was more practicable than at first sight appeared, for although the coast line was very long, yet the principal harbours were comparatively few, and these were not very easy of access.

On the whole, therefore, the interview must be regarded

as satisfactory to both parties, in spite of the fact that no definite assurance could be given with regard to the recognition of the South. Adams, himself, was not of this view, for he wrote in his diary, " My conclusion from it (the interview) is that the permanence of my stay is by no means certain".

We must now consider the negotiations of Great Britain with both North & South, with reference to the Declaration of Paris. This declaration states that (I) privateering is and remains abolished, (II) The Neutral flag covers enemy's goods except contraband of war, (III) Neutral goods, except contraband are not liable to capture under the enemy's flag, and (IV) A blockade to be binding must be effective.

The leading European nations assented to these four propositions, and the adhesion of the United States was also invited. But the Government of that time would only accede on the condition of the acceptance of a fifth proposition by the other powers - namely - that the goods of non-combatants should be exempt from confiscation in maritime war. This was rejected by the British Government, and the negotiations with America were suspended until after Lincoln became president.

Then Seward took up the negotiations, and in April Adams was instructed to ascertain whether the British Government were disposed to enter into negotiations for the accession of the Government of the United States to the declaration of the Paris Congress, with the conditions annexed by that body to the same. If the British Government were so disposed, he was to enter into a convention with

1. On July 18th, Russell wrote that the Government would feel themselves authorized to advise the Queen to conclude the convention, soon as they knew that a similar convention had been agreed upon

between the American and French Governments.

A fortnight later Adams wrote stating that the negotiations in Paris were proceeding favourably. Russell's answer was that Britain would be ready to carry out the negotiations as soon as the necessary arrangements could be perfected in London and Paris. But then came the following words :- " I need scarcely add that on the part of Great Britain, the engagement will be prospective and not invalidate anything already done".

Seward, at once, when this was communicated to him, replied that Lord John's statement was not satisfactory and instructed Adams to ask for an explanation. But before the despatch containing these instructions reached Adams, the attitude of the British Government was explained by Russell submitting to Adams the draft of a supplementary declaration, which stated that Britain did not intend, by the projected convention for the accession of the United States to the articles of the Congress, " to undertake any engagement which shall have any bearing direct or indirect on the internal differences now prevailing in the United States".

Upon receiving this information, Adams wrote to Seward that the proceeding was " of so grave and novel a character as to render further action inadvisable, " until he had obtained further instructions. The answer returned by the President in September was, of course, the only one that could be given. The United States would not accede except on the same terms as the other parties. " To admit such an article," wrote Seward, " would, for the first time in the history of the United States, be to permit a foreign power to take cognizance of, and adjust its relations upon, assumed internal and purely domestic differences existing within our own country".

The negotiations, therefore, were at an end, but Seward definitely stated that the failure did not make Great Britain and America enemies, although success might have made them better friends. "We regard Great Britain as a friend," he said. "Her Majesty's flag, according to our traditional principles, covers enemies goods, which are not contraband of war. Goods of Her Majesty's Subjects, not contraband of war, are exempt from confiscation though found under a neutral or disloyal flag. No depredations shall be committed by our naval forces so far as we can prevent it, upon the vessels or property of British Subjects. Our blockade being effective must be respected".

Russell, in a letter of August 28th to Adams, gave reasons for the insertion of the declaration. He stated that serious differences had arisen over the meaning of the Clayton Bulwer Treaty, and that it was most desirable that a new agreement should not give rise to a fresh dispute, and this might easily be caused by the different attitudes of Great Britain and the United States in regard to the internal dissensions of the latter, for Her Majesty's Government had come to the conclusion that a civil war existed and the Government of the United States on the other hand designated those concerned as rebels and pirates.

However, as stated above the negotiations were not carried through. At the same time, the British Government was negotiating with the Southern States on the same subject, by sending communications in a clandestine manner through the British Legation in Washington to Mr Bunch, the English consul at Charleston, through whom they were laid before the authorities at Richmond. President Davis drafted a resolution declaring that he would observe the 2nd

3rd and 4th rule, but that he maintained the right of privateering.

Mr Bunch was a fervid Southerner, and he wrote to Lyons that the wishes of Her Majesty's Government seemed to have been complied with, for as no proposal was made that the Confederates should abolish privateering, it could not be expected they should do so of their own accord, particularly as privateering was the arm upon which they most relied for the injury of the extended commerce of their enemy.

Meanwhile the American Government had formed a suspicion that Britain was negotiating with the Confederates. For instance, on August 17th, Seward sent a despatch and a bag to Adams by a special messenger. The despatch stated, that on the 5th of the same month, he had been warned that a certain Robert Mure of Charleston was on his way to New York to embark at that port for England, and that he was a bearer of dispatches from the Confederate authorities of Richmond to Earl Russell. Information from other sources agreed that he was travelling under a passport from the British consul at Charleston. Mr Mure was detained by the New York police and in his possession were found 74 letters, a passport, and several copies of a pamphlet which was an argument for the disunion of the United States, and also the bag referred to above. This bag was labelled "On Her Britannic Majesty's Service", was addressed to Lord John Russell, Foreign Office, and signed and sealed by Robert Bunch. It seemed, according to Seward, to contain voluminous papers.

The marks and outward appearance of the bag indicated that its contents were legitimate communications from the British consul at Charleston to the British Government. Seward, however, stated that he had the following good reasons for believing that the bag

contained treasonable papers.

1st. There was no reason at that time why Mr Bunch should indulge in an extensive correspondence with his government. 2nd. The consular passport ought not to have been issued, and even if this had been regular, the passport ought to have been countersigned by the Secretary of State, and the commanding general of the Army of the United States. 3rd. Mr Mure was a colonel in the Southern Army and the papers found in his possession proved that he was disloyal to the United States. 4th. If the papers were not illegal, why were they not sent in the ordinary way through Lord Lyons?

A sense of propriety prevented Seward from breaking the seals of the bag and it was forwarded to London intact. Instructions, however, were given to Mr Adams, to state that if the papers were found to be treasonable, the United States Government expected that they would be delivered up. On the other hand, if the correspondence were innocent, the Government of the United States expressed its regret at the brief interruption of the correspondence and stated that it would endeavour to render any satisfaction which was justly required.

One letter found on Mure to which the Federal Government greatly objected was as follows :- "Mr. B, on oath of secrecy communicated to me also that the first step to recognition was taken. He and Mr Belligny together sent Mr Trescot to Richmond yesterday, to ask Jeff. Davis, president to ---- the Treaty of ---- to ---- the neutral flag covering neutral goods to be respected. This is the first step of direct breaking with our government, so prepare for active business by January 1st".

Adams forwarded the bag and Seward's information to Russell, together with the request of the American Government, that Bunch

should be removed from office. Russell's answer on September 9th expressed surprise at the seizure and detention of the bag, and stated that when the bag was opened there was found to be no ground for Seward's supposition that it contained treasonable matter. He averred, however, without hesitation that in pursuance of an agreement between the British & French Governments, Mr Bunch was instructed to communicate to the persons, exercising authority in the so called Confederate States, the desire of those governments that the 2nd, 3rd and 4th articles of the Declaration of Paris should be observed by those States, in the persecution of the hostility^{ies} in which they were engaged. Mr Adams was also told that the commerce of Great Britain and France was deeply interested in the maintenance of the articles providing that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to condemnation. Because Mr Bunch had acted under instructions from his government, he could not be removed from office.

But Russell stated that "Her Majesty's Government have not recognised, and are not prepared to recognise the so-called Confederate States as a separate and independent state", and all responsibility for the statement that the first step to recognition was taken, was denied.

The United States Government was not yet satisfied, for on November 21st Adams informed Russell that the President had withdrawn Mr Bunch's exequatur, because he had violated an American law, which prohibited any person not specially appointed by the President, from assisting in any political correspondence with any foreign government. Satisfaction was however expressed, because if Bunch had made any assurances to the insurgents on the part of Her Majesty's Government to recognise them as a state, he had acted without authority.

Russell's reply of five days later, exposed the weakness of the American position. He stated that it was quite apparent from the despatch submitted, that the North recognised the Confederacy as a foreign state; and that consequently President Lincoln could not interfere with the functions of the Consuls of other Governments in that state, and that the exequatur of such Consuls could only be withdrawn by the Confederate government. Russell also gave notice that in order to protect the interests of British subjects, it might become necessary to have further communication both with the central authority at Richmond and with the governments of the separate states. Such communications would be made, but would not imply any acknowledgement of the Confederacy as an independent state.

It is to the credit of the American Government that it realised the difficulties of communication, and was prepared to sanction measures to obviate the inconvenience, provided that the measures adopted were consistent with the safety and welfare of the United States. Permission had already been given for warships of friendly powers to carry official correspondence to the agents of those powers in the blockaded ports. A few months later, however, notice was given that this permission would be restricted and that letters must not be sent to consuls who were allowed to engage in trade — a restriction imposed owing to the success of British subjects in blockade running, and the fact that the impartial neutrality of certain consuls was much to be suspected.

We are bound to ask ourselves why the British Government entered into negotiations with the South re the Declaration of Paris. The answer is not hard to find. It was mainly to protect British commerce and this was certainly justifiable. Can the same be said with regard to the secrecy of the negotiations? I think that again

the answer must be "Yes," in spite of the fact that the Confederacy was not recognised as an independent state for nobody, of course, can deny any two powers the right of secret agreements.

The North, however, certainly had a grievance, for its accession to the four articles had been impeded by conditions, which it could not accept consistently with its dignity, while the Confederacy had only been asked to consent to the 2nd, 3rd and 4th points.

At Geneva, when the claims arising out of the Civil War were finally settled, the Government of the United States contended that if the diplomacy of the British Government and the South had been successful, it would have meant the destruction of the commerce of the United States or its transference to the British flag. If the course of insincere neutrality should have forced the United States into war, the North would also have lost their principal resources upon the ocean. British commerce, too, while Britain was still neutral, would greatly benefit by the recognition of the 2nd and 3rd articles. Also the rebel privateers and cruisers would have been protected, and their devastation legalised, while the North would have been deprived by its assent to the 1st article, of a dangerous weapon of assault upon Great Britain.

In spite however of the arguments advanced by Seward, and Russell,† Adams, neither side was convinced that it was in the wrong. But the next year, when it seemed as if Charleston would be attacked, a British man of war entered the port and took Mr Bunch away.

Seward himself said that he thought that the real objection of the English Government to giving an unqualified assent to the adherence of the Federals to the Treaty, was because Great Britain knew that by mid-August any vessels cruising as Confederate

privateers, would be English ships; and that Great Britain, while opposed to this mode of warfare in the abstract and on principle, was willing to become the patron of privateering when it was aimed at the devastation of Northern shipping.

One cannot help thinking that this view, when one considers British policy on the whole, is entirely unjust; and that Seward, in making this speech, was once more actuated by hatred of Great Britain.

We must now return to the first interview of Adams and Russell on May 18th. After this, until June 10th, things were very quiet. But that day, Adams received Seward's famous despatch, number 10, of May 21st. Undoubtedly, this was written in a mood of intense irritation, caused by the news of the Queen's Proclamation of neutrality, but if it had been sent to England in its original form, it is quite possible that war might have resulted, for Great Britain was menaced for her unofficial intercourse with the Confederate commissioners and threatened with war if she should recognise the Confederacy. It also declared that the United States would emerge from that war in a better position than Great Britain.

When Seward read the despatch to Lincoln, the latter was quite conscious of its defects; and he consequently retained it, and altered it in such a manner that it lost all offensive crudeness, while gaining in dignity; for his alterations removed its original vehemence, which told the British Government what the United States would not submit to, in so offensive a manner, that Great Britain would have been practically forced to object.

"We intend to have a clear and simple record of whatever issue may arise between us and Great Britain," wrote Seward. "Leave this out" was Lincoln's marginal note.

Again, speaking of recognition, Seward stated that British recognition of the Confederacy would be British intervention to create within American territory a hostile state, by overthrowing the Republic itself. Then came another sentence which Lincoln ordered to be omitted :- "When this act of intervention is distinctly performed, we from that hour shall cease to be friends, and become once more, as we have twice before been forced to be, enemies of Great Britain".

The conclusion of the despatch was also violent: "We are not insensible of the grave importance of this occasion . We see how, upon the result of the debate in which we are engaged, a war may ensue between the United States, and one, two, or even more European nations. War in any case is as exceptionable from the habits, as it is revolting from the sentiments of the American people. But if it come, it will be fully seen, that it results from the action of Great Britain, not our own; that Great Britain will have decided to fraternize with our domestic enemy, either without waiting to hear from you our remonstrances and our warnings, or after having heard them.----- The dispute will be between the European and the American branches of the British race ---- Great Britain has but to wait a few months and all her present inconveniences will cease with all our own troubles. If she takes a different course, she will calculate for herself the ultimate as well as the immediate consequences, and will consider what position she will hold when she shall have forever lost the sympathies and the affections of the only nation, on whose sympathies and affections she has a natural claim. In making that calculation, she will do well to remember that in the controversy she proposes to open, we shall be actuated by neither pride, nor passion, nor cupidity, nor ambition; but we shall

stand simply on the principle of self-preservation, and that our cause will involve the independence of nations and the rights of human nature".

Lincoln's instructions with regard to this, were, that it should be omitted, and instead the following words were to be written + "This paper is for your own guidance only and not to be read or shown to anyone".

However, when the despatch was returned to Seward, he prefixed to it two short introductory paragraphs, in which he embodied the President's direction that the despatch was merely a confidential instruction, and that Adams was not to say anything inconsistent with its spirit. Of course, this made it unnecessary to omit the conclusion, and the last two paragraphs accordingly remained in the document which was sent.

In its amended form the despatch began as follows :-

" This Government considers that our relations in Europe have reached a crisis, in which it is necessary for it to take a decided stand, on which not only its immediate measures but its ultimate and permanent policy can be determined and defined". Then came the instruction that the contents were not to be shown, nor were any of its positions prematurely, unnecessarily, or indiscreetly" to be made known, but Mr Adams was to be guided by its spirit.

Adams's criticism of the despatch is to be found in his Diary. " The government seems ready to declare war with all the powers of Europe, and almost instructs me to withdraw from communication with the ministers here in a certain contingency" (i.e. that of continued intercourse with the Confederate Commissioners by the British Government). But Adams also wrote " My duty here, is, so far as I can do it honestly, to prevent the ^{mutual} ~~neutral~~ irritation from coming to a

downright quarrel".

This, I think, gives the clue to his policy - he wished to avoid war and so we find that during his interview with Lord John Russell on June 12th, he translated the harsh and offensive tone of the despatch into courteous but forcible reasoning. He says himself that he tried to live up to his instructions, but at the same time he tried to soften as well as he could the sharp edges. He spoke of the irritation produced in America by the Queen's proclamation, of the uneasiness caused by the stay of the Confederate commissioners in London, and of the interviews^{to} which they had been admitted. To this Russell replied that an interview did not imply recognition and that he had no expectation of seeing them again.

The whole spirit of the interview was one of courtesy and conciliation, and it was with regret that Adams told Russell that if Great Britain entertained any design to extend the struggle going on in America, he was bound to acknowledge in all frankness, that, in that contingency, he had nothing further left to do in Great Britain. Lord John, of course, disavowed any such intention, and indeed, stated that instructions had been given to British naval officers to respect the blockade - a statement which must have given pleasure to the American minister.

Meanwhile in America some of the irritation against Great Britain was dying down. On June 5th for instance, Schleiden wrote to Sumner from Washington as follows :- "There has nothing occurred here in regard to Great Britain; and the President told me that it appeared to him as if this Government had no reason to complain of any European power in this contest". Two days earlier a leading article in the New York Tribune had stated that the "evident desire" of the Western European powers to maintain amicable relations with

America had not been fairly met, and in some measure it defended England for the recognition of the belligerent rights of the Confederate States, and excused the unofficial reception of their commissioners. The next day it went still further, and said that even if Great Britain or France should open one of the blockaded ports and load a merchant fleet with cotton, America had better pocket the insult for the supreme reason of necessity, for the war with the South was a "life--and--death" struggle.

Lincoln's Fourth of July message, was also favourable, "The sovereignty and rights of the United States", he declared, "are now everywhere practically respected by foreign powers, and a general sympathy with the country is manifested throughout the world"

It was, of course, quite clear from this, that war with Great Britain was not desired.

English opinion, too, was becoming more favourable to the North. On May 31st Adams wrote from London "The feeling towards the United States is improving in the higher circles here. It was never otherwise than favourable among the people at large". The following day, still greater satisfaction was given to America, by an act of the British Government, which prohibited armed ships and privateers belonging to the United Federal, ^{or} ~~of~~ the Confederate States of America, from carrying their prizes into British ports.

This, of course, would only damage the South, for the North had commissioned no privateers, and naturally any prizes taken by their armed ships would be taken into Northern ports, which were not blockaded as were the Southern ones.

Seward remarked with satisfaction that the measure would probably prove a death blow to Southern privateering. Yet there is still proof to be found in the diary of W.H. Russell that some

irritation still existed in America against us, for he wrote in June from America, that 'the career open to the Southern privateers is effectually closed by Newcastle's notification that the British Government will not permit the cruisers of either side to bring their prizes into or condemn them in British ports, but strange to say the North feel indignant against Great Britain for an act which deprives the enemy of an enormous advantage, and which must reduce their privateering to the mere work of plunder and destruction on the high seas'. Later in the same month he wrote that we were in an evil case between North and South.

I consider, however, that the above statement does not refer to the American Government, but merely to a certain section of the community, which was still under the influence of the idea which had dominated Seward in April and May. ^{Sane} ~~Some~~ level-headed people were now beginning to see that war with Great Britain would be indeed disastrous, and that it certainly would not unite North & South as Seward had hoped.

Yet unfortunately in the next few months the danger of war, partly owing to the Trent affair, was to become exceedingly serious.

CHAPTER II THE BEGINNING OF THE BLOCKADE AND THE TRENT.

We must now consider the American blockade of the Southern ports. As I have stated before, this affected certain vital interests of Great Britain and might have been a cause of serious irritation. It undoubtedly did cause a certain amount of friction between the two nations, and it says much for the good sense of both governments that complaints were listened to quickly, and redress obtained in certain cases.

One of the first questions put to Mr Adams on his arrival in London, (see Chap. 1. page 23) asked whether the President was serious in his proclamation of a blockade of all the ports of the Southern States, and the answer had been 'yes'. Orders were therefore given, as Adams was informed on June 12th, to British seamen that the blockade must be respected.

The following day Russell wrote to Lyons, saying that it was of the utmost importance that Her Majesty's Government should receive accurate information with regard to the blockade, and that a circular had been addressed to Her Majesty's Consuls asking for early and accurate information in regard to the port blockaded and the manner in which the blockade was maintained.

Consequently in "State Papers" we find despatches from the British consuls at New Orleans^{Orleans}, Charleston, Savannah, and other Confederate ports, giving the desired information. The testimony of Mr Bunch, the consul at Charleston, is perhaps the most important. According to instructions, he informed Lord Lyons that the blockade of that harbour began on May 11th by the United States' ship Niagara, but that the vessel in question quitted the neighbourhood on the 15th, and that no other vessel had appeared there on the 20th, the date of writing.

Lyons at once wrote to Seward setting forth these facts. Seward's reply, however, was that the blockade had not been abandoned, relinquished, or remitted. The "Niagara" had been replaced by the "Harriet Lane", but owing to some accident that vessel did not reach her station, until a day or two after the "Niagara" had left. Seward claimed that this temporary absence did not impair the blockade and Lyons accepted the statement.

But Bunch was determined to prove that the blockade at Charleston was ineffective. In June, he wrote again to Russell, stating that a British ship, on May 13th, entered the port in the very face of the Niagara, and that on May 15th the Niagara was no longer seen; and the port, for all practical purposes remained open until May 21st or 29th, when the "Minnesota" appeared and resumed the blockade. During this period 5 vessels had entered the port, and even at the date of writing, vessels were still arriving and leaving.

There was also other evidence with regard to the ineffectiveness of the blockade, for at the beginning of July, Commander Hickley of the "Gladiator" reported that no blockade existed between Cape Hatteras and Cape Fear. Commander Lyons of the Rear "Racer", also thought the blockade was merely nominal. Captain Ross of the "Desperate", however, considered that the blockade was generally actively maintained, and Consul Mure of New Orleans on June 18th stated, "The blockade is rigidly enforced. Business of all kinds, except a few ^{Merchants} retail sales is at an end. Almost all the British vessels here have closed their offices and have left the city".

These conflicting reports can be easily explained. Undoubtedly during the first few months the blockade was effective in some parts and not in others. As time went on, naturally its

effectiveness increased.

On June 28th Mr Adams received an interview with Russell, and it was during this interview that a new source of irritation, with regard to the blockade, was touched upon. Lord Russell spoke to Mr Adams concerning the Republic of New Granada, which had merely by Decree, closed certain ports. The opinion of Her Majesty's Government was, after taking legal advice, that it was perfectly competent for the government of a country in a state of tranquillity to say which ports shall be open to trade and which shall be closed, but that it was not competent for a government, in the event of civil war, to close ports which were in the hands of the insurgents. He did not suppose that the enactment of a law closing the Southern ports would be proposed by the Government of the United States, but it was possible that owing to the prevailing animosities, such a law might be proposed by some private member of Congress. In any case this would be an invasion of international law with regard to blockade, and the Government had instructed Admiral Milne that the commanders of Her Majesty's ships were not to recognise the closing of the ports. Adams did not think that any such law would be passed, but he was wrong; for at the beginning of July, the Congress of the United States asserted by law the right of the government to close ports in the hands of the insurgents.

The British Government could not admit this. On July 19th Russell wrote as follows to Lyons :- " It is impossible for Her Majesty's Government to admit that the President or Congress of the United States can at one and the same time exercise the belligerent rights of blockade and the municipal right of closing the ports of the South. In the present case Her Majesty's Government do not

intend to dispute the right of blockade on the part of the United States with regard to, ports in the possession of the Confederate States, but an assumed right to close any ports in the hands of insurgents would imply a right to stop vessels on the high seas without instituting an effective blockade. This would be a manifest evasion of the necessity of blockade in order to close an enemy's port. Neutral vessels would be excluded, when no force exists in the neighbourhood of the port, sufficient to carry that exclusion into effect.

Her Majesty's Government cannot allow the Queen's subjects to be deprived of any of the rights of neutrals. They would consider a decree, closing the ports of the South actually in the possession of the insurgent or Confederate States, as null and void, and they would not submit to measures taken on the high seas in pursuance of such decree".

Lyons was ordered to express strongly to Mr Seward the wish of Her Majesty's Government to maintain the relations of amity with the United States, but he was also to express plainly the decision of the British Government.

Before this despatch reached America, Seward had written to Adams on July 21st that if the government of the United States should close their insurrectionary ports under the new statute and if Great Britain should disregard the act, nobody could suppose for a moment that the United States would acquiesce. But Seward saw quite clearly that this new incident might enlarge a "domestic controversy" into a general war among the great maritime nations, and so he stated that the law only authorized the President to close the ports if it should become necessary, and that it did not definitely state that this would be done. At the same time the British Government was assured that

" no change of policy now pursued , injuriously affecting foreign commerce will be made from motives of aggression against nations which practically respect the sovereignty of the United States".

But on the other hand, it was stated that the President fully agreed with Congress in the principle of the law which authorized him to close the ports, and that he would put it into execution and maintain it with all the means at his command, at the hazard of whatever consequences, whenever it should appear that the safety of the nation required it.

The same bill which authorized the President to close the ports also gave him a right to establish a Custom House for the ^{neighbouring} districts, either on land or on board any vessel near the coast. All vessels would be there detained, duties collected, and a written permission given to the master to enter the said port. If any ship tried to enter by force without obtaining the said permission, ~~the~~ ^{she} ~~same~~, with her cargo, would be forfeited to the United States.

This, of course, means that any vessel attempting to enter a port which was not blockaded but declared closed, would be liable to capture. To this the British Government could not agree. So, on August 8th, Russell wrote to Lyons that Her Majesty's Government could not acknowledge that ports in the complete possession of the (so called) Confederate States, and which were not blockaded, should be interdicted to the commerce of Her Majesty's subjects by a mere decree or law. " This would be in effect to allow the lawfulness of a paper blockade extending over 3,000 miles of coast. Her Majesty's Government cannot admit a right in any power, not in the possession of the port, to erect a so-called "Custom House" on board a ship " at sea near the coast" and there to exact duties" he continues. A hope was

also expressed that the President would not use the power entrusted to him.

The question which arises here is, of course, whether the President intended to put the law into execution, as well as maintaining the blockade; or did he intend on putting the law into force, to give up the blockade. This point cannot be decided from Seward's despatches, although they seem to incline to the latter alternative. He says for instance on July 21st " Whether it (i.e. the law in question) shall be put into execution today, or tomorrow, or at what time, will depend on the condition of things at home and abroad, and a careful weighing of the advantages of so stringent a measure against those which are derived from the existing blockade."

But it is quite clear from Russell's despatch of July 19th that he considered that the first alternative would be adopted. Yet other British Government officials were rather undecided on this point; but by August 16th, Palmerston had stated that if the law in question were put into operation, he construed it as putting an end to the blockade. In this case instead of accepting a blockade, foreign nations would have to accept a levy of duties.

The British Prime Minister did not, however, touch the difficulty involved by the levy of duties. This was, of course serious, for it meant that one set of duties would be levied by the government on ship-board and another by the insurgents on land. Adams wrote that objection would be made to this, and he did not wish to have to discuss the Act in any way until it became absolutely necessary, for he believed that the government was on the whole favourably disposed towards the North and that the Act would certainly create friction.

Four days before this despatch was written, Seward had

informed Lyons that the question of issuing the Proclamation was dropped, for the minute, although influential persons were in favour of bringing it forward again. Fortunately this never happened, and so this cause of friction was removed.

It is worth noticing that Lord John's remonstrances were conveyed by word of mouth by Lord Lyons, and that ~~when~~ upon his announcing his willingness to make a written declaration, Seward begged him to confine himself to the verbal announcement, saying that it would be difficult to make any written communication which would not have the air of a threat, and any threat at that moment might have an unfortunate effect.

One cannot help thinking that it was owing to the attitude of Great Britain that the Act in question was never put into effect, although there is no official evidence available to support this.

If the blockade would be proved ineffective it would no longer be respected, and the efforts of the Southern commissioners in England were now bent in this direction.

We have seen how the early attempts of these delegates to obtain recognition failed, and that on June 12th Russell told Adams that he had no intention of seeing them again. They still remained in England however, hoping that he would be forced to change his decision, and on August 14th they again pressed their views in a very lengthy dispatch, presenting facts which showed that the act of June 1st which prevented either belligerent from bringing prizes into Her Majesty's Ports operated exclusively to their detriment and declaring that they were an agricultural people, owning but few ships and that consequently there had not been any necessity for the Government at Washington to issue letters of marque. But they stated

that it was otherwise with the North, for their ships afforded them the sinews of war and supplied their industries. Consequently the crippling^{of} their commerce and ~~destruction of~~^{destruction of} their ships, were legitimate means of warfare. Now, they complained, Great Britain had struck at this, and by the Act in question had afforded a practical protection to the commerce and ships of the United States.

Of course, the act in question was injurious to the South, but as will be seen later, Southern privateers were still able to plunder American commerce and cause serious losses.

Then they affirmed that the North had not been able to make an effectual blockade of a single port, except of those which find an outlet through the mouth of Chesapeake Bay; and that vessels of every class had found their way in and out of all other ports at which the attempt had been made.

They said that they were aware that the anti-slavery sentiment of England shrank from the idea of forming friendly public relations with a Government recognising the slavery ~~as~~^{of} a part of the human race, but they could not discuss the question of its morality with any Foreign Power. They contended that the great object of the North was not to free the slave, but to keep him in subjection to his owner and to control his labour through the legislative channels which the Lincoln Government designed to force upon the master. They proclaimed that they contained in themselves the elements of a great and powerful nation and called attention to their victory at Bull Run.

Then they stated that the cotton picking season had begun and that the crop would be prepared for market and delivered on the wharves as usual, when there should be a prospect of the blockade being raised, but not before. They defended the act of the Confederate

Congress of May 21st, which forbade the exportation of cotton except through Southern ports. (Of course, they were still trusting in the idea that 'Cotton is King').

On August 24th Lord Russell briefly acknowledged the despatch, stating that the British Government did not intend in any way to pronounce judgement upon the questions in debate between North and South. This, of course, gave the Commissioners no hope. But their attempts at proving the blockade ineffective were not yet ended. On November 30th they communicated a list of over 400 vessels which they claimed had entered the blockaded ports up to the 20th of August, and they again urged the British Government to interfere.

Russell's response was again very brief. He presented his compliments and acknowledged their letters, but stated that in the present state of affairs he must decline to enter into any official communication with them.

An attempt had already been made in England to alter the policy of the government with regard to the blockade. Letters were sent to Russell at the beginning of September by certain Liverpool merchants, who stated that they contemplated fitting out vessels to trade with the port of New Orleans and other ports of the United States, and that looking to the undisturbed state of friendly relations which existed between Her Majesty's Government and the United States, they considered that British ships had a right to enter into and depart from the ports and harbours of America. They consequently asked for protection by Her Majesty's cruisers, and stated that if it were withheld they would defend themselves as best they might in pursuance of their legitimate trade, and that all parties hindering them would become responsible for the consequences.

Russell replied through his secretary as follows :-

" Understanding from the tenor of your letters, that the ports to which your vessels are to proceed are ports which are or may be blockaded by the naval forces of the United States, Lord Russell directs me to warn you of the serious consequences, which the measures contemplated, will entail on all concerned therein, and to inform you that Her Majesty's Government will not afford the slightest protection or countenance to the projected enterprise.----- Under these circumstances, (i.e. neutrality of Great Britain), if any British ship, being a neutral, knowingly attempts to break an effective blockade, she is liable to capture and condemnation. If such ship defends herself by force against a national vessel enforcing such blockade, such defence is a breach of the law of nations, and will expose ship and cargo to condemnation as a prize. I am to state that the general rule as to trading by neutrals in time of war with belligerents is that they may freely trade, but that they are bound to respect every effective blockade, and that if they carry contraband to either belligerent, they do so at the risk of capture and condemnation".

It will be seen from the above that the policy of the government of impartial neutrality was not universally popular in England, and after the Battle of Bull Run it was still less so.

Darwin wrote on June 5th to Aso Gray, " I have not seen or heard a soul who is not with the North". This, however, must, I think be treated as a slightly exaggerated statement of public feeling, and it is certainly contradicted by a letter of the Duke of Argyll, (a member of the British Cabinet and a friend of the North), to Sumner, (the chairman of the committee of Foreign Affairs in America) "I find much uneasiness prevailing here, ^{lest} but things should be done which would

arouse a hostile spirit in this country," he wrote. " I believe there is no desire stronger here than that of maintaining friendly relations with America. But there are points on which our people are very sensitive; and if they saw themselves touched on these points in honour or interest, the irritation would be extreme and could not be controlled".

Especially after Bull Run, the dominant sentiment was that of the main body of the aristocracy and the middle class, who had now quite decided that the South could not be conquered and were earnestly longing for peace. The aristocracy was, of course, glad that the destruction of a great and powerful democracy was at hand, and the middle class was hoping for peace because it meant that cotton would be once more freely obtained.

The supplies of cotton were now running very short. The Times of September 19th stated:-" The fact is that our supplies of cotton are rapidly sinking, while the supplies on the road to us, are of uncertain quality and insufficient amount".

Russell himself, whose generous language we have noticed at the beginning of the contest, remarked in a speech at Newcastle in October, that the American civil war did not ^{turn} ~~him~~ on the question of slavery, free trade, or protection, but that one party was contending for empire and the other for independence, and that the only settlement of the contest would be the separation of the North and South. The London Times was of the same opinion, and W.H. Russell wrote from Washington that 'it continues to be improbable that the South should be conquered and impossible, that it should be held in subjection'.

As John Stuart Mill says, there was a furious pro-Southern partisanship; the working classes, and some of the literary and scientific men, being the sole exceptions to the general frenzy. Amongst

these friends of the North, we must notice John Bright, Cobden, William E Forster, and the Duke of Argyll. The 'Daily News', the 'Spectator', and the 'London Star', also presented favourable views. " We believe, as we always did, that the South cannot hold out " was the verdict of the 'News' on September 17th.

With regard to the Southern partisanship, I think that it ought to be stated here that this was caused more by hatred of democracy in England than by hatred of the North. In support of this view I quote the following from a letter of W.H.Russell to Sumner in October, " I do not approve of the tone of many papers in Great Britain in reference to American matters; but do not forget, I pray you, that in reality it is Brightism and republicanism at home which most of those remarks are meant to smite. America is the shield under which the blow is dealt ".

Motley, too, wrote to his mother from England on September 22nd, that the real secret of the exultation which manifests itself in the Times and other organs over our troubles and disasters, is their hatred, not to America so much as to democracy in England.

But undoubtedly the dominant note was Southern. The Times on October 9th declared that " the people of the Southern States might be wrong, but they were ten millions ". The answer of the Daily News was " The Confederate States may be ten millions but they are wrong, notoriously, flagrantly wrong ". Even Cobden did not believe that North and South could ever again be united. Darwin wrote in September, " I hope to God, we English are utterly wrong in doubting whether the North can conquer the South ". In December he wrote again to Asa Gray, " How curious it is that you seem to think that you can conquer the South; and I never meet a soul, even those who would most wish it, who

think it possible - that is, to conquer and retain it".

Naturally these sentiments in England, again increased the irritation in the United States, and the articles in the 'Times' and the 'Saturday Review' made things worse. The sneers at the panic and cowardice of the Northern troops at Bull Run were greatly resented. The following extract from Dicey's "Six Months in the Federal States" exemplifies this. He writes, "I recollect arguing once with a Northern gentleman, whose name as an author is known and honoured in this country, about what seemed to me his unreasonable animosity towards England. After a concession on his part that possibly his feelings were morbidly exaggerated, he turned round and pointed to the portrait of a near and dear relative of his - a brave handsome lad, who had been killed a few months before, when leading his men into action at the fatal defeat of Ball's Bluff. "How", he said to me, "would you like yourself to ~~be~~ read constantly that that lad died in a miserable cause, and, as an American officer, should be called a coward?" "And I own to that argument I could make no adequate reply!"

When we consider that in almost every Northern family there was some personal element at stake, one cannot wonder at the irritation produced by the attitude of a certain section of the English press and public. It must not be thought however that the American press was free from blame. The New York Herald expressed sentiments towards England as bitter and venomous as those of the Times towards America.

But in spite of the pro-Southern feeling which pervaded the country, the British Government still preserved an attitude of strict neutrality.

In October, Motley wrote from Paris to his mother as follows:-
"You are annoyed with the English Press, nevertheless it is right to

discriminate. The Press is not the Government, and the present English Government has thus far given us no just cause of offence. However, although we have many bitter haters in England, we have many warm friends". In September, he ^(No Key) had stayed with Russell at Abergeldie, and during his stay, Queen Victoria asked to see him at Balmoral. In his letters he describes his reception and says, "I thought that the sending for me, was intended as a compliment to the United States, and a mark of respect to one of its representatives".

The whole correspondence is admirable in tone and feeling. It breathes admiration, respect, and love of Great Britain, while giving heart whole devotion and unstinted service to America. Always was the writer ready to pour oil on the troubled waters.

The statement that 'the English Government had thus far given no just cause of offence' shows a perfectly unbiased judgement, but unfortunately this state of affairs was not to continue much longer. Whether Great Britain was the ~~offender~~ ^{offended} party or the offender, depends upon individual judgement; but in November, through the act of Captain Wilkes, the commander of the United States ship 'San Jacinto', Britain and America were to be brought to the brink of war.

On November 9th, Adams met Lord Palmerston at the Lord Mayor's banquet. During the conversation Palmerston touched gently on American difficulties, and made it clearly understood that there would be no interference by Britain for the sake of cotton. Three days later Adams received a "familiar note" from Palmerston, asking him to call and see him. Adams went at the time appointed and in his diary, states that his reception was very cordial and frank.

The reasons for this interview were not then fully explained by Palmerston, but as a matter of fact the appointment was

made in order to give Adams an intimation of possible impending difficulties, with a view to obviate them. It was known that two Confederate envoys, Messrs Mason & Slidell, were on their way to Europe, and it was thought that the government of the United States had given orders for intercepting any vessel in which they might take passage and for seizing them. Finally the 'James Adger', a United States ship of war, had just arrived at Southampton, and it was considered that her arrival was in connection with the orders mentioned above.

In consequence of this Palmerston had held a meeting at the Treasury, of the Chancellor, Doctor Lushington, (a judge of the admiralty and privy councillor), the three law officers, (Sir William Atherton, Attorney General; Sir Roundell Palmer, Solicitor General; and Doctor Phillimore, Counsel to the Admiralty), the Duke of Somerset, Sir George Grey and Mr Hammond (Under Secretary of State for Foreign Affairs). The result of their deliberation was that, according to the law of Nations as laid down by Lord Stowell and practised and enforced by England in the war with France, the Northern Union, being a belligerent, was entitled by its ships of war to stop and search any neutral merchantmen (and the W. Indian packet was such) if there was reasonable suspicion that she was carrying enemy's despatches. If such were found on board, the ship was to be taken to a port of the belligerent and tried.

Orders were also given to one of Her Majesty's frigates to watch the 'James Adger', and to see that she did not exercise the belligerent right within the three mile limit of British jurisdiction.

The law officers had deduced their result from British precedents, but it was quite obvious to Palmerston that public opinion would not accept the fact of an American man-of-war steaming out of

Southampton and seizing a British mail packet within sight of her home port. Hence the interview with Adams, in the hope that this might be avoided.

The account of that interview was at once transmitted to Seward by Adams in a despatch marked "confidential". It runs as follows :- "He (Lord Palmerston) received me in his library all alone, and at once opened on the subject then evidently weighing on his mind. He said that information had come to him of the arrival of a United States vessel of war, the 'James Adger'. She had put into one or two places and finally stopped at Southampton, where she had taken in coal and other supplies. ----- The impression was that she had been directed to keep watch for the steamer expected to arrive from the West Indies, in order to take out of it by force the gentlemen from the Southern State, Messrs Mason & Slidell, who were presumed to be on board. Now he was not going into the question of our right to do such an act. Perhaps we might be justified in it or perhaps not. He would set the argument aside for those whose province it was to discuss it. All he desired to observe was that such a step would be highly inexpedient in every way he could view it. It would be regarded here very unpleasantly if the captain --- should within sight of the shore commit an act which would be felt ^{as} ~~an~~ offensive to the national flag. Neither could he see what was the compensating advantage to be gained by it. It surely would not be supposed that the addition of one or two more to the number of persons, who had already been some time in London on the same errand, would be likely to produce any change in the policy already adopted.--- He could not therefore conceive of the necessity of resorting to such a measure as this, which, in the present state of opinion in England could scarcely fail to occasion more prejudice than it would do good".

Adam's answer was that the James Adger was watching the 'Gladiator', a ship which was then being fitted out to run the blockade with a cargo of arms and munitions, and he absolutely disavowed the existence of any orders from his government of the nature of those taken for granted by Lord Palmerston.

It must not be thought, however, that Palmerston merely wished to prevent the capture taking place near the British Coast, although we should gain this impression from the report of the interview. As a matter of fact he wished to prevent the capture, entirely irrespective of place; for he knew that no matter where it happened it would be considered an insult to the flag, and serious consequences might follow.

Unfortunately a few days before the very interview which attempted to prevent the seizure, Messrs Mason & Slidell had been forcibly removed from the 'Trent', a British mail steamer. The two envoys, with their secretaries and families, on the blockade-runner 'Theodora', had successfully evaded the Union cruisers round Charleston and had reached Havana, Cuba. From there they booked passages to England on the British mail steamer 'Trent', as ordinary passengers sailing from a neutral port on a neutral ship. On November 7th the 'Trent' sailed for St Thomas and when she reached the Bahama channel, she observed a ship lying stationary. The 'Trent' hoisted her flag, but no flag was yet shown by the strange vessel. As the 'Trent' drew nearer, a shot was fired by the other vessel across her course and the United States flag displayed. The 'Trent', however, still continued on her way and so another shell was fired across her bows. Then a boat put off from the strange vessel, which was discovered to be the 'San Jacinto', a United States vessel of war, commanded by Captain Wilkes,

A lieutenant, in the uniform of the United States, then boarded the Trent, and asked Captain Moir the commander, for his list of passengers. The demand was refused and so the lieutenant stated that it was known that the Confederate envoys and their secretaries were on board and his orders were to transfer them to the 'San Jacinto'. While the captain was still protesting, Mr Slidell stepped forward and told the American officer that the four persons he required were standing before him, but that they absolutely refused to board the 'San Jacinto' unless force were used. Commander Williams, the British Admiralty agent in charge of the mails of the Trent, vehemently protested against this act, but the American officer still persisted in carrying out his orders and the envoys and their secretaries were forcibly removed. Then the 'San Jacinto' made for Boston and transferred her prisoners to Fort Warren.

Of course, this was a clear case of violation of international law. Even if, as Lincoln maintained, the envoys were rebels and traitors, they were absolutely protected from seizure on board a British ship, for they were as much under British jurisdiction on board the Trent, as if they had been on British soil.

Upon the first news of the capture, America indulged in a wild outburst of exultation, utterly ignoring the fact that Britain would not calmly accept the insult. One United States officer said to W.H.Russell, "Of course, we shall apologise and give up poor Wilkes to vengeance by dismissing him, but under no circumstances shall we ever give up Mason & Slidell. No, sir, not a man dare propose such a humiliation for our flag". This, indeed, seemed to be the prevailing view - under no circumstances would the envoys be given up.

On November 22nd, W.H.Russell wrote again that all the American papers had agreed that the Trent business is according to

law, custom and inter-national comity', and that England could do nothing. ^{His} This shrewd observation was, however, as follows :- "They cry so loudly in this one key, that there is reason to suspect they have some inward doubt".

The anger of Great Britain was undoubtedly increased by the attitude of certain American officials towards Wilkes. Banquets were given in his honour and he was thanked by the Secretary of the Navy and by the House of Representatives. On December 2nd a joint resolution declared that 'the thanks of Congress are due and are hereby tendered to Captain Wilkes of the United States Navy for his brave, adroit, and patriotic conduct in the arrest and detention of the traitors, J.M. Mason and John Slidell'.

But the rejoicing was not solely owing to the capture - much more stress was laid on the fact that the British Flag had been flouted. For instance, Governor Andrews of Massachusetts at a banquet in honour of Wilkes, proclaimed that the crowning satisfaction of the whole affair was that the commander had "fired his shot across the bows of the ship that bore the British Lion at its head".

Yet certain people in the North knew that the action was unwise and unjustifiable by the law of nations. General M'Clellan advised the immediate surrender of the prisoners, and Sumner, the chairman of the committee of foreign affairs, remarked as soon as he heard of the capture, "We shall have to give them up".

Meanwhile in England on November 25th, Mr & Mrs Adams had set out to visit Mr Richard Milnes, statesman, writer and M.P. for Pontefract until 1862, (who afterwards became Lord Houghton) at his country seat in Nottinghamshire. Two days later, a telegraphic despatch from the American legation was put into his hands, announcing the

'startling' news that Slidell & Mason had been taken by force out of a British steamer in the Indies by an American steam frigate.

"The consequences" wrote Adams in his Diary, "rose up very vividly in my mind".

We must now remember that in 1861 there was no Atlantic cable between Britain and America, and that it took 16 - 20 days to send a message and get a reply. Probably this was now of great service with regard to avoiding war; for as time passes, angry feelings are apt to become mollified, and demands which America gratified afterwards, would probably have been refused during the first few days of excitement.

But the lack of communication was rather embarrassing for Mr Adams, for naturally he had, as yet, received no official instructions from home, and he was quite in ignorance as to whether Wilkes had acted under orders or not. On November 28th he returned to London and found a summons from Russell awaiting him. He says that he noticed in the face and bearing of the latter a shade more of gravity but no ill will, and in reply to Russell's questions all he could say was that he was wholly unadvised both as to the occurrence and the grounds of the action of Wilkes.

After the Cabinet meeting called to discuss the situation, Palmerston, on November 29th, wrote to the Queen:-" The general outline and tenor which appeared to meet the opinions of the cabinet would be that the Washington Government should be told that what has been done is a violation of international law and of the rights of Great Britain, and that your Majesty's Government trusts the act will be disavowed and the prisoners set free and returned to British protection and that Lord Lyons should be instructed that, if the demand is refused, he should retire from the United States". Mention was also made to the

Queen of the American General Scott who had recently arrived in Paris, and Palmerston reported that this man had told Americans in France that he had not come on an excursion of pleasure but on diplomatic business; that the seizure of the envoys had been discussed in the Cabinet at Washington when he was present and that it was deliberately determined upon and ordered; that the Washington Cabinet fully foresaw that it might lead to war with England and that he was commissioned to propose to France in that case to join the States in war against England and to offer France, if she did so, the restoration of the French province of Canada. With his usual cynicism Palmerston added, "General Scott will probably find himself much mistaken as to the success of his overtures; for the French government is more disposed towards the South than the North, and is probably thinking more about Cotton than about Canada".

One can only discuss the latter part of this letter as an ill grounded rumour, and from the evidence available it is absolutely untrue. The Washington Cabinet definitely state that no orders had been given to Wilkes to seize the envoys, and we must accept their word.

Besides even if General Scott had been sent on a diplomatic mission to Paris, he would not have proclaimed the fact to the detriment of his country. One cannot help wondering, however, whether the rumour was not circulated by Southern agents with the desire of causing war between the North and Great Britain.

The day following Palmerston's letter to the Queen, a draft of the despatch to Lyons, was also sent to her. She and Prince Albert were quite aware of the critical nature of the communication and of the danger of war. Consequently, although Prince Albert was already suffering from the illness which ended his life a fortnight later, he

and the Queen carefully examined it. In Her Majesty's Diary we find the following remark, " He could eat no breakfast and looked very wretched. But still he was well enough on getting up to make a draft for me to write to Lord Russell, in correction of his draft to Lord Lyons, which was sent to me yesterday, and of which Albert did not approve".

The memorandum which was returned to Russell ran as follows:-

The Queen returns these important drafts which upon the whole she approves; but she cannot help feeling that the main draft - that for communication to the American Government - is somewhat meager - She should have liked to have seen the expression of a hope that the American captain did not act under instructions, or if he did that he misapprehended them - that the United States Government must be fully aware that the British Government could not allow its flag to be insulted and the security of her mail communications to be placed in jeopardy; and Her Majesty's Government are unwilling to believe that the United States Government intended wantonly to put an insult upon this country and to add to their many distressing complications by forcing a question of dispute upon us: and that we are therefore glad to believe, that upon a full consideration of the circumstances of the undoubted breach of international law committed, they would spontaneously offer such redress as alone could satisfy the country, viz: the restoration of the unfortunate passengers and a suitable apology.'

It is, of course, quite apparent that the spirit of the above is pacific, and it was in this strain that Russell wrote his despatch of the 30th which, in a perfectly friendly manner, clearly stated the British position. After relating the circumstances of the seizure, the despatch continued as follows :- It thus appears that

certain individuals have been forcibly taken from on board a British vessel, the ship of a neutral power, while such vessel was pursuing a lawful and innocent voyage; an act of violence which was an affront to the British flag and a violation of international law. Her Majesty's Government bearing in mind the friendly relations which have long subsisted between Great Britain and the United States, are willing to believe that the United States naval officer who committed this aggression was not acting in compliance with any authority from his Government, ^{or} ~~of~~ that if he conceived himself to be so authorized, he greatly misunderstood the instructions which he had received. For the Government of the United States must be fully aware that the British Government could not allow such an affront to the national honour to pass without full reparation, and Her Majesty's Government are unwilling to believe that it could be the deliberate intention of the Government of the United States unnecessarily to force into discussion between the two governments a question of so grave a character, and with regard to which the whole ~~of~~ British nation would be sure to entertain such unanimity of feeling". Then a hope was expressed that the United States Government would, of its own accord, offer to liberate the envoys and their secretaries, and place them under British protection with a suitable apology. If these terms were not offered by Seward, Lyons was ordered to propose them. He was also informed that he could read the despatch to Seward, and if the latter desired it, a copy was to be handed to him.

It is, of course, quite evident that the despatch is courteous but firm. It contained nothing which attacked the belligerent rights of America, it merely defended ~~the~~ neutral rights, and yet it was quite consistent with the honour and dignity of the

British Nation.

A private note to Lyons accompanied the despatch. This instructed the British Minister that if the demands of the British Government were not complied with within seven days, he and the members of his Legation were to leave Washington and repair to London. This naturally would mean that war would follow.

Then at the last moment another private note was added. "My wish would be that at your first interview with Mr Seward, you should not take my despatch with you, but should prepare him for it, and ask him to settle with the President and the Cabinet what course they will propose. The next time you should bring my despatch and read it to him fully. If he asks what will be the consequence of his refusing compliance, I think you should say that you wish to leave him and the President quite free to take their own course and that you desire to abstain from anything like menace".

It is quite clear of course, that both the Ministry and the Queen shrank from war, but at the same time they were determined to obtain redress, and in case the United States should refuse this demand, preparations were made for war. Troops were dispatched to Canada and reinforcements sent to Admiral Milne's squadron; and on November 29th & 30th a Proclamation was issued prohibiting the export of gunpowder, saltpetre, nitrate of soda, and brimstone, and on December 4th the export of arms, ammunition and military stores was forbidden.

Meanwhile in England the position of Adams was not to be envied. He knew that Wilkes was in the wrong, but from his despatch to Seward on November 26th he did not think that war could be avoided.

"I confess that the turn things have taken, has given me great anxiety for the fate of my unhappy country. But I shall await with resignation

the instructions which will probably close my mission". As yet no official news with regard to the Trent had come from America, and on December 8th we find Adams writing, "The despatches came, but not an allusion to the case of the Trent. Here have I been nearly three weeks, without positively knowing whether the act of the officer was directed by the government or not. My private letters make me anxious. Strange to relate, the uniform tone is to sustain the action of Captain Wilkes".

Then on December 17th a despatch written by Seward on November 30th arrived. It related chiefly to other subjects, but at the end Seward referred to the seizure of Mason & Slidell as a "new incident" which was "to be met and disposed of by the two governments if possible in a spirit of mutual forbearance". It was also stated that "Captain Wilkes having acted without any instructions from the government, the subject is free from the embarrassment which might have resulted if the act had been specially directed by us". Seward then expressed the wish that the British Government would consider the subject in a friendly temper and that the best disposition on the part of the United States could be expected.

Reasons for lack of instructions in this despatch were given confidentially. "I forbear from speaking of the capture of Messrs Mason & Slidell. The act was done by Commander Wilkes without instructions and even without the knowledge of the government. Lord Lyons ^{has} judiciously refrained from all communication with me on the subject and I thought it equally well to reserve ourselves until we hear what the British Government may have to say on the subject".

On the 19th Mr Adams had a long interview with Russell at the Foreign Office, and after reading his despatch of the 30th in full, it was discussed in a friendly spirit. The conclusion reached was that

an adjustment could be arrived at with no great difficulty. This however was rather sanguine, when we consider the state of irritation which existed both in Britain and America. But Adams inferred from the interview that Russell did not desire war, but that he was likely to be pushed over the precipice by his desire to walk too close to the edge!

I do not consider that Ford Rhodes' criticism of British policy at this juncture is very sound. He stated that an inkling of Adams' conference with Russell on the 19th leaked out, and that consequently popular opinion took an admirable turn, urging arbitration rather than war. But Palmerston failed to confirm the rumour and allowed his accredited organ, the Morning Post, to assert that the despatch in no way related to the difficulty about the Trent. Goldwin Smith in Macmillan's Magazine for 1865 speaks of "the suppression of Mr Seward's pacific note and the positive denial of the fact that such a communication had been received, published in the prime-minister's personal organ". John Bright also wrote on December 14th that the government was ready for war, if an excuse could be found.

From such evidence as this, therefore, Ford Rhodes considers that Palmerston had no wish to destroy the warlike enthusiasm of the British nation.

But, and this seems to me to be most important, we must remember that Seward's despatch of the 30th gave no definite assurance that the action of the American government would be acceptable to Great Britain - it merely expresses a wish that the subject may be considered in a friendly temper. Also on November 19th, a month before the interview of Russell and Adams, Lyons had written "I do not think it likely they will give in, but I do not think it impossible they may do so, particularly if the next news from England brings note of

warlike preparation and determination on the part of the Government and the people". Again until it was certain what course the United States would take - and this as we now know, long trembled in the balance-no matter what were the private wishes of Her Majesty's Government (and I do not believe that Palmerston desired war), only one course could be taken. An inflexible determination had to be shown. Besides nobody will deny that Seward's despatch of the 30th did not reflect the sentiments of the Cabinet, Congress, press or people. W.H.Russell wrote to the Times that he believed the government would retain Mason & Slidell at all risks, because it dare not give them up in face of popular sentiment.

Such evidence, therefore, seems to me to quite justify the attitude of the British Government.

Russell's despatch of November 30th was delivered to Lyons at half past eleven on the night of December 18th. The next day, the British minister acquainted Lyons with its purport and said that Her Majesty's Government would only be satisfied with the liberation of the envoys. With reference to the interview Lyons wrote that Mr Seward received his communication seriously and with dignity but without any manifestation of dissatisfaction----- 'At the conclusion he asked me to give him tomorrow, to consider the question and to communicate with the President!' A request for further delay was also granted and it was not until December 23rd that Russell's communication was formally read to him. Two days before this, a letter from Adams had reached the State Department protesting against the action of Wilkes. This, of course, from the man who was in London and ^{was} probably knew better than any other American, the sentiment of England upon this point, must have exercised a certain amount of influence upon

Seward's proposal of surrender.

We must now consider Lincoln's attitude, round which a certain amount of doubt seems to hang. Of the first confidential interview between him and Seward there is no account. The prevailing sentiment, which of course he was bound to consider, was that the envoys must not be given up. On December 10th, W.H. Russell had written that if the rumour which stated that Mason & Slidell were to be given up was true, the government would be broken up, for there was so much violence of spirit among the lower orders that any honourable concession would be fatal to its authors. Naturally Lincoln had to take this into account, for at that time, it would have been extremely dangerous to the Northern cause, if the authority of the government had been undermined. Again a resolution had been moved in Congress by a certain Mr Vallandigham that "it is the duty of the President now to firmly maintain the stand thus taken and to adopt the act of Captain Wilkes in spite of any menace or demand of the British Government, and that this house pledges its full support to him in upholding the honours and vindicating the courage of the Government and people of the United States against a foreign power.

Lincoln's biographers, Nicolay & Hay, report that he said in a confidential interview on the day the news of the capture was received, "I fear the traitors will prove to be white elephants. We must stick to American principles concerning the rights of neutrals. We fought Great Britain for insisting, by theory and practice, on the right to do precisely what Captain Wilkes has done. If Great Britain shall now protest against the act and demand their release, we must give them up, apologise for the act as a violation of our doctrines, and thus for ever bind her over to keep the peace in relation to

neutrals and so acknowledge that she has been wrong for 60 years".

Yet on the other hand, W.H.Russell reports that the President said to an old Treasury official, "Sir, I would sooner die than give them up;" and the reply was, "Mr President, your death would be a great loss, but the destruction of the United States would be a still more deplorable event".

I think it is probable that at first Lincoln saw quite clearly that the envoys must be given up, but that afterwards, when he realised the dominant sentiment of the people and press, he wavered, desiring to find some measure which would prove acceptable both to Britain and America. It was in this spirit, therefore, that he wrote an experimental draft, from which I quote the following :- "The despatch of Her Majesty's Secretary for Foreign Affairs dated November 30th has been carefully considered by the President, and he directs me to say that if there existed no fact or facts pertinent to the case, beyond those stated on the said despatch, the reparation sought by Great Britain from the United States would be justly due and should be promptly made. The President is unwilling to believe that Her Majesty's Government will press for a categorical answer in the making up of which he has been allowed no part.----- Yet this much he directs me to say - that this government has intended no affront to the British flag ---- the act complained of was done by the officer without orders from the Government. But being done----- our Government could undo the act complained of, only upon a fair showing that it was wrong".

. Then followed a proposal to refer the matter to arbitration and it was suggested that the determination which should be reached, should be made the law for all such cases in the future.

But the terms of the British demand though courteously

expressed, were firm and inflexible; and Lincoln was forced to the conclusion that a settlement had to be reached at once and consequently his proposal for arbitration was useless.

"On December 25th at 10 a.m." wrote Bates, the American attorney general, in his diary, "a cabinet council (met) to consider the relations with England on Lord Lyons's demand of the surrender of Mason & Slidell, a long and interesting session lasting till 2 p.m. The instructions of the British minister to Lord Lyons were read----- There was read a draft of answer by the Secretary of State".

Lincoln's draft, quoted above, was not read, but Sumner, who had been invited to the meeting, brought with him several letters from Bright and Cobden, and these were read and considered. Cobden had written as follows :- "If I were in the position of your government, I would act upon their traditional policy and thus, by a great strategic movement, turn the flank of the European powers, especially the governing classes of England". Another of his remarks showed the prevailing sentiment in England :- "Three quarters of the House of Commons will be glad to find an excuse for voting the dismemberment of the Great Republic".

John Bright's letters had the same purport :- "At all hazards you must not let this matter grow to a war with England; even if you are right and we are wrong, war will be fatal to your idea of restoring the Union"--- Later in the same strain:- "If you are resolved to succeed against the South, have no war with England, make every concession that can be made; don't even hesitate to tell the world that you will even concede what two years ago no power would have asked of you, rather than give another nation a pretence for assisting in the breaking up of your country".

Naturally such letters from men who were devoted friends of

the Union, could not be ignored. They clearly showed that Great Britain was quite determined and that unless the envoys were given up, war must result; and war would probably mean the dismemberment of the Federal Government. Even more clearly than Russell's despatch do they show the prevailing sentiment in England. Lyons had been definitely ordered on November 30th not to reply to Seward if he should ask what would be the consequence of a refusal to comply with the demands of the British, lest his answer should have the appearance of a threat and war thus precipitated. But while diplomacy had to avoid any statement which might have unfortunate results, the letters of private citizens could more faithfully reflect the feelings of the country, and consequently they were a valuable source of information to the Lincoln cabinet, and undoubtedly helped to form the decision which was given.

With regard to what actually took place at the meeting, Bates gives us still further information. His diary continues:-"Mr Seward's draft of letter to Lord Lyons was submitted by him, and examined and criticized by us with apparently perfect candour and frankness. All of us were impressed by the magnitude of the subject and believed that upon our decision depended the dearest interest, probably the existence of the nation. I, waiving the question of legal right, - upon which all Europe is against us and also many of our own best jurists - urged the necessity of the case; that to go to war with England now is to abandon all hope of suppressing the rebellion, as we have not the possession of the land nor any support of the people of the South. The maritime superiority of Britain would sweep us from all the Southern waters. Our trade would be utterly ruined and our treasury bankrupt; in short, that we must not have war with England. There was great reluctance on the part of some of the members of the Cabinet - and even

the President himself - to acknowledge these obvious truths; but all ^{yielded} yielded to and unanimously concurred in, Mr Seward's letter to Lord Lyons, after some verbal and formal amendments. The main fear, I believe, was the displeasure of our own people - lest they should accuse us of timidly truckling to the power of England".

This extract seems to me to justify what I have said on pages 65 & 66 , with reference to the attitude of the President. At the same time, he both wished to avoid war with England, and yet, by favouring public opinion, to maintain his government firmly at home.

The opinion of Secretary Chase, another member of the Cabinet, is also found in his diary :- "He thought it certainly was not too much to expect of a friendly nation and especially of a nation of the same blood, religion and characteristic civilization, that in consideration of the great rights she would overlook the little wrong : nor could he then persuade himself that were all the circumstances known to the English Government as to the American, the surrender of the rebel commissioners would be insisted upon. The Secretary (i.e. of State) asserted that the technical right was undoubtedly with England-----" Were the circumstances reversed, he thought that the American Government would accept the explanation and let England keep her rebels; and he could not divest himself of the belief that, were the case fairly understood, the British Government would do likewise. "But", he continued "we cannot afford delays. While the matter hangs in uncertainty, the public mind will remain disquieted, our commerce will suffer serious harm, our action against the rebels must be greatly hindered and the restoration of our prosperity must be delayed. Better, then, now to make the sacrifice of feeling involved in the surrender of the rebels, than even avoid it by the delays which explanations must occasion. I give my adhesion, therefore to the conclusion at

which the Secretary of State has arrived. It is gall and wormwood to me. Rather than consent to the liberation of these men, I would sacrifice every thing I possess. But I am consoled by the reflection that, while nothing but severest retribution is due to them, the surrender under existing circumstances is but simply doing right - simply proving faithful to our own ideas and tradition, under strong temptations to violate them - simply giving to England and the world the most signal proof that the American nation will not under any circumstances, for the sake of inflicting just punishment on rebels, commit even a technical wrong against neutrals".

On December 26th the matter was settled. Seward wrote to Thurlow Weed, journalist and politician, on January 22nd 1862, that the Government when it took the subject up, had no idea of the grounds upon which it would explain its action, nor did it believe that it would concede the case. "Yet it was heartily unanimous in the actual result after two days examination and in favour of the release. Remember that in a council like ours there are some strong wills to be reconciled".

But these "strong wills" were reconciled, and the reply of Seward was accepted. Nicolay & Hay, the biographers of President Lincoln, claim that this document, ^{announcing the surrender,} (which, of course, ^{is} was his despatch of ^{Dec} November 26th) is remarkably able, and that the language and argument are clear and forcible and that it constitutes one of his chief literary triumphs. On the other hand, Ford Rhodes claims that it is a mere lengthy discussion of the law, obviously written for its effects at home.

It begins with a review of the capture and the British demands as stated by Russell, but with certain modifications of the statements made by Captain Moir of the Trent, and Commander Williams, the British Admiralty agent. In the letter of Williams, which is dated

"November 9th at sea" he states that after the first shot was fired the Trent slowed down. This is denied by Seward, who states that she still was, or seemed to be, moving under a full head of steam, as if to pass the San Jacinto.

The statement that the boarding officer boarded the Trent with a large armed guard is also denied, and Seward also complains that only just so much force as was necessary to satisfy the parties concerned that refusal or resistance would be unavailing, was used.

Williams also says that "a further demand was made that the commander of the Trent should proceed on board the San Jacinto, but as he expressed his determination not to go, unless forcibly compelled likewise, this latter demand was not carried into execution." Moir also confirmed this statement, but Seward absolutely denied it from his official reports.

It is, of course, absolutely impossible to decide which report is accurate. Seward's statement that the Trent was or seemed to be moving under a full head of steam is weak, and so is his declaration with regard to the force which was employed. Probably what the American regarded as just sufficient, would seem more than was needed to the Englishmen. The best thing is to accept a compromise, and remember that both parties were obliged to make out the best case possible for themselves.

Seward then claimed that the matter involved five questions:-

- 1st. Were the persons named (i.e. Mason & Slidell and their secretaries) and their supposed despatches contraband of war? From international authorities he decided that they were.
- 2nd. Might Captain Wilkes lawfully stop and search the Trent for these contraband persons and despatches? Again the answer was "Yes".
- 3rd. Did Captain Wilkes exercise that right in a lawful and proper manner? This again was answered in the affirmative.

4th. Having found the contraband persons on board and in presumed possession of the contraband despatches, had he a right to capture the persons? The reply to this was that such a capture is the chief, if not the only recognised object, of the permitted visitation and search.

5th. Did Captain Wilkes exercise that capture in the manner allowed and recognised by the law of nations? This question really contains the real issue of the case and as Seward states it is here that the difficulties begin.

Naturally he says if a neutral vessel is discovered taking contraband of war to the enemy, she is seized and taken before a prize court, and judged as a contraband vessel. But with regard to the contraband persons, there is no authority. Seward held however, that the Trent ought to have been taken before a prize court and condemned as carrying contraband, but because Captain Wilkes released the vessel, the necessary examination was prevented.

This was practically the view of the British law officers. They admitted that a neutral ship could be searched, if there existed a reasonable suspicion that she carried contraband. But she must be taken to a port of the belligerent for condemnation, and they considered Wilkes had absolutely no right to remove Mason & Slidell and carry them off as prisoners, leaving the ship to pursue her voyage.

Seward then continued that Wilkes had stated that he had at first intended to seize the Trent, but forbore because he was reduced in officers and crew and because he had no wish to inconvenience the other passengers aboard. These reasons had been accepted by the American Government and Wilkes consequently could not be censured for his oversight.

The despatch concludes as follows :- "I trust that I have shown to the satisfaction of the British Government by a very simple and natural statement of the facts and analysis of the law applicable

to them, that this Government has neither meditated, nor practised, nor approved any deliberate wrong in the transaction to which they have called its attention, and on the contrary, that what has happened has been simply an inadvertency, consisting in a departure by a naval officer, free from any wrongful motive, from a rule uncertainly established and probably by the several parties concerned either imperfectly understood or entirely unknown. For this error the British Government has a right to expect the same reparation that we, as an independent State, should expect from Great Britain or from any other friendly nation in a similar case.---- If I decide this case in favour of my own government, I must disallow its most cherished principles and reverse and for ever abandon its essential policy---- Nor have I been tempted at all by suggestions that cases might be found in history where Great Britain refused to yield to other nations and even to ourselves, claims like that which is now before us---- The four persons in question are now held in military custody at Fort Warren in the State of Massachusetts. They will be cheerfully liberated. Your Lordship will please indicate a time and place for receiving them".

Personally, with regard to the qualities of the despatch I am inclined to the views of Nicolay & Hay. The whole is a literary masterpiece. Great Britain, as we well know, was in the right, but from Seward's masterly phrasing one would almost gather that America is conferring a benefit and not acceding to a stern demand. There was nothing at all in the despatch which could offend the American people, in spite of the fact that they had suffered a certain diplomatic defeat and humiliation. It is rather the triumph of American principles, with regard to the right of search which is vigourously proclaimed!

Great Britain, too, was satisfied, although she disagreed

with several points, as, will be seen by Russell's despatch of January 23rd. But she had secured her main demand - the restoration of the envoys - and the very act of surrender was accepted as a formal apology.

In a personal interview on December 28th, Lyons and Seward made arrangements for receiving the prisoners, and in accordance with this, at Provincetown, in the State of Massachusetts, on January 1st 1862, the two envoys and their secretaries were restored to the protection of the British flag. The "Rinaldo", a British ship of war, transferred them from Provincetown to Halifax, from where they embarked for England.

W.H. Russell's comment on the affair was as follows :-

"Lord Lyons has evinced the most moderate and conciliatory spirit and has done everything in his power to break Mr Seward's fall on the softest of eider-down. Some time ago we were all prepared to hear that nothing less would be accepted than Captain Wilkes taking Messrs Mason & Slidell on board the San Jacinto, and transferring them to the Trent under a salute to the flag near the scene of the outrage; at all events it was expected that a British man-of-war would have steamed into Boston and received the prisoners under a salute from Fort Warren; but Mr Seward, apprehensive that some outrage would be offered by the populace to the prisoners and the British Flag, has asked Lord Lyons that the Southern Commissioners may be placed, as it were surreptitiously, in a United States boat, and carried to a small seaport in the State of Maine, where they are to be placed on board a British vessel as quietly as possible".

Now, that, the prisoners were surrendered, Great Britain also received them very coldly, for she had no wish to let the South imagine that her demand for the surrender of Mason & Slidell was inspired by any intention of helping the South or hampering the North.

And so Lyons wrote to the commandant of the Rinaldo that

"It is hardly necessary that I should remind you that these gentlemen have no official character. It will be right for you to receive them with all courtesy and respect as private gentlemen of distinction; but it would be very improper to pay them any of those honours which are paid to official persons".

The tact with which Lyons conducted the whole affair is noteworthy. As W.H. Russell said, he had done everything in his power to break Mr Seward's fall. He had told Seward that he desired to consult American wishes as far as possible; he was unwilling that the transfer should cause any popular excitement or to be made the occasion for anything like a display of exultation on the part of Great Britain. There were only two points on which he had insisted, (1) that the transfer should be made by daylight and (2) that the gentlemen should either be received on board a British ship of war in the United States, or be conveyed to a British Port in an American ship.

Even the Times approved of this attitude and warned Mason and Slidell that they were not to assume the airs or expect the halo of martyrs. On January 11th the leading article stated that "we may well observe that Messrs Mason & Slidell are about the most worthless booty it would be possible to extract from the jaws of the American lion---- The nation under whose flag they sought a safe passage across the Atlantic, the nation that has now rescued them with all her might from the certainty of a dungeon and the chances of retaliation, is that against which they have always done their best to exasperate their countrymen---So we do sincerely hope that our countrymen will not give these fellows anything in the shape of an ovation. They must not suppose, because we have gone to the very verge of a great war to rescue them, that therefore they are precious in our eyes--- We should have done just as much to rescue two of their own negroes".

Yet Great Britain was undeniably in the right, for the Trent was not in the belligerent service and the only persons whom it is lawful to seize on board a merchant vessel, which is not in the belligerent service are persons serving in the enemy's army or navy. Also a neutral Government has a perfect right, if she so wishes, to receive envoys or papers, and this prevents the capture of such except in enemy territory or on board belligerent ships. Even if the four persons were contraband, contraband cannot be captured on board a neutral ship unless it has an enemy destination.

But although Great Britain's demand was just, the affair left angry feelings in America. On December 26th, the suggested surrender was violently assailed in the Senate. "It would reduce us to the position of a 2nd rate power," said Senator Hale, "and make us vassals of Great Britain. I would not humble our flag even to escape from a war with Great Britain. No man would make more honourable concessions than I would to preserve the peace, but sometimes peace is less honourable and more calamitous than war. If we are to have war with Great Britain, it will not be because we refuse to surrender Messrs & Slidell - that is a mere pretence - If war shall come it will be because Great Britain has determined to force war upon us." Then he spoke of the true hearted Irishmen in Canada and Ireland, who had longed for an opportunity to retaliate upon England, for wrongs which for centuries that Government had inflicted upon their Fatherland. "If England enters upon this war", he continued, "she will enter upon one of more than doubtful contingency. She will be at war with the spirit of the age, the irresistible genius of liberty and with the sympathies of her own best people". Then on December 30th came another bitter attack :- "When Ireland was in arms against the Government, what would

England have said, had we negotiated with them for ports of entry and recognised their letters of marque. It is obvious that England would suffer more by the suppression of Southern commerce than any other nation. Hence we see reason why certain leading journals in England sympathise with the South. While the English people hate slavery, the Manchester school would prefer that four million slaves should continue in perpetual bondage than that her five million dependents should suffer inconvenience. I doubt not she will use every means in her power to keep Southern ports open. The statesmen of England feel kindly towards the South for another reason. As slave states can never become a manufacturing or navigating people, they sympathise with her free trade policy. But if Manchester should drive England to give aid to the traitors, the free people of America will not quail before it. We have survived two wars with her. War is always a mighty evil. With England it would be especially deplorable. But war with all nations is better than national dishonour and disgrace."

Again on January 7th in the House of Representatives, the surrender was violently assailed. "We have strutted insolently into a quarrel", said Mr Mr Vallandigham, "and then basely crept out of it. I would have preferred a war with England to the humiliation which we have basely submitted to". Then a certain Mr Wright took up the discussion: "My conclusion is that we have now about as much in the way of war upon our hands, without adding a war with Great Britain, as the country can well sustain. Yet had I been in the position of Captain Wilkes, I should have done the same thing, but I would rather surrender these rebels a thousand times over, than to have them the cause of war. Let England take them - if she has a mind to toast and fête them, let her do it. If they have to be surrendered, then let them be surrendered under a protest, while we shall remember hereafter that there is a

matter to be cancelled between Great Britain and the United States of North America".

The attitude of Mr Wright seems to me to be representative of the majority of the Northern people. They agreed to the demand of Great Britain because they knew that the case was one of hard necessity, but they hated Britain violently for compelling them to accede to her demand, and undoubtedly some of them thought that it was merely a matter of time before war would be declared. For instance, Mr Vallandigham asked Mr Wright if he were prepared to make war on England if she should break the blockade by force of arms. Mr Wright's answer was 'yes'. Then returned the former speaker, "We shall have a chance, I fear, to try him before long".

Then again on January 14th, in the House of Representatives it was stated that on July 27th. 1860, a resolution had been adopted authorizing the President to do certain things with regard to the 'world's fair', (i.e. an industrial exhibition to be held in London), and appropriating to carry out the resolution the sum of \$2,000. Now another bill was brought forward, and this proposed to appropriate \$35,000 more. One member spoke as follows :- "I believe, sir, that at this time we have something a good deal more important to do with our money than to send any committee to a fair in England. It is said that it might seem at this time like turning a cold shoulder to Great Britain if we were not represented at the coming carnival of the industry of all nations. Well, sir, I do not think that the English Government - I do not mean the English people - has been at this particular time inclined to stand so very much on the "high points" of good behaviour as she has been on some other occasions, certainly not so much that we are called on to devote \$35,000 dollars to purposes of urbanity".

Still more unfriendly in tone was the speech of Mr Lovejoy. "We have submitted to be dishonoured by Great Britain. I think the least we can do, is to acknowledge it, and to stay at home till the time comes when we can whip that nation. I hate the British government---- And if I am alive when war with England comes, as sooner or later it must come, if I can carry a musket in that war, I will carry it".

Mr Thomas of Massachusetts, also expressed exceedingly bitter sentiments. "No wrong was done to England "he said," but on the other hand, England has done us a great wrong in availing herself of our moment of weakness to make a demand which, (accompanied as it was, by 'the pomp and circumstances of war'), was insolent in spirit and thoroughly unjust. England's standard of right, has been, is, and will be, the interests of England. There is nothing in the law of nations that will stand in the way of her imperious will. But the less will ultimately be hers. She has excited in the hearts of this people a deep and bitter sense of wrong and injury inflicted at a moment when we could not respond. It is right with us now, but through the watches of the night even, we shall be girding ourselves to strike the blow of righteous retribution.

Naturally, the above speeches, while typical of certain sections of the American people, must not be taken as entirely representing the prevailing sentiment! Sumner wrote to Cobden that on December 30th, at dinner, Seward said that he had no memory for injuries and that in surrendering Mason & Slidell he did it in good faith, laying up nothing for future account or recollection;-----

"Seward may be careless or hasty: he is not vindictive. The President is naturally and instinctively for peace, besides being slow to conclusions. He covets kindly relations with all the world,

especially with England".

J.L.Motley, who at this time was American Minister at Vienna, wrote to Oliver Wendell Helmes as follows on January 14th :-
"The Trent affair I shall not say much about, except to state that I have always been for giving up the prisoners. I was awfully afraid knowing that the demand had gone forth, -

"Send us your prisoners or you'll hear of it" .

that the answer would have come back in the Hotspur vein -

"And if the Devil come and roar for them we will not send them".

"The result would have been disastrous, for in order to secure a most trifling advantage, - that of keeping Mason & Slidell at Fort Warren a little longer, - we should have turned our backs on all the principles maintained by us when neutrals, and should have been obliged to accept a war at an enormous disadvantage.

"But I hardly dared hope that we should have obtained such a victory as we have done. To have disavowed the illegal transaction at once, - before any demand came from England, - to have placed that disavowal on the broad ground of principle which we have always cherished, and thus with a clear conscience, and to our entire honour, to have kept ourselves clear from a war which must have given the Confederacy the invincible alliance of England, - was exactly what our enemies in Europe did not suppose us capable of doing. But we have done it in the handsomest manner and there is not one liberal heart in this hemisphere that is not rejoiced, nor one hater of us and of our institutions that is not gnashing his teeth with rage".

To me, Motley's letter seems too generous towards America, for from the previous pages, it will be seen that the action was not disavowed at once. Certain private persons certainly affirmed that

The action of Captain Wilkes was unjustifiable, but unless Great Britain had vehemently protested, it seems quite certain that the American Government would not have offered reparation.

In the same letter is also found the following sentence :-
"The English premier has been foiled by our much maligned Secretary of State, of whom, on this occasion at least, one has the right to say, with Sir Henry Wotton, -

"His answer was his honest thought
And simple truth his utmost skill".

While fully agreeing that Seward was worthy of the above tribute, one cannot agree that Palmerston was "foiled" for there is no evidence to show that he was desirous of war with America, as Motley seems to think.

In a letter of the previous day, however, he ^{latter} pays a tribute to the British Government :- "The course of the English government has been courteous and proper, and we make a mistake in attributing too much importance to the manifestations of the press".

It says much for American good sense that Lincoln's government was not shaken by the act of surrender. As Asa Gray wrote to Darwin, their decision was thoroughly sustained by the whole people, and as Pierce wrote to Sumner, "it was acquiesced in universally, for all thought it wise".

But the affair did leave a rankling wound. "You have made us sore", wrote Asa Gray to Darwin. Even in 1869 it was stated that the Trent was like an east wind to an old wound and set it a-twinge once more.--- "That imperious despatch of Lord John's made all those inherited drops of ill-blood as hot as present wrongs". Undoubtedly the smart of defeat was increased by the taunts and jibes of the British, Canadian and Confederate press. "Swagger and ferocity built on a foundation of vulgarity and cowardice," said the London Times

when describing Captain Wilkes as "an ideal Yankee". Seward, also, was referred to in hardly less uncomplimentary terms.

In Great Britain the surrendered¹ was received with great thankfulness, public anxiety being set at rest on January 8th by the news brought by the "Europa" that the American Government had decided to release Mason & Slidell. The state of suspense and anxiety through which the country had passed is seen by the condition of the money market, for on the 9th Consuls were quoted at 93 $\frac{3}{4}$, this being 3 $\frac{1}{4}$ % higher than on the 8th. The Duke of Argyll wrote to Sumner on the 10th that "the news which came to us two days ago has been indeed a relief. I am sure I need not tell you how I hated what appeared the prospect before us. There were just two things which appeared to me certain; one was that if the act of the San Jacinto were defended, war was absolutely forced upon us; the other was that such a war, odious at all times, was doubly odious now".

Russell's despatch of January 23rd really concluded the matter. Naturally on certain points he differs from Seward - First, he claims that the envoys were not contraband and that a neutral country had a right to preserve its relations with the enemy and from this no conclusion of hostility could be drawn. Secondly, he states that even contraband cannot be captured when going to a neutral port. Thirdly that you can ship an enemy's ambassador in any place of which you are yourself the master, but not in neutral territory or aboard neutral ships. He continues that packets engaged in the postal service and keeping up the regular and periodical communications between the different countries of Europe and America and other parts of the world though in the absence of Treaty stipulations, they may not be "exempted" from visit and search in time of war, nor from the penalties of any violation of neutrality, are still, when sailing in

the ordinary and innocent course of their legitimate employment, which consists in the conveyance of mails and passengers, entitled to peculiar favour and protection from all Governments in whose service they are engaged. To detain, disturb, or interfere with them, without the very gravest cause, would be an act of a most noxious and injurious character not only to a vast number of individual and private interests, but to the public intents of neutral and friendly Governments".

Another statement of importance which the despatch contained was that even if the Trent had been brought before a Prize Court, the gravity of the offence against the law of nations would not have been diminished. The one passage of Seward's despatch which might have given offence to Great Britain is also criticized. This was the statement that if the safety of the Union required the detention of the captured persons it would be the right and duty of the Government to detain them. Naturally Russell's reply was that Great Britain could not have submitted to this.

The conclusion of the despatch is however very satisfactory. "Happily all danger of hostile collision on this subject has been avoided. It is the earnest hope of Her Majesty's Government that similar dangers, if they should arise, may be averted by peaceful negotiations conducted in the spirit which befits the organs of two great nations".

There is still however one other point which must be mentioned with regard to the Trent affair, and this is connected with the statements of the British law officers. Almost at the exact moment, when Wilkes fired his shell across the bows of the Trent, they informed Russell that the course which ^{for me} he was pursuing (of course, unknown to them) was in accordance with British practice. Then at the Cabinet meeting which Palmerston held early in November, the same authorities

modified their opinion and stated that the offending neutral ship on which contraband was found, must be taken to the captor's court and be judged by a prize court. This, of course was the ground that Seward took in his despatch, but British opinion was still further modified, as we have seen in Lord Russell's despatch. In short, Seward had stated that Wilkes was wholly justified in stopping the Trent and searching her for the envoys, but that he committed an error when he omitted to bring the ship into port as a prize. Of course, from this we can only draw the conclusion that Wilkes was disavowed not because he insulted the British flag, but because he did not, in addition, capture it. Russell's argument had been that there was no warrant in the law of nations for the interruption of the Trent's course from one neutral port to another.

Consequently from the above evidence one can only infer that at first even the law experts were at sea and that the case was not thoroughly understood. Russell's despatch of the 23rd, however, cleared up all doubtful points.

It must also be stated that at least one American - Sumner - did not agree with Seward's view of the case. On January 7th he gave as his opinion that the seizure of the rebel envoys on board a neutral ship could not be justified according to American principles and practices, and that there was no single point where the seizure was not questionable, unless British precedents and practices were invoked. He continued that if Great Britain had gained the custody of the two rebels, the United States had secured the triumph of her principles.

This indeed was what had happened and if the diplomatic victory was Great Britain's, the moral victory certainly belonged to the United States.

The biographer of Sumner, Mr Storey, considers that this

speech had much to do with smoothing the ruffled sensibilities of the American people. It seems, therefore, rather to be regretted that the Times should have published the following article by Mr William Vernon Harcourt (Historicus). "Whether we turn to the puerile absurdities of President Lincoln's message, or to the confused and transparent sophistry of Mr Seward's despatch or to the feeble and illogical malice of Mr Sumner's oration, we see nothing on every side but a melancholy spectacle of impotent violence and furious incapacity".

The affair was however finished, and the policy of the Government was generally approved. The rebels had been surrendered and war avoided. It was unfortunate that other causes of friction still remained. Lord Charⁿwood thinks, however, that this was the last time that serious friction arose between the two governments during the Civil War. He states that the "lapse of Great Britain in allowing the famous Alabama to sail was due to delay and misadventure in the proceedings of subordinate officials and was never defended, and that the numerous minor controversies which arose, as well as the standing disagreement as to the law of blockade, never reached the point of danger".

Why I cannot wholly agree with this view, will be seen in the following chapters.

On January 29th 1862, Messrs Mason & Slidell arrived at Southampton, hoping to win sympathy and help for their cause, recognition of the South as an independent state, and the intervention of Great Britain in the struggle on their behalf. We have already seen, how on August 14th Russell had refused the request of Messrs Yancey, Rest and Mann with regard to the recognition of the South as an independent state, but the problem of Great Britain's intervention has not yet been discussed.

The Queen's Proclamation had declared the neutrality of Great Britain, and Lord Wedehouse (the under-secretary for Foreign Affairs until August 1861) had clearly stated in Parliament that the government did not intend to obtrude advice on the United States because, amongst other reasons, so great and powerful a nation would not welcome advice on her ~~international~~ affairs.

Palmerston's letter of May 5th 1861 to the Honourable Edward Ellice, M.P. who had been urging proposals for our mediation is as follows, and clearly shows the prevailing attitude :- 'The day on which we could succeed in putting an end to this unnatural war between the two sections of our North American cousins would be one of the happiest of our lives, and all that is wanting to induce us to take steps for that purpose is a belief that any such steps would lead towards the accomplishment of that purpose and would not do more harm than good. The danger is that, in the excited state of men's minds in America, the offer of anyone to interpose to arrest their action and disappoint them of their expected triumph, might be resented by both sides; and that jealousy of European, especially of English, interference, in their internal affairs, might make them still more prone to reject our

offer as impertinent. There would, moreover, be great difficulty in suggesting any basis of arrangement to which both parties could agree, and which would not be repugnant to English feelings and principles to propose. We could not well mix up ourselves with the acknowledgment of slavery and the principle that a slave escaping to a free soil State should be followed, claimed and recovered like a horse or an ox. We might possibly propose that the North and South should separate amicably; that they should make some boundary line, to be agreed upon, the line of separation between them; and that each confederation should be free to make for its own internal affairs and concerns, such laws as it might think fit - the two confederations entering, however, into certain mutual arrangements as to trade and commerce with each other.

Do you think the time is come for any arrangement of such a kind? or is it not in the nature of things and in human nature that the wiry edge must be taken off this craving appetite ^{for conflict in arms, before any real & widespread desire} for peace by mutual concession can be looked for?"

That this policy was not actuated by fear is also to England's credit. In a letter to Milner Gibson the Prime Minister acknowledged that war with the North was not a very formidable thing for England and France combined; and with full realisation of this fact, the policy of England shows still more praiseworthy.

But this state of things was not satisfactory to certain members of the Commons. On June 7th for instance, a member named Gregory, gave notice of a motion (which he intended to introduce) for recognising the Southern Confederacy, but when an earnest appeal was made to him to abstain from raising a discussion attended with such risk and inconvenience, he agreed to postpone his motion until a more favourable opportunity should arise. Fortunately the session terminated without this very delicate question being again brought

forward.

The Federals were very anxious that no foreign intervention should be made. On June 3rd, Seward wrote to Adams that Lincoln considered the principal danger in the existing insurrection to be that "of foreign intervention, aid or sympathy, and especially of such intervention, aid or sympathy on the part of Great Britain." He instructed Adams to learn definitely what Great Britain intended.

Five days later he again wrote to Adams that foreign intervention, aid or sympathy in favour of the insurgents, especially on the part of Great Britain, could only protract and aggravate the war, and still again on June 19th he impressed upon Adams that there must be no foreign intervention by saying that "the British Government while declining, out of regard to our natural sensibility, to propose mediation for the settlement of the differences which now unhappily divide the American people, have nevertheless expressed, in a very proper manner, their willingness to undertake the kindly duty of mediation, if we should desire it. The President expects you to say on this point to the British Government that we appreciate this generous and friendly demonstration; but that we cannot solicit or accept mediation from any, even the most friendly quarter. The conditions of society here, the character of our government, the exigencies of our government, forbid that any dispute arising amongst us should ever be referred to foreign arbitration--- I add a single remark by way of satisfying the British government that it will do wisely by leaving us to manage and settle this domestic controversy in our own way--- It was foreign intervention that opened, and that alone could open, similar fountains in the memorable French revolution".

I do not consider that Seward's apprehension of foreign intervention at this time was justified. He based it, however, on the

following facts :-

- I The guarded reserve on the part of Russell when Dallas protested against the recognition of the insurgents.
- II The contracting of an engagement by the governments of Great Britain and France, to the effect that both governments should adopt the same course of procedure in regard to the insurrection.
- III Russell's announcement that he was not unwilling to see the Confederate Commissioners, and
- IV The issue of the Queen's proclamation on the day Adams arrived in London.

It must be confessed that these facts looked rather suspicious at first, but we have already seen the reasons for the issue of the Queen's Proclamation in Chapter I. The guarded reserve on the part of Russell is also explained by the fact that at that time the Queen's Proclamation was not issued, and the policy of the Government still undecided. The same reasons also apply to Russell's willingness to see the Confederate commissioners. Also, considering the relations which existed between France and Great Britain at this time, it is not to be wondered at that they should agree to adopt the same course of action. But this same course did not necessarily mean intervention, and certainly although there were certain people in Great Britain who would have eagerly welcomed intervention, the majority of the nation were determined to support the government's policy of neutrality.

Adams, himself, on June 21st wrote to Seward that all classes were equally earnest in disavowing any want of good will which may have been drawn from the Queen's Proclamation, and that professions of sympathy with the American Government in its struggle, were profuse. "I am now earnestly assured", he continues, "that the sympathy with the government of the United States is general; that the indignation felt in America is not founded in reason; that the British desire only to

be perfectly neutral, giving no aid nor comfort to the insurgents. I believe that this sentiment is now growing universal, It inspires Her Majesty's ministers, and is not without its effect on the opposition."

On August 6th Parliament was prorogued. The Royal Speech stated that Her Majesty had determined to preserve a strict neutrality between the contending parties. We may consequently conclude that there was still no danger of intervention.

At this time, however, Monsieur Mercier was representing the French at Washington, and from the outset of the conflict he had advocated a more decisive policy. In March, for instance, he urged his Government to recognise the Confederate States, and in May he expressed a strong opinion in favour of raising the blockade. Russell now seems to have become infected with Mercier's ideas, for on October 17th he wrote to Palmerston saying "There is much good sense in Mercier's observations. But we must wait. I am persuaded that if we do anything, it must be on a grand scale. It will not do for England and France to break a blockade for the sake of getting cotton".

Palmerston's reply of October 18th was that it was our best and true policy to go on as we had begun and to keep quite clear of the conflict. He also says that the want of cotton would not justify intervention, unless the distress created by that want, was far more serious than it is likely to be. "The only thing to do", he concluded, "seems to be to lie on our oars and to give no pretext to the Washingtonians to quarrel with us, while on the other hand we maintain our rights and those of our fellow countrymen".

These letters, of course, show quite clearly that even now there was no intention on intervention, and on October 29th the Duke of Argyll, another member of the Cabinet, in a speech to his tenantry at Inveraray, gave a further indication of the feelings of the Cabinet.

"Gentlemen, I think we ought to admit in fairness to the Americans that there are some things worth fighting for and that national existence is one of them". When we realise that Argyll undoubtedly thought that the American Union would have been broken into fragments by admitting the right of the South to secede, it is quite apparent that his sympathies are with the North, which was fighting to save disruption.

He had also written to Mrs Motley a month earlier:- "You may set Mr Motley's mind at rest, I think, as regards any possibility of our interfering, - provided of course, the contest is carried on with a due regard to the law of Nations and the rights of neutrals".

Again if the Cabinet had wished to intervene in the struggle and obtain cotton, the Trent case gave them their great opportunity and as we have already seen the whole affair gives no sign of any such desire.

Adams did not however consider that the danger of intervention was yet over, and as a matter of fact he was right. although the crisis was not as close at hand as he expected. From his despatch of December 27th, it is quite clear that he ^{was} ~~is~~ dreading intervention of some-kind, if not actually war. "Parliament will probably assemble earlier than has been anticipated, perhaps by the 16th of January", he wrote. "It will then be impossible to avoid a general expression of opinion upon American affairs.--- Although Lord Russell, in a portion of his latest conversation with me, affirmed that we should have full opportunity given to us of trying ^{our} ~~to~~ experiment of overcoming the rebellion before action on their part, it is not quite clear to my mind that he will very long retain the power to make his words good". Adams here is referring to the pressure which would probably be put upon the Government by their own supporters, as well as by the opposition, to intervene in American affairs. His next words give a

ray of hope. "Neither do I wish to undervalue the amount of sympathy and good will that may be brought into play to avert the threatened danger. It is from the friends of our government that I gather most of my conclusions. And one of them is that nothing but very marked evidence of progress towards success will restrain for any length of time the hostile tendencies developed by the case of the Trent".

But on January 17th, after the settlement of the Trent case, Adams wrote home that things looked better and that he did not consider that any attempt would be made to break the blockade for the sake of cotton. He was already, however, beginning to suspect the schemes of Louis Napoleon, and he was growing anxious with regard to the activity of the Confederate envoys. Part of this anxiety was caused by an article in the 'Edinburgh Scotsman' of January 11th, which ran as follows:- "There exists in London an active and growing party, including many M.P.'s, having for its object an immediate recognition of the Southern confederacy on certain understood terms. This party is in communication with the quasi representatives of the south in London, and gives out that it sees its way to a desirable arrangement. Our information is that the south, acting through its London agents, is at least willing to have it understood that, in consideration of immediate recognition and the disregard of the 'paper blockade', it would engage for these three things; - a treaty of free trade, the prohibition of all imports of slaves, and the freedom of all blacks born hereafter.- It will be easily seen that if any such terms were offered, (but we hesitate to believe the last of them), a pressure in favour of the South would come upon the British government from more than one formidable section of our public".

But although, as will be deduced from the above, certain Parties wished Great Britain to intervene in the struggle, at present

the Government had no intention of doing so, and in March Adams was able to write to Seward that the pressure for interference had disappeared. But he also struck a warning note. "It will rise again in the event of some very decided reverse". This is, of course, exactly what happened a few months later.

In May, Adams was once more suspicious. "There is a project afloat of a joint representation of the powers of Europe, which may assume some kind of shape, should the struggle be prolonged". The ambiguity of Russell's letter of the 10th did nothing to improve matters. "Her Majesty's Government can only hope that if resistance should prove to be hopeless, the Confederate States will not continue the struggle; that if, on the other hand, the restoration of the Union should appear to be impossible, the work of devastation now going on will cease".

I consider that now, although the Government was still determined to wait for a favourable moment, the desire for intervention was steadily growing. The wording of General Butler's order with regard to any woman in New Orleans, who insulted a Federal soldier, did not make matters any better. On June 10th details of the order appeared in the London newspapers - on the 11th Adams received a letter from Palmerston conveying a violent protest. Adams exclaimed, after he had read it, "What does this mean? Does Palmerston want a quarrel?"

From the tone of the letter it almost seemed as if this question must be answered in the affirmative; and on the next day, June 12th, Adams wrote to Seward that it was in London then very generally "affirmed with more and more confidence that the two governments are meditating some form of intervention in our struggle. The rumour now is that M. de Persigny has come from Paris exclusively for the sake of consulting on that subject. In such a connection,

this unprecedented act of the Prime Minister may not be without great significance. I have long thought him hostile at heart and only checked by the difference of views in the Cabinet. It may be that he seeks this irregular method of precipitating us all into a misunderstanding".

As we have already seen by Palmerston's letter to the Hon Edward Ellice, this view is unjust. A few months later Palmerston certainly did suggest an offer of mediation, but he was not ready to do so as yet.

Naturally Adams could not ignore the letter which he had received, and so on June 12th he wrote to ask Palmerston if the letter was in any way official or just a private expression of sentiment. If it were the former, it infringed on the prerogative of the foreign secretary; and if it were the latter, it was almost a personal affront.

Then Adams wrote to Russell requesting an interview. This was at once granted, and Adams then handed Russell the note which he had received from Palmerston, and asked what it meant. Russell's answer was that it was all new to him and that he could say nothing until he had seen the prime minister. He expressed the wish that Adams would do nothing further in the matter until after that. On June 15th, after an interview with Russell, Palmerston wrote that he was impelled to make known his own personal feelings about Butler's Proclamation, before any notice of it in Parliament should compel him to state his opinion publicly. Adams did not consider this reply satisfactory and on June 16th wrote again, repeating his former question. On the 19th during an official interview he informed Russell that Palmerston had not yet answered his second note although four days had elapsed. Russell stated that he, too, had written a note to Palmerston, which had not been answered. But he informed Adams that the whole matter was exceedingly irregular and could be regarded only

as a private proceeding, and he referred to the motion of Mr Lindsay, which was to be proposed the next day in the House of Commons, as a motion that must come to nothing. Adams's remark with regard to the interview was that it was the most kindly he had yet had.

We may certainly conclude, that whatever may have been Palmerston's aim in writing the letter of the 11th, there was no desire on the part of the Cabinet for intervention. Russell, on the 19th had even stated his belief that the rebellion was drawing to an end, at least in the open field. I also cannot think that Palmerston desired to force a quarrel - his probable wish was, when Butler's Order was discussed in Parliament to be able to inform the Government that he had already taken action in the matter. But because his act had not received the official sanction of his colleagues or supporters, he was forced to write in the ambiguous strain which he had adopted.

This view of non-intervention is also supported by Palmerston's own statement at this time in the House of Commons. "Any intervention in the American civil war," he said, "would only serve to aggravate the sufferings of those now enduring privations in consequence of its effects in this country". The Governments of both England and France would gladly embrace a favourable opportunity for mediation, but at present, while both sides were animated with the most vehement resentment against each other, he feared that no proposal of the kind would meet with a favourable reception from either side.

On June 19th, however, Adams received a reply to his second letter. "If I had been merely a private gentleman", wrote Palmerston, "I should not have deemed myself entitled to address the Minister of the United States upon a public matter; and if you had been here merely as a private gentleman, I should not as head of the government have thought it of any use to communicate with you upon any matter

which might have a bearing upon the relations between our two countries. So much for the first part of your question.

As for the second part it is well known that the Secretary of State for Foreign Affairs is the regular official organ for communications between the British Government and the Governments of Foreign States: but it is also well known that it may sometimes be the duty of the first Minister of the Crown to communicate with the representatives of Foreign States upon matters which have a bearing upon the relations between Great Britain and those States:----I conceived that I was doing good service to both, by enabling you in such manner as to you might seem best, to let your Government know the impression which General Butler's Proclamation has produced in this country; and I thought it better that you should know that impression privately and confidentially from a person who is in a situation to judge what the feelings of the British nation may be, than that you should for the first time learn them in a more public manner".

The letter is, of course, really a clever explanation of an act which might not to have been committed. If the British Government had wished to protest against Butler's order, the protest ought to have been made formally through the foreign secretary.

Adams's entry in his diary on Friday June 20th is interesting :- "Sent a closing note to Lord Palmerston assuming his note to be a withdrawal of the offensive imputations and declining this form of correspondence for the future. I also sent the remainder (i.e. of the correspondence) to the government at home. My relief at getting out of the present quarrel is indescribable. It is not for me to become a cause of quarrel between the two countries at this crisis".

The whole question of intervention was still carefully

watched by Adams. After Palmerston's statement in the House of Commons quoted ^{on page 95,} ~~above,~~ Adams wrote to Seward on June 26th that there was not so much talk of intervention or even of mediation in American affairs as there had been a few weeks before. But on July 3rd he wrote to Seward giving an account of an interview which he had had with an 'unofficial person' the previous Saturday. During this interview the unofficial person had stated that the want of cotton was becoming very serious in Europe and that the governing power, both in France and England, could not withstand any great severity of pressure for intervention. The result might therefore be some joint representation to the government of the United States.

How doubtful the question was, is naturally clearly seen from the despatches of Mr Adams. Now he writes that there is a danger of foreign intervention, now he states that the danger is decreasing and then once again it manifests itself.

The government was still, I consider, averse to interference. Adams, also seems to take this view, for on July 11th he wrote to Seward that so long as Parliament remained in session, he thought that no particular consequences were to be apprehended, but that after the adjournment if things went against the North, he would not be surprised if some occasion were not made to plunge them into difficulty.

America, herself, was still averse to any foreign interference. Seward's despatch of July 18th clearly shows this. "It needs only any real or seeming danger of foreign intervention in the conflict to revive and renew devotion to the Union, even with the sacrifice of slavery throughout the whole United States. Europe will not intervene or appeal to us except for cotton. Intervention will end the exportation of cotton by extinguishing the slavery which produces it".

However certain members of Parliament were not content with

the government's policy, and in the House of Commons on July 18th, Mr Lindsay M.P., brought forward the subject of mediation and it underwent a full discussion. The introduction of the subject even now was thought inexpedient and attempts were made by several members to induce him to postpone his motion. He, however, declined, and so the debate took place. The motion was as follows :- "That in the opinion of this house, the States which have seceded from the Union of the Republic of the United States, have so long maintained themselves under a separate and established Government, and have given such proof of their determination and ability to support their independence, that the propriety of offering mediation, with the view of terminating hostilities between the contending parties, is worthy of the serious and immediate attention of Her Majesty's Government". Mr Lindsay then stated that the South had had grievances against the North for a quarter of a century, that the Government at Washington had precipitated the war and that slavery was not its cause. The real cause of the war, he said, was that the Southern States had been slowly losing their influence in the House of Representatives; and their people, whose interests were bound up with free trade, found that they had practically no voice in taxation and that the tariffs were framed in the interests of the Northern States, which pursued a policy of protection. He said that he believed that re-union was hopeless and if so, it behoved England to offer her mediation. He also read letters from Unionists in America acknowledging the hopelessness of the contest and pleading for the mediation of England.

This view was supported by several other members, including Mr Gregory and Lord A.V. Tempest; but another member, Mr Taylor, moved an amendment. Mr Forster, one of the best friends the North possessed during these years, contended that there was nothing in the aspect of

affairs which could justify intervention by Great Britain, and that even if the offer were made it would not be accepted. Although members had professed to discuss the matter in a friendly spirit, yet threats had been held out of more than mediation, and the language used could only increase the feeling in the North against this country, and any offer of mediation on the part of England just at that time would be taken as an indication that we presumed upon the weakness of the North.

Lord Palmerston then stated that the subject was one of the highest importance and of the most delicate character, and he regretted that Mr Lindsay had brought forward the question of intervention for discussion at that time. He also expressed a hope that the House would leave the matter in the hands of the Government. He also considered that Britain would not be justified in assuming that the ^{independence} ~~indefence~~ of the South had been permanently established and that consequently the Confederate Government could not yet be recognised.

From the whole speech (an extract only being quoted above) we gather that the Government was then averse to interference, but that it was quite ready to offer mediation if a favourable opportunity should arise. This view is confirmed by the events of September and October.

Rumours that the Emperor of France intended to intervene were now current in England. Many of them were, of course, inspired by the Confederate agents for their own ends. But even in August, the question of intervention was not being seriously considered by the British Government and nothing resembling a crisis had arisen. Mason had applied to Russell asking once again for the recognition of his government, and requesting a personal interview; but Russell, after submitting the draft of his answer to the Cabinet declined the interview and stated that "Her Majesty's Government are still determined to wait". Even early in September, before the news of the

defeat of the Federals on August 31st had reached England, Russell remarked to Adams that he hoped the latter was now quite at ease in American affairs.

But after the news of ^{the 1st battle of} Bull Run reached England, the attitude of Russell and Palmerston altered. On September 14th Palmerston wrote to Russell, who was attending the Queen ^{at} of Gotha, as follows :- "The detailed accounts given in the 'Observer' today, of the battles of August 29th & 30th, between the Confederates and the Federals, show that the latter have got a very complete smashing: and it seems not unlikely that still greater changes await them and that even Washington or Baltimore may fall into the hands of the Confederates. If this should happen, would it not be time for us to consider whether in such a state of things, England and France might not address the contending parties and recommend an arrangement upon the basis of separation ?".

Russell's reply of the 17th agreed with the view of his chief. "I agree with you that the time is come for offering mediation to the United States Government with a view to the recognition of the independence of the Confederates. I agree further that in case of failure, we ought ourselves to recognise the Southern States as an independent State". He also suggested a meeting of the Cabinet to discuss the proposal for the 23rd or the 30th, and that if a decision were arrived at, to propose the intervention first to France and then on the part of England and France to Russia and the other powers.

Palmerston's reply of the 23rd pronounced that the plan was excellent. "Of course, the offer would be made to both the contending parties at the same time," he wrote. "Might it not be well to ask Russia to join England and France in the offer of mediation? We should be better without her because she would be too favourable to the North, but, on the other hand, her participation in the offer might

render the North more willing to accept it. If the Federals sustain a great defeat, they may be at once ready for mediation and the iron will be struck while it is hot. If on the other hand, they should have the best of it, we may wait awhile and see what may follow".

Meanwhile Russell had reached England, and Lord Granville, the President of the Council, had joined the Queen at Gotha. There he received a message from Russell announcing the probability of the discussion. He at once expressed an opinion averse to interference and wrote as follows :- "It is premature to depart from the policy which has hitherto been adopted by you and Lord Palmerston; and which notwithstanding the strong antipathy to the North, the strong sympathy with the South and the passionate wish to have cotton, has met with general approval from Parliament, the press and the public". Russell forwarded the letter to Palmerston and it seems to have shaken his resolution, for on October 2nd he admitted that it contained much for serious consideration. "The condition of things which would be favourable to an offer of mediation", he wrote, "would be the great success of the South against the North. That state of things seemed ten days ago to be approached. Its advance has been lately checked----Ten days or a fortnight more, may throw a clearer light upon future prospects".

Adams, of course, knew nothing of this confidential communication but he was extremely dissatisfied with the state of things, and wrote in his diary September 21st, that unless the course of the war should soon change, it seemed to him that his mission must end by February.

From this we may claim that Adams had formed a good idea of the policy of the British Government, which was that unless the North made more favourable progress, Great Britain would intervene.

This, of course, would mean war, and as he says, his mission would be at an end.

As a matter of fact, the Northern States were now recovering from their defeat and the course of events was making mediation more difficult. It was left to Gladstone, the Chancellor of the Exchequer and the third member of the Cabinet in importance, to give public expression to the views of his colleagues. On October 7th in a speech at Newcastle, he denied that England had any interest in the disruption of the American Union and spoke of her "perfect neutrality". But while he professed sympathy with the people of the Northern States, he declared that there was no doubt that Jefferson Davis and other leaders of the South had made an army and that it appeared that they were making a navy and that they had also made what was more than either - namely a nation". He continued, "We may anticipate with certainty the success of the Southern States so far as their separation from the North is concerned".

The construction which was put upon this speech was that the government had determined on the recognition of the Southern Confederacy. The Spectator on October 11th stated, "It is hard to believe that Mr Gladstone, cabinet minister and dialectician, as familiar with English words as with European politics, would have used either of these expressions except to announce a settled and official resolve---The recognition may not be immediate, may be postponed till Parliament meets, or may await a combination of many powers, but the Cabinet has made up its mind that henceforward two nations must exist on the American continent". Disraeli in the following year also averred that the declaration was made with the consent of the Government. We know now, of course, from the letters of Palmerston and Russell, that the Government had not then decided upon its policy, although it seemed as if it were drifting towards

mediation. Undoubtedly then, Gladstone's speech, although merely expressing publicly what the prime minister was thinking of, was indiscreet. In August 1867, he himself wrote, "I must confess that I was wrong; that I took too much upon myself in expressing such an opinion".

Adams did not know at first what to think of the affair. On October 8th, he wrote in his diary, "If Gladstone be any exponent at all of the views of the Cabinet, then is my term likely to be very short". The following day he seems to have decided that Gladstone's speech did express the Cabinet's intentions, for he wrote that unless things materially changed in America, he did not expect to stay beyond Christmas at the farthest.

On October 13th Lord Russell circulated among his colleagues a confidential memorandum from which I take the following extracts:- "It has become a question----whether it is not a duty for Europe to ask both parties, in the most friendly and conciliatory terms to agree to a suspension of arms for the purpose of weighing calmly the advantages of peace against the contingent gain of further bloodshed and the protraction of so calamitous a war".

But certain members of the Cabinet, especially Sir George Cornewall Lewis, (the secretary for war), and the Duke of Newcastle, were absolutely opposed to intervention. The organ of the Confederate envoys in London stated the case rather well. "Now on many questions and especially on the American question, there prevails the greatest disunion of feeling amongst the members of the Cabinet. Some of them sympathise strongly with the Confederate States. Others are devoted to the North. Others and notably the Prime Minister, care nothing for either party---their only wish is to let the matter alone. At present this party practically determines the action or rather inaction of the Cabinet; which is

quite aware that any attempt to have an opinion or lay down a policy in regard to American affairs must be fatal to the very pretence of accord and to its official existence. Therefore the ministry does nothing, because nothing is the only thing which the different sections can agree to do".

This was one of the chief reasons why the policy of non-intervention was carried out. Palmerston by October 23rd knew quite well that certain members of his cabinet would never agree to interference, and he also knew that his government was not strong enough to stand a break in the ministerial ranks. Probably he had also received an unofficial intimation that the American Government was violently opposed to any mediation.

In July, Adams had written in his diary that "Mischief to us in some shape will only be averted by the favour of Divine providence on our own efforts--. I wrote a full despatch to Mr Seward". In that despatch he asked for instructions as to the course he should pursue if Russell approached him with a tender of "good offices". A few days after Mr Lindsay M.P. had asked at Chertsey whether there was one man in a thousand who thought that the broken Union could be restored, and a few days after Mr Beresford-Hope M.P. had pledged himself at Stoke-on-Trent to vote in Parliament to place the Confederacy amongst the governments of the world, came Seward's answer about the middle of August :- "If the British government shall in any way approach you directly or indirectly with propositions which assume or contemplate an appeal to the President on the subject of our internal affairs, whether it seems to imply a purpose to dictate, or to mediate, or to advise or even to solicit or persuade, you will answer that you are forbidden to debate, or hear, or in any way receive, entertain or transmit any communication of the kind. You will make the same answer whether the proposition comes

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from the British Government alone or from that government in ~~the~~ combination with any other power. If you are asked an opinion what reception the President would give to such a proposition, you will reply that you are not instructed, but you have no reason for supposing that it would be entertained. If contrary to our expectations, the British Government, either alone or in combination with any other government, should acknowledge the insurgents, while you are remaining without further instructions from this government concerning that event, you will immediately suspend the exercise of your functions and give notice of that suspension to Earl Russell and to this department. If the British Government make any act or declaration of war against the United States, you will desist from your functions, ask a passport and return without delay to this capital. I have now on behalf of the United States and by the authority of their chief executive magistrate performed an important duty. Its possible consequences have been weighed and its solemnity is therefore felt and freely acknowledged. This duty has brought us to meet and confront the danger of a war with Great Britain.---You will perceive that we have approached the contemplation of that crisis with the caution which great reluctance has inspired. But I trust that you will also have perceived that the crisis has not appalled us".

From this letter we see that America was absolutely determined not to allow foreign mediation, and that if Great Britain persisted in intervening, war would follow.

On October 11th, a few days after Mr Gladstone's Newcastle speech, Mr Adams was visiting Mr Forster, M.P. the strong friend of the Federal cause. In confidence he communicated to his host the substance of his instructions. Forster, thereupon, stated that the government ought to be informed before they committed themselves.

Adams replied that he had been thinking of it, but that he was waiting to see how far Mr Gladstone appeared to be supported. As a matter of fact, Adams never communicated his instructions to Russell, but it is more than probable that the ^{latter} received an inkling of their purport from Forster, and that consequently, this was one of the reasons why the project of mediation was abandoned.

On October 14th the speech of Sir George Lewis at Hereford, made it quite clear that the government had no intention of recognizing the independence of the Southern States. "In the general opinion of Great Britain," he said, "the contest would issue in the establishment of the independence of the South" but "it could not be said that the Southern States of the Union had de facto established their independence or were in a position to be entitled to recognition on any accepted principles of public law". It was either on this day or soon after, that Palmerston and Russell determined to continue the existing policy of non-intervention.

Gladstone now found himself obliged to explain his Newcastle speech. In response to a letter from Manchester, asking, on behalf of the cotton trade, what he really meant, his private secretary replied that "the words at Newcastle were no more than the expression, in rather more pointed terms of an opinion he had long ago stated in public, that the effort of the Northern States to subjugate the Southern ones ^{is} hopeless".

What exactly passed between the members of the Cabinet in anticipation of the meeting on October 23rd is still a state secret, but I consider that the reasons given above (e.g. the violent dislike of America to intervention, and the divided opinion of the British ministers), furnish sufficient explanation why that meeting was never held.

Instead, on that day, Adams had an official interview with

Lord Russell, in which he referred to the departure of Lord Lyons for Washington. (It had been previously arranged that Lyons should sail on the 11th, but his departure had been postponed until the Government had decided upon its policy). During this interview Adams expressed the hope that Lyons would remain in America for a long time. "I had, indeed", he continued, "been made of late quite fearful that it would be otherwise. I was obliged to confess that I had lately been called somewhat suddenly to the consideration of the condition of my travelling equipage---If I had trusted to the impressions generally prevailing, directly after the delivery of a certain speech, my conclusions as to my departure would have been absolute. But I preferred to wait until later developments, like those which have since taken place, should give a more definite idea of the extent of the authority to which I was entitled. The speech of Sir George Lewis had done much to set the balance once more even".

Lord Russell understood the allusion at once and stated that Mr Gladstone had been much understood. He intimated, as guardedly as possible, that Lord Palmerston and other members of the government regretted the speech and that Mr Gladstone himself was inclined to correct the misinterpretation which had been made of it. He then stated that it was still the intention of the government to adhere to the rule of perfect neutrality, and to allow the struggle to come to its natural end, without the smallest interference direct or otherwise. Adams, naturally expressed his satisfaction with this and the interview then terminated.

By a very narrow margin of safety the crisis had been passed, and in spite of the attempts of France, Great Britain still clung to her policy of non-intervention. On October 30th ^{Monsieur} ~~Monsieur~~ de Lhuys, the minister of France for Foreign Affairs, wrote to the French ambassador in London and St Petersburg, suggesting that the

three Cabinets should unitedly propose to both North and South, a suspension of hostilities for a period of 6 months. But on November 13th, Russell replied that "after weighing all the information which had been received from America, Her Majesty's Government are led to the conclusion that there is no ground at the present moment, to hope that the Federal Government would accept the proposal suggested". On November 15th therefore, Adams was able to write to Seward that the state of affairs was satisfactory and that efforts were being made, with a good prospect of success, for a more effective organisation of the anti-slavery sentiment on behalf of the Federals.

From this time, indeed, English popular feeling was strongly on the side of the North, and with regard to this the influence of Lincoln's proclamation must be noticed. The contest in America had really begun on the issue of political independence. Seven states had organised themselves in a Confederacy and had claimed the right of a sovereign power, saying that since they had entered the Union of their own free will, they were able to withdraw whenever they pleased. The North, however, denied that the South had any right to secede and the Civil War began really as an attempt to force the Confederates back into the Union. The question of slavery was involved from the first but merely as a minor cause. It was not until September 23rd 1862 that it became of paramount importance. Until this time, friends of the South in England had unanimously proclaimed that the North was not fighting on behalf of slavery, and this, of course, had strengthened the Southern cause. But now when Lincoln's proclamation of freedom stated that "on the first day of January 1863, all persons held as slaves within any State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and for ever free," it became quite clear

that slavery could not be ignored as an issue in the struggle.

Undoubtedly the ultimate influence of this move in Great Britain was immense, but at the time of publication it was received with scorn and derision. The 'Times' on October 7th characterized the Proclamation as "a very sad document" which the South would reply to "with a hiss of scorn". As an act of policy it condemned it as being "if possible more contemptible than it is wicked". The "Morning Herald" said that it was "an act of high handed usurpation" with "no legal force whatever". The 'Post' remarked, "It is scarcely possible to treat seriously of this singular manifesto. If not genuine, the composition would be entitled to no little praise as a piece of matchless irony". The "Standard" pronounced the whole thing a "Sham" intended "to deceive England & Europe" - "the wretched makeshift of a pettifogging lawyer". Even the 'News' which was usually kindly disposed towards the North pronounced the step thus taken "feeble and halting".

I consider this attitude can be explained by the fact that Englishmen regarded the Proclamation as an incitement to insurrection and that they absolutely dreaded the horrors which the negroes might commit against their owners in the Southern States. In support of this view I quote from the speeches of Mr Lindsay M.P. and of Mr Peacocke M.P. The former stated that "Instead of being a humane proclamation, it was, in fact, a specimen of the most horrible barbarity and a more terrible proclamation than had ever been issued in any part of the world". The latter declared that if the Proclamation was worth anything more than the paper on which it was inscribed, and if the four millions of blacks were really to be emancipated on January 1st, then we should be prepared to witness "a carnage so bloody that even the horrors of the Jacquerie and the

Massacres of Cawnpore would wax pale in comparison". He concluded that when we ^{reflect} replied that it was merely a vindictive measure of spite and retaliation upon nine millions of whites struggling for their independence, it was one of the most devilish acts of fiendish malignity which the wickedness of man could ever have achieved.

Even the friends of the North doubted the wisdom of the act. On October 20th, the Duchess of Argyll wrote Sumner that "In England there are great misgivings about the effect of the Proclamation---- it is difficult not to tremble". But many friends of the North reserved their judgement and waited patiently for January 1st. Meantime the feeling of the country was changing. On December 6th John Bright wrote as follows to Sumner :- "The anti-slavery sentiment here has been more called forth of late, and I am confident that every day the supporters of the South among us find themselves in greater difficulty owing to the course taken by your government in reference to the negro question---The Proclamation like everything else you have done, has been misrepresented, but it has had a large effect here and men are looking with great interest to the first of January and hoping that the President may be firm".

The comment of the Spectator on this message is interesting. "The mills of God grind slowly", but when an American President can take and express that view of the great national offence, then, surely, amidst all our impatient doubts, the world is not moving back".

Motley's views on the subject expressed in a letter to Helmes, as early as February 26th 1862, are also interesting :- "I say, then, that one great danger comes from the chance of foreign intervention. What will prevent that ?

"Our utterly defeating the Confederates in some great and conclusive battle; or,

"Our possession of the cotton ports and opening them to European trade; or

"A most unequivocal policy of slave emancipation.

"The last measure is to my mind the most important. The South has, by going to war with the United States Government, thrust into our hands against our will, the invincible weapon which constitutional reasons had hitherto forbidden us to employ. At the same time it has given us the power to remedy a great wrong to four millions of the human race, in which we had hitherto been obliged to acquiesce. We are threatened with national annihilation and defied to use the only means of national preservation.

"The question is distinctly proposed to us, Shall slavery die, or the great Republic ? "

On December 31st a great public meeting was held in London, and in a resolution it hailed "the dawn of the new year as the beginning of an epoch of universal freedom upon the Western continent". The same night, meetings were also held at Sheffield and Manchester, and profound sympathy with the United States was expressed. At the meeting in Sheffield it was even resolved "that it is the duty of England to give her sympathy and moral influence to the Northern States". Eleven days later another assemblage in the same city prayed "that the rebellion may be crushed and its wicked object defeated".

On January 16th a deputation from the Emancipation Society called on Mr Adams, expressing their satisfaction with the proclamation, and congratulating the President on the stand which he had taken. Adams, the following day, was able to write in his diary that "it is clear that the current is now setting strongly with us among the body of the people. This may be quite useful on the approach of the session of Parliament".

The following Sunday, Spurgeon, the most popular Nonconformist preacher of the day, before a congregation of thousands prayed as follows :- "Now oh! God, we turn our thoughts across the sea to the dreadful conflict of which we knew not what to say; but now the voice of freedom shows where is right. We pray thee give success to this glorious proclamation of liberty, which comes to us from across the waters. We had feared our brethren were not in earnest and would not come to this----God bless and strengthen the North. Give victory to their arms and a speedy end to fearful strife--Now that we know their cause, we can exclaim, "God speed them". And the immense congregation interposed in the midst of the prayer with a fervent 'Amen'.

On January 29th, a meeting was held in Exeter Hall, and it was reported that it was one of the most extraordinary ever held in London and that it was the most earnest demonstration made in London since the days of the Anti-Corn law league. The crowd was so vast that an overflow meeting was held in a lower room and another in the open air. The mention of Jefferson Davis brought out manifestations of dislike, while the name of Lincoln was greeted with cheers. On the same day public meetings in favour of the North were also held at Stroud & Bradford and addresses expressing good-will began to pour into the American Legation.

Such meetings, naturally, clearly showed the sentiment of the middle classes and proved to the government that, in spite of the poverty and misery caused in Lancashire by the cotton famine, intervention would not be tolerated.

With reference to the trend of popular sentiment, Adams wrote as follows :- "It will not change the temper of the higher classes, but it will do something to moderate it", and when on

February 3rd, the delegation from Exeter Hall called to present the address, Adams wrote that there was no mistaking their tone of strong and hearty sympathy. "I think," he continued, "there can be little doubt that the popular current now sets in our favour. They left me with hearty shakes of the hand, that marked the existence of an active feeling at bottom. It was not the lukewarmness and indifference of the aristocracy, but the genuine English heartiness of good will".

It must not be imagined, however, that all classes now sympathised with the North. On the contrary the greater part of the aristocracy, a certain portion of the press, and some public men, still held aloof. The paper which was supposed to represent the views of the Prime Minister, (The Morning Post), referred to the Exeter Hall meeting as "a great disgrace to the Christian religion and an egregious blunder as a step towards emancipation". The Times stated that not one man whose opinion the country would listen to on any political subject, not one statesman or representative of the Peerage was present. Even Lord Russell, in a despatch to Lyons on January 17th had condemned the Proclamation by stating that it made slavery at once legal and illegal. He also intimated that its object was not total and impartial freedom for the slave, but vengeance on the slave owner. Even on March 26th, Adams wrote to Seward that four-fifths of the House of Lords, were no well wishers to anything American, and from a letter Mason wrote to Benjamin, the Confederate secretary of State, we gather that $\frac{4}{5}$ of the Commons sympathised with the South.

We are forced to ask them why Great Britain did not intervene. I think the reason is to be found in the fact that the people and government realised that intervention meant war, and Great Britain earnestly wished to avoid war at this time. Not even from

Lancashire, the district affected by the cotton famine, was there a cry for intervention, and in spite of a certain amount of Southern sympathy, men knew that the true policy of this country was to observe a strict and undeviating neutrality. The general community undoubtedly was averse to intervention, and the foremost statesmen were pledged to that policy, no matter what were their private wishes and sympathies. Not even from the manufacturers, whose interests depended on the cessation of the struggle, did there come a protest against the Government's policy.

Yet it must not be thought that because we did not want war, that we were afraid of it. On the contrary the Trent case showed that Great Britain was quite prepared to defend her rights; but, and this seems to me to be an important point - she had now realised that she had no right to interfere in American affairs, for the struggle was purely domestic and consequently only offended the contending parties.

Another reason why the Government adhered to the policy of non-intervention is to be found in a letter of Cobden to Sumner, describing the gathering at Exeter Hall. "That meeting has had a powerful effect on our newspapers and politicians," he wrote. "It has closed the mouths of those who have been advocating the side of the South. And I now write to assure you that any unfriendly act on the part of our government - no matter which of our aristocratic parties is in power - towards your cause, is not to be apprehended. If an attempt were made by the government in any way to commit us to the South, a spirit would be instantly aroused which would drive that government from power".

In spite of this, there existed at this time, certain features which we are now obliged to regret. Lord Salisbury, (then Sir Robert Cecil), expressed friendship for the South as a good

customer of ours and antagonism for the North as a rival in our business. "Win the battles and we Tories shall come round at once", he told a Northern lady. Apart from politicians it seems that only two Englishmen of the first rank - Tennyson and Darwin - cared from their hearts for the North. Carlyle stated that no war which had been waged in his time had seemed more "profoundly foolish looking", and a contribution of his which appeared a little later in Macmillan's Magazine was insulting to both parties. Dickens, too, in his letters, shows a hatred of the Northern States, and he stated that the opinion, which some people held, that the North would ultimately triumph, would prove a "harmless" hallucination".

The opening of Parliament on February 5th was now being anxiously awaited. On January 20th, Bright wrote to Sumner as follows :- "You will see what meetings are being held here in favour of your emancipation policy and of the North in general. I think in every town in the kingdom, a public meeting would go, by an overwhelming majority in favour of President Lincoln and the North. I hope what is doing may have an effect on our Cabinet and on Parliament which meets on the 5th of February".

When we compare the above with a letter which the Solicitor General, Sir Roundell Palmer, wrote on January 8th I think it is quite clear that the effect of such popular meetings was not neglected. "The bearing of the upper classes, (Conservatives and Liberals alike)," wrote Palmer, "to the side of the South is so strong, that, but for the apparently opposite bearing of the intelligently industrial population, there would be some danger of the Government being driven, or drifting of its own accord, into the enormous mistake (as I think it would be) of a premature recognition of the South. For such a step there could not, I

believe, be found anything like a precedent in the whole range of modern history, except the recognition of the United States themselves by France, which was treated by us very justly as equivalent to a Declaration of War: and if we were to do the same thing now, the United States would certainly view the act in the same light and would resent it accordingly".

On February 5th, the Royal Speech was delivered from the throne by the Lord Chancellor. It contained these momentous words:- "Her Majesty has abstained from taking any step with a view to induce a cessation of the conflict between the contending parties in the North American States, because it has not yet seemed to Her Majesty that any such overtures could be attended with a probability of success". Then came a reference to the cotton famine :- "Her Majesty has viewed with the deepest concern the desolating warfare which still rages in these regions; and she has witnessed with heartfelt grief the severe distress and suffering which that war has inflicted upon a large class of Her Majesty's subjects, but which have been borne by them with noble fortitude and with exemplary resignation. It is some consolation to Her Majesty to be led to hope that this suffering and this distress are rather diminishing than increasing, and that some revival of employment is beginning to take place in the manufacturing districts".

This speech must have given satisfaction to all friends of the North. They had feared and somewhat naturally, that the distress occasioned in Lancashire by want of cotton, would force the Government to intervene and break the blockade. Now, however, they are told that the crisis of suffering and want has passed, and that there is no intention of interference.

Lord Dudley's remarks in answer to the address showed a

partiality towards the North. He stated that an effort which had been made to induce Her Majesty's government to intervene and put down the war in America, had been rightfully rejected by them, inasmuch as any such proposition must have fallen to the ground, looking at the temper in which the combatants were at the time, and in which they still continued, in regard to this country. He concluded that if there was one bright spot in America, it was that amidst all her troubles, she had not forgotten to dispense her charity amongst the sufferers in Lancashire. This was a reference to the food ships which the Federals had sent to Liverpool to help to alleviate the prevailing distress.

Lord Granard seconded the address by stating that however much the members of the House of Lords might deplore the war which had so materially affected us, and however we might hope for a speedy cessation of hostilities, he hoped that all would agree in the prudence which dictated the government's policy of non-intervention. This opinion was that intervention would only have produced intense irritation among the American people, that it might have given rise to unpleasant complications, and that it certainly would have had no effect in terminating the war.

Even Lord Derby, the leader of the Opposition, expressed his approval of the policy of non-intervention, although he regretted that we had not joined France in an offer of mediation. He definitely stated, however, that he could not bring himself to the conclusion that the time had arrived when it would be wise, politic, or even legitimate, to recognise the South, but at the same time he considered that there was no possibility of the Union between North and South being re-established.

Russell's reply which vindicated the Government's refusal

of Louis Napoleon's proposal of intervention, was remarkable for its strong Northern tone. He stated that there were two kinds of recognition. One kind consisted in giving aid to a power against its adversary and he did not believe that anybody in England desired a forcible intervention of this kind. The second kind of recognition took place under other circumstances; namely, when it became obvious that one of the parties was exhausted. He continues as follows :- "The American struggle has not nearly reached that state of things.---Therefore, nothing could be more unwise than at present to have recourse to the plan recommended. One thing might be the result of this struggle, namely, the subjugation of the south by the north, and in that event, the union might be re-formed. If feelings of attachment could be revived---no one would rejoice more than myself. If, on the other hand, the north were to fail and separation were finally decreed by events, I should be glad to see peace established on those terms. But there would be one event which would be a calamity to the world, and more especially to the negro race, and that would be the subjugation of the north by the south.----I hope that whatever may be the end of this contest, such may not be the result".

The same general approval of the Government's policy was also expressed in the House of Commons. Mr Disraeli, the leader of the opposition, stated that it seemed to him that the course upon which Her Majesty's Government had resolved was one which was honourable to this country and would prove beneficial to all classes of the community.

Meanwhile the months of February and March witnessed meetings similar to that held in Exeter Hall; and practically the same resolutions expressing absolute approval of the President's action,

and hopes that the North would succeed in their efforts, were adopted. There were gatherings in Leeds, Bath, Edinburgh, Paisley Carlisle, Birmingham, Manchester, Liverpool, South Wales, and other places. Adams wrote home to Seward that the current of popular sentiment flowed with little abatement of strength, but that he took no part whatever in promoting such movements, for he was well convinced that the smallest suspicion of his agency would do more harm than good. But in spite of this awakening of anti-slavery sentiment the next few months were extremely critical, and on several occasions it seemed as if war must ensue. The reasons for this will be seen in the next chapter.

CHAPTER IV THE FLORIDA, THE ALABAMA, THE ALEXANDRA AND THE RAMS.
THE CRITICAL MONTHS - REASONS FOR THIS.

We must now consider the efforts of the emissaries of the Southern Confederacy in Great Britain, and we shall find that their policy caused considerable friction between the Federal and British governments. Yet, in spite of this, we shall see how Southern hatred of Great Britain became worse and worse, and how finally all attempts at diplomatic intercourse were given up.

We have already seen how, during 1861, Lord Russell declined to enter into any official correspondence with Messrs Yancey, Rost and Mann. The efforts ^{of} ~~at~~ Mason, too, on behalf of the South, were just as unsuccessful, although Lord Russell granted him an unofficial interview shortly after his arrival in England. During this interview the ^{former} ~~at~~ contended that the Confederacy had been in complete and successful operation as a Government for nearly 18 months, that it had proved itself capable of defence against every attempt to subdue or destroy it, and that it had shown itself to be a united people, determined to maintain the independence it had affirmed. Russell's reply was that the Government could not alter the policy which had been adopted.

In July again, Mason was urging his cause and saying that the South would welcome the offer of mediation. Russell's answer was that any proposal to the United States to recognise the South would irritate the United States, and that any proposal to the Confederates to return to the Union would irritate them. Therefore, the British Government could do nothing. But Mason was not inclined to despair. On July 24th his reply was that the resources, strength and power in the Confederate States was more developed than previously, and that the proof which had been given of their

resources entitled it to a place amongst the independent nations of the earth. Under no circumstances could the Union be restored, and the question of recognising the Confederacy was but a matter of time. On August 1st he again wrote as follows :- "If it is true, as one assumes, that the separation is final, then the failure of Great Britain to recognise the fact formally, gives an opposite belief and must therefore prolong the contest. It is impossible for the Government of the United States to restore the Union, and yet, because, foreign powers fail to recognise this, the North will not concede Southern independence. To withhold the recognition of the South as an independent nation, encourages the continuance of a war hopeless in its object and ruinous to the parties engaged and to the prosperity and welfare of Europe." Russell's reply of August 2nd was quite definite and gave no sign of the crisis which was to arise a few months later. "Upon the question of the right of the South to withdraw from the Union", he wrote, "Her Majesty's Government have never presumed to form a judgment and must decline the responsibility of assuming to be judges in such a controversy. You say that under no circumstances can the Union be restored; but on the other hand, the Secretary of State for the North, affirms in an official despatch, that a large portion of the once disaffected population has been restored to the Union, and that the Southern Confederacy owes its main strength to its hope of assistance from Europe. Placed between allegations so contradictory Her Majesty's Government are still determined to wait. In order to be entitled to a place amongst the independent nations of the earth, a state ought to ~~be~~ have not only strength and resources for a time, but she ought to afford promise of stability and permanence. Should the Confederate States of America win that

place amongst nations, it might be right for other nations justly to acknowledge an independence achieved by victory and maintained by a successful resistance to all attempts to overthrow it. That time, however, was not in the judgement of Her Majesty's Government yet arrived".

But the efforts of Captain James H. Bullock, the naval agent in Europe of the Confederacy, were better rewarded. The Confederacy had begun the struggle without a navy, but it was quite well aware that it must provide itself with ships as quickly as possible. And so long as ships were obtained, it mattered little where they were built, or what breaches of neutrality were committed.

On June 4th 1861, Captain Bullock reached Liverpool direct from Montgomery, and loyally began to work to carry out his orders; and within a month of his arrival the keel of the Florida, one of the privateers which was to plunder and destroy American commerce, and consequently cause friction between Britain and the North, was laid at Liverpool. But the American consul at Liverpool, a certain Mr Dudley, was an extraordinarily efficient man, and partly from the current rumours of the town and partly from the fact that Captain Bullock was known as the accredited agent of the Southern States, he became suspicious that the steam gunboat Oreto (or Florida as she afterwards became) was destined for the use of the Confederacy. He at once notified Adams, who, upon the information received, informed Russell on February 18th 1862, that an armed steamer was preparing to sail from Liverpool to make war against the United States.

Russell ordered the Commissioners of Customs at Liverpool to investigate the matter, and on their authority on February 26th he was able to inform Adams that the Oreto was being built for the purpose of trade with Sicily, and that she was not fitted for the

reception of guns. Special directions, however, were given to the officers at Liverpool to watch the vessel.

On March 22nd, Dudley wrote to Adams saying that the Oreto was still in the river, but that he had been told by some of the crew of the American steamer, Annie Childs, that she was destined for the Southern Confederacy. They also stated that they had discovered from the Southern officers on board the Annie Childs during the voyage, that several other vessels were being built in England for the South.

This information was transmitted to Lord Russell, and Adams again proclaimed his belief that the Oreto was intended to be a Southern warship and that any pretence of commerce with Sicily had been long abandoned.

Russell's reply of April 8th was an enclosure of a report respecting the Oreto, which he had received from the board of customs. This enclosure stated that the Oreto had sailed on March 22nd having cleared for Palermo and Jamaica. Her crew consisted of 52 men, all British except 3 or 4, and of these only one was an American.

The customs officers also stated that she carried no gunpowder and not even a signal gun.

Still Adams was not satisfied, and on April 15th, during a personal interview with Russell, he told him that the fact of the true destination of the vessel was notorious all over Liverpool and that no commercial people were blind to it and that the course taken by Her Majesty's officers in declaring ignorance led to an inference that British Neutrality was unfavourable to the North. Russell expressed his regret but did not see how the government could change its position.

On June 23rd, however, Adams wrote that he had the strongest

reason for believing that the Oreto had sailed direct for Nassau and that she had there been engaged in completing her armament, provisioning, and crew, for the object of making war upon the United States. And as a matter of fact, this is what had happened. The Oreto was destined for a Southern warship and Adams's suspicions were quite correct. At Nassau, the ship was seized by the British authorities on the protest of the United States consul, but she was afterwards released, and she took on board Semmes, her destined commander. Then under the British naval flag she entered Mobile, finally leaving that port under the name of the Florida, to begin her career of devastation.

The question arises as to how far the British Government are to be considered blameworthy. The Foreign Enlistment Act states that none of Her Majesty's subjects were to fit out vessels for warlike purposes in Her Majesty's dominions and that the armament of ships of war was not to be increased in British ports. It is, of course, apparent that this is extremely unsatisfactory. Nothing is said which may prohibit a warship from being built in a British port provided that she does not receive her armament in British dominions. Of course, it would also be difficult to prove that any ship was being built for warlike purposes. The Confederate agents were well aware of the deficiencies of the act and naturally made the most of them. On their behalf, the Act was examined by counsel and its provisions riddled. Undoubtedly the Act was designed to prevent any belligerent from obtaining ships for use against a power friendly to Great Britain, but from the actual words, counsel saw nothing in the act which made illegal the building of warships in one port and the purchase of arms and munitions to equip the vessel in another, provided that the two deeds were kept separate. If they afterwards coalesced and the result was a

man-of-war, ready equipped for service, still there was nothing illegal, if the result were brought about more than one marine league from the British coast. Naturally, it will be seen that this interpretation (although it was in keeping with the letter of the Act) rendered the Foreign Enlistment Act null and void.

Consequently, the British Government must be condemned because it did not take sufficient care to see that the spirit of the Act was kept. Yet we must remember that proof that any vessel was intended for warlike purposes was very difficult to obtain. With regard to the Florida, Russell, even after her escape, received statements from the collector, the surveyor, and the examining officer at Liverpool, that she left that port entirely unarmed. Even the pilot testified to the same. Consequently one must agree that the difficulties of obtaining definite information were great and there was no law which forbade a ship from being constructed in a British port for the purpose of peaceful commerce, and until it was proved that "peaceful commerce" was not intended, the Government was not justified in seizing a suspected vessel.

But a really sincere and diligent inquiry on the part of the authorities at Liverpool would have probably disclosed the true character of the vessel and the Government is to be condemned for its negligence in not ordering a sufficiently careful investigation.

We must now consider a case of evasion of the Foreign Enlistment Act which is more famous than that of the Florida - namely, that of the "290" or the Alabama. On August 1st 1861, Bullock made a contract with Messrs Laird, large Liverpool shipwrights, for the construction of this ship, and she was launched on May 13th 1862. It is noteworthy that one of the Lairds had already made himself conspicuous in Parliament by his advocacy of the Southern cause, and those in charge of the vessel, encouraged

by the action of the Government in case of the Creto, made no special effort to disguise the purpose and object for which the "290" was being built.

Again Mr Dudley wrote to Adams that a "more powerful war steamer" than the Florida was being constructed at Liverpool, and that it was believed that she was destined for the use of the Confederacy. As early as June 23rd we find Adams informing Russell of these facts, and he asked him to take action, either to stop the projected expedition or to establish the fact that the ship was not intended for a purpose inimical to the United States. Russell immediately referred the matter to the commissioners of customs, and the collectors at Liverpool/replied that the fitting out of the vessel had not escaped the notice of the officers of the revenue, but that nothing had come to light which appeared to demand a special report. They also stated, however, that there was no attempt on the part of her builders to disguise what was most apparent - namely, that she was intended for a ship of war, that she had several powder canisters on board, but neither guns nor carriages, and that the current report was that she was intended for a foreign government, but there was no reliable information as to her destination after she had left Liverpool. This information was submitted by the Commissioners of Customs in London to their solicitor, and he reported that in his opinion there was not sufficient ground to order the detention of the vessel.

The Commissioners then reported these facts to Russell and also stated that before the vessel could be detained, the United States consul at Liverpool must lay sufficient evidence before the Collector at that port to warrant her detention, but a promise was given that the officers at Liverpool should watch the vessel strictly and report at once any further information which they

might obtain.

Dudley was indefatigable in collecting the evidence required, and on July 9th he was able to send a letter to the collector showing beyond doubt that the vessel was destined for the Southern Confederacy. Much of the evidence, however, would not have been accepted in a court of law, and the collector and Commissioners of Customs were well aware of this, so on July 15th they still insisted that there was not sufficient proof to justify her seizure. In their hearts, however, they must have been convinced of the real destination of the vessel and we are bound to admit, therefore, that they wished the "290" to get away.

But Adams did not relax his efforts to prevent the vessel from sailing. On July 17th he ordered Dudley to employ a solicitor and secure affidavits to submit to the collector. By the 21st this was done. Six affidavits were submitted to the collector and amongst these, a certain William Passmore, a mariner of Birkenhead, swore that Captain Butcher, who was engaging men for service on the vessel in question, had told him that the vessel was going out to the Government of the Confederate States. He continued as follows :-
"The said vessel is a screw steamer---built and fitted up for a fighting ship in all respects. She has a magazine, and shot and canister racks on deck, and is pierced for guns, the socket for the bolts of which are laid down.---There are now about thirty hands on board her, who have been engaged to go out in her. Most of these are men who have previously served on board fighting ships and one one of them is a man who served on board the Confederate steamer Sumter. It is well known by the hands on board that the vessel is going out as a privateer for the Confederate Government to act against the United States.

The originals of these affidavits were sent to the Collector
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and copies were also transmitted to Russell. The Board of Customs, acting under the advice of their Solicitor, even after a consideration of this testimony, ^{declined} to sanction the detention of the vessel as there was not sufficient evidence. Mr Dudley then obtained two additional affidavits, and Adams submitted the whole case to R.P. Collier, an eminent Queen's Counsel. His opinion was that the collector would be justified in detaining the vessel. "It appears difficult," he wrote, "to make out a stronger case of infringement of the Foreign Enlistment Act, which if not enforced on this occasion, is little better than a dead letter. It well deserves consideration whether, if the vessel be allowed to escape, the Federal government would not have serious grounds of remonstrance".

On July 23rd this opinion went to the collector at Liverpool and a copy was also sent to Russell. The collector still refused to act and referred the matter to his superiors, the Commissioners of Customs. Still the latter held that there was not sufficient evidence, but both the Foreign Office and the Customs authorities sent the documents which they had received to the law officers of the Crown. Unfortunately, Sir John Harding, the Queens advocate, to whom they were first submitted, was suffering at the time from a mental breakdown and this fact was not known. Consequently, the papers lay untouched at his private house for several days, and in the meantime, the Alabama was being prepared for sea with all speed.

But on July 28th the papers came into the hands of the Attorney-General and the Solicitor General. The following day they recommended that the vessel should be stopped without loss of time. This order was at once telegraphed to Liverpool, but it was too late; for the "290" had left Liverpool that morning under the pretence of a trial ship. The Federal warship, the Tuscarora, which was

lying in wait for her, was successfully evaded, and she proceeded to Terceira in the Azores and anchored in Portuguese waters. There she was joined by the Agrippina, a barque which had sailed from London with a cargo of arms. While the "290" was completing her armament, another English vessel, the "Bahama", arrived from Liverpool, bringing the man who was to command the "290" - a Confederate Captain called Semmes - his staff, the rest of the crew, and additional stores and arms. When the transfer of the cargo was concluded, Semmes took command, hoisted the Confederate flag at the mast head, and christened the steamer the 'Alabama'.

In spite of all the efforts of Adams and Dudley, therefore, the vessel had escaped. Upon whom must the blame be laid? To a certain extent Russell is guilty of negligence and indecision, but this is the only charge which can be brought against him. As soon as he knew that the law officers had decided that the vessel should be detained, he sent orders to Liverpool commanding that this should be done, and after the escape he also despatched instructions to Ireland and the Bahamas to detain the vessel if she should put into Queenstown or Nassau. The gossip which was current in London at the end of 1862, stated^{ing} that the warning which had been given to Bullock on July 26th (that it would not be safe to leave the ship at Liverpool another 48 hours) came from Lord Russell must be regarded as absolutely untrue. Cobden, who was no friend of Russell's, wrote to Sumner early in 1862 that Russell was genuine in his desire to prevent the escape of the Alabama and that he had been tricked: Adams also tells us in his diary that Russell told him that he regretted the escape of the Alabama and that the case was a scandal and in some degree a reproach to our laws. Even at Geneva, Adams said as follows :- "I am far from drawing any

inferences to the effect that he (Earl Russell) was actuated in any way by motives of ill will to the United States, or, indeed by unworthy motives of any kind. If I were permitted to judge from a calm comparison of the relative weight of his various opinions with his action in different contingencies, I should be led rather to infer a balance of goodwill than of hostility to the United States".

We have also the authority of Spencer Walpole for the statement that Russell actually proposed ⁱⁿ a cabinet meeting that the Alabama should be detained at any British port at which she might touch. The following letter from the Duke of Argyll to Russell on December 5th 1872 supports this :- "You and I had a conversation one day about the escape of the Alabama or the Florida, (I forget which) and I urged on you that although she had fraudently escaped, when you had meant to seize her, that was no reason why we should not detain her if she touched at any of our ports. You agreed with me in this view and you drew up a despatch directing the Colonial authorities to detain her if she came into their power. If this order had gone forth, one great plea of the Americans could never have been urged against us, and the American claims would perhaps have never been made at all. But what happened? When you brought it before the Cabinet, there was a perfect insurrection. Everybody but you and I were against the proposed step. Bethell (the Lord Chancellor) was vehement against its legality and you gave it up".

Mozley, a regular writer for the 'Times', in his 'Reminiscences' says that there was not one of Her Majesty's ministers who was not ready to jump out of his skin for joy when he heard of the escape of the Alabama. The above statements show that this view is untrue as regards Russel and Argyll, and we may

be quite certain that Sir George Lewis and Milner Gibson, two steadfast friends of the North, also regretted the escape.

Mr Price Edwards, the collector at the port of Liverpool has also been severely criticised, and it has been stated that it was he who gave Bullock the warning of the 26th. There is, however, no evidence of this, and Edwards was probably an honest and well meaning man, who was afraid to assume any official responsibility without definite orders from the Commissioners of Customs. Whether he deliberately shut his eyes to the real facts of the case, it is of course impossible to discover.

But I certainly think that the Commissioners of Customs and their solicitor must be blamed, for with evidence before them which morally, if not legally, justified them in detaining the vessel, they abstained from action. Besides, why did they not formally require an answer from the Lairds respecting the real destination of the vessel, and thus set all doubts at rest?

Ford Rhodes states that it is doubtlessly true that the ship builders and ship owners of Liverpool and other ports, exulted in the escape of the Alabama, for the prospect that she would destroy the shipping of England's greatest rival on the sea gave them joy. He also thinks that certain members of the House of Commons shared these feelings, and that probably the same ideas entered the minds of certain members of the Cabinet. Yet no man can help his secret thoughts, and so long as one's wishes and sympathies do not interfere with one's policy they can be disregarded; and I am quite certain that although the negligence which allowed the Alabama to sail can never be denied, yet I am also convinced that the British Government were not at this time actuated by unfriendly feelings. They were criminally negligent but they were not hostile. I consider that this is proved by the fact that when Palmer and Atherton stated

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that the Alabama should be detained, orders were at once given that this should be done. The illness of Sir John Harding was also extremely unfortunate. Probably if the papers concerning the case had been examined at once the Alabama would never have escaped and one serious cause of friction would have been avoided.

Ford Rhodes considers that the action of Britain was unfriendly. I must confess that I cannot see this. The Government certainly neglected to use due diligence for the fulfilment of its duties as a neutral and its procrastination was fatal, but the sin was one of omission and not one of hostility or unfriendliness. Ford Rhodes, too, considers that the fault was one of omission and he thus seems to me to contradict himself.

It is, of course, much to be regretted that the British Government did not take more decisive measures to prevent the building and equipment of similar vessels. That this was not done we learn from Adams's despatches to Russell. On September 30th, for instance, he wrote to Russell that he had reasons to believe that other enterprises of a kind, similar to that of the Alabama, were in progress in British ports. Russell's reply of October 4th was curt and unsatisfactory, for he said that as much as Her Majesty's Government desired to prevent such concurrencies, they were unable to go beyond the law, municipal and international. It must be remembered that it was just at this time that the mediation project was being put forward and this probably accounts for the nature of the reply. Again on October 16th, Russell showed no desire of amending the existing state of things. "I have to remark that it is true the foreign enlistment act, or any other act for the same purpose, can be evaded by very subtle contrivances, but Her Majesty's government cannot on that account go beyond the letter of the existing law."

Consequently, on the same day, Adams reported to the State Department at Washington that it was very clear that no disposition existed in Great Britain to apply the powers of the Government to the investigation of the acts complained of, and that the main object of the United States must be to make a record which might be of use at some future day. This is the first hint we get of the correspondence which is to follow with regard to the depredations of the Confederate cruisers.

On November 20th, however, Adams, upon the instructions of his government, formally solicited redress for the national and private injuries thus sustained. These injuries were by no means inconsiderable, for from September 6th to December 5th the Alabama alone had captured and destroyed 28 vessels. Adams's position was strengthened by the fact that in 1794 all losses caused by the capture of British merchandise by vessels originally fitted out in the ports of the United States had been referred to a commission and compensation granted. He stated, however, in his despatch to Russell, that he was quite well aware that the provisions of the treaty of 1794 were no longer in existence, and that if they were, they bound only the United States to make good the damage which had been done, but he could not bring himself to suppose that Her Majesty's Government, by pressing for the recognition of the principle when it applied for its own benefit, did not mean to be understood as equally ready to sustain the same principle, when it might be justly applied to the omission to prevent similar actions of British subjects.

Russell's lengthy reply of December 19th defended the position of the Government. He stated that the circumstances which existed in 1794 were absolutely different from those of the Alabama, for then the French had openly and deliberately equipped privateers

in American ports, and these privateers had captured British vessels in American waters and had taken them as prizes into American ports. This, of course, was a systematic disregard of international law. With regard to the claim for compensation now put forward by the American government, he regretted that both North and South had deliberately set the Queen's Proclamation at naught. Arms had been shipped to both parties, and the government which had profited most by such unjustifiable practices was that of the Northern States. He then contended that Her Majesty's Government had just grounds of complaint against both of the belligerent parties, especially against the North, and he stated quite definitely that Great Britain could not be held responsible to either party for the irregular proceedings of British subjects. Any endeavour to make her so, would be about as reasonable as if Her Majesty's Government were to demand compensation from the United States for the injuries done to the property of British subjects by the Alabama, on the ground that the United States claimed authority and jurisdiction over the Confederate States by whom that vessel was commissioned.

Passages from American authors of high authority were then quoted in support of the British position. From Wheaton's International law he took the following :- "It is not the practice of nations to undertake to prohibit their own subjects from trafficking in articles which are contraband of war. Such trade is carried on at the risk of those engaged in it, under the liabilities and penalties prescribed by the law of nations or particular treaties;" and from Kent's Commentaries he stated that the United States had successfully shown that neutrals could lawfully sell at home to a belligerent purchaser or even carry to the belligerent contraband articles, subject of course to the right of seizure in transit.

Russell then claimed that the Alabama had sailed not only without the direct authority or indirect permission of the British Government, but actually in opposition to the municipal law and in spite of earnest efforts to prevent her.

He concludes as follows :- "Her Majesty's Government cannot, therefore, admit that they are under any obligation whatever to make compensation to the United States citizens on account of the proceedings of that vessel. As regards your demand for a more effective prevention for the future, of the fitting out of such vessels in British ports, I have the honour to inform you that Her Majesty's Government, after consultation with the law officers of the crown, are of the opinion that certain amendments might be introduced into the foreign enlistment act, which if sanctioned by Parliament would have the effect of giving greater power to the Executive to prevent the construction in British ports of ships destined for the use of belligerents. But Her Majesty's Government consider that, before submitting any proposals of that sort to Parliament, it would be desirable that they should previously communicate with the government of the United States and ascertain whether that government is willing to make similar alterations in its own foreign enlistment act".

Russell's reply is exceeding skilful, but it does not take into consideration the all important fact that the British Government had been criminally negligent in allowing the Alabama to sail, and that the "earnest efforts" made to stop the Alabama, were rather imagined than real.

Adams again showed in his reply of December 30th that the claim made by Great Britain in 1794 rested on exactly the same basis as the American claim of 1862, and he also denied that the Federal

Government had made systematic attempts to violate British neutrality. Then he proceeded to state that British vessels were constantly leaving British ports laden with contraband for the purpose of breaking the blockade, and that such vessels were insured by British merchants with the understanding that they were despatched for that illegal purpose. Already British property valued at £8,000,000 had been captured by United States cruisers for attempting to violate the blockade.

On January 19th Seward wrote that Russell's argument did not satisfy the President, that redress ought not to be granted, and that he hoped Great Britain would reconsider the subject. Adams was also authorised to enter into negotiations with regard to the amendments of the Foreign Enlistment Acts of both countries.

Before Adams received this despatch, Russell on January 24th had replied to his letter of the 30th, and he again contended that the circumstances existing in 1794 were different from those of 1862, because in 1794 the United States Government deliberately acquiesced in the fitting out of French privateers in American ports and allowed French ships to bring captured British prizes into American harbours. This, of course, was a just charge, and Adams by omitting any discussion of the topic in his next despatch, seems to agree with Russell's view.

But the Americans had no intention of allowing their claims to drop and the correspondence still continued. Seward on February 19th wrote as follows :- "It seems only necessary so far as that particular case (the Alabama) is concerned to repeat----that this Government does not think itself in justice to relinquish its claim for redress for the injuries which have resulted from the fitting out and despatch of the Alabama in a British port.

But if the Americans had determined to press their claims,
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the British Government were equally determined not to grant them, and on March 9th, Russell wrote to Adams that Her Majesty's Government entirely disclaim^d all responsibility for any acts of the Alabama, and they had hoped that they had already made this decision plain to the government of the United States.

By the end of this month matters were extremely serious. The correspondence of Adams and Russell re the Alabama had just been published in the London papers, and the nation as a whole was inclined to treat the American demand as a joke. It was known that other vessels were being built in British ports for the Confederate navy, and this fact, combined with the depredations of the Alabama and the refusal of Great Britain to acknowledge any responsibility, caused great irritation in America. Also on March 18th, a Confederate loan was floated in England and £5,000,000 were subscribed the same day. Indeed, before the books were closed, £16,000,000 were nominally subscribed. Mason wrote to Richmond in high glee of the 'triumphant success of our infant credit, which shows in spite of all detraction and calumny that 'Cotton is King' at last'. As a matter of fact his triumph was short lived, for within a few days the loan began to drop, and although the Confederate Government bought £1,500,000 worth of securities the Confederate credit never recovered. The money which was raised, was, however, destined to be spent in the building of war vessels for commerce destroyers, for breaking the blockade, and probably for attacking New York.

Adams was quite conscious that war could only be averted by careful diplomacy. On March 18th he wrote in his diary that 'the talk about the Alabama is "it is done and cannot be helped"'. Two days later he added, "Over all this grows a cloud, hanging darker

and darker from this country. I now begin to fear again that the peace will scarcely last six months". On March 21st he wrote, "My spirits are also failing me a good deal as the public indications grow more threatening. The course of the wealthy classes is turning the scale against us. They are recovering from the shock occasioned by the public manifestation of the popular sympathy, and are doing by indirection what they cannot effect directly. The only thing which would really check them, military success, does not come at our call."

Then on March 22nd he was visited by Mr Forster, and they discussed the gravity of the situation, Adams saying that he feared that a collision would come unless the British ministry could be persuaded to act with more energy in restraining the outfits of ships intended for the Confederacy in British ports. He then stated that there would be a demand in America for the issue of letters of marque if these outfits continued, and that if the President allowed this, the chances of a collision on the ocean would be much increased. He, therefore, urged Forster to do something to make the British ministry alive to the nature of the difficulty.

Meanwhile in America, the struggle with regard to the issue of letters of marque had already begun. In February a bill had been introduced in the Senate to legalize the issue of letters of marque. On March 3rd the bill became law, and Seward wished to put it into effect at once. Sumner, who had already protested against the bill being passed, strongly objected to this, and in support of his views produced letters from John Bright and an American banker in England called Bates, which showed that the issue of the letters would almost certainly mean war.

A letter of Sumner to Bright, dated March 16th, is exceedingly interesting as showing the prevailing state of feeling

in America, just as Adams shows the sentiment of Great Britain in his diary.

Sumner wrote as follows :- "I am anxious, very anxious, on account of the ships building in England to cruise against our commerce. Cannot something be done to stop them? Our people are becoming more and more excited and there are many who insist upon war. A very important person said to me yesterday "We are now at war with England, but the hostilities are all on her side". Today the Cabinet consider whether to issue letters of marque under the new statute. I have seen the President twice upon this question, which I regard as grave, for it is intended as a counter movement to what is done in England. I found myself powerless against it in the Senate, for there was a war fever, and you know how irresistible and diabolical that becomes." But in England, as we saw in Chapter III, pages 117 & 118, Russell's attitude was extremely favourable to the North, and this gave Adams a ray of hope. Another speech of the Foreign Secretary's on March 23rd was also cheering to a certain extent. "I do not believe the efforts of the Federals will be successful. But no man can say that the war is finally over, or that the independance of the Southern States is recognised. It would be a failure of friendship on our part at that^{is} moment, if we were to interpose and recognise the Southern States----It is our duty at present to stand still, and not to proceed to an act so unfriendly to the United States as that of the recognition of the South".

Yet Adams's hopes were soon to be extinguished. On March 27th, in the House of Commons, Forster called the attention of the government to the fitting out of ships of war in British ports for the Confederates and made a reference to the destructive career of the Alabama. Sir Roundell Palmer, the Solicitor General, maintained that the British Government had acted with diligence and promptitude

and that it was free from blame. Laird, whose firm had built the Alabama, declared that in the building of that ship, "everything was straightforward and above board"; and in the midst of great cheering, he declared that he would rather be handed down to posterity as the man who built the Alabama, than as such a man as Bright, who had deliberately set himself to cry up the institutions of another country, which when tested, had proved to be of no value whatever. Palmerston's speech which closed the debate was anti-Federal. He spoke as follows :- "There is no use in concealing, there is no use in disguising it - that whenever any political party, (whether in or out of office) in the United States, finds itself in difficulty, it raises a cry in England - as a means of creating what in American language is called political capital.---The solicitor general---has demonstrated that the Americans have no cause to complain---The British Government have done everything which the law of the country enabled them to do---You cannot seize a vessel under the foreign enlistment act, unless you have obtained evidence upon oath, authorizing just suspicions. We did not obtain such evidence---What would happen if you seized a vessel unjustly and without good grounds? There is a process of law to come afterwards and the government would be condemned in heavy costs and damages---Our neutrality is sincere and honest---Whenever it is in our power to enforce the provisions of that act legally and according to justice, we shall not be found wanting in the performance of our duty. I can only say that we cannot go beyond the law, which is one very difficult of execution--- I do trust that the people and the government of the United States will believe that we are doing our best in any case to execute the laws, but that they will not imagine that the cry raised will induce us to come to this house to alter the law".

Naturally, such a speech minimised the effect of all that Lord Russell had said a few days before. The feeling in Great Britain was that war was meant, and the great mercantile houses in London began to take precautions. Adams was quite conscious on ~~account~~ of the gathering storm, and wrote in his diary that he should do his best to avoid hostilities. It must be mentioned, however, that everybody did not unanimously agree with the position of the Government. The Spectator of April 4th said :- "We read the debate-- on the Alabama question with profound humiliation---The House of Commons---cheered and cheered again the statements of the Prime Minister and Sir Roundell Palmer---Mr Laird was not ashamed to justify his infraction of the provisions of the English statute book". In Manchester, the Union and Emancipation Society held a public meeting to protest against the fitting out of ships for the Confederacy, and there it was stated that no nation had ever inflicted upon another a more flagrant or more maddening wrong than Great Britain inflicted upon America when she allowed the Alabama to escape.

Meanwhile still another vessel, the Georgiana, had left Liverpool on January 22nd, in spite of Adams's remonstrances. In this case, as in that of the Alabama, very conflicting reports were sent to Russell. The American consul stated that there were small arms on board and probably rifled cannon, and that there were rings in the deck for the gun ropes; but on the other hand the foreman, who superintended the repairs of the vessel, said that she had neither gun swivels nor ring bolts, and that she was so slightly built that if a gun were fired on board her, it would shake her from stem to stern. Later, however, she appeared at Nassau as an armed British merchant vessel! Fortunately, however, she was driven ashore and destroyed before she had time to begin her career of piracy, and so

she cannot be considered as a mischief maker. During the first week in April, however, the Japan or the Virginia, which was to become another famous commerce destroyer, left the Clyde, ostensibly for Alderney. As a matter of fact, however, she did not stop there, but received her armament on the high seas from the steamship Allar of New Haven.

It was just before the debate in Parliament of the 27th that Dudley informed Adams that yet another ship, the Phantom, had been launched at Liverpool, and that the Southerner had arrived from Stockton either to coal or fit out as a privateer. He was quite convinced that both vessels were intended for the Southern Confederacy but he admitted that he supposed that it would be impossible to obtain legal evidence against them. Adams brought the facts to the notice of Russell who instructed the Mayor of Liverpool to make inquiries. At the same time another ship, the Alexandra, was being fitted out for sea in the same port, and her outfit was being directed by the men who had been concerned in the departure of the Alabama.

The friends of the North now knew quite well that unless the British Government made some attempt to show that its neutrality was sincere, war was practically unavoidable; for it was now known that in addition to the ships mentioned above, the Lairds were at work on two powerful ironclad ships of war, and as Sumner wrote to Bright on March 30th "If these ships get to sea, our commerce is annihilated".

Forster, determined to do his best and visited Adams to ask if the stopping of one vessel would do any good. "Yes, much good," was Adams's reply. Consequently on April 5th Russell informed Adams that he had sent orders for the seizure of the Alexandra. At first it was reported from Liverpool that when the customs surveyor took possession of her, she was armed with one very heavy gun and that

another gun unmounted was found on board. Later this was contradicted, and it was stated that although there was every appearance of fitting up for guns, there were actually no guns on board. This later statement was subsequently found to be true. The evidence with regard to the actual character of the vessel was overwhelming, and an information was filed ^{by} ~~on~~ the attorney-general on behalf of Her Majesty against the ship and the builders. On June 22nd the trial began. The Attorney-General showed that the vessel was constructed for a ship of war, that gun carriages and other warlike equipments were being made for her, that her builders had declared that she was being built for the Confederacy and that the persons who contracted for her and supervised her construction were Confederate agents. But the summing up of the Lord Chief Justice was in favour of the defendants. He read passages from American authorities which showed that a neutral power could supply a belligerent with munitions of war without any breach of international law or of the foreign enlistment act, and he asked why ships should not be included in the term 'munitions of war'. The question, in his opinion, which the jury had to consider, was whether the vessel was merely in course of building, to be delivered in pursuance of a contract that was perfectly lawful, or whether there was any intention in the port of Liverpool that the vessel should be fitted out, equipped, furnished and armed for purposes of aggression. He continued as follows :- 'Now, surely, if Birmingham or any other town may supply any quantity of munitions of war of various kinds for the destruction of life, why object to ships---- a man may make a vessel and offer it for sale---The statute is not made to provide means of protection for belligerent powers, otherwise it would have been said you shall not sell powder or guns and you shall not sell arms; and if it had done so, all Birmingham would have been in arms

against it. The object of the statute was this: that we should not have our ports in this country made the ground of hostile movements between the vessels of two belligerent powers which might be fitted out, furnished and armed in those ports. The Alexandra was clearly nothing more than in the course of building. It appears to me that if true that the Alabama sailed away from Liverpool without any arms at all, as a mere ship in ballast, and that her armament was put on board at Terceira, which is not in Her Majesty's dominions, then the foreign enlistment act was not violated at all----If you think the object really was to build a ship in obedience to an order in compliance with a contract, leaving those who bought it to make what use they thought fit of it, then it appears to me that the foreign enlistment act has not been broken".

It is, of course, apparent that such reasoning is clear and subtle, but it is absolutely untrustworthy, and it renders the Foreign Enlistment act null and void. From the actual terms of the act indeed, the above may possibly be deduced, but it is in absolute defiance of ^{the} spirit which had drawn up the act in question.

The jury, were, however convinced by the Lord Chief baron's reasoning and gave a verdict for the defendants. Thereupon the attorney general gave notice of an appeal. Naturally, the American government were far from satisfied with the progress of the law, for they considered that if the rulings of the lord chief baron were to regulate the action of the British government, there would be no law in Great Britain which would be effective to preserve mutual relations of forbearance between Great Britain and America. Also sanction would be given to the fitting out of the Alabama etc: and the United States would be without any guarantee against the unlimited employment of capital, industry and skill by British subjects in building, arming, equipping and sending forth ships of war from

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British ports to make war against the United States.

The following extract from Seward's despatch of July 11th to Adams, clearly shows the temper of the American people :- "If the law of Great Britain must be left without amendment and be construed by the government in conformity with the rulings of the chief baron of the exchequer, then there will be left for the United States no alternative but to protect themselves and their commerce against armed cruisers proceeding from British ports, as against the naval forces of a public enemy; and also to claim and insist upon indemnities for the injuries which all such expeditions have hitherto committed or shall hereafter commit against this government and the citizens of the United States----Can it be an occasion for either surprise or complaint, that if this condition of things is to remain and receive the deliberate sanction of the British government, the navy of the United States will receive instructions to pursue these enemies into the ports which thus, in violation of the laws of nations and the obligations of neutrality, become harbours for ^{pirates?} ~~privates~~. The President very distinctly perceives the risks and hazards which a naval conflict thus maintained will bring to the commerce and even to the peace of the two countries. But he is obliged to consider that in the case supposed, the destruction of our commerce will probably amount to a naval war, waged by a portion at least of the British nation, against the government and people of the United States - a war tolerated, although not declared or avowed by the British government. If such a partial war shall become a general one between the two nations, the President thinks that the responsibility for that painful result will not fall upon the United States".

Dudley and Adams were now closely watching the vessels which are usually called the Laird rams. The escape of the Florida
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had caused a certain amount of friction, which had naturally been increased by the still more flagrant case of the Alabama, the escape of the Virginia, and the decision with regard to the Alexandra. But the tension caused by the Laird rams was to become much more dangerous than that of any previous case; and indeed just before the rams were stopped, Britain and America were on the verge of war.

It was in the middle of July 1862 that the Lairds began to work on the rams, one of which was to be ready in March 1863 and the other in May. As early as November 1862, Dudley had informed Seward of the preparations of these ships, and he and Adams anxiously noted their progress. Public men in America, who still desired peace with Great Britain were also exceedingly disturbed. Sumner wrote in April that even more surely than in the time of the Trent, all the signs of war existed, and that all looked forward to action of a most decisive character if the ships came out.

Owing to certain unavoidable delays, the first of the rams was not launched until July 4th, and the other was delayed until August. Consequently all through July, Adams diligently called the attention of Russell to the ships and furnished him with evidence which showed their character and destination. Russell ordered an investigation, but the purpose of their construction was really a matter of common knowledge.

The Confederate agents considered that they must obtain the ships at all costs. Mr S.R. Mallory, the secretary of the Confederate Navy, wrote to Slidell on March 27th that "our early possession of these ships in a condition for service, is an object of such paramount importance to our country that no effort, no sacrifice, must be spared to accomplish it". On the other hand the naval officials of the United States were exceedingly alarmed lest this

should be done. Consequently they acted in a manner which cannot be defended, for they attempted to commit an action similar to that for which they were claiming indemnity. Two private gentlemen of high character and business reputation were sent to England at the shortest possible notice to outbid the Confederacy, and to buy the ships, if possible, for the United States, and they were given ten million dollars worth of freshly issued government bonds for this purpose. "You must stop the rams at all hazards," wrote the assistant secretary of the navy, "as we have no defence against them. Let us have them for our own purpose, without any more nonsense and at any price. As to guns we have not one in the whole country fit to fire at an ironclad----It is a question of life and death".

The mission, however, came to nothing, for the two emissaries discovered that to "offer to buy the ironclads without success, would only stimulate the builders to greater activity and even to building new ones in the expectation of finding a market for them from one party or the other".

Sheds lighted with gas had been erected over the rams, so that the work could be pressed on without any loss of time. But Captain Bullock was exceedingly anxious because of the increased watchfulness of British officials. He confessed himself much perplexed, and at one time said that he thought that the government was prepared to resort to an order in council to override the ordinary rules of law. Yet on the other hand, the sympathies of Liverpool for the Confederate cause was so great, that he assured the Confederate Secretary that "no mere physical obstruction could have prevented our ships getting out, partially equipped at least". As a matter of fact, I considered that he overestimated the force of Southern sentiment in Liverpool, for from the reports received concerning the detention of the *Alexandra*, it is quite clear that

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the seizure caused much excitement but nothing at all is said about any hostile demonstration.

Russell was also a factor to be considered, and Bullock knew this, for we find him confessing in January 1863 that "the hope of getting the ships out seems more than doubtful". Yet still the work of construction went on, and in July this had become so notorious that questions were raised in the House of Commons. Palmerston was not inclined to think that the ships were intended for the Confederacy and supported the rumour that they were meant for the Emperor of France. Earl Cowley, the British ambassador at Paris however, after inquiries stated that this was not so. Then it was stated that the ships were intended for the viceroy of Egypt, but this was in turn denied.

As a matter of fact, however, Bullock had visited Paris early in 1863 and the ships had been sold to a French firm, Messrs Bravay & Co, who had engaged to resell them to the Confederacy, when they had escaped British jurisdiction. From the documents, which Adams submitted to Russell, it is quite clear that he suspected this transaction, and that he was well aware that some trick of getting the rams out under foreign papers was intended. Consequently his remonstrances to Russell still continued. The law officers of the crown had meanwhile sifted all the evidence which Russell had received, and on their authority Russell wrote to Adams on September 1st that the British Government had been advised that much of the information which had been submitted was merely hearsay and that there was nothing to show that the purpose of Mr Bravay was illegal. Consequently the Government could not interfere with the vessels. But a promise was given that a careful watch should be kept over them, and that they should be stopped if trustworthy evidence, showing that they were really intended for the Confederacy, could

be procured.

One must admit that for Russell the situation was disturbing in the extreme. He certainly wished to do what was right, but he was staggered by the confident assertion of the French ownership of the vessels, and by the fact that the law was against interference. If he interfered and seized the vessels without sufficient cause, the Government would be forced to pay heavy damages, and naturally Russell wished to avoid this. The situation for all concerned was critical in the extreme, for now, September 3rd, there was good reason to believe that at any time, one of the rams might put to sea.

"After long wavering and hesitation," Adams wrote in his diary, "there are signs that the ministry will not adopt any preventive policy. Their moral feebleness culminates in cowardice, which acts like the greatest daring. It precipitates a conflict. My duty is therefore a difficult one. Without indulging in menace, I must be faithful to my country in giving warning of its sense of injury. Nothing must be left undone that shall appear likely to meet the danger. To that end I addressed a note to Lord Russell at once". With this note of September 3rd he transmitted copies of further dispositions regarding the vessels, and he affirmed that there were no grounds for doubting that the rams were intended for the Confederacy.

The next day, Friday September 4th, he wrote in his diary as follows :- "A notice from Mr Dudley that the war vessel was about to depart, compelled me to address another and stronger note of solemn protest against the permission of this proceeding by the government. I feared, however, that it would be of little avail, and my prognostications proved but too true, and I received at 4 o'clock a note (Russell's of the 1st) announcing that the government could find no evidence upon which to proceed in stopping the vessel. This

affected me deeply. I clearly foresee that a collision must now come of it. I must not, however, do anything to accelerate it; and yet must maintain the honour of my country with proper spirit. The prospect is dark for poor America. Her trials are not yet over".

After a night of reflection his conclusion was that another note must be sent to Russell. This was his celebrated despatch of September 5th. "My lord, at this moment when one of the iron clad vessels is on the point of departure from this kingdom, on its hostile errand against the United States, I am honoured with yours of the 1st instant. I trust I need not express how profound is my regret at the conclusion^{to} which Her Majesty's Government have arrived. I can regard it no otherwise than as practically opening to the insurgents free liberty in this kingdom to execute a policy of attacking New York, Boston and Portland, and of breaking our blockade. "It would be superfluous in me to point out to your lordship that this is war---I prefer to desist from communicating to your lordship even such portions of my existing instructions as are suited to the case, lest I should contribute to aggravate difficulties^{already} far too serious".

But before Russell received this despatch, he had decided that the vessels must be stopped. His reasons for this action are not hard to find. At the very end of August, Adams had visited the Duke of Argyll, and he had told him that the situation was grave and critical, and that his instructions were far more stringent than he had yet been disposed to execute. It is more than probable that Argyll communicated this to Russell, who consequently, not wishing to give America a similar cause of offence to the Alabama, ordered the vessels on September 3rd to be detained, "as soon as there is reason to believe that they are actually about to put to sea".

It is rather curious that on the following day, he merely informed Adams that the Government were seriously considering the matter, when really decisive action had been taken. Then on September 5th he ordered that the vessels "be prevented from leaving Liverpool" or on any other pretext until satisfactory evidence can be given as to their destination; and on the same day a confidential note was sent to Washington requesting that Seward should be told that the rams had been stopped. Yet it was not until September 8th that Adams was informed of the action which had been taken. The reasons for this I am quite unable to explain. Lord Derby in the House of Lords, on February 15th 1864, asked how it happened that having come to the decision on the 3rd to stop the rams, Lord Russell wrote on the 4th to say the matter was under consideration. Lord Russell's answer seems to me to be extremely weak. He contended that the Treasury were still considering the matter, and that he had to wait for their answer. Yet in spite of this, it is an undoubted fact that his decision was made before the answer came.

The Foreign Office now made a careful and systematic investigation, and discovered beyond all doubt that the ships were intended for the Confederacy. Neither the Government or the owners wished however to run the chances of a trial; and so, as the best way out of the difficulty, the rams were purchased by the British Admiralty.

How grave the crisis had been, is seen by a remark in Adams's diary. "I know not that even in the Trent case, I felt a greater relief". Undoubtedly if Russell had not ordered the detention of the vessels, war would have followed. Consequently one cannot agree with Lord Charnwood's view that the Trent was the last cause of serious friction.

Even now in spite of the seizure of the rams, a certain amount of friction existed. The correspondence with regard to the

Alabama claims was still continued, and a letter of Earl Russell dated September 14th shows a certain amount of irritation. "When the United States government assume to hold the government of Great Britain responsible for the captures made by vessels, which may be fitted out as vessels of war in a foreign port, because such vessels were originally built in a British port, I have to observe that such pretensions are entirely at variance with the principles of international law and with the decisions of American courts of the highest authority; and I have only, in conclusion, to express my hope that you may not be instructed again to put forward claims which Her Majesty's government cannot admit to be founded on any grounds of law or justice".

Another despatch of September 25th was still more unfriendly, for it stated that the British Government would not be induced by any intimation of hostile proceedings on the part of the United States to alter the foreign enlistment act, and that they would not shrink from the consequences of such a decision. This, of course, is very different from the attitude which prevailed at the end of 1862, when the British Government was practically willing to make alterations which would give greater power to the Executive to prevent the construction of ships, which were to be used against friendly powers, in British ports. As early as February 1863, however, Russell had informed Adams that the Cabinet and Lord Chancellor had expressed the opinion that the enlistment act was sufficiently effective and could not therefore be amended.

This decision seems to me to herald sufficiently well the months of friction and irritation which were to follow.

Seward's despatch of October 5th also shows that America was prepared for war. He says as follows :- "Our measures of maritime war are intended to resist maritime aggression which is

constantly threatened from abroad and even more constantly apprehended at home----But the resistance of foreign aggression by all the means in our power, and at the hazard, if need be, of the national life itself, is the one point of policy on which the American people seem to be unanimous and in complete harmony with the President".

But although America was quite ready for war, if the outfitting of ships for the Confederacy in British ports should be continued, she was ready to make concessions to avoid it. Consequently in a despatch dated October 6th, Seward wrote that although the United States must continue to insist that Great Britain was responsible for the depredations of the "Alabama", yet they understood the difficulties and embarrassments under which the British Government was labouring, and they therefore confessed freely that the time was not entirely favourable to claim and candid examination of either the facts or principles involved in the Alabama case. Yet Adams was to inform Russell that he must give him notice of any claims which should arise. If Russell declined to receive this evidence, Adams was to duly register and preserve it until a suitable occasion should occur for renewing the persecution of the claims". We shall see later how this, ^{matter} was settled to the satisfaction of both countries.

From the above detailed account of the Alexandra and the Laird rams, we have already seen that the months of April to October 1863 were exceedingly critical ones. Nor was this state of things improved by the activities of certain members of the House of Commons with regard to the question of the recognition of the Southern Confederacy. This point must now be considered, for it is found side by side with the shipbuilding problem.

In Chapter III we saw how the crisis of recognition in 1862 was passed with the narrowest possible margin of safety, though at the

opening of Parliament in 1863, the Government was congratulated on its policy of non-intervention, and we noticed the very different opinions expressed by Lord Russell on March 23rd and by Lord Palmerston on the 27th. We must now consider the vital factor in the situation - namely America herself.- Her attitude was made clear by resolutions which were introduced and passed through both Houses of Congress on March 3rd, acknowledging the friendly form and intention of the overtures made by foreign powers in the direction of mediation, and saying that if the idea of mediation should continue to be regarded as practicable, it might lead to proceedings tending to embarrass the friendly relations between the United States and foreign powers, and that to remove for the future all chance of misunderstanding on the subject, it seemed fit that Congress should declare its conviction thereon. The resolution, which followed this introduction, was at once a declaration of the attitude of the United States and a formal warning to all foreign powers that their intervention was not desired and would not be entertained. Deep regret was expressed that the blow aimed at the national life, had fallen so heavily upon the labouring population of Europe, but it was stated that any proposition from any foreign power with regard to intervention would prolong the conflict, and cause increased expenditure of blood and treasure. Such an act would also be looked upon as unfriendly.

The resolutions also expressed the disappointment of Congress at the hospitality and encouragement which a rebellious government, founded upon slavery as its corner stone, had received from foreign powers, and they closed with the announcement that the war would be vigorously prosecuted, according to the humane principals of Christian states, until the rebellion should be suppressed.

Copies of these resolutions were then sent to the Ministers
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of the United States in foreign countries, and by them they were communicated to foreign governments. But there were still certain members of the Commons who wished to meddle in American affairs, and of these the two most conspicuous were John Arthur Roebuck and W.S. Lindsay. Practically from the beginning of the conflict, Louis Napoleon had desired some form of intervention, but he could not move without the co-operation of the British Government and as we have already seen, this was refused in November 1862.

Owing chiefly to the friction of April to November 1863, Louis Napoleon in June again revived his schemes, and towards the end of this month Lindsay and Roebuck visited him in Paris and received assurances of the most outspoken character. Consequently on June 30th, Mr Roebuck in the House of Commons brought forward a motion for the recognition of the Southern Confederacy, asking the Government to negotiate with France for this end. During his speech he gave an account of his interview with the Emperor, and of some important declarations made by the Emperor, who, he said, had given him permission to disclose the same. He stated that the Emperor spoke as follows :- "As soon as I learnt that the rumour of an alteration in my views was circulating in England, I gave instructions to my ambassador to deny the truth of it. Nay, more, I instructed him to say that my feeling was not indeed exactly the same as it was, because I was stronger than ever in favour of recognising the South. I told him also to lay before the British Government my understanding and my wishes on this question and to ask them still again whether they would be willing to join me in that recognition".

"Now, sir", he continued Mr Roebuck, "there is no mistake about this matter. I pledge my veracity that the Emperor of France told me that. And - what is more - I laid before his Majesty two courses

of conduct. I said, "Your Majesty may make a formal application to England". He stopped me and said, "No, I cannot do that and I will tell you why. Some months ago I did make a formal application to England. England sent my despatch to America. That despatch, getting into Mr Seward's hands, was shown to my ambassador at Washington. It came back to me; and I feel that I was ill treated by such conduct. I will not, I cannot, subject myself again to the danger of similar treatment. But I will do everything short of it. I give you full liberty to state to the English House of Commons this my wish, and to say to them that I have determined in all things to act with England; and more than all things I have determined to act with her as regards America".

After quoting this speech, Roebuck urged the Government to act with France, and asked if they were afraid of war. "War with the Northern States of America," he exclaimed, "Why, in ten days, sir, we should sweep from the sea every ship".

Of course, it is quite obvious that there could only be one effect of so disastrous a speech. The Emperor was forced to disavow the statements made, and the British Government still advocated their policy of non-intervention. Lord Robert Montague at once moved an amendment to the motion in question and he was seconded by W.E. Forster. So badly had Roebuck handled the affair that although the majority of the Commons were pro-Confederates, he was obliged on July 13th to withdraw his motion without insisting on a division. Palmerston himself added some emphatic comments on the occurrence, saying that he thought Mr Roebuck had judged rightly in withdrawing his motion, for no good could come of its discussion. He also hoped that this would be the last time that any member of the House would think it his duty to communicate to a British House

of Commons what might have passed between himself and a sovereign of a foreign country. He attached no blame to Mr Lindsay or Mr Roebuck, although their proceedings had been so irregular.

Thus the affair terminated greatly to the disgust of the Confederates. Hatred of Great Britain in the South was now steadily growing. Yet at the same time Sumner wrote his letter of August 4th to Bright :- "Your government recklessly and heartlessly seems bent on war. A leading merchant said to me this morning that he would give 50,000 dollars for a war between England and Russia, so that he might turn English doctrines against the English. The feeling is very bitter".

Yet the feeling in the South was if possible more bitter. Recognition was denied them, and the rams on which they had placed their hopes of success were detained. On July 19th a still greater blow was given to the cause of the South in England, by the news of the Federal victories of Gettysburg and Vicksburg. Adams had said that military success would further the Northern cause more than anything else, and now this success was being obtained. The following note of the 19th in Adams's diary shows the prevailing irritation:- "Our amiable friends, the British, who expected to hear of the capture of Washington are correspondingly disappointed". On the 20th he wrote in much the same strain :- "Perhaps the most curious phenomenon is to be seen in the London newspapers, which betray the profound disappointment and mortification of the aristocracy at the result. They persist in disbelieving the fact of the fall of Vicksburg".

Bright wrote to Sumner as follows :- "I need not tell you with what feelings of gratification and relief, I have received the news of your recent success. The debate on the foolish Roebuck Proposition took place when there was much gloom over your prospects
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and the friends of the 'secesh' here, were rejoicing in the belief that your last hour had come. How soon are the clouds cleared away and how great is now the despondency of those who have dishonoured themselves by their hatred of your people and government! The loan (Confederate) is down near 20% in little more than a week, and is now, I suspect, unsaleable, and people are rubbing their eyes and wondering where the invincible South has gone to. Our pro-slavery newspapers are desperately puzzled, and the whole mass of opinion is in confusion".

As we can well imagine the Confederates in London were very disheartened. As early as January, Benjamin the Confederate Secretary of State, in a letter to Slidell, had complained that Mason had "been discourteously treated by Earl Russell," and in March he wrote that "the irritation against Great Britain is fast increasing". In June his words were practically insulting :- "The mutual relations of the United States and Great Britain----seem to have now become settled on the established basis of insulting aggression on the one side and tame submission on the other---It is impossible not to admire the sagacity with which Mr Seward penetrated into the secret feelings of the British Cabinet and the success of his policy of intimidation, which the world at large supposed would be met with prompt resentment, but which he with deeper insight into the real policy of that Cabinet, foresaw would be followed by submissive acquiescence in his demands". Then on August 4th he wrote Mason that the President, from the recent debates was convinced that Britain would not recognise the Confederacy, and he was to consider his mission at an end and leave London. This despatch was received on September 14th, but a private letter which accompanied it, informed Mason that he could use his discretion with regard to putting this order into effect. As a matter of fact,

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he waited a week to consult Slidell and then informed Russell of the termination of his mission on September 21st, as follows :-

"My lord, - In a despatch from the Secretary of State of the Confederate States of America, dated 4th day of August last, and now just received, I am instructed to consider the commission which brought me to England as at an end, and I am directed to withdraw at once from this country. The reasons for terminating this mission are set forth in an extract from the despatch, which I have the honour to communicate herewith. The President believes that "the Government of Her Majesty has determined to decline the overtures made through you for establishing, by treaty, friendly relations between the two governments and entertains no intention of receiving you as the accredited Minister of this Government near the British Court. Under these circumstances your continued residence in London is neither conducive to the interests nor consistent with the dignity of this Government; and the President therefore requests that you consider your mission at an end and that you withdraw with your Secretary from London." Having made known to your Lordship on my arrival here the character and purposes of the mission entrusted to me by my Government, I have deemed it due to courtesy then to make known to the Government of Her Majesty its termination, and that I shall, as directed, at once withdraw from England".

Adams wrote to Seward on September 24th that "The Times distinctly admitted that this withdrawal was a relief to the British Government"; and I consider that this statement can be considered as true. At any rate no serious cause of friction arose between the British and American governments after Mason's departure. Adams himself said that he failed to see how Mason could have annoyed the

British Government, but he was doubtlessly instrumental in causing friction between this country and the North.

We have already discussed the chief events which, until the end of 1863, made war between Britain and America more than a probability - namely the Trent case, the pro-Southern tendencies of the aristocracy, the stinging speeches of the press, and the activities of the Southern emissaries with regard to recognition and the outfitting of ships. We have also seen the general state of irritation which existed between the two nations, and how this was fostered by what the Americans considered the "unfriendly neutrality" of Great Britain.

We shall now see how the minor causes of friction which arose, were chiefly connected with the blockade and the violation of British neutrality.

As early as November 18th, President Davis in his message to the Confederate Congress at Richmond, stated that he had caused evidence to be collected which completely proved the inefficiency of the blockade and that he had directed such evidence to be laid before foreign governments. To make matters worse, Great Britain had already what she thought to be sufficient cause of protest with regard to the treatment of British vessels captured while attempting to run the blockade.

On September 11th Seward wrote that "the inefficiency of the British laws to prevent violations of our rights is deeply to be regretted," thus showing that America, too, was considering herself as injured.

We will now consider the minor causes of friction in 1863 1864 which confirm these points, and we shall find that they centre round the Sumter, the arbitrary arrests of British subjects, and the cases of the Adeline and the James Campbell.

The Sumter was a Confederate sloop of war which as early as August had succeeded in capturing eleven American vessels. On September 30th she entered the harbour of Trinidad and remained there for 6 days and was allowed to supply herself with coal. Seward complained of this, and also stated that the British flag had been hoisted on the flag staff in honour of her arrival and that the officers of the British war vessel Cadmus seemed to be on friendly terms with the officers of the Sumter.

Russell acknowledged that the Sumter had been allowed to supply herself with coal and provisions but held that there was no illegality in these proceedings. He also stated that if the Governor had hoisted the British flag, it was not in acknowledgment of the arrival of the Sumter, but merely to show the nationality of the island. Lincoln, however, held that the Sumter was a piratical vessel and that Russell's reply was consequently not satisfactory. Great Britain, however, still held to her original position, although, as we shall see, similar complaints were made later.

I do not consider this claim of the United States as just. Ships of the Northern States were admitted to British ports to coal and victual, and consequently the same hospitality must be extended to Confederate vessels. When Seward's ^{replied} reply that the powers of Europe (with the exception of England) refused to allow privateers to remain more than 24 hours in their ports, the British Government stated that they, too, were ready to comply with this rule, but that the same would apply to ships of the United States.

In November, the British Government complained of the arrest of a certain William Patrick, a British subject, under the suspension of the act of Habeas Corpus Act, saying that the deed was wanton

and capricious, and until Congress formally gave the President permission to dispense with the act, they must consider such measures illegal. In this case Seward confessed that a mistake had been made, but that the error had been promptly corrected and thus he considered that everything necessary had been done.

Then in the following month came the case of the James Campbell, a British schooner, captured while attempting to run the blockade. This vessel was taken into New York with the British flag flying underneath the American one. As soon as the superior naval authorities at New York perceived the position of the flag they at once ordered it to be removed, and a letter was written to the British consul to express regret at the occurrence. The Commander of Her Majesty's ship Racer was also informed that there was absolutely no intention on the part of the American government to show disrespect to the British flag.

When Lord Lyons, acting under the instructions of the Home Government, made inquiries about the incident, the following letter, from the man who was responsible for the error, was forwarded to him :- "Commodore, not being acquainted with the custom of fetching in prizes, I was under the impression that I was right. My intention was to do right but it was not done for any bad purpose or intention to insult the English flag in any way whatever. I was wrong for so doing and truly hope the department will forgive me".

The dignified reply of Lyons is in striking contrast to this simple confession. Thanks were expressed for the prompt measures taken by the United States authorities to do away with the unpleasant impression produced by the error of the prize matter.

Great Britain also showed that she was determined to protect the rights of her subjects in the case of the schooner Adeline.

This vessel, like the James Campbell, was captured whilst attempting to run the blockade. Her captain, pilot, and mate, (who admitted running the blockade several times) were claimed as British subjects by the British consul at Key West. Woodhull, the commander of the United States Ship, Connecticut, which had made the capture, on legal advice liberated the men after they had taken an oath not to embark again in a like enterprise. Lyons on December 30th complained of this, and Seward realising that the act could not be defended, released the men from their obligation. Welles, the Secretary of the Navy, also gave orders that similar conditions for the release of persons found on board prizes could not be exacted.

It will of course be apparent that both governments while zealously protecting their rights, were yet ready to make reparation quickly, when any act, not conformable to international law, was committed. Of course, while even these minor cases served to increase any irritation which existed, yet the willingness of both governments to make amends was fully appreciated, ^{both} here and in America.

The case of the Perthshire seems to me to well prove the above statement, at least as regards America. This ship left Mobile before the blockade was put in force, and yet she was captured by the United States Steamer Massachusetts and illegally detained. After her release was ordered, her owner claimed damages, and a bill was passed by the House of Representatives to provide the necessary compensation.

With regard to the British Government, the affair of the British steamer, General Miramon, shows a somewhat similar attitude. Golding, the captain of this vessel, was allowed to enter the blockaded port of Mobile for the purpose of performing an act of

humanity. Yet he took advantage of this permission to discharge one cargo of merchandise and take on board another. These facts were brought to the notice of Her Majesty's Government; and the answer was given that if the facts alleged did not admit of a satisfactory explanation, Her Majesty's Government much regretted that a British shipmaster should have abused the confidence of the commander of the blockading squadron. Such an attitude, naturally argued the best for both nations.

In 1862, owing to the continued efforts of British subjects to run the blockade, similar cases to the above were much increased. The blockade itself and the methods of maintaining it were much discussed. On February 10th in the House of Lords, Lord Malmesbury stated that Mason had declared that no less than six or seven hundred ships had broken the blockade and entered Southern ports. If this state of things continued, the inconvenience arising from the blockade could no longer be endured. Russell's reply was that the question under discussion was extremely important and that the Government were considering the matter. He therefore hoped that any judgement on the question would be reserved until the House had received further information. It was an evil if the blockade was ineffective and therefore invalid, but it would also be a great evil if Britain were to run the risk of a dispute with the United States without having strong ground for it.

A week after this, Mason sent to Russell a list of vessels which had entered and cleared out of the blockaded ports and claimed consequently that the blockade was ineffective. But a letter from Russell to Lyons dated February 15th shows that the British Government were hardly prepared to take this view. He stated that the blockade could not be considered ineffective because various

ships had eluded it, and that a neutral state ought to exercise the greatest caution with reference to the disregard of a de facto and notified blockade.

On March 7th the subject was brought before the Commons . W.E. Forster denied that the blockade was ineffective and stated that the list of 300 vessels which had been handed in by Mason dwindled to 19 after investigation and these had escaped on dark and stormy nights.

The previous month Seward too had held that the blockade was "as nearly absolutely effective as any blockade ever was". In this same despatch of February 17th he had also stated that far the largest portion of vessels which had run the blockade were British vessels and he complained that the British government took little care to discourage or repress that prohibited trade.

Russell's answer of March 27th was far from satisfactory for while stating that Great Britain had abstained from any complaint with regard to the irregularity of the blockade, he said that the British Government could not prevent merchants from sending ships to sea destined for the Southern ports. Of course if such ships were captured, condemnation was the proper penalty. There is of course no doubt that British activity was being vigorously directed in this direction. On May 8th Adams wrote to Russell that he had before him a list of 11 steamers and 20 sailing vessels that had been equipped within 30 days, or which were still preparing in one port of Great Britain alone, to run the blockade. He also stated his belief that the business of evading the blockade was reduced to a deliberate system, emanating from a central authority in London.

Two days later came Russell's reply - calm, courteous, but firm and decided :- "The foreign enlistment act is intended to

prevent the subjects of the crown from going to war when the sovereign is not at war. Thus private persons are prohibited from fitting out a ship of war in our ports, or from enlisting in the service of^a foreign state at war with another state or in the service of insurgents against a foreign state. In these cases the persons so acting would carry on war----But owners and masters of merchant ships carrying warlike stores do nothing of the kind.If captured, they are tried and condemned to lose their cargo. This is the penalty which the law of nations has affixed to such an offence; and in calling upon Her Majesty's government to prohibit such adventurers, you in effect call upon Her Majesty's government to do that which it belongs to the cruisers and the courts of the United States to do for themselves. There can only be one plea for asking Great Britain thus to interpose. That plea is that the blockade is in reality ineffective, and that merchant ships can enter with impunity the blockaded ports. But this is a plea which I presume you will not urge".

A week later Russell made the British position even more clear by stating that if the British Government had prohibited the transport of arms and ammunition to the Confederate States, it would also have been obliged to prohibit such transport to the Federals. The blockade had naturally prevented the Confederates from obtaining ammunition in the same quantity as the Federals, and consequently British neutrality had been more advantageous to the North than the South.

The Howell and Zirman Episode in April 1863 can only be described as unfortunate. Howell & Zirman were heads of a shipping house in England - (one at least if not both, were American citizens) - and being about to send a vessel with a cargo to Mexico, they applied to C.F.Adams for a certificate which would show that this was their real design.

This certificate was to be entrusted to the captain to secure the vessel from capture, if she were overhauled by any blockading vessel.

Adams, on April 9th, thereupon wrote the following letter:-
"Amid the multitude ^{of fraudulent} and dishonest enterprises from this Kingdom to furnish supplies to the rebels in the United States, through the pretence of a destination to some port in Mexico, it gives me pleasure to distinguish one which has a different and creditable purpose. Messrs Howell and Zirman have furnished me with evidence which is perfectly satisfactory to me, that they are really bound ^{to} _{Matamoros} with a cargo intended for the Mexicans. I therefore cheerfully give them this certificate at their request. It is not the disposition of the Government of the United States to interfere in any way with an honest, neutral trade, and it is deeply to be regretted, that the frauds which have been so extensively practised in this country, have contributed so much to throw it under suspicion".

This letter was made public at Lloyd's, and a deputation of merchants at once brought the matter to the notice of Russell, commenting severely upon the action of Adams. The matter was discussed in the Lords, and an attempt was made to charge Adams with interfering with British commerce and with giving advantage, by his certificates, to one British ship over another.

Adams denied any such intention and said that he believed that he had a perfect right to give certificates to American citizens to trade with Mexico and that this was all that he had done. Yet the letter ought never to have been written, because if the granting of such certificates became general, any ship without such protection would run the risk of capture by the blockading squadron.

The whole incident indeed, at this time, is to be regretted.

But although the British Government was not disposed to interfere in order to prohibit blockade running, yet at the same time it was determined to give no protection to any British subject thus employed. In June, ^{1862,} for instance, certain British merchants and shipowners in Liverpool sent a memorial to Russell, stating that they viewed with considerable anxiety and apprehension the hostile attitude of Federal cruisers in the Bahama waters, and they prayed that steps might be taken to protect British shipping in these waters and to check the seizures so repeatedly made by the cruisers. The reply of Russell on July 5th was that, owing to the attempts made by English vessels to run the blockade, he was not surprised at the vigilance of the United States cruisers and that the only remedy was for Liverpool shipowners to refrain from this species of trade. "It exposes innocent commerce to vexatious detention and search by American cruisers - it produces irritation and ill will on the part of the population of the Northern States of America, and it exposes the British name to suspicions of bad faith----Her Majesty's Government have done all they can fairly do; that is to say, they have urged the Federal Government to enjoin upon their naval officers greater caution in the exercise of their belligerent rights. Her Majesty's Government have only further to observe that it is the duty of Her Majesty's subjects to conform to Her Majesty's proclamation and abstain from furnishing to either of the belligerent parties any of the means of war which are forbidden to be furnished by that proclamation".

No further question arose with regard to the effectiveness of the blockade; ^{but} and in spite of American protests British vessels still continued, during this year (1862) and during 1863, their attempts to enter blockaded ports. Adams continually brought the

subject to the notice of the British government, but always the reply was that nothing could be done. On July 11th 1863 for instance, in a despatch to Russell, Adams complained of the despatch from the United Kingdom of "numbers of steam vessels, laden with arms and munitions of war of every description, together with other supplies, well adapted to procrastinate the struggle, with a purpose of breaking a blockade legitimately established and fully recognised by Her Majesty".

Russell however still defended the neutrality of Her Majesty's Government. "With regard to the general duties of a neutral, according to international law, the true doctrine has been laid down repeatedly by Presidents, and judges of eminence, of the United States, and that doctrine is that a neutral may sell to either or both of two belligerent parties any munitions of war". A fortnight later in his speech of September 26th he maintained the same position. "The principle (of the Foreign Enlistment Act) is clear enough. If you are asked to sell muskets, you may sell muskets to one party or to the other, and so with gunpowder, shell or cannon; - you may sell a ship in the same manner. But if you will on the one hand train and drill a regiment with arms in their hands, or allow a regiment to go out with arms in their hands, to take part with one of two belligerents, you violate your neutrality and commit an offence against the other belligerent. So in the same way with regard to ships, if you allow a ship to be armed and go at once to make an attack on a foreign belligerent you are yourself taking part in the war and it is an offence which is punished by the law".

Yet the continued complaints of Seward and Adams after the seizure of the rams were not without effect. In support of this from the "Secret Service of the Confederate States", I quote the following words of Bullock :- "After the seizure of the rams

Earl Russell applied the Foreign Enlistment Act so stringently with reference to the Confederate States, that it was very difficult to forward the most essential supplies".

Consequently while Southern hatred of Great Britain increased, the tension which had existed between Great Britain and the North was somewhat relaxed. This point will be further developed when we consider the relations of Britain and America after October 1863.

So far we have only spoken more or less generally of the activities of British subjects with regard to running the blockade, but now we must consider a few of the outstanding cases, one of which is the Emily St Pierre. Adams wrote to Russell on April 24th 1862 that this ship, being under a British register and belonging to British subjects of Liverpool, was found on March 18th attempting to run into the port of Charleston in S. Carolina, in violation of the blockade there legitimately established. She was seized and her crew (with the exception of the commander, the steward, and cook) removed, and a prize crew of three officers and 12 men was put on board and ordered to take the ship to Philadelphia. The commander, being left at liberty on board, formed a scheme by which he surprised and took possession of the vessel and compelled the seamen to navigate the ship to Liverpool, where he sent them ashore and took shelter for himself under the authority of the British Government. The Federal Government thereupon asked that the vessel should be surrendered, but the British Government would not agree; and after a correspondence which lasted for several months the Americans finally gave up pressing this claim.

The case of the Labuan also affords evidence that the American government desired to maintain the principle of international law. This steamer was seized early in 1862 at

Matamoras in Mexico, by the United States frigate Portsmouth, and taken to New York as a prize. This seizure in neutral territory, although the vessel was probably a blockade runner, was illegal, and the British Government consequently forwarded a protest. Seward gave directions that seizures under similar circumstances should not be made, but the vessel was not released and finally she was brought before a prize court. Russell on April 19th complained to Adams that that course was regrettable, especially when Spanish and Danish ships (which had been unjustifiably captured) were released without being sent before a prize court and ~~when~~ compensation ~~had been~~ paid. The reply of Adams was that Spanish and Danish ships had not attempted to break the blockade in the same manner as English ships, and that they were therefore released more readily. In May, however, the Admiralty court decreed restitutions and Seward admitted that the claimants were entitled to damages.

The United States also considered at this time that Great Britain, while extending the hospitality of her ports to Confederate officers and ships, was inclined to treat Federal officers with scant courtesy. Consequently when in April, Lieut: Mc Dougal of the United States ship of war Saginaw, was requested to remove his ship from Hong Kong and its dependencies, the Federal Government complained and said that the interests of American commerce in the East required the presence of American vessels there. In July Adams again wrote to Russell and compared the treatment of the Saginaw with ^{the hospitality extended to} ~~that of~~ the Sumter in Gibraltar. Russell however took his stand on the proclamation of January 31st 1862, (which stated that no belligerent warships were to enter British ports; and if they were compelled to do so owing to need of repairs, they were to leave within 24 hours after these had been completed), and

claimed that the Sumter was at Gibraltar before the Proclamation was issued but that the Saginaw went to Hong Kong subsequent to the issue. Adams claimed however that the proclamation did not go into effect at Hong Kong at the time of its issue in London, but from the date of its reception by the local governor, and that consequently the Saginaw arrived at Hong Kong more than a fortnight before the issue of the Proclamation. The subject was however left unsettled.

But the Sumter was still to remain a cause of discussion. After a career of devastation, to escape destruction by Federal ships she took refuge in Gibraltar, and on December 19th 1862, in spite of the protests ^{of} ~~on~~ the American consul she was sold to an English purchaser. On December 30th Adams wrote that his government could not recognise the sale, for it was merely a manoeuvre to rescue the vessel from her present position. On January 1st Russell stated that the law officers of the crown were considering the case. Adams was determined that the Sumter should not be used against American commerce, and so on January 3rd he sent instructions to Sprague (the American consul) that if the Sumter tried to slip off under the British flag, she must be stopped and captured on the high seas. Of course, if this had happened, war would probably have ensued. Fortunately, therefore, for peace, the Sumter reached Liverpool unmolested. On February 16th Adams called attention to the proclamation which limited the stay of warships in British ports. Russell's reply on March 9th was, however, that the ~~the~~ sale was legal; and therefore, because the vessel was no longer a Confederate Warship, the Proclamation could not be applied. Adams thereupon urged the opinion of Dr. Phillemore, a legal adviser of the Crown, that the purchase of war ships belonging to enemies is held invalid

in British courts. Still the British government would not interfere, and so early in July, she sailed from Liverpool heavily laden with cannon and stores. At first the British Government attempted to stop her but desisted on the assurance that the guns were only sent as freight. As a matter of fact, the ship had sailed to begin another career of devastation under the name of the Gibraltar.

Undoubtedly the action of the British Government must be condemned in this case, for the whole transaction was exceedingly unfair. Naturally, taking this case as a precedent, all Confederate warships, when pursued and in danger of destruction, would take refuge in the nearest British port. A transfer to British ownership would then be arranged, the ship would escape, and then at the first favourable moment begin a career of devastation under another name. We cannot wonder that the American Government violently protested against the transaction, and one cannot help thinking that England under similar circumstances would have taken a stronger line of conduct.

Other complaints at this time centred round the treatment of British subjects and the conduct of British officers. With regard to the treatment of British subjects we have already seen how in 1861 Lyons protested against the arbitrary arrests of ~~British~~ ^{the same.} subjects. Further complaints of 1862 and 1863 were on the same lines. On February 11th 1862, the Earl of Carnarvon in the House of Lords said that there were no less than 3 British subjects, who had been imprisoned for 4 or 5 months in ~~Lafayette~~ ^{Lafayette} prison, and that they had been detained without any charge of any kind being made against them. An inquiry had been asked for, but it had been refused, unless they first consented to take the oath of allegiance to the United States. The state of the prison was bad, the prisoners were

deprived of the decencies of life, and the water supplied was foul. Russell's attitude was exceedingly conciliatory. He stated that the critical state of America must be taken into consideration, that Great Britain could not object to the suspension of the Habeas Corpus Act, and that if British subjects chose to engage in treasonable enterprises against the Government of the United States, such detention was not illegal.

From further evidence I consider that the conduct of the American Government with regard to the treatment of British subjects, suspected of treasonable enterprises, was extremely satisfactory; for any complaints made by the British Government were courteously attended to at once.

With regard to the conduct of American officers we must discuss the question of Nassau; a British possession near the Southern extremity of the United States. From the beginning of the struggle, this port was used as a place of deposit for munitions of war sent from England for the use of the Confederacy, and many were the complaints made by Adams and Seward with respect to this. Another grievance of the United States was that the British Government refused to allow federal naval vessels to supply themselves with deposits of coal which the Government of the United States had provided for them at Nassau. Yet permission was granted to Confederate vessels to buy coal and take it on board in the same ports where United States ships had not been allowed to load coal belonging to their government. On March 25th 1862, Russell replied to this charge, saying that coal had arrived at Nassau in the schooners Stetson & Perry. This, of course, could hardly be described as a deposit of coal existing at Nassau. By the papers of the Stetson, the coal appeared to have been shipped by the Navy

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Department. The authorities at Nassau gave directions that the coal should be landed, but the United States consul was informed that it could not be used in any manner which might involve a breach of the Queen's Proclamation of neutrality; and particularly that the coaling at Nassau of vessels of war of either belligerent could not be allowed without the express sanction of Her Majesty's Government. On the arrival of the Federal warship Flambeau, the American consul asked permission for the coal to be transferred from the Stetson as she was leaking. Permission was given to land the coal but not to transfer it to the Flambeau, because if an armed vessel of war were there supplied with coal, British neutrality would be infringed. In answer to the Consul's complaint that the Confederate vessel, the Theodora, had been supplied with coal by a merchant residing at Nassau, the Governor said that the Theodora was a merchant vessel and that this consequently did not involve a breach of neutrality. Then the Americans stated that the Confederate warships the James Adger and the Nashville had been allowed to supply themselves with coal at Southampton. The British Government however contended that these vessels were a thousand miles away from home and to them coal was a real necessity. The Flambeau, however, was within reasonable distance of her home ports, and her application was not founded on necessity.

From the above facts I consider that the British Government was in the wrong. If Confederate vessels were allowed to coal in one British port, then surely Federal ships ought to have been permitted to coal in any other, irrespective of distance from home. It was such circumstances as these which caused friction between British and naval officers in the Bahama waters.

Early in October 1862, Rear-Admiral Wilkes of the United
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States navy visited Bermuda, and the governor and British naval and military officers bitterly complained of his proceedings, and accused him of ordering vessels under his command to anchor so that they could control the movements of ships desiring to enter or depart from Bermuda. Also they alleged that he unlawfully placed sentinels on British territory, and that he contemptuously evaded the orders of Her Majesty in regard to the supplies of coal which vessels of the belligerent parties might obtain in British ports. Wilkes on the other hand denied the charges and accused the governor of discourtesy.

Again in the following year Wilkes was reported to have threatened to capture a British mail packet bound to a British port, on the sole ground of her carrying to that port Confederate officers or other Confederate passengers. Lyons complained, and Wilkes was ordered to desist by his government, but he stoutly denied making any such speech.

In November, the conduct of Captain Malcolm, of the British war ship Barracouta, was a subject of controversy. Seward complained that he had threatened to fire upon United States war ships, which should anchor in the waters of Nassau without the governor's permission, and asked that in order "to obviate the obvious consequences of such a proceeding, proper instructions should be given to the commanders of Her Majesty's vessels". Malcolm did not deny his threat when the matter was investigated. Admiral Milne, commanding the British squadron in the waters in question, also wrote to Lyons stating that while he did not approve of Malcolm's attitude, yet the conduct of Wilkes would naturally cause irritation. Seward was however desirous of ending such irritation, and on February 7th he informed Lyons that instructions had been given to Wilkes to render on all occasions of intercourse with naval officers

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of Great Britain the courtesies due from naval officers of one nation to those of a friendly power, and he suggested that if similar suggestions were given to British officers, the irritation which had existed would probably end.

It is, of course, impossible to discuss all the minor causes of friction during these years, but one other cause must now be mentioned. This is the placing of certain restrictions by the Treasury Department upon the transshipment of merchandise at New York from steamers from England to vessels for Nassau. Lyons, upon the complaint of the residents of Nassau brought the matter to Seward's notice. The collector of customs at New York, however defended his action by saying that he had only refused clearance to articles which were either contraband of war, or in cases where the captain refused to give a bond that such articles should not be appropriated to aid and comfort the rebels. A promise was also given that such restrictions should be removed when the necessity which had made them imperative should cease. In August, Seward was informed that the British Government did not complain if clearances were refused to vessels laden with contraband or vessels believed to be bound for confederate ports, so long as precautions were taken without reference to the nationality or origin of any particular vessel or goods. But under the pretext that there is "imminent danger of the cargoes coming into the possession of the insurgents" any kind and amount of arbitrary restriction might be produced on British trade, and the United States had no right to interfere with the exports of ordinary commodities from New York to the Bahamas in British vessels. The reply of the collector a week later, was that cargoes shipped for Nassau had gone directly to attempt to run the blockade, but that clearances had only been refused in the case of extraordinary shipments when there was good

reason for believing that the cargos were intended for the rebels. On September 23rd however, Russell wrote that the prohibitions furnished grounds for international complaint, and that the United States falsely assumed that Nassau violated British neutrality by carrying on trade with the Confederacy during the existence of the blockade; and that ^{it was} to aid the inefficiency of the blockading force ~~that~~ an embargo had been placed on British commerce at New York, and this the British Government, naturally could not submit to. In January 1863, the United States however promised that the regulations concerning the restrictions should be executed in such a way so as to afford no just ground for complaint of partiality or injustice, and that past injuries should be redressed.

So it was not until August 1863, in spite of the continuance of the restrictions, that the correspondence on this subject was again renewed. On August 23rd, consequently, Chase, the Secretary of the Treasury, announced a slight concession. "The collector at New York and other ports", he wrote, "will be instructed to require only substantial security that such goods, wares or merchandise, shall not be transported to any place under insurrectionary control and shall not in any way be used to give aid or comfort to such insurgents with or by consent, permission or connivance, of the owners, shippers, carriers or consignees thereof".

One can hardly blame the United States for taking precautions to prevent goods going to Confederate ports, but the restrictions thus placed upon British commerce seems to me (as Russell said) to be an attempt to repair the inefficiency of the blockade. On October 30th, Lyons consequently wrote that this was extremely unsatisfactory but the Americans clung to their position. In January 1864, the British Government was even forced to complain that the required

bonds (or substantial security) had been extended to shipments to Newfoundland. Seward replied that this had only been done in one or two instances when it was thought that the cargoes were intended for the Bermudas, and that the practice was now discontinued. He claimed, however, that the ordinary restrictions could not be relaxed with safety to the United States, but that bonds were not required from firms which were above suspicion. In this the British Government seems to have acquiesced, for the correspondence was then dropped; and on February 24th 1865, the danger arising from the restrictions practically disappeared, for the United States consul at Nassau wrote to Adams that blockade running from that port had ceased.

Yet in spite of the many points at issue between the two countries, we have already seen that war did not result, and this says much for the good sense of both Englishmen and Americans who were at the head of affairs. Mention must here be made of the treaty of May 1862 between the two countries to suppress the slave trade, thus showing that both countries, in spite of ~~neutral~~ mutual irritation, were yet ready to co-operate to advance the cause of humanity; and the following cases seem to prove that underneath the prevailing irritation, there lay material on which an abiding friendship could be built.

On February 19th 1863, Adams complained that the commander of the Vesuvius, a British war ship, had transported a large sum of money belonging to the rebels to Liverpool, and he asked that investigations should be made and instructions given to prevent the same occurring. On February 25th, Russell wrote to say that orders had already been given that the shipment of money was forbidden, and that the consul at Mobile, (who had since been dismissed) was to blame

in the case of the Vesuvius. The British government was also prompt in expressing its regret and Lincoln confessed himself satisfied.

Another act of courtesy was performed in October, when the United States sloop of war, the Jamestown, ran aground. Admiral Kuper of the British navy immediately despatched one of his vessels, the Cormorant, to her assistance, and although the ship was refloated before the Cormorant arrived, the United States government much appreciated the act of courtesy.

Again when the British government complained that two seamen of the British ship Revere, which was captured by the United States ship Cambridge, when attempting to break the blockade, had been put in irons, Seward while stating that it was necessary to secure the safety of the prize vessel, yet promised that instructions should be sent to the officers of the blockading squadron that irons must be used only when and so long as necessary, and that they must "in all cases practice the utmost kindness consistent with the safety of captives and prizes, towards seamen captured in attempting to break the blockade". Also when Lyons complained that minors who had been British subjects had been enlisted in the Federal service, Seward promised that they should receive their discharge.

The British government, too, showed the same conciliatory attitude in small details, for when early in 1863 the Federal Government expressed a fear that the Sioux Indian*s would obtain arms in Canada to use against the United States, the Hudson's Bay Company were ordered to prevent their being supplied.

There was, of course, never any danger of these minor cases of friction causing war, and although we shall find continued complaints during 1864 and the following years, we shall see that the relations between the two countries steadily improved after the

end of October 1863.

The fact that Mason had now left England, that the North was steadily approaching success, and that Russell was bent on stringently applying the terms of the Foreign Enlistment Act to prevent the outfitting of ships for the Confederacy in British ports, probably explain this improved state of affairs.

Adams wrote in his diary on October 24th that there was certainly more inclination to let matters go without meddling; and on November 21st, that the threatening aspect of things in Europe was soothing the temper towards America surprisingly and that he had never felt so serene before.

Gladstone, on June 30th 1863, had stated publicly that he did not believe the restoration of the American Union by force was attainable, and that he did not think that a more fatal error had ever been committed than when men of high intelligence came to the conclusion that the emancipation of the negro race was to be sought even when they could only travel to it through a sea of blood. During the same debate Lord Palmerston took John Bright to task for indulging in what he considered the absurd and fantastical idea that the Union was still in existence. The Marquis of Salisbury also said that the people of the South were the natural allies of England as great ^{ex-}producers of the articles we needed and great consumers of the articles we supplied; while the North, on the other hand, kept an opposition shop in the same department as ourselves.

But by November 5th sentiment in England had changed so much that Gladstone wrote to Sumner that it would please him much if the Union should be re-established by the war. John Bright on November 20th wrote that "neutrality is agreed upon by all, and I hope a more fair and friendly neutrality than we have seen during the

past two years. There are still heard some voices against you - for there is a wonderful ignorance here in all classes on everything American; but I can see and feel all around me that another tone prevails". Then on January 20th 1864, Adams again began to attend Lord and Lady Palmerston's receptions - a thing which he had not done since Palmerston wrote to him with regard to the order of General Butler at New Orleans.

Naturally, all this proves quite clearly that the relations between the two countries were much improved.

During the year 1864 relations between Great Britain and America were less strained than they had been since the beginning of the Civil war, although causes of friction still existed. The difficulties of the British Government even now were by no means inconsiderable, for it was not easy to satisfy two eager and jealous combatants of the real impartiality of the exercise of neutrality. The refusal of Great Britain to recognise Southern independency was still a cause of resentment to the South, and the North remonstrated because British subjects still continued their attempts to break the blockade.

Jefferson Davis in his message to the Confederate Congress at the end of 1863 bitterly complained of Great Britain's attitude with regard to recognition. He also accused the British Government of partiality in favour of the North, and said that this had been conspicuous since the beginning of the war. He continued as follows :- "As early as the 1st of May, 1861, the British minister in Washington was informed by the Secretary of State of the United States, that he had sent agents to England, and that others would go to France, to purchase arms, and this fact was communicated to the British Foreign Office, which interposed no objection. Yet in October of the same year, Earl Russell entertained the complaint of the United States Minister in London, that the Confederate States were importing contraband of war from the island of Nassau, directed inquiry into the matter, and obtained a report from the authorities of the island denying the allegations, which report was enclosed to Mr Adams and received by him as satisfactory evidence to dissipate" the suspicion naturally thrown upon the

authorities of Nassau by that unwarrantable act". So, too, when the Confederate Government purchased in Great Britain as a neutral country, (and with strict observance both of the law of nations and the municipal law of Great Britain), vessels which were subsequently armed and commissioned as vessels of war, after they had been far removed from English waters, the British Government, in violation of its own laws and in deference to the importunate demands of the United States, made an ineffectual attempt to seize one vessel and did actually seize and detain another, which touched at the island of Nassau, and subjected her to an unfounded persecution at the very time when cargoes of munitions of war were being openly shipped from British ports to New York to be used in warfare against us". Then followed a complaint of the seizure of the rams and of the enlistment of British subjects for Federal service in Ireland.

This message showed resentment, but absolute fury was apparent in April, after Davis had received Russell's letter of April 1st, in which he made, on behalf of Her Majesty's Government, a formal protest and remonstrance against the efforts of the so-called Confederate States to build war vessels within Her Majesty's dominions to be employed against the Government of the United States. "After consulting with the law officers of the crown, Her Majesty's Government have come to the decision that the agents of the authorities of the so-called Confederate States have been engaged in building vessels which would be at least partially equipped for war purposes on leaving the ports of this country; that these war vessels would undoubtedly be used against the United States, a country with which this country is at peace; that this would be a violation of the neutrality laws of this realm, and that the Government of the United States would have just ground for serious complaint against Her Majesty's Government should they

permit such an infraction of the amicable relations now subsisting between the two countries".

On April, 6th, Davis replied through his private secretary, protesting against the use of the term "so-called" Confederate States. "Were indeed Her Majesty's Government sincere in a desire and determination to maintain neutrality, the President could not but feel that it would neither be just nor gallant to allow the subjugation of a nation like the Confederate States by such a barbarous and despotic race as are now attempting it. As for the specious arguments on the subject of the arms advanced by Earl Russell, the President desires me to state that he is content to leave the world and history to pronounce judgement upon the attempt to heap injury upon insult".

Friends of the South in England were however still active, and it was through the influence of W.S. Lindsay, that Mason now obtained an interview with Lord Palmerston. During the interview Palmerston confined himself to questions, in answer to which Mason said that the North could not replenish its armies, for enlistments had ceased, and Lincoln did not dare to conscript or draft. Washington was to be destroyed when captured. The defeat of Grant and Sherman, which he assumed as a matter of course, would be followed by anarchy in the North. Now, he urged, was the time for Europe to intervene and insist on peace, and the North itself would look on the action as a godsend. Palmerston in his cynical manner, remarked that since Mr Mason was of the opinion that such a crisis was at hand, it might be better to wait until it arrived. Mason took this remark at its face value and reported the words complacently to Richmond, expressing the hope that good might come of the interview. This hope, however, was not realised.

We will now consider Federal complaints against Great Britain. These centre round the activities of British subjects in the Confederate cause. British officers, for instance, especially a certain Robert Cator, were accused of violating the blockade and of obtaining leave of absence for that purpose. The British Government, however, stated that they had no knowledge of these facts, but that they would take proper steps to prevent any officer holding Her Majesty's commission from violating British neutrality. The Federal government was also informed that the British admiralty had refused applications to officers on half pay, for leave to proceed to the W. Indies, when they ^{were} had suspected them of any intention with regard to blockade running. It was acknowledged that six months leave had been given to Cator, but to obtain this he had stated that he was obliged to go to Jamaica on family affairs. A promise was also given that if he had been engaged in blockade running, leave for the future would be refused him.

This year the Alexandra also occupied much attention. We have already seen that when judgement in this case was given in favour of the defendants, an appeal was entered, and at the end of November 1863 no decision had been announced. The United States were, however, quite satisfied with the earnestness and vigour displayed by the British law officers. But when the case was brought before the House of Lords there was again a difference of opinion, and judgement was finally given in favour of the defendants in April 1864. I quote the following from Adams's despatch of April 8th :- "The government has been completely baffled in its honest endeavour to obtain a legal base of action against a flagrant violation of the neutrality of the kingdom, and is thrown back upon the task of commencing the work all over again. There was never

such a comedy performed on a grave subject in the whole history of law".

The nation as a whole knew that the decision was disgraceful, and the editorial of the London Times on April 7th was as follows :-

"However much we may admire the learning and subtlety displayed in this controversy, the more important question will still recur, what course the government intends to take in cases such as those of the Alabama, the Alexandra and the steam rams. Is it not a matter for legislation? Although the insolent assumption of the Northern Americans may make Parliament unwilling to pass new measures at a time when the presumed concession may be misinterpreted, yet after all, we ought not to shrink from doing that which is not only just to others, but advantageous to ourselves. If the foreign enlistment act, according to the judgement of the court of the exchequer, be insufficient to repress enterprises endangering the peace of the country, surely it is better to apply to the legislature, than to trust that in some future case a resort to a bill of exceptions will carry the main question to a tribunal which may reverse the judgement already given".

Correspondence with regard to the Rappahannock was also continued this year. This ship, a Confederate cruiser, was sold from Her Majesty's Navy into the Confederate service in 1863 and consequently the Federal Government entered a protest. The British government, ^{thereupon} instituted a prosecution against Rumble, the inspector of machinery at the Sheerness dockyard, for complicity in these proceedings. In February 1865, however, the man was acquitted; but the justice of the verdict "Not guilty" is much to be questioned. These proceedings naturally did not tend to improve matters.

In several other cases during this year, prosecutions were instituted in the British courts against subjects who had given aid

to the Confederate cause by violating British neutrality. But while the proceedings themselves were gratifying to the Federals the results were not, for practically every case was dismissed after a promise was given not to repeat the offence. The case of John Seymour in July was notorious. This man, when charged, pleaded guilty, but the solicitor general stated that the object of this prosecution was prevention rather than punishment, and that the crown would be satisfied if the prisoner were bound over to appear and receive judgement if called upon; and while it was stated that if the offence was repeated the judgement would be severe, yet a stipulation was made that if the prisoner abstained from its repetition, he would hear no more of the matter. Naturally such a state of affairs was far from satisfactory.

The Alabama, the cause of much correspondence during 1862 and 1863, in June of this year arrived at Cherbourg. The news of her arrival was at once telegraphed to the United States ship Kearsage, which arrived in all haste and lay in wait for the famous privateer outside the port. On June 19th, to avoid any violation of French neutrality, the Alabama was escorted from Cherbourg by a French man of war. The Kearsage steamed away to seaward, but when outside French jurisdiction she turned to meet the Alabama and the duel began. Within an hour the Alabama was disabled and commenced to sink. An English yacht, the Deerhound, had accompanied the Alabama from Cherbourg to see the fight, and now Captain Winslow of the Kearsage asked John Lancaster, her owner, to assist him in picking up the drowning men. In less than 10 minutes Lancaster had rescued the Alabama's commander, Semmes, and forty officers and men. Then he immediately sailed for England, where Semmes and his crew were enthusiastically welcomed.

These proceedings caused violent protests on the part of America. Welles, the Secretary of the Navy, accused Semmes in bitter language of abusing the generous confidence of his brave antagonist, and of stealing away in the English ship, the owner of, which proved himself by his conduct to be a fit companion for the 'dishonoured and beaten corsair'.

Adams ^{also} ~~who~~ on June 25th, in an official despatch to Russell, accused the Deerhound of interfering, with a view to aid the escape of Semmes and the others who were rescued, saying that at the time of their rescue they were already prisoners of war.

Russell's reply was that the owner of the Deerhound had merely performed an act of humanity in rescuing men who would otherwise have drowned and who consequently could not be considered prisoners of war. This correspondence continued all through the year and both governments clung tenaciously to their own point of view, and Semmes and his men were never surrendered. Here Great Britain was undoubtedly in the right. Lancaster had, as Russell averred, merely performed an act of humanity, and it must be remembered that he had acted in deference to the request of the commander of the Kearsage, and naturally once the men were on board a British vessel they could not be claimed as prisoners of war.

But if America considered that she had grounds of complaint, Great Britain in certain respects was also an injured party. Early in November 1863, the Kearsage had visited Queenstown, and from evidence which was forwarded to the Foreign Office, it was apparent that an attempt had been made to induce British subjects to enlist in the Federal Service. Russell brought these facts to the notice of Mr Adams and an investigation was ordered. From this, it was clear that British neutrality had been violated. Men had been

examined by the ship's doctor and provided with uniform. It was more difficult to discover upon whom to place the responsibility for this. Captain Winslow and the United States consul at Queenstown were at first suspected. The prompt action of Winslow however exonerated him from all blame, for on December 7th, when the Kearsage again returned to Queenstown, he sent the men in question ashore. The consul, too, seems innocent of the transaction. From a despatch of Adams of April 2nd, it seems quite clear that the real culprits were two officers of the Kearsage - namely Lieut: Thornton and a certain James Haley. Haley, on November 2nd, had gone ashore to visit relatives and he had suggested to several men that they might find employment on board the vessel. Thornton, when they presented themselves, also gave them reason to suppose that they might be engaged. Both officers, however, affirmed that they were ignorant of any law which made their action illegal. The excuse was, of course, transparent, and Russell on April 9th expressed his regret that the two officers should still hold American commissions. Consequently in May, Seward promised that when the Kearsage returned to American waters, any officer guilty of intentionally violating the municipal laws of Great Britain should receive due punishment.

Now, having considered some of the definite causes of friction during this year, we will discuss the general trend of sentiment with regard to American affairs. "We depend upon peace in Europe and upon war in America, for it is but too probable that a reconciliation between the Southern & Northern States, upon any terms, will be immediately followed by the most preposterous demands on this country", was the statement of the Times at the end of December 1863 - a statement which is remarkable as foreshadowing the Alabama claims, and as showing, that in spite of the declarations

of public men, there still existed a party in England which strongly sympathised with the Confederacy.

The American government bitterly resented such a declaration, and their resentment urged them on to again complain of the impartiality of British neutrality. On January 15th Seward wrote to Adams that British policy with regard to the insurrection had resulted in producing grave claims on behalf of American citizens against Great Britain. The British realm and British provinces were the bases of the naval war which the insurgents were waging, and British seamen and capital were their chief resource and strength. But while a wish was expressed that this state of things should be amended, there was no indulgence in any sort of threat. That there was a danger of alienation Lincoln well knew, but his great desire was to avoid this, for once internal peace was gained, he had no desire to wage an aggressive foreign war.

Great Britain, too, had no desire for war with the United States; hence her attempts to stringently apply the Foreign Enlistment Act with regard to the *Alexandra*, and the persecutions of subjects who had violated her neutrality laws. The speech of the President of the Board of Trade (the Rt Hon T.M. Gibson) at Ashton-under-Lyne in January was also favourable to the North. He accused the Confederates of deliberately violating and evading the laws of England and he did not consider the restoration of the Union impossible.

Lord Russell, indeed, was so anxious to prevent the activities of Southern agents in England and thus avoid any cause of dissension with the North, that he proposed to the other members of the Cabinet that an armed vessel should be sent to the confederate authorities, with an officer instructed to remonstrate;

but on further consideration it was decided not to sanction this measure, although Adams's protests with regard to blockade running still continued as vigorously as ever.

As a matter of fact relations with America were not of supreme importance at this time, for Great Britain was anxiously watching the continent where open hostilities had broken out between Germany and Denmark. Consequently Seward's fear, expressed in his despatch of February 1st, that a movement existed in Great Britain to obtain concessions for the insurgents if they would give up the struggle, was unfounded. Private parties may have wished this, but the Government were far too much occupied to listen. As a matter of fact Lord Russell's speech in the House of Lords at the beginning of the session made no reference whatever to American affairs.

Lord Derby, as leader of the Opposition, spoke somewhat bitterly, "If I have not misread the papers laid before Congress," he declared "they state that if we do not put a stop to the sale of vessels of this kind in this country, the result must be that the Federal government will take the law into their own hands; that their cruisers will follow these vessels into British ports and will in British waters maintain their own interests. My lords, I hope the noble earl will be able to show that he has answered that despatch in a manner which will put an end to such monstrous demands for the future".

I do not consider however that Lord Derby was actuated by hatred of the North, but that he was simply as leader of the opposition following the traditional policy of attacking the party in power; which was still determined to avoid interference in American affairs.

Yet the Federal States were not exactly/satisfied with this, for in a despatch of February 13th we find Seward bitterly

complaining that British sympathies with the insurgents were still so strong that the Government was content to leave their relations with the United States in a state unsatisfactory to the latter.

"It is, nevertheless", wrote Seward, "a grave question whether if so left, they must not inevitably fall into a worse and more perplexing condition. The state of our relations is this : Great Britain regards the insurgents as a lawful naval belligerent; we do not. Great Britain pursues a policy in regard to them based upon her view of their character. We pursue a different one. The dealings of British subjects with the insurgents are continually producing controversies and claims upon which the two governments cannot agree. Interested British subjects require Her Majesty's Government to ask of the United States explanations and concessions which they cannot make, and the interests of the United States and their citizens require this government to make claims which Her Majesty's Government think they cannot concede". Seward then expressed the hope that such controversies should be settled in a friendly manner.

In Great Britain, too, this question of claims was being considered. Lord Carnarvon, in the House of Lords on February 16th, while admitting that the Americans had claims against the British Government, yet contended that Great Britain must ask redress for the arbitrary arrest and imprisonment of British subjects, and the condemnation of British ships in American prize courts on principles which were very questionable. With regard to the condemnation of British ships, Russell upheld the verdict of the American prize courts, and said that in cases where owners of vessels had made complaints, it was because international law had not been understood. He again stated definitely that Her Majesty's Government was not responsible for the acts of the Alabama and that

consent would never be given to arbitration. He owned, however, that there had been a question of a commission, but that this would be impossible because the United States would be sure to propose that the case of the Alabama should be referred to the commission and Great Britain could not consent to that. He agreed, however, with Carnarvon that causes of friction should be removed, but he did not see how this could be done while the positions of the two countries were so absolutely opposed to each other.

The following month Seward wrote again to Adams expressing his disappointment^{ment} at the decision given in the case of the Chesapeake, a Federal steamer, which while plying between New York and Portland, (Maine), had been seized by certain passengers who overpowered officers and crew, and then navigated the vessel to Nova Scotia, claiming that they acted under the authority of the rebel states. Proceedings were instituted in the name of the Queen against the vessel and cargo in the vice-admiralty court at Halifax, and the Court decreed restitution to the owners on the ground that the bringing of the vessel and cargo into a port of Nova Scotia was an offence against British neutrality, and that the restoration of vessel and cargo to their original owners was an act of justice to the offended dignity of the British crown. But while this gratified the Federal Government, displeasure was felt because the judicial authorities refused to give up the Southerners who had captured the vessel, and it was this displeasure which Seward now expressed.

Great Britain was indeed placed in an embarrassing position, and I do not see how she could have adopted any other policy; for any attempt during this year at satisfying American demands would undoubtedly have lead to the overthrow of the Government. Popular sentiment was indeed not ready for Genevan arbitration. And while

the South was complaining bitterly of our partiality for the North, the latter was declaring that the condition of things which existed between Great Britain and herself was little less than actual war. Undoubtedly in the Federal States a desire for retaliatory proceedings and compensation was on the increase, but the Government, while still insisting on its claims, was attempting to prevent the growth of any injurious proceedings against Great Britain which might lead to open war.

Russell, however, at the beginning of April, while admitting to Adams his disappointment at the result of the case of the *Alexandra*, still maintained that the Government could not alter its position.

Adams too, was now convinced that Great Britain would not change her policy. On April 7th he wrote as follows to Seward :- "I am now more and more convinced of the inutility of pressing these (i.e. re outfitting of ships) or any arguments further upon this ministry. Meanwhile I should earnestly hope that our efforts to bring the deplorable struggle in America to a successful issue may be crowned with success, otherwise it is much to be apprehended that the causes of offence may be accumulated to such an extent on this side as to render an escape from a conflict almost impossible. Nothing will keep down the malevolent spirit---but the conviction that there is no hope left of effecting a permanent disruption of the United States".

Seward's despatch of June 3rd seems to me to contain a threat. He expressed his disappointment with the fact that the Government would not take stronger measures with regard to Confederate ships in British ports, and then significantly adds :- "Should our campaign prove fortunate, the ministry----will probably regret their shortcoming even more profoundly than we do". Whether war would

have resulted if the Alabama claims had not been subjected to arbitration, it is, of course, impossible to say.

But on June 2nd, instructions had been issued to the governors of British colonies which were intended to remove such causes of friction as had been caused by the cases of the Tuscaloosa and the Sea Bride. The Tuscaloosa had been captured by Semmes, of Alabama fame, and had been commissioned by one of his lieutenants to act as a tender. On August 8th 1863, she had arrived in Simon's Bay for provisions. Walker, the rear-Admiral commanding the British Fleet in these waters, thereupon asked the Governor, Sir Philip Wodehouse, for the opinion of the law officers as to whether she should be treated as a prize, because she had never been condemned before a prize court. Naturally, if she were a prize, she could not be admitted into a British harbour. The acting attorney general said that the vessel should be regarded as a tender, and this was done. Wodehouse in the meantime wrote home for instructions and it was finally admitted that the ship was a prize. Consequently, when on December 26th she again returned to anchorage in Simon's Bay she was detained as a prize. But on March 10th 1864, Newcastle sent instructions from England that once having been treated as a tender, she must now be released with a warning to Semmes. This decision, which was carried out much annoyed the Federal Government.

With regard to the Sea Bride, the Federals contended that she was captured in British waters, but the real truth was extremely doubtful and the British Government was not disposed to interfere. A question also arose in connection with her cargo. She had been captured by the Alabama in September 1863, and after her capture, appeared at Foul Pointe, Madagascar, under the name of the Helen, and

the confederate flag, and her cargo was bought by a British subject. The United States consul protested that this act was piratical because the property was uncondemned and therefore it belonged still to American owners.

It was to prevent similar causes of discord therefore that the following instructions were issued to the governors of British colonies :- I. If any prize---shall be brought by the captors within Her Majesty's jurisdiction, notice shall be given by the governor to the captors immediately to depart and remove such prize. II. A vessel, which shall actually have been converted into and used as a public vessel of war, shall not be deemed to be a prize. III. If any prize shall be brought within Her Majesty's jurisdiction through mere stress of weather or other unavoidable necessity, the governor may allow for her removal such time as he may consider to be necessary. IV. If any prize shall not be removed at the time prescribed to the captors by the governor, the governor may detain such prize until Her Majesty's pleasure shall be made known. V. If any prize shall have been captured by any violation of the territory or territorial waters of Her Majesty, the governor may detain such prize until Her Majesty's pleasure shall be made known.

These instructions are of course an honest attempt to apply definite rules to questionable cases. To a certain extent they are naturally unsatisfactory, but I do not see how anything better could have been done. For instance, opinions may differ with regard to a prize which has been converted into a ship of war. Some may contend that the conversion is satisfactory, and others that it is not. Again much depends upon the character of the governor and his advisers, with regard to the application of the term "stress of weather or other unavoidable necessity". Still the issue of such

regulations showed the desire of Great Britain to act with absolute impartiality.

During this month another cause of complaint arose, and Great Britain formally protested against the decision of the Federal Government to treat British subjects, found trading with the South, as enemies.

There was however no prospect of intervention. Much public sympathy was indeed expressed for the Confederacy but the nation at large would not tolerate interference. In July petitions were sent to Parliament in favour of a movement to bring about a cessation of bloodshed, but the government successfully vindicated their policy and nothing was done. Palmerston's reply to Lindsay on July 25th, when he asked if the government could not endeavour to bring about a suspension of hostilities was extremely curt. He regretted the sacrifice of life and property in America, and the distress the war had produced in England, but no advantage could be gained by any interference.

Three days after this, in the House of Commons, the question arose of emigration to the United States. Complaints were urged that British subjects were engaged as workmen, but on arrival in America were forced into the Federal service. Seward in August, however, contended that in cases where complaints had been well founded, redress had been done; and that, as a matter of fact, the mass of European emigrants were to be found prosperously and happily employed in agriculture and manufactures. The whole movement of emigration, he concluded, was honest and beneficent, and if certain men had enlisted he inferred that it was wholly of their own free will.

The following extract from Lord Palmerston's speech at Tiverton on August 23rd clearly expresses the policy of the British Government with regard to American affairs :- "Some are for the

north on the grounds of their hatred of slavery; some are for the south on the ground of their love of freedom and independence. We might have been involved one way or the other; if we had listened to those who urged different courses of action, we might have been involved in the quarrel; but I believe the country is glad we have abstained from taking that course. We could have had nothing to gain and we should only have added thousands of our own sons to the hetacomb of victims which that calamitous and bloody slaughtering war has sacrificed.---We may hope that many months will not elapse before some progress will be made towards healing that tremendous breach which now exists. But of this I am convinced, that if we had yielded to those who, from the purest motives and from a sincere conviction, urged us to interfere to offer our mediation to endeavour to reconcile the quarrel between the parties, before matters were ripe for our adjustment, we should not only have failed in accomplishing that object but we should have embittered the feelings between that country and this, and have rendered the future establishment of good relations between us and them less easy and more difficult. Therefore I think our neutrality was wise and I am sure that it is appreciated by the country at large".

The fact that this last statement is true is also apparent in the case of the Georgia. This vessel left Greenock in April 1863 under the name of the Japan, and proceeding to the coast of France, there received her armament and stores from a British steamer, and hoisting the rebel flag began her career as a Confederate cruiser. In May 1864 she took refuge from Federal warships in Liverpool and was later advertised for sale, and bought by a British merchant for £15,000. The Federal government declared that the sale was illegal, and announced their intention of seizing the ship

on the high seas. To avoid a similar case arising, on August 8th, Russell informed Adams that the government had given directions that in future no ship of war of either belligerent should be brought into any of Her Majesty's ports for the purpose of being dismantled or sold. On August 15th the Georgia was seized at sea about 20 miles off Lisbon by the United States frigate Niagara, and the seizure attracted much attention in England. The general impression of the English press was that the seizure was legal and that the purchasers of an enemy's vessel of war, when the said vessel is blockaded in port without means of escape, must take the risk of subsequent seizure. The Government too acquiesced in this view, merely asking that the ship should be brought before a prize court as soon as possible and tried by the principles of international law. One can hardly help thinking that if the seizure had taken place at a time when the relations of the two countries were more critical, stronger measures would have been taken, for the British Government would probably not have acquiesced in the seizure.

We must now consider the most serious question of the year - namely British neutrality and Canada. Here indeed there was a certain risk of rupture, but fortunately serious danger was averted. The trouble was mainly caused by persons who claimed to be in the service of the Confederacy, and who devoted their energies to organising raiding parties to depredate on the property of citizens of the United States and to liberating prisoners of war whenever a favourable opportunity presented itself. In September, one party organised by a certain Bennet G. Burley, and consisting of 20 men, seized the steamer Philo Parsons, running between the city of Detroit and Sandusky, after she had left Kelly's Island in the State

of Ohio. They then captured the Island Queen at Middle Bass Island, Ohio, and put ashore all the passengers. They also forced the clerk of the Philo Parsons, at the risk of his life, to hand over to them the money in his charge. The Federal Government at once demanded the extradition of Burley, and^{so} the case was referred to the municipal authorities. After a hearing before the Recorder of Toronto, the request of the Federal Government was complied with, and Burley was surrendered.

The Vermont business in October was far more serious. Seward, indeed, regarded the outrage as a deliberate attempt to embroil the governments of Great Britain and the United States and involve them in a border war. The circumstances were as follows. Twenty or thirty Confederate subjects crossed the border from Canada and entered the village of St Albans in Vermont, where they robbed the bank of 120,000 dollars, attempted to burn houses, and fired on unarmed citizens, killing one and wounding others. The raid lasted an hour, and then the band returned to Canada. Here, however, they were arrested and held for punishment, and Seward expressed his gratification to the British legation at Washington for such prompt and satisfactory proceedings. But when the prisoners were brought before Judge Coursol at Montreal, they were discharged and the money which they had stolen was returned to them. This caused great excitement in New York; and on December 14th, General Dix, outraged by such a decision and without consulting the Government, issued an order directing all military commanders on the frontier to shoot down any attempting further acts of depredation and if necessary to cross the border into Canada in pursuit; and on no account were the prisoners taken, to be surrendered to the local authorities, but they were to be sent to the Headquarters Department of the East for trial and punishment by military laws.

Naturally if these orders were carried out, there could only be one result - war. In view of this, the following entry of December 19th in the diary of an official of the Confederate War Department is interesting. "General Dix orders his military subordinates to pursue any rebel raiders even into Canada and bring them over. So light may come from that quarter. A war with England would be our peace".

But Lincoln had no intention at this time of war with England, and consequently Dix was forced to revoke his instructions. The British Government also was desirous of maintaining peace, and Lord Monck, the governor-general of Canada, was instructed to be guided by the decision of the proper legal authorities in the provinces, as to whether the persons in custody ought or ought not to be delivered up under the treaty of extradition. If the decision were that they ought to be delivered up, the Government would approve of Lord Monck doing so. If the decision were to the contrary, the Government suggested that they should be put on trial on the charge of violation of the royal prerogative by levying war from Her Majesty's dominions against a friendly power.

Consequently the criminals were again captured. Judge Coursol was also reproved by the Canadian Parliament and suspended. But again the prisoners were discharged by Mr Justice Smith of Montreal, on the ground that Young, the ringleader of the party, bore a commission in the Confederate army, and that the attack on St Albans must be regarded as a hostile expedition undertaken and carried out under the authority of the so-called Confederate States by one of the officers of their army. But the Government of Canada was not satisfied and the prisoners were arrested again in March 1865. The termination of the Civil War, however, caused the case to be

but languidly prosecuted, and the criminals received no punishment ; but the Canadian authorities, desiring to maintain friendly relations with the United States, refunded the money which was in the possession of the thieves when they came into the custody of the Canadian courts.

In 1817, the British and American governments, after strenuous rivalry in the matter of armaments on the Great Lake had decided that each government should limit its naval forces on the frontier to 4 vessels. In October 1864, owing to the annoyance caused by the Vermont business and similar episodes, this arrangement no longer met with the approval of the Federal Government, and so Seward instructed Adams to give Russell notice that at the expiration of six months the United States would deem themselves at liberty to increase the naval armament upon the lakes. At the same time Seward clearly stated that the measure was only one of national defence and for no purpose of hostility.

But the decision was undoubtedly influenced by the irritated feeling which still prevailed - an irritation which is also shown by the decision with regard to Lord Wharncliffe's relief fund of £17,000. This money was raised by a bazaar held in Liverpool and it was intended to relieve the hardships of Southern prisoners of war. Lord Wharncliffe was chairman of the committee, and he wrote to Adams asking that an accredited agent might be sent out to visit the military prisons in the Northern States and apply the money as he thought best. Adams referred the matter to his government. Seward's reply on December 5th was as follows :- "You will now inform Lord Wharncliffe that permission for an agent of the committee described by him, to visit the insurgents detained in the military prisons of the United States and to distribute among them

£17,000 of British gold is disallowed. Hence it is expected that your correspondence with Lord Wharncliffe will end. That correspondence will necessarily become public. On reading it, the American people will be well aware that the United States have ample means for the support of prisoners as well as for every other exigency of the war in which they are engaged. The American people will be likely also to reflect that the sum thus insidiously tendered in the name of humanity, constitutes no large portion of the profits which its contributors may be justly supposed to have derived from the insurgents, by exchanging with them arms and munitions of war for the coveted productions of immoral and enervating slave labour. Nor will any portion of the American people be disposed to regard the sum thus ostentatiously offered for the relief of captured insurgents as a too generous equivalent for the devastation and desolation which a civil war, promoted and protracted by British subjects, has spread throughout States which before were eminently prosperous and happy. Finally in view of this ^{last} fact, officious intervention in our domestic affairs the American people can hardly fail to recall the warning of the Father of our Commonwealth directed against two great and intimately connected public dangers - namely sectional faction and foreign intrigue. I do not think that the insurgents have become debased, although they have sadly wandered from the ways of loyalty and patriotism. I think that, in common with all our countrymen, they will rejoice in being saved by their considerate and loyal government from the grave insult which Lord Wharncliffe and his associates, in their zeal for the overthrow of the United States, have prepared for the victims of this unnecessary, unnatural and hopeless rebellion".

Comments on this speech are absolutely unnecessary. I have quoted it fully, because it seems to me to illustrate exactly the feelings of the Federals to England at the end of 1864. They are calm and dignified, they are determined not to embark upon foreign war, but they are extremely conscious of their wrongs and are determined, when the struggle is over, to get them redressed. The nation as a whole is thoroughly irritated but all are unanimous upon one point - there must not be war. And in Great Britain at this time, almost the same feelings prevailed. Certain sections still sympathised with the South, and considered that we had just claims of resentment against the North, but all upheld the Government's policy of non-intervention.

In the following year, 1865, the North approached its triumph. If we were not aware of the course of events, we should here ask ourselves one all important question :- "Would this mean war with Great Britain?". In the next chapter, we shall find the answer to this.

In 1863 we have seen how the relations of Great Britain and America were exceedingly critical, and we have seen how matters steadily improved, despite much friction and irritation, until the autumn of 1864. Then for a time owing to Confederate activities in Canada and the order of Major-General Dix, war seemed more or less imminent, but owing to the desire of both governments to maintain peace, this danger was averted.

At the beginning of 1865, sentiment in Great Britain was, I consider, more favourable to the North, than it had ever been. On January 26th, for instance, Bright wrote to Sumner as follows:- "I think you need not trouble yourself about England. At this moment, opinion seems to have undergone a complete change and our people and indeed our Government is more moderately disposed than I have ever before known it to be. I hear from a member of the Government that it is believed that the feeling between our Cabinet and the Washington Government has been steadily improving". Then on February 17th he wrote :- "There still seems to be an idea in America that somebody in Europe intends to meddle in your contest. I suppose the rebels invent the story and credulous people believe it. With us such a notion is unknown. All parties and classes here are resolved on a strict neutrality, and I believe there is an honest intention that no further cause of irritation or quarrel shall come from this side.---The tone of Parliament is wholly changed, and men begin to be ashamed of what has been said and done during the last four years".

Even "Historicus", who had contributed to the London Times some of the most violent attacks on the North, wrote on January 11th

condemning the confederate maritime policy and expressing the hope that no confederate cruisers should ever again hail from an English port. "It certainly would be a strange example of an "engineer hoist by his own petard", if Liverpool merchantmen were to be seen burning on the high seas by the act of cruisers sent out from Liverpool," he wrote. English sentiment had indeed changed!

But American sentiment was not so favourable to Great Britain as British sentiment was to America. The Reciprocity Treaty of 1854, by which American subjects were allowed to take fish in the bays, harbours and creeks of the British North American provinces, (with the exception of Newfoundland), and which allowed British colonists to send duty free into America the principal products of the soil, mines and forests, was now attacked, and Congress on January 18th gave notice that the United States desired to terminate the agreement after the expiration of the stipulated notice of 12 months.

These measures caused a certain amount of anxiety in Great Britain. Adams, on February 2nd, wrote to Seward that the press was giving great publicity to them, that it was thought that they indicated a determined spirit of enmity towards Great Britain, and that reconciliation of North and South would mean a joint declaration of war against this country and an advance into Canada. "It is then whispered about," he continued, "that the really wise way to avert so grave a danger would be to anticipate it by sustaining the insurgents so far as to prevent their ruin, even though it should be at the hazard of a war".

But the British¹ Government still had no wish for hostilities, and when Parliament was opened on February 7th the Queen's speech stated that Great Britain still stood steadfastly neutral". But a bitter attack was made on the United States by the Earl of Derby,

who declared that the notices for the termination of the reciprocity treaty and for the conclusion of the regulations of armaments on the Great Lakes, were adopted in a spirit of hostility towards this country. Russell, in reply, said that the subject was an exceedingly difficult one. He acknowledged that acts had been committed in Great Britain which had caused irritation in America, and he acknowledged that the Confederates had equipped their cruisers in British ports. But he thought that Great Britain had done all that was possible to prevent this, and he again defended British recognition of the belligerent character of the Confederacy.

The whole speech however was exceedingly uneasy in tone, and betrayed a certain amount of restlessness and indecision. From the conclusion of the speech it is quite apparent that the Government was aware that the American claims for redress would have to be considered, and with a General Election pending the whole business was extremely distasteful. Russell, therefore, not knowing what surprises the next few months might hold in store, was obliged to be extremely careful and accordingly spoke as follows :- "Now and then we hear a threat that the day is coming when the United States will make a demand upon Her Majesty's government. That question, as your lordships heard last year and the year before, is that a demand should be made by the United States of America on account of the capture and destruction of merchant vessels by the Alabama and other ships, which being originally built in England were afterwards taken to distant ports, there to receive their armaments, and thus to be enabled to cruise against the property of the United States. Looking at the precedents in international law----such a claim upon the government of this country would be extremely unfair. Therefore, while I say we are bound to make every allowance for

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the irritation that may arise in the United States----we cannot allow that any of these claims are justly preferred".

At the same time much uneasiness prevailed in Great Britain with regard to the intentions of America, Canada especially was a bone of contention. Many people were quite certain that as soon as peace was made between North and South, a joint attack on Canada would result. Consequently the defences of Canada became a subject of extreme importance, and the Government while disavowing and discouraging the alarmists, nevertheless inquired into the means of defence against invasion and the measures required to place the frontier in a state of security. Upon the publication of this report, the measures taken by the United States were bitterly attacked in the House of Commons on February 10th, as being equivalent to a declaration of war. Palmerston, however, was opposed to this view and stated that events had occurred on the lakes which the United States had a right to complain of, and that they were perfectly justified in adopting such measures. Russell, too, in an interview with Adams a few days later, expressed very favourable sentiments towards the Northern States, and showed Adams a letter which he had written to Messrs Mason, Slidell and Mann., on the 13th protesting vigorously against the violation of British neutrality by Confederate agents and requesting that such practices should cease.

But Seward's attitude, as expressed in his despatch of February 21st, was by no means so conciliatory. He declared that the United States had many just causes of war and that vessels for the Confederacy were still being fitted out in British ports. Therefore America could not adopt a less vigorous defensive policy but there was no intention of making hostility to Great Britain a

condition of reconciliation with the insurgents, as certain sections in England seemed to fear.

Yet the whole tone of the despatch was hostile as will be seen by the conclusion :- "I cannot omit to say that the British Government, by its toleration of the hostilities of its subjects, forces upon the American people the question whether Great Britain is, or is not, actually intervening in favour of the insurgents".

Meanwhile the alarmist policy was still vigorously pursued, and in the Cabinet on February 23rd the termination of the arrangement of 1817 and of the reciprocity treaty was considered, and on the following day Russell in an interview with Adams expressed the wish that some arrangement could be made with regard to these matters. It was probably owing to this and to Adams's warnings that the policy of the United States was causing trouble in Great Britain, that on March 8th Seward wrote that since no further hostile expeditions were apprehended from Canada the United States government was willing that the convention of 1817 should remain in force and that no additional vessels would be sent to the lakes.

In an interview with Mr Burnley, the British charge d'affaires at Washington, Seward also stated that when the Civil War should end, the United States Government would cheerfully enter into negotiations with regard to the Reciprocity Treaty. He also stated that the government did not contemplate war against Great Britain, but that it desired the redress of its wrongs by peaceful means. Naturally this contributed towards the decline of the alarmist policy, and the debate in the House of Commons on March 13th clearly showed the friendly feelings of the British Government. After a long discussion, Palmerston averred that, in spite of the irritation against Great Britain which the war had occasioned, there still

existed in America far deeper feelings of goodwill and that there was little danger of the interruption of friendly relations. "We have no complaints to make of the Government of the United States," he continued. "They have acted in a fair and honourable manner, in all the matters that may have arisen between us. No doubt there are claims which they have put forward, not urging them at present, but laying the ground for their discussion at some future time. No doubt, also, we have claims upon them which we do not put forward at present, but have announced to be claims which at some future time may be discussed. But I trust that we both feel it to be for the interest and for the honour of the two countries that peace should be preserved, and that matters of this sort ought to be capable of a friendly and amicable adjustment. All I can say is that the government, as long as they continue to be chargeable with the conduct of affairs, will do everything that the honour and interests of the country permit them to do, to maintain inviolate the relations of peace and friendship between the two countries".

This speech is, of course, a great advance, and from it one concludes that at some future time the British Government hoped to be able to adjust the American claims. Its effect, too, on the alarmist policy, was by no means inconsiderable. The decision of the American Government with regard to passports also helped to diminish the fear which existed. On December 17th 1864, an order had been issued commanding all travellers entering the United States, (except immigrant passengers directly entering an American port from a foreign vessel), to produce a passport, but this order was now (March 8th) modified and free intercourse with Canada restored. Yet on the other hand the Americans were quite determined that the Reciprocity Treaty should not continue, at least in its existing form, and so, on March 17th Adams gave formal notice that

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it would terminate 12 months from that date.

By March 23rd however, the alarmist policy was definitely abandoned, and Russell's speech in the House of Lords showed nothing but goodwill towards the Federal States. Adams indeed a week later wrote to Seward that "there is now not a word said about the danger of war from the United States". In this same despatch he also gave an interesting side light on Palmerston's policy. "The one great dread of the prime minister, as it regards American affairs, is that of appearing to be bullied", he wrote. "It inspired his whole course of action as I well recollect in the Trent case. It has had great influence in producing the sluggishness with which our remonstrances have been generally met. It is this feeling shared in some degree by both branches of the English race, that interposes most of the obstructions in the way of their harmony".

Early in the next month, with the surrender of General Lee, the civil war came virtually to an end. The North, triumphant and victorious, with an army of 1,000,000 and a powerful navy, were desirous of settling the Alabama claims, believing that they had grievances against every other branch of the English speaking race. The W. Indian colonists had thrived by means of the blockade runners through whom the Confederacy had been enabled to protract the struggle. Canadians had given refuge to Confederate agents; and in the African and Asiatic colonies of Great Britain, the Alabama and other Confederate cruisers sent from British ports had received hospitality. From Australia too, came reports that the Shenandoah, the last of the Confederate cruisers, had, by illegitimate privileges allowed to it at Melbourne, been enabled to destroy the American whaling fleet in Arctic seas.

There was also a desire for revenge upon Great Britain in

the South, for the Confederacy held that Great Britain was responsible for their catastrophe by her refusal of recognition.

Why, then did we not drift into war? I consider that there are several reasons for this. The North had indeed emerged from the contest victorious, but her sacrifices had been tremendous. The South was broken and bankrupt. Neither party therefore in spite of latent hostility wished for open war. Then again French intrigues in Mexico were beginning to cause suspicion and anxiety, and America had no wish to meet the united forces of England and France. The problems of the reconstruction of the South were also overwhelming and as time went on they became more and more absorbing.

Consequently although governmental action, legislative, diplomatic, and administrative, as well as popular sentiment, showed great irritation and ill concealed enmity, there was no outbreak of hostilities.

The President's Proclamation of April 11th was one of the first indications of this existing resentment after the end of hostilities. Neutral nations during the struggle had, of course, imposed certain restrictions on the war vessels of both belligerents in neutral ports. For instance, on January 31st 1862, the British Government had ordained that no ship of war belonging to either party should enter the port of Nassau or any other port of the Bahamas except by special leave of the governor or in case of stress of weather; even in these cases she was to put to sea again as soon as possible, and only take on board supplies for her immediate use. Also in no port of Her Majesty were ships to obtain any warlike equipment. If repairs were necessary, the ship in question must leave within 24 hours of their completion. Again a ship could only take on board sufficient coal to carry her to her destination and

no coal was ^{again} to be supplied to that ship in any port until three months had elapsed.

Lincoln now declared that the need for such regulations no longer existed, and that, if the privileges, which the war vessels of other nations were granted in American ports, were refused to American vessels in foreign ports, the United States would adopt the same measures.

But all irritation and ill feeling was to be forgotten for a time owing to the great catastrophe which was even then so close at hand. Three days after the issue of the above Proclamation, Lincoln was shot while attending the theatre and the following morning died from the effects of the wound. In Great Britain there was universal horror and indignation at the crime, and sympathy and regret were universally expressed. Queen Victoria wrote personally to Mrs Lincoln a touching letter of condolence, and the Corporation of London and other municipal and public bodies testified in public meetings their respect and sorrow for the great American statesman, and the Universities of Oxford and Cambridge expressed their indignation and abhorrence. In the House of Lords on May 1st Russell moved an address to the Queen expressing the sorrow and indignation of the House at the assassination of the President and prayed the Queen to communicate their sentiments to the government of the United States. "There have," said Russell, "been difficulties in maintaining peaceful relations between the United States and England, but these difficulties have always been treated with temper and moderation both on this side of the Atlantic and on the other. I trust that temper and moderation will continue to prevail. I can assure the House that as we have always been guided by a wish to let the people and Government of America settle for themselves,

without interference of ours, the conflict of armies, so likewise during the time that may be required to restore peace and tranquillity to the country, we shall equally refrain from any kind of interference or intervention, and shall trust that the efforts made will be successful and that that great republic will flourish in the enjoyment of that prosperity which she has so long enjoyed-- --our relations of kindred with the people of the United States make us feel their misfortunes more than the misfortunes of any country on the face of the globe".

"The same sentiments were expressed in the House of Commons, and directions were given to the British Minister at Washington to make known to the American government the universal horror and regret of the British nation.

But the death of a single individual, however great he may be, and no matter what services he may have rendered to the state, cannot be allowed to interfere with the national life. In spite of an overwhelming sense of loss, things must proceed as usual.

On the death of Lincoln, therefore, the Vice-President, Andrew Johnson succeeded ^{to} ~~the~~ office, and on May 10th he issued one of his first proclamations, stating that armed resistance in the insurrectionary States was at an end, and that all Confederate cruisers must be arrested and brought into American ports. "And I do further proclaim and declare," runs the third paragraph of the Proclamation, "that if, after a reasonable time shall have elapsed for this proclamation to become known in the ports of nations claiming to have been neutrals, ~~to~~ the said insurgents' cruisers and the persons on board ^{of} them shall continue to receive hospitality in the said ports, this government will deem itself justified in refusing hospitality to the public vessels of such nations in ports

of the United States and in adopting such other measures as may be deemed advisable towards vindicating the national sovereignty". This was, of course, a warning to Great Britain that the Confederacy must no longer be regarded as a belligerent power.

But the British Government was anxious to remove all cause of friction, so on May 1st orders were given that the act of January 31st 1862 was no longer to be enforced. (see p.214 & 215). How much Lincoln's proclamation of April 11th influenced this decision it is impossible to say. The question of the belligerent rights of the Confederacy was also under consideration. On May 15th in the House of Lords, Russell was asked whether the Government intended to withdraw their recognition of the Confederacy as a belligerent. His answer expressed regret that such a question should have been brought forward for discussion, and he contended that with regard to the belligerent rights of the Confederacy there was no question of concession, but that the question was simply one of fact. Lincoln by his declaration of a blockade, recognised the South as a belligerent, and the British Government was consequently obliged to pursue the same course. Now, if the Federals still exercised the right of searching British vessels, we could not admit that the war was over, and until the Government knew whether the United States still intended to stop, search and capture British vessels, no answer could be given to the question which had been asked.

On the same day, Lord Palmerston, in the House of Commons thus replied to a similar question :- "Whenever the government of the United States shall declare that it ceases to exercise with regard to neutrals those rights of search, capture and condemnation which belong to belligerents, then the war, as far as neutrals are

concerned, ceases, and there will be no acknowledgment of belligerents either on one side or the other".

Towards the end of the month an attempt was made to revive the fear and suspicion which had existed at the beginning of the year with regard to American designs upon Great Britain. A story was circulated that the change in the Presidency had been the signal for a renewal of the old demand for reparation for the damage done by the Alabama and other Confederate cruisers, and that this demand was couched in a more absolute and imperious manner. Lord Palmerston's answer of the 26th, to an inquiry on this subject was so ambiguously worded that it rather increased than diminished the credit of the rumour. Then on the 30th in the House of Commons the subject was again discussed.

I take the following from the London Times of May 31st:-

Mr Shaw Lefevre:- "As some misapprehension was caused by the answer of the noble lord the other night to a question put by an honourable member, I wish to ask whether the communication which the noble lord said had been received from the United States government, with respect to the losses caused by the Alabama and other vessels, is in any way contradictory in tenor and spirit to Mr Adams's despatch of October 1863, in which he stated that, in order to preserve amity and friendship between the two countries, he was instructed by his government to postpone any question which might arise with reference to the depredation of the Alabama to some future time when it could be discussed with calmness; and I also wish to ask whether that communication was dated before or after the accession of President Johnson.

Lord Palmerston :- "I can only repeat what I said on a former occasion - that communications have been going on between the two governments for a considerable time past with regard to the captures

made by the Alabama and other ships of the same kind. My honourable friend wishes to know whether, in a recent communication the ~~critical~~^{identical} words are repeated, which were contained in any former one. I am not aware that the identical words are used, but the general tenor of the communication is the same".

Mr. W.E. Forster then explained that there was an impression in the country that since the accession of President Johnson the claims with regard to the Alexandra had been made in a different spirit, and he asked that the mind of the country should be set at rest upon this subject. The reply of Mr Layard, the under-secretary for foreign affairs, was extremely satisfactory, for he stated definitely that no fresh feature had been introduced into the case and the demands were still presented in the same spirit. Naturally this plain and straightforward answer once again checked the increasing fear of American designs.

On June 2nd Adams had an interview with Lord Russell, who stated that both the French and British Governments had decided to recognise that the war was at an end. The same day the following instructions were sent to the Lords Commissioners of the Admiralty:-
"I have the honour to state to your Lordships----that intelligence has reached this country that the late President of the so-called Confederate States has been captured by the military forces of the United States and transported as a prisoner to fortress Monroe and that the armies hitherto kept in the field by the Confederate States have for the most part surrendered or dispersed. In this posture of affairs Her Majesty's Government are of the opinion that neutral nations cannot but consider the civil war in N. America as at an end-----As a necessary consequence of such recognition Her Majesty's authorities in all ports, harbours and waters, belonging

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to Her Majesty, whether in the United Kingdom or beyond the seas, must henceforth refuse permission to any vessels of war carrying the Confederate flag to enter such ports, harbours and waters, and must request all vessels therein to depart." At the same time directions were given that any Federal cruiser lying within the said port, should not be allowed to start in pursuit until 24 hours had elapsed. Also all Confederate cruisers within British Ports and those entering within a month of the receipt of these orders, could disarm and remain in British waters.

This acknowledgment that the war was at an end naturally deprived the South of the recognition of belligerency, and consequently removed one grave cause of remonstrance which had existed since the beginning of the struggle.

But the United States were far from satisfied, and regret was expressed officially that the British Government deemed it necessary to forbid the pursuit of a Confederate cruiser until 24 hours had elapsed and that such ships should be allowed to disarm in British ports. It was also stated that all such vessels were forfeited or ought to be delivered to the United States when reasonable application was made, and that if they were captured at sea, under no matter what flag, the United States would hold the capture lawful.

Yet the same despatch expressed pleasure at the withdrawal of the concession of belligerent rights to the insurgents, and admitted that because normal relations were practically restored, the rights of blockade and search of British vessels would be abandoned. Thus another cause of friction was removed! At the same time, however, because Great Britain would not withdraw her 24 hours rule, American naval officers were instructed that the customary courtesies were not to be paid to vessels of the British navy.

In July, a General Election was held in Great Britain.

Parliament had expired on the 12th of the month simply by efflux of time, and there was in no sense anything like an "appeal" to the country, for there was no prominent question or controversy to be decided. "One aspect of the election," wrote C.F. Adams, "is particularly deserving of our notice in America. None of those who have been marked by their disposition in Parliament to preserve friendly relations with the United States appear to have lost any ground on account of it; while in the populous London constituencies the accession of not less than 4 new members, well known for their decided goodwill is a significant circumstance---Mr Bright and Mr Forster have been returned without opposition. It is not unfair to infer that the termination of our struggle has not been without its effect on this result".

The practical results of the Elections were that of 657 Members who were returned to the new House of Commons, 367 were described as Liberals and 290 as Conservatives. In the changes of the election the Liberal party lost 33 seats and gained 57, this representing a gain of 48 votes on a division.

It was therefore by this Liberal Government that the Alabama claims were again considered. Russell began the continuance of the correspondence on August 30th, by stating that it appeared to Her Majesty's government that there were but two questions by which the claims of compensation could be tested; I Had the British Government acted with due diligence or in good faith and honesty, in the maintenance of the neutrality they proclaimed? II Had the law officers of the Crown properly understood the foreign enlistment act when they declined in June 1862 to advise the detention and seizure of the Alabama, and on other occasions when they were asked

to detain other ships building or fitting in British Ports?

"It appears to Her Majesty's government that neither of these questions could be put to a foreign government with any regard to the dignity and character of the British Crown and the British nation", continued Russell. "Her Majesty's government are the sole guardians of their own honour. They cannot admit that they have acted with bad faith in maintaining the neutrality they professed. The law officers of the Crown must be held to be better interpreters of a British statute than any foreign government can be presumed to be - Her Majesty's Government must therefore decline either to make reparation and compensation for the captures made by the Alabama or to refer the question to any foreign state".

But at the same time Russell stated that the British Government was willing to consent to the appointment of a commission to consider all claims arising from the Civil War, which the two powers should consent to refer to the Commissioners.

Russell's own feelings in the matter are seen by a letter which he wrote to Gladstone on September 17th, and which stated that the questions which would have to be submitted to arbitration were:- I Was Lord Russell diligent or negligent in the duties of his office? II Was Sir Roundell Palmer versed in the laws of England or was he ignorant or partial in giving his opinion to the Government? III Ought the Government and Parliament of England to have provided fresh laws to prevent merchant ships leaving their ports until it was proved that they had no belligerent purposes?

"I feel that England would be disgraced for ever," he continued, "if such questions were left to the arbitration of a foreign Government.---The question has been the principal object of my thoughts for the last two years and I confess I think that paying

20 millions down, would be far preferable to submitting the case to arbitration".

British sentiment was now extremely favourable to the cause of the Union. In spite of the end of the war, the Confederate cruiser, the Shenandoah, was still continuing her depredations. Consequently in the Times of September 11th there was an expression of general indignation, and an attempt was made to excuse American irritation. "We can make great allowances", ran the article, "for the exasperation of the shipping interest in California. It is, perhaps, natural that their resentment should betray itself in bitter allusions to the alleged complicity of this country with the evil deeds of the Shenandoah. "The English pirate", "the English thief", "the English pirate, thief, or robber Sea King, called Shenandoah", - such are the titles which the unhappy mates and captains of the captured vessels apply to the spoiler".

But while horror was expressed at the career of the Shenandoah, and while a wish was expressed that the British squadron in the Pacific should help in checking so lawless a career, it was clearly stated that "this is not the time to revive the wearisome controversy on the original equipment of the Alabama and her consorts".

Yet as we have already seen by Russell's despatch of August 31st, the government were prepared to make some concessions in this direction. But the American Government had no intention of accepting Russell's proposal until they knew exactly what it meant. Consequently Seward on September 27th instructed Adams to ask Russell to specify exactly what classes of claims Her Majesty's Government were willing to refer and what classes they would not refer. Three days before Adams wrote to ascertain this fact, the following (evidently an official insertion) was published in the

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London Times :- "In order to guard against any misunderstanding we are requested to re-state that the proposal of Earl Russell to the American government was conveyed in the following words :- 'Her Majesty's government are ready to consent to the appointment of a commission to which shall be referred all claims arising during the late civil war which the two powers shall agree to refer to the commissioner'. These concluding words limit the subject of reference, since it would be inconsistent with the position taken up by Her Majesty's government, and with the arguments which induced it to decline arbitration, to permit the claims for losses by the Alabama and other vessels of the same character to be brought before a commission for discussion. It must be understood, therefore, that if any such commission were agreed on, those cases would be excluded from its jurisdiction."

Russell in a communication to Adams on the same day (October 14th) took the same stand, and said that the British Government could not refer claims arising out of the captures made by the Alabama and the Shenandoah, because the British Government could not be held responsible for acts of British subjects committed out of British jurisdiction and beyond British control.

While this, however, was regarded by America as extremely unsatisfactory, the order of October 13th which removed all restrictions from American war ships in British ports and stated that henceforth unrestricted hospitality of friendship would be shown to such vessels in British ports at home and abroad, removed all irritation which the 24 hours rule had caused. Instructions at the same time were also given that the Shenandoah should be detained if she entered any British port, or captured if found on the high seas. As a matter of fact, a few days after this, on November 6th, the vessel in question entered the Mersey, and was delivered over to

the United States consul.

Early in November, owing to the death of Lord Palmerston, Russell became Prime Minister and the Earl of Clarendon succeeded to the Foreign Office. In the other offices there was no change from the Palmerston Cabinet, and of course no change was made in the existing policy of the Government. The speech of Lord Russell, on Lord Mayor's Day, expressed the prevailing friendly sentiments.

"For the last few years, on occasions like the present, we have had to lament the civil war which devastates the United States of America. That war is happily now at an end: and that great republic, having freed herself from the guilt and stain of slavery, I trust will now continue in freedom and prosperity for years and centuries to come. Such at least, I believe, is the wish of Englishmen. I believe there are none but friendly feelings entertained towards that mighty republic".

Yet, in spite of Great Britain's friendly attitude, America was still determined to obtain ample redress for the Alabama depredations. Consequently on November 21st, Earl Clarendon was informed by Mr Adams that the American government respectfully declined the creating of a joint commission, because it could not allow the exclusion of the Alabama claims.

Thus the correspondence on this subject closed until the following year, but, of course, neither of the parties concerned was satisfied. Friendly relations still existed, but America was convinced that she had been wronged and that compensation must be given to her. Also Russell's attitude, which his letter to Gladstone shows extremely well, failed to win the support of an important section of the British public, who knew that America had been wronged, and who, being anxious for American friendship, wished to see the controversy settled. Besides, if foreign nations, when

Great Britain was at war, relaxed their neutral duties, they knew that our maritime commercial interests must suffer. Also a general respect for America now prevailed, and it was acknowledged in high quarters that America had grounds for complaint.

But the year came to a close without anything being done, and on December 2nd the correspondence was closed for a time by a despatch from Lord Clarendon to Mr Adams, stating that no advantage could come from prolonging the controversy and that the British government had steadily and honestly performed their neutral duties.

Thus 1865 ended, with Britain and America in much the same position as at the beginning of the year. British sentiment had, however, become more favourable to America, but in America irritation against Great Britain still prevailed, for the end of the war had brought little abatement of the ill feeling which existed. Still, however, there was no danger of an open rupture, for America realised that there was a growing tendency in Great Britain towards settling the Alabama claims and for this she was quite prepared to wait.

During this year the relations of Britain and America had the same trend as in 1865. A certain amount of irritation still prevailed, but both countries were anxious to establish a more friendly feeling. Hence we shall see that the action of the United States Government with regard to the Fenian movement was extremely conciliatory and pleasing to the British Government, while the desire of Great Britain to settle the Alabama claims afforded the United States some satisfaction, although nothing definite was done.

The following extract from Adams's despatch of January 4th to Seward, shows the sentiment which prevailed in Great Britain :-
"I think the tone of the press towards the United States is gradually improving---the position of the country has never been so high before----I foresee little danger of difficulty here no matter who may be called to the direction of affairs".

It is with this attitude in view therefore, that we must consider the Fenian movement, which, if Great Britain and America had not been desirous of friendly relations, might have caused serious friction. The movement first became dangerous in 1865, and its adherents directed their attention to both Ireland and Canada. We will first consider the efforts of the Fenians in Ireland.-----
Hundreds of thousands of Irishmen had emigrated to the United States, had settled there as American citizens, and had fought in the Civil War.

Consequently, when the war was over, they were easily induced to join the Fenian brotherhood, a societyⁿ, which the members bound themselves by an oath to free and regenerate Ireland from the English yoke. The centre of the movement seems to have been in the United States, and its first convention was held at Chicago in

November 1863. After the end of the civil war emissaries were sent to Liverpool and Ireland, but the British Government being informed of the plans by traitorous members and spies, made numerous arrests. The "head centre", James Stephens, was seized in Dublin, but escaped from prison a few days later and returned to America. A special commission which sat at Dublin from November 30th to February 2nd, for the trial of other prisoners, brought the whole scheme to light, and out of 41 who were tried, 36 were convicted and sentenced to various terms of penal servitude. Then on February 14th the Lord Lieutenant was informed that the police knew of 500 Irish-American Fenians who were ready to head an insurrection and he demanded power to seize them. On February 17th 1866, therefore, a Bill for suspending the Habeas Corpus Act in Ireland was passed, and 250 people were promptly arrested. Naturally amongst this number there were persons who claimed to be American subjects, and unfortunately, the views of Britain and America regarding allegiance were absolutely different. Since the great immigration from Europe in the "Forties", the American Government had attempted to claim for its naturalized citizens the same rights in the land of their birth as were granted to native born Americans. The British Government, however, denied the right of expatriation and objected to the American view. Naturally, therefore, the arrest of Irish-Americans would cause a certain amount of difficulty. Fortunately, for both countries, however, Mr Adams knew how to deal calmly with the situation, and while fairly representing to the British Government the cases of American subjects who had been arrested, yet he realised that many of the people under arrest were more or less implicated in the conspiracy to overthrow British rule. He was also quite aware that they desired to embroil the British

and American nations, and that their efforts were bent in this direction. His policy, therefore, established a clear understanding with the British ministry that really innocent persons should be secured from serious annoyance, but that questionable offenders should be dealt with as they deserved.

The British Government too were extremely anxious that no cause of offence should be given to America, and all the interviews of Adams and Clarendon ^{connected} with this subject were conducted in the most friendly manner. In an interview on March 8th, for instance, Clarendon expressed the wish, that, under the circumstances which existed, when people came from the United States in such numbers and were found plotting against the government, Adams would not attempt to shelter them under his diplomatic mantle. Adams in the same conciliatory manner said that if the law of habeas corpus had not been suspended, and in cases where sufficient evidence was produced, the law would have been allowed to take its own course. But now when no reasons were given and no charges were made, he thought that with regard to American citizens, the grounds of detention should be assigned to him.

This was also the opinion of the American Government, which, while anxious to protect its innocent subjects, was yet quite ready to agree to the punishment of offenders, saying that Americans, whether native born or naturalized, owed the same submission to British laws while residing in Great Britain, as did British subjects. And on the other hand the British Government was quite ready to meet America, for when Seward remonstrated against the American consul at Dublin not being allowed to visit naturalized Americans suspected of conspiracy, the British Government removed their prohibition. Again in the case of several suspects, when papers were produced showing that they were native Americans innocent of

any evil design, they were at once released, and other people who were doubtlessly implicated in the movement were released after promising to leave the country, merely because the American Government had taken an interest in their fate.

The whole spirit of the business was one of courtesy and conciliation; and indeed, Clarendon on June 1st told Adams that the one desire of the British Government was to get rid of the men who had been imprisoned as quickly as was possible, consistent with their own safety. Consequently in August Adams was able to inform Seward that the people who had been arrested in Ireland, under the act which suspended the habeas corpus, were being steadily liberated, and that some of them were greatly discontented at their failure to create a misunderstanding between Great Britain and the United States, with regard to what they called "wrongful detention". In September the correspondence of the two governments re this subject ceased, for before the end of the month all American citizens, native or naturalized, had been released.

We must now consider Fenian activity in Canada, ^{where} there at the beginning of the year, considerable excitement prevailed, owing to expectations of a Fenian attack from over the border. For instance, a concerted and formidable invasion was anticipated on St Patrick's day. To meet this the Canadian Government called for volunteers, and the towns and villages along the frontier were strongly garrisoned. The United States Government too, took prompt measures, and despatched troops to the Border to prevent an invasion across the Maine boundary. Consequently the day, awaited with anxiety on both sides, passed off without any hostile demonstration.

During April and May, the action of the United States authorities was again satisfactory. In April, for instance, 750 stands of arms, sent to the Fenians by sympathizers with the

movement in Portland, were seized at Eastport upon the protest of the British Consul; and in May still further seizures of arms took place along the border. Such actions clearly showed that the United States were determined that the British Government should have no cause to complain of lack of vigilance, and that there was no wish in official circles to make the United States a base for hostile action against Canada.

On June 1st however, a Fenian invasion of Canada from America really took place, and a band of between 1,000 and 1,500 crossed in canal boats near Buffalo and took possession of Fort Erie. Volunteers from various parts of Canada were hurried forward to meet them, and the next day the battle of Limestone Ridge was fought. Nine Canadians were killed and a considerable number wounded, so the volunteers retreated. The Fenians, however, received no reinforcements, and so retreated across the river into the United States. Many of them were captured by the United States steamer Michigan, which had been stationed off Black Rock to intercept them, and steps were taken by the military authorities to prevent another invasion. At the same time the Fenian general Sweeney and his staff were arrested at St Albans by United States officials, and Fenians on their way North were prevented from reaching the Border by the order of Major-General Meade, who was commanding the United States forces on the frontier.

It is, of course, quite apparent that the United States were anxious to prevent friction, and that the action which was taken was prompt and energetic. Indeed the measures adopted were so successful that on June 11th Seward was able to inform Sir Frederick Bruce, (the British minister at Washington), that the communications which the President had received from Major-General Meade warranted the belief that the trouble was at an end. But at the same time

regret was expressed with regard to the action of Canadian and British troops which were rumoured to have entered the territory of the United States, and to have there taken prisoners, who had afterwards been conveyed to Canada. The despatch concluded as follows :- "The reports go so far as to say that----the Canadian agents have threatened that these prisoners---will be executed without legal trial. It is believed that these reports are exaggerated. Care has been taken by Major-General Meade to have them investigated. In the meantime I am instructed by the President to represent to you and through you to the British and Canadian authorities, that this Government would not look without serious concern, upon the practice of any unnecessary severity, especially on the exercise of retaliation or other illegal proceeding, upon the persons of such offenders as have fallen or shall hereafter fall into the hands of the Canadian authorities". Then a wish was expressed that even the customary administration of the law would be tempered with clemency and forbearance.

It will be seen, consequently, from the above, that although the United States had acted promptly in suppressing Fenian invasions, they were still zealously determined to protect their own rights and the rights of their subjects. Yet their conduct at this time seems to me to be specially praiseworthy, for it is marked by a strict regard for international law and by a desire to fulfill the obligations which one nation owes to another.

The opinion of the Fenians themselves with regard to the attitude of the United States is seen by the proclamation which the Fenian Brigadier-General Burns issued on June 14th to the officers and soldiers of the Irish Army in Buffalo :- "Brothers----I had hoped to lead you against the common enemy of human freedom, and would have done so, had not the extreme vigilance of the Government

of the United States frustrated our plans. It was the United States and not England that impeded our march to freedom".

The British Government, too, was quite willing to meet the views of America with regard to the treatment of prisoners, and when the House of Representatives on July 23rd requested the President to urge the Canadian authorities and the British Government to release the Fenian prisoners captured in Canada, Seward was able to pay a tribute to the action of the British authorities. "On the 11th of June last", he stated, "a note was addressed to the Hon. Sir Frederick Bruce, Her Majesty's minister in the United States. It is proper to say in relation to that note, that the reports mentioned therein to the effect that prisoners had been taken on the soil of the United States and conveyed to Canada and threatened by Canadian agents with immediate execution, without legal trial, were found on examination to be false and without foundation. It is due to the British Government to say that the representations made in the said note have been received and taken into consideration by the British Government and the Canadian authorities in a friendly manner".

Indeed, so friendly was the disposition of the British Government that upon learning the wishes of the United States in this matter, instructions were sent to the Governor General of Canada, that the capital sentences passed on Fenian prisoners should not be carried out. Consequently the Fenian movement absolutely failed to cause any serious friction between the two Governments.

With regard to the Reciprocity Treaty, however, matters were not quite so satisfactory. Due notice was given by the American Government in 1865 that this would expire on March 17th 1866. The British Government, however, desired to renew the treaty in order to avoid friction over the fishing rights ~~of~~ round the British North

American coast.

But British interests had to be protected, and so in February the Government gave notice that when the Reciprocity Treaty came to an end, the rights of American subjects to fish in the inshore waters of Canada would cease. On the 16th of the month however, Sir Frederick Bruce wrote to Seward informing him that the British Government would be quite content to renew the Treaty in its existing form or to enter into negotiations for some other arrangement. Meanwhile a conference had been held between a delegation from the Colonial Government and the Committee of Ways and Means of the United States House of Representatives. It was found impossible, however, to come to any agreement, as the demands of the United States were far too excessive; and as there was no sign that these demands would be modified, Seward's reply to Bruce gave little hope. "Careful inquiry made during the recess of Congress," he wrote, "induced the President to believe that there was then no such harmony of public sentiment in favour of the extension of the Treaty as would encourage him in directing negotiations to be opened. Inquiries made since the re-assembling of Congress confirmed the belief then adopted, that Congress prefers to treat the subject directly and not to approach it through the forms of diplomatic agreement".

As Congress showed no intention of extending the Treaty it expired on March 17th. The British Government, while expressing regret, made its position quite clear, and stated that by the termination of the Treaty, two important rights of this country, the enjoyment of which, through the operation of the Treaty, was temporarily ceded to citizens of the United States, reverted absolutely to the British crown. Those rights were first, the exclusive right of British subjects to fish on the sea coasts and shores and in the bays, harbours and creeks of the British

Possessions of N. America, except in so much as certain restricted privileges may have been conceded to American citizens by the Convention of 1818; and secondly, the exclusive right of navigation by British subjects of the River St Lawrence and the canals communicating between the great lakes and the canals in Canada. It was stated however, that American subjects would still be allowed the privileges of the navigation of the St Lawrence and the canals, but henceforth American subjects would not be allowed to fish in British waters or land on British territory to dry their nets or cure their fish.

This prohibition would undoubtedly cause irritation in the Northern States of America, and possibly it might lead to misunderstandings between the two governments. Consequently in April, to avoid any collision when the fishing season approached, the United States proposed to Great Britain that a commission should be appointed to I define the limits which separated the British exclusive right from the common right of fishing on the coasts and in the seas adjacent to the British North American colonies, II to agree upon and establish such regulations as would secure to fishermen of the United States the privilege of entering bays and harbours for shelter, to repair damages, to purchase stores, and to obtain water, III to agree upon the penalties which should be imposed upon the violators of rights and the transgression of the restrictions adopted.

About the same time the House of Representatives asked the President what steps he had taken to protect the rights and interests of American citizens in the fishing grounds adjacent to the British provinces, and the reply was given that a sufficient naval force was to be sent to the grounds in question for that purpose. But it was clearly stated that this act was not one of

hostility, and the department of state said that there was reason to believe that there were no grounds for apprehending any collision or any necessity for the employment of force.

Yet, at the same time, the situation might become extremely delicate, and the British Government was aware of this. Consequently after considering the American proposal for a commission, it was decided to send out authority to Sir Frederick Bruce, to enable him, after consulting with the provincial authorities, to make the necessary arrangements with the United States.

On May 31st a temporary measure was decided upon, and it was decided to issue fishery licenses to American citizens upon the payment of 50 cents per ton of measurement of the vessels proposed to be used in fishing. The licenses were to remain in force for the fishing season of 1866, and conferred upon their holders all the rights enjoyed by fishermen of the United States under the Reciprocity Treaty.

Thus, by the conciliatory attitude of both governments, a temporary arrangement, which afforded a security against any collision, was effected.

Meanwhile changes were taking place in the government of Great Britain. In June the Government was defeated ⁱⁿ ~~en~~ the struggle over the Reform Bill and consequently resigned. A new ministry was formed by the Earl of Derby, with Lord Stanley as the secretary for Foreign Affairs, instead of Lord Clarendon. Early in July Mr Adams received his first interview with Lord Stanley; and it was then quite apparent that the relations, which had existed between Great Britain and America during the previous administration, were still to continue. Stanley definitely stated that he had always favoured the cultivation of friendly relations with America, and that he regretted that such relations should have been at all endangered during the

Civil War by ill considered speeches made in Parliament and by the ill temper of the newspapers.

At the end of July the attitude of the Government was made still clearer, when Mr White M.P. for Brighton, asked Lord Stanley whether, having considered the conspicuous good faith and friendly feeling of the government of the United States towards Great Britain in its recent conduct to the Fenians, Her Majesty's Government were prepared to submit all claims and matters in dispute between the two powers to an arbitration mutually acceptable.

Lord Stanley's reply was carefully guarded, but it intimated that if the claims should be revived, Lord Russell's rejection might possibly be re-considered. "I agree in the opinion which the honourable member has expressed as to the friendly and honourable feeling that has been shown by the Government of the United States with regard to this Fenian affair", he said. "I am very anxious, if possible - and I can speak for my colleagues as well as myself - to do anything that is reasonably possible to remove any feeling of irritation or of soreness which may remain in consequence of ~~ish-~~ circumstances connected with the late war. But, with respect to these claims, I am afraid I cannot give him so precise and so positive an answer as he may desire. With regard to the most important of those claims, a full discussion has taken place between the government of the United States and those who preceded us in office. That discussion was terminated 6 or 7 months ago, and during the very short time I have been in office those claims have not been revived. They involved questions of considerable perplexity and difficulty, and I need not add that I have had a very short time and very little leisure to consider them. In any case, it would be premature on the part of the government to say immediately what answer we should be prepared to give to claims of

that kind when they are revived, until and unless they are preferred.

Perhaps I may say that, with a view to lessen if possible the probability of such differences arising in future, it is the intention of the government to advise Her Majesty to issue a royal commission to inquire into the working of the neutrality laws, and if necessary, to revise those laws".

Public opinion was also desirous of attaining some settlement. A letter to the London Times of August 20th proclaimed that Lord Russell had made a mistake in refusing to refer the claims to arbitration and a hope was expressed that it was not too late to retrieve the error.

The United States seized their opportunity, and Seward met the tacit overtures by his despatch of August 27th. "It is the President's desire", he wrote to Adams, "that you now call the attention of Lord Stanley to the claims in a respectful but earnest manner, and inform him that, in the President's judgement a settlement of them has become urgently necessary to a re-establishment of entirely friendly relations between the United States and Great Britain". The tone of the despatch was courteous and conciliatory, and indeed it was stated that while America must insist upon the claims she was not desirous of assuming an unkind or hostile attitude to Great Britain.

When Adams brought the subject to Lord Stanley's notice in September, he was told that such large considerations were involved, that nothing could be done until the other members of the Cabinet had been consulted, and that it would be difficult to do this until the latter end of October. No objection, however, was made to this delay, and from the interview Adams received the impression that the matter would be carefully considered.

The British press, too, was urging that American demands should be satisfied. The Times on October 4th said that there could be nothing derogatory to the honour of England if she offered to submit her neutrality laws, together with those of the United States, to revision by a mixed commission. The Morning Star, on November 15th, sneered at the committee of confederate bond-holders, who were engaged in bringing their claims to the attention of the government, with a view to a consideration of them as against those of the American government in relation to the Alabama and other claims. (The confederate bond-holders were of course people who had subscribed to the Southern loan, and who owing to the failure of the Confederate cause had lost their money). The Morning Star continued as follows :- "Now when our own government is believed not to be indisposed to do what is right in the matter of the Alabama, the bond-holders wish to put forward a claim against the United States, because they have lost their money in doing them injury and giving aid and comfort to their enemies. If the United States were to put in an item of several millions in their bill, as representing the injury done them by the confederate bond-holders, we could understand it; but for the latter to claim satisfaction against the United States is something ^{altogether} ~~already~~ unique in the matter of claims. The bond-holders should present their old bonds to the writers in the public press who misled them as a recognition of their folly, and cease to trouble themselves further about steps which only end in chagrin and disappointment.

On November 30th, Stanley replied to Seward's despatch of August 27th in his communication to Sir Frederick Bruce, which denied the liability of the British Government, but which stated that they were fully alive to the inconvenience which arose from the

existence of unsettled claims between the two governments. "They would be glad", continued the despatch, "to settle this question if they can do so consistently with justice and national respect; and with this view they will not be disinclined to adopt the principle of arbitration, provided that a fitting arbitrator can be found and that an agreement can be come to as to the points to which arbitration shall apply".

Bruce, on January 7th, sent a copy of Stanley's despatch to Seward, and asked whether the United States were prepared to accept the proposed principle of arbitration. "I am instructed at the same time", he wrote, "to state that independently of these claims, there may be other demands on the part of American citizens arising out of the events of the late civil war, while there are certainly numerous British claims arising out of those events which it is very desirable should be inquired into and adjusted----The time seems now favourable for reviving the subject, and Her Majesty's government think that they may fairly invite the government of the United States to undertake, in the event of an understanding being come to between the two governments as to the manner in which the special American claims alluded to in the enclosed despatch shall be dealt with, that under a convention to be separately but simultaneously concluded, the general claims of the subjects and citizens of the two countries arising out of the event of the late war may be submitted to a mixed commission".

Seward's reply on January 13th said that the United States were quite ready to submit the claims to arbitration, provided that the whole case as presented in the correspondence of the two governments should be submitted. Stanley on March 9th said this could not be allowed, for such an extensive and unlimited reference would compel the British Government to submit to the arbiter the

question as to whether British recognition of the Confederacy as a belligerent in 1861 was justifiable. Yet on the other hand, the British Government was prepared to submit whether, in matters connected with the depredations of the Confederate cruisers, it was morally responsible to make good the losses of American citizens.

Naturally it will be seen that the American and British points of view differed. Great Britain was prepared for a limited reference to arbitration in regard to the Alabama claims, and adjudication by means of a mixed commission in the case of general claims, but the United States were desirous of presenting the Alabama claims without any restriction.

Owing to the delay in coming to any definite understanding, irritation in America against Great Britain was once again surging prominently forward. On July 26th 1866, an act, to alter American neutrality laws so as to accommodate them to the standard which Americans considered Great Britain to have maintained during the war, was passed unanimously by the House of Representatives. Hopes were also expressed that Irish Independence would be restored and ~~that~~ a belief that England owed reparation to Ireland was clearly stated. The neutrality bill failed to become law, however, for the Senate refused its consent; but now in 1867, the sentiments, which had swayed the House of Representatives in the previous year, were also taking possession of the Senate. Again on March 27th 1867, the House of Representatives expressed its sympathy with Ireland and spoke of "the just efforts" which the Irish had made to maintain the independence of their country. On the same day, too, it was resolved that no subject of a foreign government should be compensated for any loss of property sustained during the rebellion until Congress had given its consent, and a still further resolution testified to the existing anger against Great Britain. "Be it

resolved----that the people of the United States", ran the declaration, "cannot regard the proposed confederation of the provinces on the northern frontier of this country without extreme solicitude. A confederation of states on this continent, extending from ocean to ocean, established without consulting the people of the provinces to be united, and founded upon monarchical principles, cannot be considered otherwise than as in contravention of the traditions and constantly declared principles of this government, endangering its most important interests and tending to increase and perpetrate embarrassments already existing between the two governments immediately interested". (This referred, of course, to the proposed creation of the dominions of Canada.)

It was after considering the spirit expressed in the above resolutions that Seward wrote to Adams somewhat anxiously on March 28th. "Lord Stanley proposes an arbitration of the Alabama claims, with a preliminary condition that technical definitions shall be first given to the questions to be submitted. In that form his offer cannot be accepted, because it would permit a belief here that what are deemed just claims, absolutely entitled to redress, might be defeated by forms obstructive of a fair and full examination.--- Time seems to me to have already become an important element in the question of adjustment. If delays are continued, it may perhaps pass beyond the reach of settlement by a friendly correspondence--- It is not the President's desire to do anything, which would be or would even seem to be, unfriendly to Great Britain. At the same time I think it important that the ministry shall understand the increasing delicacy of the question as it stands in the United States".

Stanley's despatch to Bruce on May 24th made some attempt to improve matters. Seward on April 16th had stated that the

President of the United States must respectfully decline the proposal of Her Majesty's Government, for America could not consent to a special limitation of arbitration with regard to the Alabama claims, and preference could not be given to any other claims over the Alabama claims on the form of adjustment which was to be adopted.

From the last statement, Stanley thought that Seward had understood his offer of March 9th to have applied only to claims arising out of the proceedings of the Alabama, excluding similar claims arising from like proceedings of the Florida, Shenandoah and Georgia. Now, on May 24th, he hastened to inform Seward that the offer was not limited merely to the case of the Alabama, but that the depredations committed by other Confederate cruisers would also be considered. An explanation was also given for the division of the claims into the special claims arising from the proceedings of the Alabama and general claims. "The special claims," wrote Stanley, "depend for their settlement on the solution of what may be called an abstract question, namely, whether in the matters connected with the vessels out of whose depredations the claims of American citizens have arisen, the course pursued by the British Government and those who acted under its authority, was such as would involve a moral responsibility on the part of the British Government to make good, either in whole or in part, the losses of American citizens; the other, or general class of claims, admits of no such narrow restriction. The number of claims in this class on either side may be great, the circumstances of each more or less different, and the points involved in them complicated in their nature and bearing; and on these grounds alone it is obvious that they cannot, like those of the Alabama class, be comprised within a single proposition applicable in principle to all and bringing

all within the compass of a single division of an arbiter".

These reasons, to me, seem entirely satisfactory.

Unfortunately, the United States did not consider them to be so. Seward's reply on August 13th informed Stanley that he had quite understood that the offer of arbitration was not limited solely to the depredations of the Alabama, and he refused to acknowledge any distinction between special and general claims. "No distinction as to principles between the tribunals seems to the United States to be necessary," he wrote, "and in every case the United States agree only to unrestricted arbitration".

On November 16th Lord Stanley wrote to Mr Ford, who was acting as British chargé d'affaires at Washington, owing to the death of Sir Frederick Bruce, that Her Majesty's Government could not possibly consent to refer to a foreign power to determine whether the policy of Her Majesty's Government, in recognising the Confederate States as belligerent, was or was not suitable to the circumstances of the time when the recognition took place. He also contended that with regard to the general claims there was no question of moral responsibility, as in the case of the Alabama claims, and that consequently the two sets of claims could not be judged by like principles or by the same tribunal.

On November 29th the correspondence closed for a time, by Seward definitely stating that the United States could not waive the position they had maintained from the beginning, namely, that the Queen's proclamation of 1861 was unjustifiable and a departure from the law of nations, and because Great Britain would not agree to submit this question to an arbiter, the proposed limited reference was declined.

Another stage in the negotiations had finished, and although nothing definite had been arranged, it was quite apparent that on

both sides hopes existed that soon matters would be settled amicably. Great Britain certainly desired an arrangement, and although American irritation had steadily grown owing to the failure of the negotiations, wishes were still expressed that the claims might be adjusted without any resort to hostility. These wishes after several more years of intricate negotiations were satisfied. It will only be possible here to indicate the general trend of events which lead to this. C.F. Adams in 1868 gave in his resignation as American representative in England, and Reverdy Johnson was appointed to succeed him.

Upon Johnson's arrival in England, he at once began negotiations with Lord Stanley, and on November 10th 1868 the Stanley-Johnson convention was signed at London. This was, however, unacceptable to the Government of the United States; and so negotiations were at once resumed, although there had been changes in the British Government, for as a result of the general election which was held in November, the Liberals were returned to power with Mr Gladstone as Prime Minister and Lord Clarendon as the secretary for foreign affairs. Consequently it was by Lord Clarendon and Mr Johnson that another general agreement was worked out. This - the Johnson-Clarendon convention - was signed at London on January 14th 1869, and provided for the organization of a mixed commission with jurisdiction over "all claims on the part of citizens of the United States upon the Government of Her Britannic Majesty, including the so-called Alabama claims, and all claims on the part of subjects of Her Britannic Majesty upon the Government of the United States which may have been presented to either government for its interposition with the other, since the 26th July 1853 and which yet remain unsettled".

From this it will be seen that the British Government had

yielded all which it had previously stated was impossible, for now the administration of our neutrality laws and our recognition of the belligerent rights of the Confederacy were subjected to arbitration.

This same agreement also decided that naturalized citizens of the United States should be given the full rights in Great Britain which were enjoyed by native born citizens of the United States, thus, of course, recognising the right of expatriation. A boundary dispute which had arisen in the N.W. was also to be referred to arbitration.

But this concessive attitude of Great Britain did not bring the desired settlement, for the internal conditions of the United States were unfavourable. In November 1868, there had been a presidential election, as a result of which General Grant was to succeed Andrew Johnson in the following March, and unfortunately great antipathy existed between the outgoing and the ingoing administrations. Consequently the Grant administration would hardly be likely to accept an agreement negotiated under the Johnson presidency, and there was also a feeling in the United States that the offence of Great Britain could not be expiated by the mere compensation of private individuals for national losses. When the treaty, therefore, was brought before the Senate in April, it was rejected by 44 votes to 1.

The speech of Senator Sumner, who had been considered one of England's best friends during the Civil War, had much to do with this. The treaty, he said, did not settle the pending claims and was nothing but a snare, which provided only for the adjustment of individual claims on both sides and left untouched the great wrong done to the United States as a nation - a wrong which had brought suffering and humiliation in addition to vast expense.

The individual losses, he considered, were trifling compared with this national loss, and British responsibility was consequently to the American nation, and was not to be limited to the property destroyed by the Confederate cruisers. Amongst the national losses he included the loss of the American carrying trade, through the transfer of goods to the British flag as a protection against the cruisers, the injury to the shipbuilding interest, the rise in the cost of marine insurance, and the expense of the war for the time British negligence had prolonged it.

Only hundreds of millions, he suggested, could satisfy the American nation. Great Britain would never forfeit this, and so she must make some other compensation. Then followed a suggestion of unparalleled audacity. ^{In} On return for the wrongs done to America, why should not Great Britain sacrifice Canada?

As one can well imagine such a suggestion caused a storm of indignation in England. Even John Bright complained and the Duchess of Argyll wrote to Sumner as follows :- "For the first time I am silenced when you are spoken about. I understood you through the war. I do not now".

Yet I do not consider that Sumner was actuated so much by hostility to Great Britain as by party jealousy and rancour, for if Sumner had fully and impartiality in his speech represented the views of the whole Cabinet, the settlement which was effected within the next two years, could not have been brought about so quickly. And as a matter of fact, both the British and American Governments wanted to settle the matter, so Fish, the American secretary of State in Grant's cabinet attempted valiantly to overcome the effect of Sumner's speech and bring back the negotiations to the position in which they had been left by Seward. The Gladstone cabinet was also as anxious as Fish, for in view of the European complications

which were now threatening, Great Britain had no desire for inconvenient relations with America. There were, however, difficulties on both sides. Great Britain was excessively annoyed by Sumner's extravagant demands and any sign of yielding to them would undoubtedly destroy the British Government; and in America popular sentiment was keyed up to Sumner's pitch.

Yet something had to be done, and in 1869 John Rose, Canadian statesman and financier, a man highly respected by both the British and American cabinets, was sent to Washington soon after the rejection of the Johnson-Clarendon convention, to ascertain whether overtures for re-opening negotiations would be accepted by the President in spirit and terms acceptable to Great Britain. The answer was in the affirmative, and consequently there followed two years of secret and unofficial negotiations. During this time Sumner quarrelled with Grant and lost his influence, and the Franco-Prussian War gave a fresh impulse to the desire of the British leaders to settle the matter.

Accordingly on January 26th 1871, the British Government finally proposed to the American Government that a joint High Commission should be appointed to hold ^{its} the sessions at Washington, and there devise means to settle the various pending questions between the two Governments, affecting the British possessions in N. America. To this overture Mr Fish replied that the President would appoint Commissioners with pleasure, provided that the differences growing out of the late Civil War should be settled. The British Government promptly accepted this proposal and their commissioners arrived at New York in February, and despite many difficulties, on May 8th, the Treaty of Washington was signed, concessions being made by both parties. The British Government

expressed regret, for the escape, under whatever circumstances, of the Alabama and other vessels from British ports, and for the depredations committed by those vessels, and they consented to refer all the Alabama claims to a tribunal of arbitrators which was to meet at Geneva.

Three rules were also laid down as to the duties of a neutral and by these rules the arbitrators were to decide. The first rule stated that a neutral government must use due diligence to prevent the departure from its jurisdiction of any vessel intended to carry on war, such vessels having been specially adapted, in whole or in part, within such jurisdiction to warlike use. The second rule said that a neutral government must not permit either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal of military supplies or the recruitment of men; and the third rule ordered due diligence to be exercised in neutral dominions to prevent neutral subjects from violating the foregoing obligations and duties.

That Great Britain should submit to be judged by these rules showed an extremely conciliatory attitude, for the principles which the rules contained were not obligatory as rules of international conduct at the time when the acts concerned were committed.

On the other hand the United States did not press their point with regard to the premature recognition of the belligerent rights of the Confederacy. Fish said that the act showed an unfriendly spirit but that it could not be made a ground of compensation. The American national claims were also abandoned and all reference to them was avoided.

Other articles of the Treaty settled the fishery, navigation and commerce disputes, and submitted the question of the ownership of San Juan Island to the arbitration of the German Emperor, in

order to complete the settlement of the N.W. boundary dispute.

The tribunal of arbitration met at Geneva in December 1871. The United States claimed for the destruction of vessels by the Confederate cruisers (the direct or Alabama claims) and also for the losses involved by the transfer of the American merchant marine to the British flag, the cost of the pursuit of the Confederate cruisers, the increased rate of insurance and the prolongation of the war owing to British blockade running, (indirect or national claims). The arbiters agreed, however, that the national claims could not be allowed, but they found that Great Britain had failed to use due diligence in the performance of its neutral obligations with respect to the Alabama and the Florida and their several tenders; and also with respect to the Shenandoah after her departure from Melbourne, February 18th 1865, but not before that date; and the damages due to the United States on account of these cruisers were assessed at \$15,500,000.

With regard to the Georgia, the Sumter, the Nashville and other cruisers, it was found that Great Britain had not failed in her neutral duties, and consequently no compensation was awarded.

Other claims, for losses sustained during the war by either government through acts committed by citizens of the other, were also settled. These claims consisted chiefly of claims made by British subjects for the seizure or destruction of their property owing to military operations on land and to the blockade of the coast. A few claims against Great Britain were presented by Americans for losses sustained in the operations of the Confederates in Canada in raids across the frontier. These were, however, dismissed but Great Britain was awarded \$1,900,000 to settle the claims of her subjects.

The matter of the inshore fisheries was also decided at this

time, and it was agreed that the Americans should pay for this privilege in hard cash. The exact amount was a matter of some dispute, but in 1877 the United States finally agreed to pay Great Britain \$5,500,000 in gold.

Many people in Great Britain were dissatisfied with the Genevan arrangement, regarding the compensation to America as excessive. Lord Russell moved an address to the Queen against the Treaty of Washington, but the motion was withdrawn; and in America, Sumner violently assailed the compact. This attack, however, did something towards reconciling British public opinion, for it was felt that anything which would have satisfied Sumner, would indeed have reflected upon the honour of Great Britain. Whether \$15,500,000 was excessive or not, surely it was well spent in putting an end to the misunderstanding which had existed between two great branches of the English speaking race.

So we come to the end of our survey, and we find that in spite of many causes of irritation, distrust, and misunderstanding, good feeling and friendship has been restored amongst two nations of the same speech, blood and traditions. And other points of dispute which remained after 1870 were settled in the same friendly manner. Such an attitude consequently foretold the best for the future of the civilized world, and this prediction was fulfilled in the 1914 - 18 struggle against militarism, when British and American fought side by side to crush the foe of civilisation. And while American forbearance has been shown in the preceding chapters, a tribute must also be paid to British toleration and restraint.

Undoubtedly from 1814-71 the American masses were more inclined to war than the British, but until the Civil War, America had no standing army and only a small navy, and after the Civil War

the problems of reconstruction and the enormous loss of wealth and men, prohibited any outbreak of hostilities. The increased intercourse of private citizens which followed the introduction of steam navigation and the growth of commercial interests also bound the two nations in a closer and more abiding friendship.
