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BRITISH DIPLOMACY

ILLUSTRATED IN THE

AFFAIR OF THE "VIXEN."

ADDRESSED TO THE COMMERCIAL CONSTITUENCY
OF GREAT BRITAIN.

BY

AN OLD DIPLOMATIC SERVANT.

THIRD EDITION.

NEWCASTLE:
CURRIE AND BOWMAN, 33, COLLINGWOOD STREET.

1839.

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TO THE
COMMERCIAL CONSTITUENCY OF GREAT BRITAIN.

THOSE who are best acquainted with our commercial interests have felt with alarm, and exposed with ability and effect, the prospect of convulsion, and the danger of decay, that may ensue from the decline of our foreign trade. Those who are conversant with our naval and military resources, have exposed to you in terms of indignation, and with still profounder feelings of dread and alarm, your naked and defenceless state, the maritime insufficiency of your navies, and the military defencelessness of your own coasts, to protect you even from aggression. Those, again, who are informed of the circumstances and relations connected with your Indian possessions have called and implored your attention to the ruin impending, through your negligence, on our Indian Empire. Men connected with diplomacy have exposed to you the dangers which threaten from every side by the mismanagement of your affairs, which, by encouraging other nations to hope to overreach you, and by allowing them to overreach you, converts ultimately those nations into enemies.

Upon separate grounds commercial men, military men, diplomatic men, conceive the existence of England endangered through the absence of that system which is necessary for the conduct of its affairs, and of that national sense and feeling, through which, alone, national existence can be maintained. I most earnestly beg to call your attention to another and a far graver danger,—a danger which is the natural result of neglect, fallacy, and mismanagement; and

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that is, the subserviency to foreign and to hostile interests of the very department to whose loyalty and intelligence the destinies of this country are confided.

In the affair of the *Vixen* is to be found incontrovertible proof (complicated and perplexed as that question is) of the collusion of our Foreign Minister with the Government of Russia.

The depth and importance of such a conclusion is such, that it would be treason in any individual not to devote his most zealous efforts to the exposure of a state of things so momentous and so alarming.

The following pages are devoted to elucidate, through these transactions, the connexion which, if established in one point, must be common to every other, but which in the ordinary course of events, and through the mystery of diplomatic transactions, will not obtrude themselves upon the attention of the public, negligent as that public is of its real interests, and ignorant as it is of every question of a foreign or international character.

A long intimacy with diplomatic transactions has familiarized me with such inquiries; and deep alarm for the prosperity, and even the existence of my country, is the only excuse which I have to offer for venturing to press upon the attention of the only body from whom, under actual circumstances, the salvation of the country can proceed,—the circumstances under which the first blow has been levelled at England through the commercial community itself.

AN OLD DIPLOMATIC SERVANT.

PREFACE TO THE THIRD EDITION.

IT is generally supposed that the interest connected with the capture and confiscation of the *Vixen* is extinct, and that the subject itself has now passed by. This, however, is not the case; the legality of that seizure and confiscation has to be tried in an English court and to be decided upon by an English jury. It will be again and again brought back to the House of Commons and the House of Peers, and in proportion as the feelings and opinions of this country are aroused and awakened to subjects connected with our Foreign affairs, will interest, grow, and increase, concerning the confiscation of the *Vixen*, involving as it does maritime right—international law—the independence of Circassia—the security of India—the policy and aggrandisement of Russia—the policy and character of Great Britain. But if the question connected with the seizure and confiscation of the *Vixen* were entirely adjusted, still would the analysis of that transaction be of the most vital importance to Great Britain, because thereby would Englishmen be enabled to comprehend the process by which their power as a nation has been almost annihilated; above all is it important that there should be within the reach of the public at large, the means of judging of the honesty and character of the Foreign minister of this country—that minister being by his superiority of intelligence and activity, and through the support afforded him by collusion with Foreign Governments,

the less master of his colleagues than he is of the empty benches of the House of Commons.

This consideration on the one hand, and on the other, the encouraging prospects of a new spirit of enquiry, and a national feeling of energy awaking among the commercial communities of Great Britain, induce me to re-publish this analysis of the diplomatic transaction connected with the seizure and confiscation of the Vixen.

Whilst penning these lines I have received intelligence of the capture of Soudjouk-Kalé by the Russians. I have stated that it was in Russia's power to occupy Soudjouk-Kalé at a much earlier period, as it was also in her power to give existence to regulations under which the Vixen was asserted to be condemned, but which never existed and to have obtained from her subservient courts of justice a sentence of confiscation which never was obtained. I have said that *intentionally* she did not occupy Soudjouk-Kalé—that *intentionally* she did not establish regulations—that *intentionally* she did not obtain a decision of a court of justice, because, having previously settled the point of confiscation through collusion with the British minister of Foreign affairs, on that individual fell the charge of justifying *her* act; so that it became her object to render that act as violent and as unjustifiable as possible, in order the more completely to rivet her chains round the neck of the Foreign minister, and through him to secure that complete ascendancy and control over the British Government, which she has succeeded in obtaining, and the fatal consequences of which we have seen, and have yet to see.

The news of the almost unresisted occupation of Soudjouk-Kalé by Russia, which has just arrived, proves that in my assertion respecting the facility of that occupation I was right; and the very fact of this occupation becomes a perfect demonstration of the falsehood of Lord Palmerston's assertions in the House of Commons—becomes a demonstration to the world of the subserviency and—but let the reader after per-

usual supply the word his conviction may suggest to him—of the British minister.

As connected with this subject, I subjoin the following extract from a speech delivered by Mr. Urquhart, at a dinner given to that gentleman at Glasgow:—"Yet it was on that coast, and before the eyes of this people (the coast and people of Circassia) that an outrage unheard of was perpetrated on the British flag, and that—I blush as a man, and I tremble as a Briton to record it—England submitted to the outrage, and justified it by a falsehood. An English vessel, "the Vixen," was captured by a Russian cruiser while peaceably trading with an independent people, and now bears along these coasts weapons of death and the pennant of Russia. Had Circassia from time immemorial been a dependency of Russia, the seizure of the Vixen would have equally been an outrage on England, and a violation not only of international law but of peace; but England and Russia have reciprocally bound themselves by the treaty of the 6th. July, entered into for "the pacification of the east," to seek no accession of territory or any exclusive commercial or political advantages. The plea put forward by Russia, and eagerly grasped by England, of the occupation of the coast in question, by a Russian force, an assertion which itself is false, is a violation of compact and of treaty; yet this violation is admitted—nay invented, to justify the seizure of a vessel which went to that coast under the sanction and patronage of the British government itself—exhibiting a complication of infamy unheard of amongst mankind, and which must doom the perpetrator to enduring execration. You ask what can be done to maintain the independence of Circassia: I reply in the words of the toast you have just drunk, "Maintain your rights as secured by treaty"—cease to strengthen Russia in your dishonour—cease to humiliate Circassia in your disgrace—avenge the piratical seizure of a British vessel before the eyes of the Circassians—maintain that position in the world which will

overawe their ruthless aggressor—repay, as men, the sympathy which they offer and the admiration which they feel, and you will do for their independence as much as warlike triumphs can effect—and obtain for yourselves that security which fleets and armies may not restore, when Circassia is lost. It was on the shores of Circassia that I first learned to appreciate the strength of England in the union of the interests of mankind, with her prosperity. It was there, too, that I learned to appreciate the effects of English commerce on the integrity of her principles, and on the destinies of the minor states.”

REFLECTIONS.

A government cannot prescribe regulations for a country of which it is not in possession.

In case of insurrection, international law provides the remedy of blockade.

The central government proclaims the blockade of the coast in insurrection, which affords to other Powers the opportunity of judging politically of the justice of the act before they admit and publish such blockade to their own subjects ; and it reserves to the decision of a judicial tribunal the fulfilment of the conditions upon which alone a measure so violent as a blockade is had recourse to,—namely, the presence of a sufficient force for carrying it into effect.

Let us suppose that Circassia had been, *ab antiquo*, a province of Russia. At the place and period of the arrival of the *Vixen* the country was in insurrection. The municipal laws, previously and legally established, and long acted upon could not be any longer in operation.

It is only for the infringement of an existing law than an individual can be punished.

The confiscation of the property of a merchant is a personal punishment inflicted upon him in consequence of the criminal violation of law. If the laws do not exist, in fact, he can be liable to no punishment.

As to sanatory regulations, there were none in existence to be violated ; as to municipal regulations, those in existence were complied with ; as to custom-house regulations,

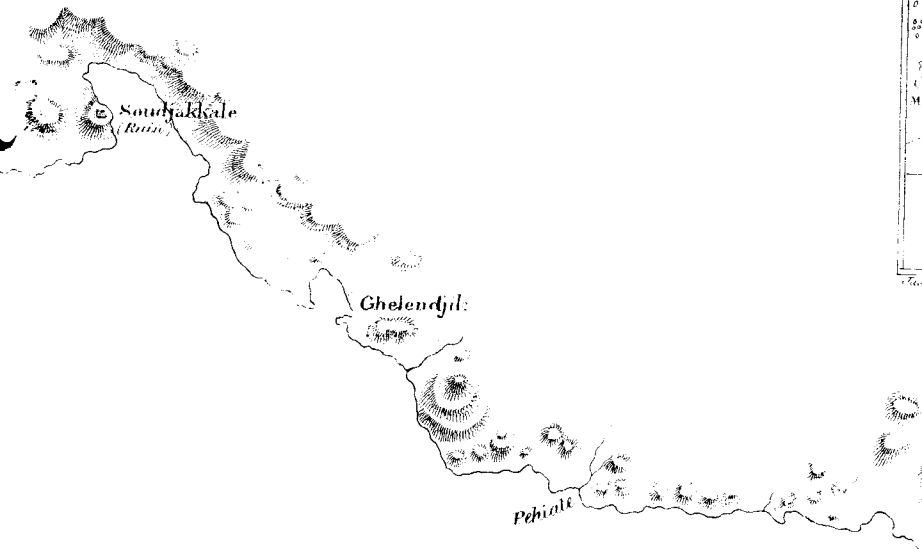
there was no possibility of criminality, because no goods were landed.

The law of nations does not provide against the consequences of penalties inflicted on the subjects of other Powers guiltless of any crime. It has not stipulated the penalties attached to the fiction of regulations, nor has it supposed that any nation would suffer the property of its subjects to be confiscated by a foreign state by extra-judicial proceedings, by the fiction of possession where it did not possess, and upon two grounds of indictment, the one contradictory of the other.

The *Vixen* arrived in the bay of Soudjouk-Kalé, and, during two days, had communication with the authorities which it there found constituted. While so occupied it was captured by a vessel that entered seaward, and by an officer having a commission in the navy, not by any harbour or port authority. The charge made was, holding communication with the enemies of the Emperor. This principle admitted, a vessel bearing a Circassian letter of marque might seize an English vessel in the port of Riga.

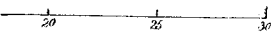
There is, here, falsification of fact, perversion of the forms of judicature, subversion of international right, and the setting at naught maritime law.

Treaties with England are violated, the rights of a free people overthrown through England, British property confiscated, and the liberty of British subjects infringed.



Sketch
of the
COAST OF CIRCASSIA.
Drawn from the CHARTS of the
RUSSIAN ADMIRALTY.

Miles



THE
AFFAIR OF THE "VIXEN,"

Sec., &c.

SECTION I.

*Diplomatic Engagements between England and Russia, relative
to Circassia.*

THE engagements entered into between England, Russia, and France, since the treaties of Vienna, were expressly intended to confirm and consolidate the balance of power established with the consent of every European state. The sole condition on which England subsequently consented to interfere in the affairs of the Ottoman Empire, or to allow the interference of any other Power in those affairs, was, that neither she nor they should seek in the pacification of the East any advantages which should not be common to all mankind.

The Protocol of St. Petersburg, of the 4th of April, 1826, stipulates, as the condition of the union of England with Russia to effect the pacification of the East, that

"His Britannic Majesty and His Imperial Majesty will not seek in this arrangement any increase of territory, nor any exclusive influence nor advantage in commerce for their subjects, which shall not be equally attainable by all other nations."

The Pruth and the Kuban were at that time the limits of Russia, as established at the treaty of Bucharest in 1812, and as subsisting when that Power became a co-signing party to the treaties of Vienna.

The subsequent treaty of July 6, 1827, admitted France, to the alliance "for the pacification of the East," on the same conditions as those by which England and Russia were reciprocally bound to each other and to their subjects.

Art. 5 states that—"The contracting Powers will not seek in these arrangements any augmentation of territory, any exclusive influence, or any commercial advantage for their subjects, which those of every other nation may not equally obtain."

Every nation in the world was thus entitled by England to participate with her in any advantages which might result from the pacification of the East; whilst neither she herself nor either of the other two contracting parties could separately exclude any country, and still less any member of the alliance, from benefits which were to be common to all.

With regard to the East, the condition of which it was the particular object of the treaty more immediately to benefit—it appears almost superfluous to remark, that any imposition upon it of restrictions and disadvantages from which it was previously exempt would be a perversion of the object, basis, and conditions of the treaty, and a complete mockery of all international engagements.

The war of Russia against Turkey in 1828 was undertaken, according to the solemn and reiterated declarations of Russia herself, "only for the more speedy fulfilment of the stipulations of the 6th. of July, and not to make any change in their nature or their effects."

The papers presented to Parliament respecting the affairs of the East abound in assurances of the determination of the Emperor to abide by his obligations. In the despatch of Count Nesselrode to Prince Lieven, dated St. Petersburg, January 6th. 1828, annexed to protocol No. 7, his Excellency states—

"Nevertheless, mon prince, the more anxious the Emperor is for the prompt execution of the Treaty of London, the more will he himself respect its stipulations. Without doubt, the conduct of the Porte, its strange proceedings with regard to the commerce and subjects of His Majesty, the refusal to allow, henceforth, in their favour, a protection which has ever existed under similar circumstances, would fully justify the employment of the means which our august master has at his disposal; but it is sufficient for the Emperor to have signed an agreement with his allies, to insure his adherence to the principles which it establishes.

"The first, and the most essential of all, is that which prohibits to the Powers who signed the Treaty of London, conquests and exclusive advantages. His majesty has already announced that, in any supposable case, he will never deviate from it. He charges me to repeat in this place the expression of that firm resolution."

Again, in the same despatch, he adds.—

"We are arrived at a point at which it is no longer in our power to hesitate upon the measures which the determinations of the Turkish Government call for; but we repeat it, even to satiety that neither

Russia. that, "even under the altered circumstances of his present position, the stipulations of the treaty will ever be sacred in his Imperial Majesty's eyes," His Lordship adds,—

"The Russian government is too enlightened not to see, and too just not to admit, not only that no change in the state of possession, as established by the treaties in question, could take place without proving deeply interesting to the several powers of Europe; but that no material alteration could be effected in the condition, strength, and character of a great Power, without altering the relative position of the neighbouring states towards each other and towards the rest of Europe."

"Whatever tends to derange that balance, the re-adjustment of which, after years of blood and toil, the great Powers of Europe happily succeeded in effecting, will of necessity mar the perfection of their work: and, by giving rise to jealousies and apprehensions, may too probably lead to fresh complications and disasters."

In the above documents, therefore, we have the most solemn assurances that Russia would remain faithful to the Treaty of July, and the names of Wellington, Canning, Dudley, and Aberdeen are the guarantees which England and all other nations possess for the maintenance of those commercial rights which, prior to the Protocol of April, 1826, they enjoyed.

The object of the Protocol of the 4th of April, and of the Treaty of July, was attained by the declaration of the Sublime Porte of September the 9th, 1829.

"The Sublime Porte declares that, having already adhered to the Treaty of London, it now further promises and pledges itself to the representatives of the Powers who signed the said Treaty, to subscribe entirely to all the decisions which the conference of London shall adopt with respect to its execution."

It must be remarked that, at the period of this declaration, Turkey was still at war with Russia, and, consequently, no treaties whatever existed between them. The Greeks had already long since acceded to the treaty of London; consequently, the sole object for which England had allied herself to Russia, and for which she had bound herself towards France, Austria, and Prussia, was secured.

Turkey, Greece, England, France, Austria, and Prussia were all now acting on the same line.

But, five days afterwards, Russia forced upon Turkey the Treaty of Adrianople of the 15th of September, by which, in violation of the principles laid down in the Protocol and the Treaty of July, and of her pledged faith to all the world, she claimed "an augmentation of territory, an exclusive

influence, and commercial advantages" for her subjects, from which she pretends to exclude England and every other nation.

The King of England, on learning of the Treaty of Adrianople, reserved by a diplomatic communication to the Court of St. Petersburg, not only the rights of England, but even the right of judging of the extent of the sacrifices which Russia might be allowed to demand from Turkey as an indemnity for the war.

It was not until nearly a year after Lord Palmerston's accession to the Foreign Office, that Russia, although the Treaty of Adrianople had been signed two years before, made the first overt step towards securing the connivance of England in her pretended right to Circassia.

On the 12th of October 1831, the Russian Envoy at Constantinople communicated to Mr. Mandeville, the British Minister, and to the representatives of Foreign Powers at the Porte, the fact of certain regulations of Russia excluding foreign merchant-ships from all the ports of the eastern coast of the Black Sea, excepting Anapa and Redout-Kalè. Mr. Mandeville at once instructed the British Consul-General at Constantinople to notify these regulations to the masters of British trading-vessels navigating in the Black Sea, and transmitted a copy of them to Lord Palmerston.

Mr. Mandeville's conduct at Constantinople received the highest approbation. Lord Palmerston, in not protesting against these pretended regulations, or, rather, in sanctioning Mr. Mandeville's notification of them, became a party to the violation by Russia of her engagements to England; thus sacrificing not only our natural, but our treaty rights. But he at the same time secured the position of Russia against all other Powers, because Russia and England formed the majority in the alliance; and what minor Power, seeing England submit, could ever dream of resistance?

France perceiving in this collusion the fall of the Ottoman empire, and not being possessed of any statesmen capable of comprehending the consequences to herself of such a catastrophe, proceeded to further the views of Russia, by seeking to profit by the overthrow of that empire, and prepared to appropriate to herself its southern and Mediterranean provinces.*

*This concert between Russia and France for the extension of influence, commerce, or possession, of which not these regions alone, but Europe, Africa, North and South America, are equally the theatres, has been most remarkably illustrated in the affairs of Greece, where, under the mask of an alliance of these

In November, 1835, France imposed her tariff on foreign imports into the African provinces of the Sultan, which, in defiance of the treaty of July, 1827, and of the renewed protest of 1830, she now incorporated with her own empire. She thus obtained territorial aggrandizement, exclusive influence, and commercial advantages for herself, thus balancing the action of Russia in Circassia.

The concurrence of Lord Palmerston in the hostile projects of the commercial rivals of England has since been of a more active character. The permission granted to civil and military functionaries of the Crown to be attached to the staffs of General Damremont and Count Woronzow—thus exhibiting to fourteen millions of our natural allies and commercial customers the union of England with their invaders, and giving the ostentatious sanction of the British Government to the violation of the engagements entered into with the British Crown—prepares the mind to appreciate the importance of the question which has yet to come under the consideration of Her Majesty's counsellors in the House of Lords.

SECTION II.

Communications between the Owners of the "Vixen" and Lords Palmerston and Ponsonby—Establishing the Non-Recognition of Russian Regulations on the Circassian Coast.

The statement of the case is to be found in the Correspondence between the Foreign Office and Messrs. Bell,—a Correspondence, to which the records of diplomacy afford no parallel.

two Powers with England, for the purpose of establishing peace and maintaining tranquility, they have overthrown the independence of that unfortunate country, while, at the same time, they have appropriated to themselves the very mortgage of the British Capitalists, previously ratified and confirmed to the capitalists by a formal declaration on the part of the Triple Alliance. Greece is but a small state, yet it has called forth more intense and complicated diplomatic action than perhaps was necessitated by the settlement of Europe at the Treaty of Vienna. Here, then, may be clearly seen revealed the secret intentions and the real opinions of our two allies, on whose intentions and opinions alone war and peace depend.

ANALYSIS OF THE AFFAIR OF THE "VIXEN."

No. 1.

Messrs. George Bell and Co. to Viscount Palmerston.

(Received May 25.)

Mitre Chambers, Fenchurch street, May 25. 1836.

My Lord,—We beg leave to inform your Lordship that we have been urged by the Prince Hospodar of Wallachia to undertake the farming of the salt-mines of that country; and in the course of our inquiries as to the available outlets for their produce, we find the populations of the countries along the whole circuit of the Black Sea from the Bosphorus as far as the entrance to the Sea of Asoff, to be importers of salt; but in consequence of the interruption of the relations between the Russian territories and the countries to the south of the river Kuban, a very large population, which formerly drew considerable quantities of salt from the Russian territory, is now deprived of that necessary of life.

These considerations open up for the principalities a large outlet for the produce of their salt-mines, and which would immediately come into operation, but for the existence of a blockade by Russia of the eastern coasts of the Black Sea.

We, therefore request the favour of your Lordship to inform us *whether there be any restrictions on the trade with that line of coast which are recognised by his Majesty's Government*; for although we have not, for the present, assented to the proposal of the Prince of Wallachia, yet we should gladly avail ourselves of it, should we have a favourable answer to this our inquiry; and, at all events, in consequence of our commercial connexions with that country, we look with the greatest anxiety for a decision on this point, which so deeply affects the general interests of all the countries bordering on the Black Sea, and which more especially would open it up for much greater employment of British capital and shipping.

We have, &c.

GEORGE BELL and Co.

The Viscount Palmerston, G. C. B., &c.

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No. 2.

The Hon. W. Fox Strangways to Messrs. George Bell and Co.

Foreign Office, May 30, 1836.

Gentlemen,—I am directed by Viscount Palmerston to acknowledge the receipt of your letter of the 25th of May, in which you request information to enable you to decide whether it will be for your advantage *to engage in a speculation in salt in the province of Wallachia*; and Lord Palmerston directs me to state to you, in reply, that His Majesty's Government does not undertake to guide

individuals in determining whether they shall enter into or decline commercial speculations in foreign countries. It is for individuals to judge for themselves upon such matters, and to determine, upon the information which they may obtain from sources of intelligence which are open to all, whether it is expedient or not for them to embark in any given undertaking.

I am, &c.

W. FOX STRANGWAYS.

Messrs. George Bell and Co.

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No. 3.

Messrs. George Bell and Co. to Viscount Palmerston.

(Received May 31.)

Mitre Chambers Fenchurch-street, May 30, 1836.

My Lord,—We have the honour to acknowledge the receipt of Mr. Strangways' letter of this date, conveying your Lordship's reply to our letter of the 25th of May, relative to trade with the eastern coast of the Black Sea; and we now beg leave to state to your Lordship, that we had no intention, nor does our letter appear to us, to require any opinion from His Majesty's Government as to whether we should, or should not, enter into the speculation therein referred to. The details which we gave pointed out a great field for British commerce, and were intended merely to show our object in making the only inquiry which we did make, and which we now beg leave to repeat,—namely, *whether or not His Majesty's Government recognise the Russian blockade on the coast of the Black Sea to the south of the river Kuban?* We presume your Lordship will admit that any commercial house is perfectly justified in asking for information from His Majesty's Government on such an important subject as a question of blockade, of which no notification, so far as we can learn, has ever appeared in this country.

We have, &c.

GEORGE BELL and Co.

The Viscount Palmerston, G. C. B., &c.

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No. 4.

The Hon. W. Fox Strangways to Messrs. G. Bell and Co.

Foreign Office, June 2, 1836.

Gentlemen,—I am directed by Viscount Palmerston to acknowledge the receipt of your letter of the 30th of May, inquiring “whether or not His Majesty's Government recognise the Russian blockade on the coast of the Black Sea to the south of the river Kuban,” of which you state, “no notification, as far as you can learn, has ever appeared in this country.”

Lord Palmerston directs me to state to you in reply, that if your inquiry is retrospective, and relates simply to the fact whether the British Government has notified in the *Gazette* any Russian blockade in the Black Sea, your letter itself appears to contain an answer to the question which it asks.

But if your inquiry is prospective, and is made for the purpose of ascertaining what the British Government would do in an hypothetical case, I have to inform you that it is the duty of His Majesty's Government to listen to any statement of grievance alleged to have been sustained by His Majesty's subjects, and to endeavour to obtain redress, where it shall be made to appear that any real injury has been suffered; but it is no part of the duty of the Government to answer speculative inquiries. British merchants must in their undertakings be guided by facts which are public and notorious to all, and must not expect that the Government shall, for their particular and individual benefit, anticipate events and prejudge questions of international rights.

I am, &c.,

Messrs. George Bell and Co.

W. FOX STRANGWAYS.

No. 5.

Messrs. George Bell and Co. to Viscount Palmerston.

(Received June 6.)

Mitre Chambers, Fenchurch Street, June 4, 1836.

My Lord,—We have the honour to acknowledge the receipt of Mr. Strangways' letter of the 2nd. of June, conveying your Lordship's reply to our letter of the 28th. of May. We must offer our apologies for having again to trouble your Lordship on the subject therein discussed.

We beg leave to state to your Lordship, that we do not make inquiries of either a retrospective, speculative, or prospective nature, but as to a *fact*—viz., the blockade of the coast of the Black Sea to the south of the river Kuban, which has existed, and up to the date of our last intelligence still continued to exist; and, lest we may not have clearly understood the tenor of your Lordship's reply we think it proper to state, that the conviction we derive from the perusal of it, as well as from the fact of no notification of that blockade having been published by His Majesty's Government, is, that such blockade *is not recognised by His Majesty's Government.*

If we do not receive any reply contradictory to this our understanding, we shall proceed to act upon it forthwith.

We have, &c.

GEORGE BELL and Co.

The Viscount Palmerston, G.C.B., &c.

Now, not only did Messrs. Bell and Co. receive no reply "contradictory" of this understanding, but they actually

received a reply affirmatory of their understanding of Lord Palmerston's opinion. The reply is as follows:—

The Hon. W. Fox Strangways to Messrs. George Bell and Co.

Foreign Office, June 7, 1836.

Gentlemen,—In reply to your letter of the 4th. of June, stating that the conviction which you derive from the perusal of my letter of the 2nd. of June, as well as from the fact of no notification of the blockade of the coast of the Black Sea to the south of the River Kuban having been published by His Majesty's Government, is that such blockade is not recognised by His Majesty's Government, I am directed by Viscount Palmerston to state to you, that his Lordship can only refer you on this subject to the *Gazette*, in which all notifications such as those alluded to by you are made for the information of the parties interested.

I am, &c.

Messrs. George Bell and Co.

W. FOX STRANGWAYS.

The meaning of the above letter is clearly the following:—

On the entire subject of your convictions derived from my letter of the 2nd of June, which states that “British merchants must in their undertakings be guided by facts which are public and notorious to all,” as well as from the particular facts of no notification of the blockade of the coast of the Black Sea to the south of the river Kuban having been published by His Majesty's Government, Lord Palmerston can only refer you to the *Gazette*, in which all notifications, such as those alluded to by you in your correspondence, are made for the information of the parties interested.

Now, at the period when Messrs. Bell and Co.'s inquiries were made of Lord Palmerston, “respecting any restrictions on the trade with that line of coast which are recognised by His Majesty's Government,” his Lordship was in possession of the regulations assumed to be established by the Russian Government in October, 1831, which “prohibited foreign seamen from touching at any other points along the shore of the Black Sea south of the Kuban than those at which quarantine establishments and custom-houses are situated, viz., Anapa and Ridout Kalé.”

These regulations are reiterated in the enclosure to the following despatch:—

No. 7.

Lord Ponsonby to Viscount Palmerston.

(Received Oct. 13.)

(Extract.)

Therapia, Sept. 21, 1836.

I have the honour to forward copy of a note from the Envoy of Russia.

I have replied to the Russian Envoy, saying I had received his Excellency's communication, and would forward it without delay to His Majesty's Government.

To Viscount Palmerston, G. C. B., &c.

Enclosure 1 in No. 7.

(Translation.)

Bujukdere, Sept. 1 (13). 1836.

Sir,—In the course of the year 1831, and specifically by a communication of the 30th September (12th of October) of that year, I had the honour, by order of my Court, to acquaint the representatives of foreign Powers at Constantinople with the measures which my Government had *thenceforth* established with respect to foreign vessels frequenting the eastern coasts of the Black Sea belonging to Russia, with the twofold view of preserving those coasts from the introduction of the plague and of preventing smuggling on the same coasts. As the vessels which frequent the coasts in question are chiefly Turkish, I did not fail, at the same time, to make the like communication to the Sublime Porte.

Some cases having since occurred in which the regulations on this matter have been disregarded, the Imperial Government now finds itself called upon to provide with greater vigilance for the strict observance of the existing regulations, and has commanded me to repeat the communications formerly made on this matter. In execution of these orders, I have the honour to communicate to your Excellency the annexed copy of the instruction relating thereto, which the Imperial Ministry addressed to me on the 7th (19) of July; and I at the same time take the liberty to request your kind intervention in giving such notice as you may judge most fitting in this respect to the vessels sailing under the flag of your Government in the aforesaid parts of the Black Sea, in order to prevent the consequences which might result from a violation of the regulations against smuggling.

Accept, Sir, &c.

A. BOUTENIEFF.

It is necessary here to bear in mind the observations which I have already made respecting Lord Palmerston's clandestine recognition of the regulations of Russia, when notified by M. Mandeville to the British merchants five years previously.

The embarrassment of his Lordship's position on this subject is displayed in his reply to Mr. Bell's first letter. That Gentleman's inquiry respecting restrictions "in the countries south of the Kuban" is met by the subterfuge—"You request information to enable you to decide whether it will be for your advantage to engage in a speculation in salt in *Wallachia*."

If Lord Palmerston had informed Mr. Bell of the quarantine and custom-house regulations of Russia on the eastern shore of the Black Sea, he would have been led to an explanation as to the grounds on which he recognised her pretensions, and the voyage of the *Vixen* (the event, as it has been arranged, the most fortunate that ever happened for Russia) would not have taken place.

I shall now trace out the concert between Lord Palmerston and the Cabinet of St. Petersburg.

How does it happen, notwithstanding the most perfect secrecy that was maintained by all parties connected with this voyage, that after the lapse of five years the Russian Government, which had fully attained the objects of its previous enactment, reiterates its instructions respecting the blockade of the Circassian coast within a fortnight after the correspondence between the Foreign Office and Mr. Bell could have reached St. Petersburg, and that these regulations are repeated to Lord Ponsonby in the exact interval between the departure of Mr. Bell from London and his arrival at Constantinople?

The next document is important:—

No. 8.

Lord Ponsonby to Viscount Palmerston.

(Received November 26)

Therapia, Oct. 28, 1836.

My Lord,—Mr. James Bell called on me yesterday. He asked me if I had received any intelligence concerning the blockade established in the Black Sea by the Russian Government of a later date than that of the letters which had passed between the Foreign Office and his firm, relative to the fact of publication or non-publication in the *Gazette* of the above-mentioned blockade.

I replied that I had not received any communication whatever on the subject.

He further asked, what was the communication made to this Embassy by the Russian Envoy, in September last, relating to the blockade. I informed him of *its tenor*, and stated that I had communicated it to His Majesty's Consul-General for the information of the merchants, *but had not recommended him to make a public notification of it*; and that I had forwarded to His Majesty's Government the note I received from the Russian Envoy.

Mr. Bell informed me that he was about to undertake, without delay, a voyage to the coast of Circassia on a trading speculation, and that he should act with his knowledge that the blockade established there by the Russian Government was informal and illegal. He said he expected to have his vessel seized; that he had no intention of

acting under any disguise; that his end was to establish a trade in which he expected to find his interest; that his was a lawful commercial speculation and enterprise.

I replied that I had no right (if I should have the desire) to offer any objections to his proceedings, of which he was the undoubted master; but I would observe, that it must be necessary to his own interest carefully to avoid everything that could wear even the appearance of an attempt to evade the blockade. He said his intention was carefully to avoid even such appearance.

I believe he intends to sail hence in a few days: at any rate, as soon as possible.

I furnished Mr. J. Bell with a copy of the Russian Envoy's note, which I had sent to the Consul-General.

I have, &c.

PONSONBY.

The Viscount Palmerston, G. C. B., &c.

In the above communication, Lord Ponsonby not only does not recognise the custom-house and quarantine restrictions of Russia, which had been repeated to him five weeks before, but he intimates that he had not even recommended to the Consul-General "to make a public notification of them," thus conforming his language to Lord Palmerston's reply to Mr. Bell, that "British Merchants must in their undertakings be guided by facts, which are *public* and notorious to all," while in fact, the English Consulate did regularly and formally intimate to every English vessel passing the Bosphorus the *prohibition* of traffic on that coast. But Lord Ponsonby also acknowledges that "he had no right to offer any objections to Mr. Bell's proceedings; but that it must be necessary to his own interest carefully to avoid everything that could wear even the appearance of an attempt to evade the blockade."

If there had been a formal and recognised blockade of the Circassian coast, the advice of Lord Ponsonby would have been absurd, since the interest of every merchant is precisely to evade a blockade, inasmuch as a blockade, if capable of being evaded, is an ineffective blockade, and therefore no blockade at all.

On the other hand, if the British Government acknowledged the custom-house regulations of Russia, Lord Ponsonby not only would have had an undoubted right to object to Mr. Bell's proceedings, but his not doing so would have rendered him an accessory to a smuggling transaction, carried on from the ports of Turkey by an Englishman under his magisterial jurisdiction, and not only have involved him in culpability towards his own Government, but have rendered him personally responsible to the merchant for the damages.

Who ever heard of an Ambassador, the representative of Royalty, giving advice to a merchant, and assuming the duties of the Consul? Even at this late period, the voyage of the *Vixen* would not have taken place if Lord Ponsonby had, in conformity with the invariable practice of the service, referred Mr. James Bell to the Consul-General.

SECTION III.

Capture of the "Vixen"—Grounds—Breach of Blockade—Confiscation—Grounds—Breach of Municipal Regulations—Lord Palmerston suppresses the Proofs and withholds the Testimony bearing on the fact of Seizure for Breach of Blockade.

The next letter of importance is

No. 12.

Lord Ponsonby to Viscount Palmerston.

(Received February 7.)

Therapia, January 11, 1837.

My Lord,—I enclose a copy of a letter from Admiral Lazareff to the master of the schooner *Vixen*, the only one out of five letters sent to me by Messrs. Hayes and Lafontaine, of Constantinople, I had time to get copied, as the originals were wanted for the post. Your Lordship may obtain copies of all the letters I allude to from the firm of George Bell and Co., Fenchurch-Street, London; and they contain a narrative of all that took place at the capture of the *Vixen* on the coast of Circassia.

I have. &c.

PONSONBY.

P.S. It may be expedient to call your Lordship's attention to the fact, that the word "*blocus*" is not once used in any of the communications made to this Embassy by the Russian mission, neither in Mr. Mandeville's time nor in mine, respecting the interruption of intercourse with the coast of Circassia.

PONSONBY.

The Viscount Palmerston, G.C.B., &c.

Enclosure in No. 12.

Admiral Lazareff to Captain Childs.

Nikolaëff, December 12 (24), 1836.

Sir,—I have received your letter of the 20th. of December, and those it enclosed for Messrs. Polden and Morton and the British Consul at Odessa, which, as they were all unsealed, and containing such documents as will prove that the schooner *Vixen* was employed upon a blockaded coast in an unlawful trade with the enemies of this country, were sent by post to St. Petersburg, requesting that, after perusal, they would be sealed and sent off according to their addresses.

I am sorry for the occasion of the *Vixen* being detained, and quite agree with you, that perhaps yourself did not know anything of the Circassian coast being blockaded; but Mr. Bell could not have been ignorant of such a case after visiting the British Ambassador at Therapia twice before he sailed with the intention of carrying his trade on a blockaded coast.

As for your funds being very low, and the small remainder of provisions on board, I believe Mr. Bell, who was the principal cause of the detention of the schooner, must supply you with the one and the other till I receive a decisive answer from St. Petersburg; otherwise, as Mr. Bell is already in correspondence with the British Consul at Odessa, you can write to him for your wants. But in case you should be refused by the one and the other, and the crew (which must be quite innocent in the cause) will be in want of provisions, I have given the necessary orders to issue such provisions, according to the allowances established in our navy, so soon as those now on board the *Vixen* shall be expended.

I remain your most obedient servant,

M. LAZAREFF.

To Captain Childs, of the British
schooner *Vixen*, Sevastopol.

In the despatch, of which the preceding document is an enclosure, Lord Ponsonby, after having admitted to the master of the *Vixen* the existence of "a blockade," which he urged him authoritatively "carefully to avoid everything that could wear even the appearance of an attempt to evade," intimates his readiness to concur with Lord Palmerston in the policy of Count Nesselrode, by pointing out the fact, that the word *blocus* had never been mentioned in the previous diplomatic intercourse; thus suggesting to Russia this ground to fall back upon—which ground she never could have dreamt of, except through treasonable concert for the suppression of the most patent truth.

The Russian Admiral's letter distinctly avows that the *Vixen* was captured because she "was employed upon a blockaded coast in an unlawful trade with the enemies of

Russia." and therefore that the Circassians were neither subjects nor rebels, but "*enemies*" at open war with the Emperor, and consequently in possession of civil and municipal rights, acknowledged by Russia, in the circumstances alike of war and peace—rights, too, the existence of which the Russian Admiral admits that Lord Ponsonby had been fully aware of, and must have communicated to Mr. James Bell.

We must now trace the affair of the *Vixen* to the third diplomatic functionary of England, His Majesty's Ambassador at St. Petersburg.

On the 2nd. of January, 1837, Lord Durham received at St. Petersburg a despatch from Mr. Consul-General Yeames at Odessa, with an enclosure from Mr. Bell, announcing the capture of the *Vixen*, "*for an infringement of blockade,*" which letters his Lordship showed to Count Nesselrode on the 7th. Five days afterwards Lord Durham writes to Lord Palmerston as follows:—

No. 14.

The Earl of Durham to Viscount Palmerston.

(Received February 4.)

(Extract)

St. Petersburg, Jan. 12, 1837.

On the 7th. instant Count Nesselrode called on me for the purpose of making me acquainted with the circumstances attending the seizure and confiscation of the ship *Vixen*, on the coast of Circassia. *As the official report from the Admiral commanding on that station, and the declaration of the Russian Government, are officially made public in the Journal de St. Petersbourg of this day, I deem it unnecessary to trouble your Lordship with a repetition in writing, but I enclose you the statement itself in print.*

I showed his Excellency Mr. Yeames' despatch and Mr. Bell's report of the occurrence, and informed him that I had transmitted both to your Lordship.

DURHAM.

The Viscount Palmerston, G.C.B., &c.

THE "OFFICIAL REPORT OF THE ADMIRAL COMMANDING ON THAT STATION" DOES NOT APPEAR IN THE "ST. PETERSBURGH JOURNAL" TRANSMITTED BY LORD DURHAM.

The *St. Petersburg Journal* states that the commission decreed at Gelendjik, on the 28th. November, that the *Vixen* and its cargo ought, according to the laws, to be confiscated for the twofold violation of sanitary regulations and of custom-house laws, and that in consequence of this decision

the *Vixen* had been sent to Sevastopol, where it arrived on the 11th. of December.

By the declaration of the Admiral-in-Chief to Captain Childs, dated *December 24*, the *Vixen* was detained for a *breach of a naval blockade*, and the account which Lord Durham had received on the 3rd. of January from Mr. James Bell certifies the same fact, proving that Admiral Lazareff had received from Admiral Esmante, his subordinate officer, a report of the commission wholly at variance with the statement of Count Nesselrode, and destructive of it, because the official assertion of the fact of war, rendered of course untenable, grounds of custom-house and sanatory seizure.

Lord Durham, therefore, whose duty it was to bring forward the complaint of the injured parties, instead of so doing, coincides with Count Nesselrode in placing the confiscation of the *Vixen* on grounds the very reverse of those on which she was captured, and withholds the official document asserted to be published by the Russian Government, proving the grounds of blockade capture, while he asserts that he incloses it; showing, as clearly as any diplomatic transaction can show, concert between Count Nesselrode, Lord Durham, and Lord Palmerston, for the suppression of the truth.

His Lordship states that Count Nesselrode called upon him on the 7th. of January, and "acquainted him with the circumstances attending the seizure, and the confiscation of the vessel." This deed was not consummated until five days afterwards.

Here a Secretary of State for Foreign Affairs, departing from every form of official routine, takes upon himself to wait upon a Foreign Ambassador, and verbally to communicate to him an event which, if justifiable at all, required no other notification than a decree of the custom-house or local police, and would then have naturally come under the cognizance of the Consul-General, whose duty it is to watch over the commercial interests of his countrymen, whose communications are not addressed to the Foreign Department, but to the Treasury, and who does not even communicate with his own Ambassador on such points until the necessity of his intervention is required, in consequence of injustice or irregularity in the proceedings. It is clear that the question thus presented enabled Lord Durham to give the weight of his diplomatic sanction to a fraud, and encouraged the Russian Government to publish the declaration which appeared in the *St. Petersburg Gazette*.

That *Gazette* states—

Translation of Enclosure in No. 14.

(Extract).

St. Petersburg, Dec. 30.

“The English papers, specifically the *Morning Chronicle*, have announced that the *Vixen* brig had been sent by some shipowners of London from Constantinople for the openly-avowed purpose of conveying a cargo, chiefly consisting of gunpowder, to the coast of Circassia. The same papers have added that, as the importation of that article is prohibited by the Russian tariff, the expedition of the *Vixen* was undertaken for the special purpose of defying the vigilance and breaking through the preventive measures which the Russian squadron cruising on those coasts is charged to employ against all prohibited and clandestine trade.

“At the same time that the object of this culpable undertaking was thus openly announced to us by the public papers, a report from the Board of Admiralty of the Black Sea informed the Imperial Government that the *Vixen* schooner had, in fact, appeared on the Circassian coast, that it had been captured by one of our cruisers, and carried into the port of Sevastopol.

“The following are the particulars of this affair:—

“On the 24th of November, in the evening, the *Vixen* was descried on the Circassian coast, in sight of Gelendjik. The brig *Ajax*, of the Imperial navy, Captain-Lieutenant Wouff, having received orders from the commander on the station to follow the motions of this vessel, came up with it on the 14th (26). It found it at anchor at the bottom of the Bay of Soudjouk-Kalé, at a point of the coast where there is neither a custom-house nor a quarantine establishment. Part of the crew was on shore, and attempted, by rowing, to reach the ship at the moment when the *Ajax* surprised it and reached it.

It thus again appears that the Russian squadron was fully apprized of the intended appearance of the *Vixen*, and that the commander of the brig-of-war “specially ordered to follow her movements,” witnessing, what had been anticipated, that she carefully avoided every thing that could wear even the appearance of an attempt to evade the blockade,” took 48 hours to overtake her, the *Vixen* having passed within three miles of the Russian squadron watching her progress.

In the same manner, therefore, as the voyage of the *Vixen* could never have been originally undertaken had Lord Palmerston communicated to Mr. Bell the pretended “regulations” on the Circassian shore, the master of the *Vixen* would not have exposed himself to the risk of capture by approaching “without necessity, the coast of Abasia,” had he not been advised by Lord Ponsonby to avoid every appearance of “evading the blockade;” nor could the *Vixen*, which was captured for breach of that blockade, have been condemned for a breach of municipal regulations, if Lord Durham had not sanctioned the substitution of

Count Nesselrode's account of the grounds of the capture in the room of that of his own countrymen, substantiated as it was, by the statement of the Russian Admiral. This statement is not merely the testimony of an individual on the spot, but it is the authoritative account of the Admiral on the station reported to the Commander-in-Chief in the Black Sea, by him transmitted to the Government,—received, sanctioned, and officially published by that Government; and that publication diplomatically announced to a Foreign Power and the Power interested in this decision. This document Lord Durham asserts, in a despatch laid before Parliament, that he encloses, and that document never appears, except when brought forward by the injured party; and then again it is suppressed in transmitting the complaint to the Russian Government.

When the injured party brings to the observation of the Secretary of State this statement of the Admiral in support of his right, Lord Palmerston contents himself with saying, "It is not to reasons assigned *for* the Russian Government, but to the reasons assigned *by it* for its acts,—that Her Majesty's Government must look."

But the Admiral's report was not published in the Gazette. There is an assumption that it had been published; there is a declaration that it had been published; and after all it turns out that it had not been published. This is not the way in which a Government would act, presuming on the most perfect ignorance and imbecility of the Government with which it has transactions. It implies and demonstrates practical collusion, and a regular systematic concert extended over a series of years, and acting simultaneously, through individual agents, at remote points. The concert, therefore, between the three functionaries of England and the Russian Cabinet, so far as it has been hitherto traced, is complete.

SECTION IV.

Appeal of Owners for Redress—Negotiations thereupon.

We now come to the correspondence of Mr. George Bell with Viscount Palmerston, claiming the protection of His Majesty's Government, and the recovery of his property. His first letter is dated the 27th of January, but as no documents accompany it which would enable the Government to act

upon it, the delay in not immediately communicating with the Russian Government is accounted for.

But, as early as the 8th of February, Lord Palmerston had received the statements of all the parties concerned. He had received the despatches from Lord Durham, containing the first appeal of Mr. James Bell, through Mr. Consul-General Yeames, for redress, as also the decision of the Russian Government, and a subsequent letter of Mr. Yeames, wherein he states that he had seen "the undertaking of the *Vixen* anticipated in the German newspapers!"

Lord Palmerston had at this time also received the account by the Russian Admiral, of the grounds of the capture, Lord Ponsonby's statement of his intercourse with Mr. Bell, and the official appeal for redress from the injured parties.

Having before him all these documents, his Lordship allowed seventy days to elapse before he instructed Lord Durham to address the Russian Government on the subject!

The decision of the Russian Government, together with the grounds of that decision, had not only been communicated officially to the representative of England, but they had been instantaneously proclaimed to the world.

The Emperor's functionaries had been already decorated with honours for their zeal, and the *Vixen* herself, armed as a Russian cruiser, was already bearing the flag of that Power. What, then, was the utility of addressing the Cabinet of St. Petersburg at all, except for satisfaction? If the decision of the Emperor had originally been conveyed through the Imperial embassy in London, there might have been the grounds of strictly diplomatic form for repeating the inquiry through an English Ambassador at St. Petersburg; but to appeal through the same channel for an explanation, which Lord Palmerston had already received, was an unnecessary exposure of the dignity of the Crown, or it was called for by special reasons.

Those reasons will appear from the result.

We must first remark that there was no occupation of the coast.

There was no trial, no legal adjudication, no sentence, and no confiscation. It was a mere act of volition on the part of the Sovereign, unsubstantiated by any form which might have been adopted for that purpose.

The grounds assigned in the first instance by Count Nesselrode for the seizure and confiscation of the *Vixen* were in contradiction to the statement of the Russian naval officers, to the testimony of the injured parties, and to the previous language of the diplomatic functionaries at Constanti-

nople and in Downing-street,—whilst they corroborated the testimony of the master, crew, and supercargo of the *Vixen*, as regards the non-occupation of Soudjouk-Kalé by the Russians. The grounds, therefore, assumed by Count Nesselrode were untenable, and must have been proved so, either in Parliament or in a British court of law.

It became indispensable, therefore, to enter into negotiations to place the affair upon new grounds altogether—to restore the endangered position of Russia and of the Foreign Secretary of England.

The negotiations lasted ten weeks, and, as we are assured by Lord Palmerston that no instructions were addressed to Lord Durham within that period, we can only judge of their character by the ostensible documents and the result.

No. 26.

Viscount Palmerston to the Earl of Durham.

Foreign Office, April 19, 1837.

My Lord,—I transmit to your Excellency copies of several representations which I have received from Messrs. Polden and Morton, and from Messrs. Bell, complaining of the seizure and confiscation of the sloop the *Vixen*, which was detained by a Russian ship-of-war in the Black Sea, and has subsequently been condemned at Sevastopol.

Your Excellency is aware that there is no matter with respect to which the public mind in this country is more watchfully jealous than the forcible interference of a foreign Power with the peaceful voyages of British subjects engaged in the occupation of commerce; and it is needless for me to add, that various circumstances have of late years combined to render the British nation peculiarly attentive to any proceedings of the Government of Russia which may tend to infringe upon the just rights of His Majesty's Subjects.

The transaction, therefore, to which this despatch relates, assumes, from collateral circumstances, even a greater degree of importance than that which would necessarily and in any case belong to the seizure and confiscation of a British merchant-vessel by the Government of a country with which Great Britain is not at war.

His Majesty's Government are of opinion that the *first* step to be taken in this affair ought to be, to ask the Russian Government to *explain the grounds upon which it conceives itself to have been justified* in the measures to which it has had recourse, and to request it to state the reasons on account of which it has thought itself warranted to seize and confiscate, IN TIME OF PEACE, a merchant-vessel belonging to British subjects; and your Excellency is instructed to present a note to Count Nesselrode making that inquiry.

I am, &c.

PALMERSTON.

His Excellency the Earl of Durham, &c.

In transmitting these "several representations," it is most strange that his Lordship withholds from Lord Durham all the communications of chief importance—namely, Mr. Bell's letter of February 8, 1837, enclosing the copy of Admiral Lazareff's letter to Captain Childs of December 24 (see Enclosure introduced in No. 12), which assigned the "*breach of blockade*" as the ground of seizure. His Lordship withholds the whole of Mr. Bell's subsequent letters of February 17, 20, and April 4. By this process Lord Durham is spared the inconvenience and responsibility of pointing out to Count Nesselrode that the confiscation of the *Vixen* was an entirely distinct question from its capture, and that the grounds of that confiscation were at direct variance with Admiral Lazareff's written declaration. By this process also Lord Palmerston appears to demand satisfaction;—appears to use decided language;—makes use of this despatch to instil in his colleagues, or afterwards in Parliament, the dread of war;—appears, above all, to assert British rights, while he, in fact, by a fraud no less heinous than unparalleled, withholds the very representations which it is the purport of his despatch to convey, and respecting which the Ambassador is instructed to demand explanation in terms that no great state could have submitted to unless pronounced by collusion.

But Lord Durham in his note to Count Nesselrode does not even communicate those representations from the injured parties which he did receive from Lord Palmerston. The reason is the same. Those representations controvert the grounds of the seizure contained in the *St. Petersburg Gazette*, whilst they also show that the Russian vessels at Gelendjik might, with the utmost ease, have warned off the *Vixen* from the coast, whereas the commander of the Russian brig-of-war did not choose to overtake the *Vixen* until she was in the bay of Soudjouk-Kalé, or to seize her until after witnessing her communication with the shore; and, as the *Vixen* passed along the coast, a Russian frigate crossed her bows, and hauled her wind for Gelendjik at the height of Pschad. Mr. Bell's letters, which were communicated to Lord Durham, and withheld by him, contain only the statement of the injured party. The letters withheld from Lord Durham contain the corroboration of that statement by the capturers themselves.

The following is Mr. Bell's letter, which Lord Palmerston did transmit to Lord Durham:—

No. 16.

Mr. George S. Bell to Viscount Palmerston.

(Received February 8.)

Mitre Chambers, Fenchurch-Street, January 31, 1837.

My Lord,— Referring to the letter which I had the honour of addressing to your Lordship on the 26th instant, I beg leave now to transmit enclosed signed copies of two documents which I have just received from my brother, Mr. James S. Bell, from Sevastopol. The first a declaration of all the facts relative to the voyage, cargo, and capture of the *Vixen*, written out at the time in the port of Gelendjik, signed by him, by the captain, and by Mr. Morton, passenger, and brother of the owner of the vessel; the second, a protest, signed also by Mr. James S. Bell and the captain, addressed to Admiral Esmante, commanding the Russian squadron at Gelendjik, against all the proceedings of the Admiral and the officers, in impeding them in the prosecution of their lawful voyage, and placing under capture, arrest, and detention, their persons, crew, ship, and property.

I beg leave also specially to direct your Lordship's attention to the facts, that the vessel's cargo did not consist of any of the munitions of war, and that no part of it had been disembarked prior to the capture; and also that the repeated declarations of Admiral Esmante and his officers were, that the cause and justification of their proceedings consisted in the violation of a blockade established for five years past, by order of the Russian Government.

I have the honour, &c.

GEORGE BELL.

The Viscount Palmerston, G. C. B., &c.

Lord Durham writes to Count Nesselrode,—

Enclosure 1 in No. 28.

St. Petersburg, May 6, 1837.

The undersigned, &c., has the honour to acquaint his Excellency the Vice-Chancellor Count Nesselrode, that His Majesty's Government have received several representations from Messrs. Polden and Morton and Messrs. Bell and Co., complaining of the seizure and confiscation of the British sloop the *Vixen*, which was detained by a Russian ship-of-war in the Black Sea, and has been subsequently condemned at Sevastopol.

The undersigned has this day received instructions from his Government to bring the subject under the notice of the Imperial Cabinet, and is directed to request an explanation of the reasons on account of which the Russian Government considered it justifiable to seize and confiscate, in time of peace, a merchant-vessel belonging to British subjects.

The undersigned, &c.

DURHAM.

His Excellency Count Nesselrode.

Count Nesselrode replies,---

St. Petersburg, April 27 (May 9), 1837.

The undersigned has had the honour to receive the note, under date of the 24th of April (May 6), by which his Excellency the Earl of Durham, His Britannic Majesty's Ambassador Extraordinary and Plenipotentiary, has expressed a desire to know the reasons which led to the seizure of the English sloop the *Vixen*, detained in the Black Sea by a Russian vessel-of-war, and since condemned to be confiscated at Sevastopol.

In conformity with the orders of the Emperor, the undersigned considers it his duty to offer to the English Ambassador the most frank and most complete explanations with respect to the circumstances which have led to the measure called for by the *Vixen*.

That vessel has been confiscated because, having on board a cargo of prohibited goods, it entered a port belonging to Russia in virtue of the treaty of Adrianople, with the intention of there engaging in a prohibited trade; whereas the Russian regulations which have been published for the guidance of the trade in those parts prohibit foreign vessels from entering that port, where there is neither a custom-house nor quarantine establishment; and, on the other hand, open to them at a short distance from thence the port of Anapa, where the *Vixen* would have been freely admitted if she had been engaged in an ordinary and legal commercial enterprise.

Nothing less than so flagrant a violation of the above-mentioned regulations was required to compel the Imperial Government to subject this vessel to the penalty which she had incurred according to the laws of the empire.

In communicating to his Excellency the Earl of Durham these reasons, the undersigned is fully persuaded that the Cabinet of His Britannic Majesty will appreciate them with perfect impartiality. He trusts, moreover, that the feeling of integrity and honour which for so many years has laid with such solidity the foundation of the credit and prosperity of English commerce in Russia will hereafter prevent the renewal of an attempt, which the Imperial Government has checked with a just severity, of which England would doubtless herself have been the first to set the example, if a similar attempt had been made to violate her own regulations in any port which was placed by a formal treaty under the British dominion.

The undersigned, &c.

NESSELRODE.

His Excellency the Earl of Durham, &c.

But if Lord Durham was making a "representation," he ought to have stated the grounds of the case to the Russian Government. According to the rules of the diplomatic service, Lord Durham could not have withheld those grounds, and therefore he must have received instructions. On the other hand, the reply of Count Nesselrode is not an "expla-

nation; "he merely offers an insult. His Excellency speaks of "regulations which have been published." The whole thing is a tissue of falsehood. No regulations had ever been published, for reasons which will be explained in the sequel,

SECTION. V.

Combination between Lord Palmerston, Lord Durham and Count Nesselrode, to make out a case for Russia of Possession of Soudjoug-Kalé.

It appears from Count Nesselrode's note that Russia did not pretend to be in *possession* of *Soudjoug-Kalé*. She grounds her confiscation of the *Vixen* on the plea that "it entered a port belonging to Russia *in virtue of the Treaty of Adrianople*;" and not only the fact of the seizure of the *Vixen* by a vessel-of-war sent from another port for that purpose, but the *St. Petersburg Gazette* itself, proved that Russia could not by possibility have been in possession of the port. The *Gazette* states "that, the communications having been kept up during thirty-six hours between the ship and the inhabitants of the coast, there is a fact which, under the present circumstances, acquires the character of very strong presumption, that, of the four cannon with which the ship, according to its papers, was provided, only two were found on board."

What would any sane man say to the assertion that a port was occupied, where a foreign merchant-vessel could be supposed capable of landing a couple of cannon.

But unless a case of *de facto* possession could be made out, the truth must have immediately appeared. Lord Palmerston could have had no defence in Parliament—the grounds of confiscation must have inevitably been set aside in a court of law.

Count Nesselrode refers to the fortress of *Soudjoug-Kalé*; Lord Durham to a fortress, "*Alexandrinsky*." His Lordship even does not assert that *Soudjoug-Kalé* was in the possession of Russia; but Lord Palmerston, admitting the assertion of Lord Durham respecting the occupation of a position eight miles to the south, applies to this point the *Treaty of Adrianople*.

Accordingly, in defiance of British and of Russian testi-

mony to the fact that the Circassians were alone in possession of the shore, and in the utter absence of any testimony whatever to the contrary, an Ambassador of England pens the unparalleled lines which follow:—

No. 29.

The Earl of Durham to Viscount Palmerston.

(Received May 22.)

St. Petersburg, May 13, 1837.

My Lord,—With respect to the military *de facto* occupation of Soudjouk-Kalé, I have to state to your Lordship that there is a fortress in the bay which bears the name of the Empress (Alexandrinky), and that it has been always occupied by a Russian garrison.

I have &c.

DURHAM.

The Viscount Palmerston, G.C.B., &c.

The full importance of Lord Durham's declaration may not at first strike the reader.

If his Lordship had written to his Court, "I am assured by the Russian Government that there is a fortress in the bay of Soudjouk-Kalè, and that it has always been occupied by a Russian garrison," such testimony coming from the interested party would have been open to inquiry, and, if it had been proved to be false, Russia must have afforded reparation. But by the unsubstantiated assertion of the English Ambassador the Russian Government was screened from responsibility, and the assertion itself acquired the weight of an authoratative statement emanating from the British Embassy.

That Lord Durham was instructed in this course appears from the part taken subsequently by Lord Palmerston himself. Count Nesselrode states, in his reply to Lord Durham, "that the *Vixen* was confiscated for having entered a port belonging to Russia in virtue of the treaty of Adrianople, with the intention of there engaging in a prohibited trade." The following is Lord Palmerston's answer:—

No. 30.

Viscount Palmerston to the Earl of Durham.

Foreign Office, May 23, 1837.

My Lord,—Your Excellency's despatch of May 10, together with its enclosures, and your despatch of May 13, have been received at this office and laid before the King.

It appears, by Count Nesselrode's note of April 27, that the reason assigned by the Russian Government for the seizure and confiscation of the *Vixen* is, that the *Vixen*, having on board a cargo consisting of a prohibited commodity, entered a port which belongs to Russia by virtue of the treaty of Adrianople, in contravention of a regulation of the Russian Government, which interdicts to foreign ships the entrance of that port, where there is no custom-house establishment, while such ships are admitted to trade at the neighbouring port of Anapa.

The grounds of seizure of the *Vixen*, therefore, appear to have been two-fold—first, the having on board a cargo not allowed to be imported at all; and secondly, an attempt to trade at a Russian port where there is no custom-house, and where a cargo, even of goods of which the importation was legal, could not properly be landed.

His Majesty's Government, considering in the first place that Soudjouk-Kalé which was acknowledged by Russia in the treaty of 1783 as a Turkish possession, now belongs to Russia, as stated by Count Nesselrode, by virtue of the treaty of Adrianople; and considering, further, that this port is occupied, as stated in your Excellency's despatch of May 13, by a Russian fort and garrison, see no sufficient reason to question the right of Russia to seize and confiscate the *Vixen* in the port of Soudjouk-Kalé on the grounds set forth in Count Nesselrode's note.

Your Excellency is therefore instructed to state to Count Nesselrode, that, under all the peculiar circumstances of this case, His Majesty's Government have no further demand to make upon that of Russia with respect to the Capture of the *Vixen*,

I am, &c.

PALMERSTON

His Excellency the Earl of Durham, &c.

Lord Palmerston in this reply to Lord Durham, says, "that the grounds of the seizure appear to have been two-fold—first, the having on board a cargo not allowed to be imported at all; and, secondly, an attempt to trade at a *Russian* port where there is no custom-house.

The *Vixen* could not have been legally condemned for an "intention" to smuggle. Lord Palmerston came to Count Nesselrode's aid by substituting the word "attempt."

His Lordship also puts forward Soudjouk-Kalé as a "Russian port," whereas Count Nesselrode merely stated that it belonged to Russia "in virtue of the treaty of Adrianople."

But, admitting for a moment that the treaty of Adrianople could give a port to Russia, it does not give Soudjouk-Kalé to Russia. That treaty recognises the independent existence of "the neighbouring tribes" to the south of "the Kuban." The article states that Russia and Turkey

"Have equally taken into consideration the proper means to oppose insurmountable obstacles to the incursions and depredations which the *neighbouring tribes* hitherto committed, and which have

so often compromised the relations of friendship and good feeling between the two empires; consequently it has been agreed upon to consider henceforward as the frontiers between the territories of the Imperial Court of Russia and those of the Sublime Ottoman Porte in Asia, the line," &c.

"All the countries situated to the south and west of this line of demarcation towards the Pashalics of Kars and Trebizond, together with the major part of the Pashalic of Akhaltzik, shall remain in perpetuity under the domination of the Sublime Porte, whilst those which are situated to the north and east of the said line towards Georgia, Imeritia, and the Gouriel, as well as all the littoral of the Black Sea, from the mouth of the Kuban as far as the port of St. Nicholas inclusively, under the domination of the Emperor of Russia."

But, as the "neighbouring tribes" acknowledged neither Russia nor Turkey, and therefore could not be parties to the Treaty of Adrianople, Turkey, in order not to be compromised in their prolonged hostilities against Russia, agreed to recognise the domination of Russia over the shore of the Black Sea, from the mouth of the Kuban to Port St. Nicholas, leaving to Russia the task of acquiring possession of it, if she could.

But Lord Palmerston, seeing the importance which Count Nesselrode attached to the support of the British Government, as indicated by the remarkable fact of his Excellency's weakening the grounds of the confiscation of the *Vixen*, in proportion as he could count upon those grounds being altered and strengthened by his Lordship—Lord Palmerston, I say, invents a new claim for Russia to the possession of Soudjouk-Kalé, which Count Nesselrode did not allude to.

His Lordship, speaking in the name of his colleagues, considers "that Soudjouk-Kalé was acknowledged by Russia in the treaty of 1783 as a Turkish possession;" thereby implying that Turkey had the power, by the treaty of Adrianople, of surrendering it as a possession to Russia.

What treaty does Lord Palmerston allude to? The treaty between Russia and Turkey of 1783 makes no mention of Soudjouk-Kalé. In the treaty, however, of the 8th of January, 1784, mention is made of "Soudjouk-Calessi;" but that mention is made for the purpose of announcing a claim on that fortress, on the part of the Khans of the Crimea, which she generously abandons. That establishment of Turkey on the coast of Circassia was in the year 1816 abandoned by Turkey, the Circassians having driven them out. The continuation of possession, therefore, which did not exist in fact, Lord Palmerston seeks to establish by a misquotation of one treaty, and the recognition of falsehood in the other. But there is here an instructive point. The

treaty of peace of 1784 bears in the Russian archives the old date of the 28th. of December, 1783. His Lordship must, therefore, have written upon data furnished from St. Petersburg.

Lord John Russell seems, also, to have derived his information from St. Petersburg, by employing the same misquotation of date. The articles to which Lord Palmerston refers point out particularly that there was a third party which had claims on Soudjouk-Calessi. It is as follows:—

Art 2.—“*La Cour Impériale de Russie ne fera jamais valoir les droits que les Chans des Tartares avoient formés sur le territoire de la forteresse Soudjak-Calessi, et, par conséquent, elle la reconnoit en toute souveraineté à La Porte.*”

Art. 3.—“*En admettant pour frontière dans le Cuban la Rivière Cuban, la dite Cour de Russie renonce en même-tems à toutes les nations Tartares qui sont en deça de la dite rivière, c.-a.-d, entre la Rivière Cuban et La Mer Noire.*”

Thus, in every instance, were the grounds assigned by Russia untenable, and an English Minister exhausts ingenuity in inventing arguments for Russia to substantiate her position; and, as if the measure of his Lordship's services had not yet been filled up, Lord Durham sends to Count Nesselrode a copy of Lord Palmerston's despatch, of course to be made use of at every other Court.

The *Vixen* was seized on the 26th. of November, 1836.—On the 7th. of January the confiscation was intimated to Lord Durham.—The whole of the documents were before Lord Palmerston on the 8th. of February.—During seventy days, after all such documents had been received, no notice whatever is taken of this affair.—On the 19th of April his Lordship opens with the despatch No. 26.—On the sixth of May Lord Durham presents his Note, No. 28.—On the 9th. of May comes Count Nesselrode's Note.—On the 13th. of May Lord Durham's despatch relative to Soudjouk-Kalé; and within twenty-four hours of its arrival, on the 23rd. of May, does Lord Palmerston consummate these proceedings by the despatch No. 30, which no sooner arrives at St. Petersburg than it is transmitted to the Russian Bureau! Now we can comprehend, by the activity of the period that intervenes between the 19th. of April and the 23rd. of May, the astounding silence and apparent repose of the seventy preceding days.

A “*seizure in time of peace,*”—to use the pregnant words of the Secretary of State,—involving, avowedly or supposedly, the question of war and peace, is made in the month of November; and in the month of April the British Go-

vernment takes the first *ostensible steps respecting it*. After all the documents are in the Foreign Office sufficient time is suffered to elapse for communications to be made to St. Petersburg,—for an answer to be received,—for a second communication to be again made from London, and a second reply to be received in London, before any ostensible steps are taken. When representations are then made, they are, it is true, insulting in their tone; but they withhold the principal proof on which the case rests. The Ambassador, in communicating with the Foreign Office at St. Petersburg, withholds again the remaining testimony,—receives an insulting reply, which neither answers nor touches on the presumed explanation. The Ambassador then volunteers to his own Government, as reply, an assertion without a shadow of proof, and in direct contradiction of the whole *mass* of testimony from all the parties; and, on the instant that this document is received, Lord Palmerston closes the whole discussion, and in the name of England ratifies Lord Durham's assertions and Nicholas's acts. Comment on such a proceeding is impossible,—is superfluous.

It may easily be imagined that Lord Durham, having cognizance of the conduct of the British Secretary of State throughout these negotiations, acquired the power of exacting the terms of his own reward, and of rising to all the honours of Russia, whilst each advantage which he secured for himself tended to confirm her triumph.

The answer to the remonstrances of the owners of the *Vixen*, against the injustice of their own Government, are in keeping with Lord Palmerston's original correspondence with Mr. Bell.

No. 4.

Extract of a Letter from John Backhouse, Esq., to Messrs. Polden and Morton.

Foreign Office, June 26, 1837.

Viscount Palmerston apprehends that it is usual for any person who is about to embark in a *bonâ fide* commercial undertaking in foreign parts to inform himself, by local inquiries, as to the fiscal regulations which may be in force in, and applicable to, the places to which he may intend to trade; and prudent persons, whose objects are simply the prosecution of advantageous commerce, will probably not risk their property in such undertakings unless the result of their inquiries should prove satisfactory.

With regard to the case of the *Vixen*, Her Majesty's Government must unquestionably, as you suppose, look for the grounds on which

the Russian Government acted in that case to the reasons assigned *by* that Government, and not to reasons which may have been assigned *for* it; and with respect to the allegation contained in your letter, that, being uninformed, and trusting to the honesty and good faith of the Russian Government, you had been entrapped, and have thus lost your property, Viscount Palmerston has only to state that Mr. James Bell, before he left the Bosphorus, was apprised by His Majesty's Ambassador at Constantinople of the risk which he was running, and was perfectly aware of all the possible consequences of the steps he was then taking.

His Lordship would seem to have fallen into his own toils in this laboured piece of irony. If he rejects the testimony assigned *for* the conduct of the Russian Government, *by* its own naval officers, it is open to the mercantile constituency to scrutinize the reasons assigned *for* Russia by his Lordship. But the question rests upon the facts of the case, not upon the reasons assigned for or against the capture. It rests upon testimony which it was the bounden duty of the Government to seek.

But those letters withheld by Lord Palmerston must contain some information worthy of our attention.

Mr Bell's letter of the 17th of February adduces the testimony of the Circassians themselves, that is to say, of the municipal authorities occupying the shore, certifying that the *shores* of that bay never had been taken by the Russians.

No. 18.

Mr. George Bell to John Backhouse, Esq.

(Received February 17.)

157, Fenchurch-street, February 17, 1837.

Dear Sir,—In reply to the question you put to me this forenoon, I beg leave to mention the following circumstances.

Having heard, during my stay in Bucharest in October last, of the report circulated by the Russian Government of the capture of Soudjouk-Kalé from the Circassians by the Russian troops, I wrote specially to my brother at Constantinople to make inquiries, and send me information. He in consequence sent me the following details, viz: that he had communicated with above twenty Circassian chiefs and others, some of whom had arrived from the coast of Circassia a few days previously, who stated that such report was totally false, and that the shores of that bay *never* had been taken by the Russians. Then, in his letters since the capture of the *Vixen*, my brother mentions that he had himself been on shore at Soudjouk-Kalé, that he had not found any Russian troops there, or near there, and that he had made an excursion some distance into the country on horseback, on a visit to one of the Circassian chiefs, accompanied by several other chiefs and five hundred of their cavalry. He was further as-

sured by those chiefs, that, as their forces were now combined under one commander, and a national standard, they were determined, if possible, and confidently expected, to drive, ere long, the Russian troops from even the two positions which they occupied on their coast.

I am, &c.

(Signed)

GEORGE BELL.

John Backhouse, Esq.,
&c. &c. &c.

We thus find Lord Palmerston suppressing the testimony of the local authorities themselves. What further proof do we require of his being in league with Russia against them? Can any thing so monstrous be conceived as the rejection of the testimony of an entire people, and the non-recognition, not alone of their rights, but of their very existence? In the whole of the diplomatic papers the word "Circassian" is never uttered by any one of the diplomatic servants of England.

In a subsequent letter of the 20th. of February, 1837, Mr. Bell brings forward, as evidence of the non-occupation of the country by the Russians, the journal of Mr. Stewart (which appeared in Nos 34 and 35 of the "Portfolio"), who travelled along the whole length of the coast of Circassia a few months before the arrival of the *Vicen*; and was actually sent thither by Lord Ponsonby, in utter defiance alike of sanatory regulations and of blockade! Mr. Bell's letter is as follows:—

No. 19.

Mr. George Bell to John Backhouse, Esq. (Received February 21.)

*Mitre Chambers, Fenchurch street,
February 20, 1837.*

Dear Sir,—In writing to you on Friday, relative to the extent of occupation by the Russians of the coast of Circassia, it did not occur to me to refer you (if you had not already seen them) to a number of most interesting details, contained in Nos. 34 and 35 of the "Portfolio," bearing upon this subject, and which were written and sent home from Constantinople by an English gentleman, an acquaintance of mine, after having travelled last summer through the whole length of the coast of Abasia and Circassia. According to that account (for the veracity of which the character of that gentleman is ample guarantee), you will observe that, with the exception of a cluster of small forts), close to each other, in the vicinity of Soukoum-Kalé, at the very southern extremity of the coast of Abasia, the writer states that, in passing along a line of coast extending upwards of 150 miles English, where there are six or eight bays or harbours, with towns near them, frequented by Circassian vessels, he did not find a single Russian Post, until he came to Gelendjik. Among the number of

sured by those chiefs, that, as their forces were now combined under one commander, and a national standard, they were determined, if possible, and confidently expected, to drive, ere long, the Russian troops from even the two positions which they occupied on their coast.

I am, &c.

(Signed)

GEORGE BELL.

John Backhouse, Esq.,
&c. &c. &c.

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these towns is Mamai, which has been stated, in a map recently published, to be in the possession of the Russians, although it never has been so. I have now before me a letter from the same gentleman, wherein he states—alluding to the account which I have mentioned above as being published—“There is one important fact, which it strikes me I have omitted to mention, viz., the existence of a road, practicable the greater part of its extent for carts even, between the Black Sea and the Caspian, commencing near the plain of Anapa. I travelled along it for about thirty miles, and an excellent road it was, and they (the Circassians) assured me it continued nearly as good the whole way to the Caspian. Its importance as a means of communication with the Eastern shores of the Caspian, with Khiva, for the importation of our cottons there by a short cut through a friendly country, is evident.”

The expression “friendly” can be only understood to apply to the Circassians, as the writer was, I know, constantly accompanied by them, and of course could not mean the Russians, who, from the tenor of his correspondence, do not appear to have had any control over the line of road thus alluded to.

I am, &c.

(Signed)

GEORGE BELL.

John Backhouse, Esq.

The testimony of Mr. Childs is as follows :

Enclosure 2 in No. 7.

Mr. Thomas Childs to Mr. George Bell.

London, July 14, 1837.

Sir,—In reply to your inquiry, whether there were any Russian troops or a fort seen by me on the shores of the bay of Soudjouk-Kalé, I now state positively, that, although I did not go, while ashore, all round the bay, which is about one mile and a half broad, and four miles long, still I examined it with my glass, as I heard that there had been some intrenchments thrown up by the Russians near the mouth of the river Doba, which, however, I could not discover from the vessel's deck, and I heard they were all thrown down by the Circassians; but I saw on the ground and the neighbourhood, where I was told the intrenchments had been, droves of sheep tended by Circassians, many of whom were riding about all the day on horseback, looking at my vessel. I never in any part of the bay saw a single Russian soldier; and I heard that the Russian army, which had tried to take possession of the bay, was driven off with great slaughter, of which I saw many traces and among others a standard, which had been taken from the Russians, was given to Mr. James Bell as a present.

(Signed)

THOMAS CHILDS.

It is clear that the fact of non-possession of Soudjouk-Kalé by Russia would have rendered her amenable for a piratical act.

But in what position would it have placed a British Secretary of State, after having taken so conspicuous a part in promoting all the measures which led to that act, and displaying so desperate a determination to support it?

This leads us to the third act in this extraordinary drama.

There was an old despatch in the archives of the Foreign Office, which Lord Palmerston had in his possession at the time of the capture of the *Vixen*, to the following effect:—

No. 15.

Mr. Consul-General Yeames to Viscount Palmerston.

(Received October 23.)—[Referred to in No. 14.]

(Extract.)

Odessa, August 11, 1836.

The next Russian station is in the bay of Soudjouk-Kalé, which, during several years, and till lately, remained unoccupied. *On a low ground to the left, when entering the bay of Soudjouk, are the ruins of the Turkish fort, which is completely demolished.* Nearly on the same site is to be erected a small Russian fortification, not yet commenced. To the right, within the bay, we found the squadron of Rear-Admiral Patiniotti at anchor, consisting of a large frigate, two corvettes, two brigs, and a cutter, with a steam-boat; and in a valley opening to the bay, and running in a direction towards Gelendjik, the intrenched camp of General Willeminoff. Here we landed by a rough and temporary jetty, and were all at once at the seat of an active war. At the time of our arrival only four thousand men were in the camp; strong detachments being out, employed on the lines of communication in the rear, and upon those which are to be formed by roads on one side to Gelendjik, and on the other to Anapa, both parallel to the shore. *The present position was occupied not three weeks previous to our visit.*

I beg leave to refer to the line of forts already mentioned by me, which was projected from Olginsky on the Kuban. The first of these, erected at the distance of thirty-three versts, is named Abyn; the second, sixteen versts from it, Nicolayefsky; and the third, eighteen versts further, we saw traced out within the intrenchments of the camp, on the *Doba*, a small stream falling into the bay of Soudjouk, at its southern extremity.

With this despatch in his possession, Lord Palmerston's recognition of Lord Durham's assertion respecting the occupation of Soudjouk-Kalé is incompatible with the honour of a man—the feelings of an Englishman.

Here we find that “on a low ground to the left, when entering the Bay of Soudjouk, are the ruins of the Turkish

fort, which is completely demolished." But this fort is the fortress of Soudjouk-Kalé alluded to in the treaty of 1784, and it cannot be the fortress alluded to by Lord Durham, which his lordship stated "*had been always occupied by a Russian garrison.*" Mr. Yeames says that "the Bay of Soudjouk-Kalé itself had, *during several years, and till lately, remained unoccupied,*" and that the Russian station to the right is *in a valley* opening to the bay, and running in a direction towards Gelendjik ;" and there he saw, not a fort, but a fort "traced out."

Mr. Yeames' testimony, therefore, respecting the non-existence of a Russian fort and garrison at Soudjouk-Kalé, agrees with that of Mr. Childs and the crew of the *Vixen*.

Foiled in the establishment of the grounds which he had assigned to Lord Durham, Lord Palmerston immediately shifts his ground to the other side of the bay, amongst "all those Tartar nations between the Kuban and the Black Sea which Russia, by the cherished treaty of 1784, had renounced."

Previous to pursuing his Lordship to his last place of refuge in the marshes of the Doba, it may be interesting to show the exact geographical position of the scene.

In the 45th Number of the "Portfolio,"* is a sketch of the coast of Abasia, ordered to be lithographed by Lord Palmerston. It was copied from the Admiralty charts of Russia. According to this sketch, the entrance of the Bay of Soudjouk-Kalé is more than four miles wide ; and such is its subsequent formation, that even if the fort of Soudjouk-Kalé had existed, and had been mounted by a thousand guns, still might a fleet of merchant vessels pass up the bay and traffic with a third party at the extremity, without exposure to shot.

Will the reader believe that this very despatch actually becomes, after all, the only basis on which fresh evidence can be reared ? Uninformed as to the instructions conveyed to the writer, Mr. Yeames, who, strange to say, had left his post at Odessa to join the staff of Count Woronzow in Circassia just after Mr. Bell's departure with Lord Palmerston's despatches to Constantinople, and who again left his post to join Lord Durham on his arrival in England ;—uninformed, I say, as to the instructions which Mr. Yeames received from Lord Durham or from Lord Palmerston, or from both, we can only infer their tenor from the following document :—

* See Appendix.

No. 14.

Mr. Consul-General Yeames to Viscount Palmerston.

(Received April 10.)

(Extract.)

Odessa, January 30, 1838.

The force directed to the bay of Soudjouk-Kalé reached the fort, which in 1836 *I had seen commenced upon the Doba, as stated in my despatch of the 11th. of August* of that year, and the existence of which has been so strongly and pertinaciously denied by some persons in England.

The fort contains a garrison of four hundred and eighty men.

Mr. Yeames stated in his despatch of the 11th of August, that of a line of forts "*projected from Olginsky on the Kuban,*" the third "*in a valley,*" and "*on a stream falling into the bay of Soudjouk-Kalé,*" he only saw "*traced out.*" How could Mr. Yeames know anything more on the subject than Lord Durham? Why not give his testimony for the number of men? But has the Government not a man-of-war at Therapia? Why has it not been sent to ascertain the fact, if any doubt did exist? But, instead of adopting any mode by which testimony might be obtained, Lord Palmerston adduces the reports of Her Majesty's Consul-General *at Odessa*, which reports are contradictory of each other, and prove, by the attempt to pervert the previous statements, the wide range of demoralization which has resulted from this infamous transaction.

Lord Ponsonby comes to his Lordship's aid in a similar manner:—

Enclosure No. 17.

Lord Ponsonby to Viscount Palmerston.

(Received April 20.)

Therapia, March 26, 1838.

My Lord,—I have this day received the despatch from Her Majesty's Vice-Consul *at Trebizond*, which I have the honour to enclose to your Lordship.

I have, &c

(Signed) PONSONBY.

The Viscount Palmerston, G.C.B. &c.

Enclosure in No. 17.

Mr. Vice-Consul Suter to Lord Ponsonby.

(Extract.)

Trebizond, March 21, 1838.

Besides Sokoum and Gelendjik, the Russians have forts at Gemata, near Anapa; at Doba, on the east side of Soudjouk Bay; at Shapseen and Pshad, places below Gelendjik; and at Ardler, on the south above Sokoum; the three last erected during the past year.

What! an English Vice-Consul *at Trebizond* considered by a British Ambassador at Constantinople an authority respecting the military movements of a Russian campaign on the Kuban, and on a coast whence all communication with Turkey was interdicted as a breach of quarantine and custom-house regulations!

But the character of the communication stamps it at once. The writer quotes no authority for his information, gives no testimony, and merely copies Lord Durham.

It is unnecessary to repeat, that all the testimony in the world respecting the military occupation of Soudjouk-Kalé or the Doba, by the Russians, is entirely irrelevant to the case of the *Vixen*; it stands in proof, and it is incontrovertible, and uncontroverted, that the *Vixen* entered the bay of Soudjouk-Kalé, and communicated during thirty-six hours with the municipal and custom-house authorities exercising jurisdiction on the shore and over the waters of that bay,—saw no Russian fort or garrison,—and was fired at by no Russian guns.

SECTION VI.

Non-existence of the "Regulations" under which the Vixen was assumed to be Confiscated—Non-existence of any Sentence of Confiscation.

But new light remains to be thrown upon Lord Palmerston's conduct in this affair.

On the motion of Sir Stratford Canning, further papers were demanded, and a third series, marked (B), was presented to the House of Commons.

In reply to the address, for a copy of any judicial proceeding, or sentence of a court of law in Russia, relating to the confiscation of the *Vixen*, it is stated, "no document of this description has been received at the Foreign Office, but an official account of the circumstances attending the seizure and confiscation of the vessel, as published by the Russian Government, was transmitted by the Earl of Durham to Viscount Palmerston, and was laid before both Houses of Parliament in 1837, amongst the papers relating to this case. (Enclosure in No. 14.)"

This account is from the *St. Petersburg Gazette*.

It is a singular fact, that the *St. Petersburg Gazette* as-

signing “the circumstances attending the seizure and confiscation of the *Vixen*,” publishes, as an “official account” of those circumstances the circular of M. Bouteneff, to the diplomatic body at Constantinople, of September 13, 1836, and Count Nesselrode’s despatch to M. Bouteneff, dated St. Petersburg, July 19, 1836.

But the papers presented by Lord Palmerston to Parliament as those grounds, are grounds which the *St. Petersburg Gazette* did not publish. They are the pretended regulations of 1831.

I entreat the reader’s attention to the following most important circumstance.

Throughout the complicated negotiations of Her Majesty’s servants, not a glimpse is afforded us of these notable “REGULATIONS.” Notwithstanding their notification to the diplomatic body at Constantinople on two separate occasions—notwithstanding their transmission to Lord Palmerston—notwithstanding their publication to all the world in the *St. Petersburg Gazette*, these famous Imperial regulations have never encountered the light of day!

No. 3.

The following are the communications which appear on the subject:—

Copy of the communication of the Russian Regulations, under which the *Vixen* was seized and confiscated, together with the Despatch in which it was transmitted.

Mr. Mandeville to Viscount Palmerston.

(Received December 1, 1831.)

Therapia, October 26, 1831.

My Lord,—I have the honour to enclose copies of a note and of a communication which have been addressed to me by M. Bouteneff, the Russian Envoy to the Porte, concerning the regulations which the Russian Government have adopted, with the view to preserve their Eastern possessions on the Black Sea from contagion; and at the same time to destroy the illicit trade, which on so extensive and desert a line of coast as that which lies between Anapa and Redout-Kalé, where a few habitations are thinly scattered on the beach, has been carried on with great impunity. To obtain these two objects, the communication of foreign vessels with the Abasian coast is restricted to the ports of Anapa and Redout-Kalé.

In my answer to M. Bouteneff’s note, I merely stated that I should transmit to your Lordship a copy of his communication for the information of His Majesty’s Government, and that I had already apprised His Majesty’s Consul-General at Constantinople of its

contents, that they might be made known to the masters of British trading-vessels navigating in the Black Sea.

I have, &c.

(Signed) H. MANDEVILLE.

Viscount Palmerston, &c.

Enclosure in No. 3.

(Translation.)

Buyukdéré, September 30 (October 12), 1831.

Sir,—In obedience to the orders of my Court I have the honour to communicate to you a copy of a communication which has been addressed to me by the Imperial Ministry, respecting the regulations which have been adopted with the two-fold object of preserving the Eastern Coasts of the Black Sea belonging to Russia from the introduction of contagion, and of preventing contraband trade on the same coast.

In consequence of the vessels which frequent those waters being chiefly Turkish vessels, I have already made known to the Sublime Porte the regulations specified in the communication of the Imperial Ministry, and which the Porte has promised to enjoin its subjects to observe.

Nevertheless, as European vessels also resort to the same coasts, and might in like manner be required to act in conformity with the measures prescribed to the Russian cruisers in those waters, it is my duty, Sir, to have recourse to your obliging intervention, requesting you to have the goodness to cause the necessary announcement in this respect to be made to the vessels under the flag of your Government frequenting the Black Sea.

I avail myself, &c.

(Signed) A. BOUTENEFF.

Sub-enclosure in No. 3.

Translation of a Despatch addressed by the Imperial Ministry to the Russian Envoy at Constantinople, dated Zarskoe Selo, August 8th., 1831.

You are sufficiently aware, Sir, of the constant care devoted by our Government, in order to preserve not only Russia but also the neighbouring foreign countries from the contagious disease coming from Turkey and the Levant.

However, experience has shown that neither quarantine regulations nor the most active vigilance on the part of the authorities have sufficed nor can be sufficient to secure effectually our eastern shore of the Black Sea from the contagion of the plague, as long as the communications which freely exist between the inhabitants of the Caucasus and those of the neighbouring Turkish provinces are not subjected to sanitary regulations.

This motive of public and general safety has for a long time caused the Imperial Government to wish that the whole extent of the coast from the Sea of Azoff, which already comprised several of our possessions in Europe and Asia on the eastern coast of the Black Sea, should be united to the Empire by a formal agreement, in order to be able thenceforward to ensure as far as possible the efficacy of the sanatory regulations upon the coast, and thus open, without danger, a new channel to commerce.

The stipulations of the Treaty of Adrianople with the Ottoman Porte have afforded us the means of effecting a combination as satisfactory as it is salutary. After the conclusion of this treaty a quarantine was established at Anapa, and the organization of the one which already existed at Redout-Kalé was completed. Custom-houses were in like manner established in both of these places, and our cruisers in those waters received orders to take care that foreign vessels navigating there should refrain from touching at any other places on those shores excepting those where quarantine establishments and custom-houses exist.

It was to be hoped that these regulations would have been observed, since they are in conformity with the order of things established in all Europe; for, in every country, vessels touching at unfrequented points, with the view of carrying on an unlawful commerce with the inhabitants who might come there with the same object, ought to be, and are, considered as smuggling; nevertheless, it has been ascertained that a considerable number of vessels still touch at unfrequented points of the eastern shore of the Black Sea.

In such a state of things it becomes indispensable that you should communicate the above-mentioned regulations, and the motives on which they are founded, to the Foreign Missions at Constantinople, as well as to the Ottoman Ministry itself.

According to the existing laws of Russia, commerce is open and free to ships of all nations; but vessels sailing to the coasts of the Black Sea can only touch at those ports where quarantines and custom-houses are established.

Any attempt to carry on trade with other than those ports, namely, those of Anapa, and Redout-Kalé, on the part of vessels sailing to the eastern shore of the Black Sea belonging to Russia, will be looked upon as smuggling, and will be subjected to all the legal consequences to which such trade is liable.

We do not doubt that the Missions of Foreign Powers at Constantinople, as well as the Porte itself, will acknowledge the incontestable justice of these measures adopted in Russia, and followed everywhere else.

It is therefore to be hoped that, in consequence of your explanations in this respect, no foreign merchant-vessel, of whatever flag, will henceforward seek to touch at any point of our eastern shore of the Black Sea, where neither a local police, nor quarantine, nor custom-house exists.

The above documents comprise the whole of the papers

communicated to the House of Commons by Lord Palmerston, on the 18th. of June, under the head of "Regulations under which the *Vixen* was seized and confiscated."

It will be observed that Mr. Mandeville alludes to three separate documents, viz. "a note" and "a communication addressed to him by M. Bouteneff," and "the regulations which the Russian Government have adopted." He encloses but *two*!

That M. Bouteneff alludes to two separate things,—“a copy of a communication addressed to him by the Imperial Ministry,” and the “regulations which have been adopted.” He encloses but *one*!!

The third paper—namely, “the despatch addressed by the Imperial Ministry to M. Bouteneff,”—alludes to “the regulations adopted by Russia after the Treaty of Adrianople for the establishment of quarantines and custom-houses at Anapa and Redout-Kalé, and of the orders to the Russian cruisers in those waters,” which the Imperial Ministry “hoped would have been observed.” It encloses—*nothing*!!!

But neither Mr. Mandeville, nor Mr. Bouteneff, nor Count Nesselrode—who separately and collectively refer to these regulations as to practical, substantive things seen—handled—used—have the faculty of producing them before the eyes of men. Lord Palmerston, who acknowledges their receipt—who admits, on their validity, and of course existence, the confiscation of a British vessel—can neither produce them to Mr. Bell in 1836, nor to the House of Commons in 1838. The not intractable Mr. Yeames declares that they were never heard of at Odessa. They never appeared at Lloyd's. They were never known at St. Petersburg. The Russian tariff itself is innocent of them. We look—we gaze intently north, south, east, and west, but this Colchian code everywhere escapes our vision and our grasp. They are not adumbrated in the mystery of past ages;—the recesses of the Black Sea contain them not;—the marshes of Sarmatia—the wastes of Scythia know them not.—In what region of the earth are to be found the regulations by which British property is confiscated without trial, in profound peace, by an ally of Great Britain?

Even the communication alluding to these regulations is a paper without a signature, seal, or mark of any kind, which can give it an official character. It never was notified directly to the courts whose interests it affected.

Before analysing this remarkable correspondence a few observations are necessary on the despatch of Mr. Mandeville. That Gentleman says, on the 26th of October, 1831,

that "an illicit trade has been carried on with great impunity on the coast between Anapa and Redout-Kalé."

There must have been regulations, therefore, which rendered it illicit. But the same evidence which I have already adduced of the systematic support of Russian policy, as exemplified in Lord Durham's report of his interview with Count Nesselrode is still more strongly displayed in the embassy at Constantinople, in this instance, so far back as 1831. Have we not, therefore, a complete elucidation of the whole of the events of Europe since Lord Palmerston's accession to office, and of the cause of the fatal position to which our commerce, our resources, our material strength, and our moral character, are at the present moment reduced? of the fall of Poland, the unopposed formation of the German customs league, the refusal in 1832 to support the Sultan against Mehemet Ali, the occupation of Constantinople, and the Treaty of Unkiar Skelessi, the tolls established at the mouth of the Danube, the formation and equipment of the Russian fleets in the Baltic and the Euxine, the occupation and extinction of Cracow? Could these events have been brought about without the previously-ascertained conviction that a British Secretary of State would give them his concurrence, and even lend to their accomplishment the support, if necessary, of a feigned opposition, the inefficacy of which would prove a further support to Russian ascendancy, by exhibiting England in the character of a bully and a coward, the hired executioner of those she had incited to the maintenance of their rights?

Russia did not dare to publish her regulations. She did not dare to communicate them directly to any foreign court excepting the Porte, who alone had acknowledged her right. She could not publish her regulations, because all other nations would have disputed them.

A British Secretary of State has asserted their existence, and therefore has relieved her from the danger of publishing, and from the necessity, perhaps, of penning these regulations, and by a singular coincidence, which may be traced in other diplomatic documents of Lord Palmerston and the Russian authorities communicated to Parliament, the date of the English translation of these regulations is altered to the present year.* It is dated Zarskoe Zelo, 8th August, 1838; so that, without any farther ratification by Russia of

* It may be worth the attention of those who are curious in such matters to compare the dates of the English and French versions of the communications to the conference of London, in the "Additional papers presented to Parliament on the third instalment of the Greek loan."

Lord Palmerston's acts, a copy of the papers presented to the House of Commons may serve henceforward as the "Regulations" whereby British vessels trading with Circassia may be condemned, without creating any national excitement in this country against "the Imperial Ministry."

Lord Palmerston's confidential Under Secretary affirms, that "the public here are very obtuse on foreign matters."

Let us examine, therefore, the substance of the documents which Lord Palmerston, in the absence of any regulations, has adopted.

The anonymous paper, signed in August, 1831, acknowledges the existence of "*neighbouring* foreign countries," independent of Russia and Turkey, and that, "as long as the communications which freely exist between the inhabitants of the Caucasus and those of the *neighbouring Turkish provinces*, are not subjected to sanatory regulations, Russia's eastern shore of the Black Sea cannot be effectually secured from the contagion of the plague;" and it adds that "this motive of public safety" "caused the wish of the Imperial Government that the whole extent of the coast from the Sea of Azoff should be united to the empire by a formal agreement."

It further states that "the stipulations of the Treaty of Adrianople with the Ottoman Porte have afforded her the means of a COMBINATION as satisfactory as it is salutary."

Lord Palmerston commits England as a party to this "combination" against the Circassians; and Turkey, whose existence depends upon the independence of Circassia, is henceforth compelled by England to unite with Russia in cutting off all communications between Circassia and itself.

In concluding this analysis of the grounds of confiscation, I need only state, that no decree has appeared by which the confiscation was ordered,—that no trial took place,—and that no tribunal was appealed to. Thus have Englishmen been captured, punished, had their property confiscated, and are spared Siberia only as a favour,—without the infraction of any law,—without the sentence of any tribunal, for a crime alleged to be committed on soil which Russia did not possess, and for the infraction of laws that never had any existence. And Russia, while perpetrating outrages so monstrous, leaves, step by step, the care of her defence to the Secretary of State and to the Ambassador of the British Crown, seemingly rejoicing in the weakness of her case, because displaying the more the subserviency of the British Minister, and, if that be needed, establishing more completely her control over him.

SECTION VII.

Support afforded by the House of Commons to these Proceedings.

We have now to follow the Noble Lord to the House of Commons.

The motion of Sir Stratford Canning was for the appointment of a select committee to inquire into the following allegations contained in the petition of Mr. George Bell and others; namely—

That the petitioners have suffered seriously in their interests and characters through the seizure of their vessel, the *Vixen*, and her cargo, by a Russian man-of-war in the Bay of Soudjouk-kalé; that the intention of the petitioner, George Bell, to send a vessel to the coast of Circassia for the purpose of trading independently with the population of that coast was previously made known to Her Majesty's Principal Secretary of State for Foreign Affairs, and had his approval and sanction; and that the final arrangements for the vessel's voyage were, before she sailed from Constantinople, communicated to and expressly sanctioned by Her Majesty's representative at the Sublime Porte.

Lord Palmerston had, a few days before, solemnly denied his having given any sanction whatever to the voyage of the *Vixen*—"the assertion was totally and entirely untrue."

In the reply of Dr. Lushington to Sir Stratford Canning's speech, that honourable and learned member is reported to have stated that—

it was not incumbent on foreign Governments to notify to other nations their fiscal regulations enforcing either total or partial prohibition of trading; and, therefore, when questions like these were put in the first instance to the Foreign Department here, the authorities there might have had no information on the subject. *Again, the information received at the Foreign Office might be of such a nature, and derived from such channels, as could not justify its being made known.* (Hear, hear.)

Then came the question whether all these proceedings were right or wrong, and that depended upon this—whether Soudjouk-kalé, was or was not in the possession of the Russian Government.

Now Lord Durham, in a letter addressed to the noble Secretary for Foreign Affairs, stated that there was a fortress at Soudjouk-kalé, and that it always had been occupied by a Russian garrison. Whether this was the case in fact, or not, *this was the strongest and best evidence of which the House could be in possession, whether there had or had not been a military occupation of Soudjouk-kalé at the period of the capture of the Vixen; and, assuming this to be the fact, the Russians had military possession of all the shores in that bay. He would remind the House that it was desirable, if possible, that this matter*

should be accommodated without coming to a rupture with Russia.
(Hear, hear.)

If, with a knowledge of the communications made by Russia in 1831 and 1836, the Government of this country had said that they would have recourse to no other measure than to assert the right of the people of Great Britain to trade with Circassia, they would have done so with a perfect and entire certainty that in that Russia never would give way, and that this might have been the ground for a quarrel between the two nations, which might have involved all Europe in war. (Cheers from the Ministerial benches.)

Upon the whole, therefore, he felt bound to say, that these persons had no one to blame but themselves.

The reader will perceive that Dr. Lushington has been put in possession of all the points that were aimed at in the arrangements made between Lord Palmerston, Lord Durham, and Count Nesselrode, in the ostensible correspondence between the 14th of April and the 23d. of May.

But Lord Palmerston, in replying to Lord Stanley, makes the following distinct admission.

His Lordship is reported to have said that his answer to the inquiry was precisely, though in other words, what the right honourable gentleman said he ought to have told Mr. Bell—namely, that he (Mr. Bell) should judge for himself, and that the Government could not give advice *in reference to particular engagements which they might think it fit hereafter to enter into with Russia.* That was precisely the substance of the first letter written to Mr. Bell by Mr. Strangways.

Again, his Lordship states that Lord Ponsonby could not have been a competent person to authorise the expectation that the owners of a vessel sailing to Circassia would be indemnified if seized. His Lordship says that, “if Mr. Bell had been told by Lord Ponsonby, it would have gone for nothing, he not being authorized to make the statement.” Lord Palmerston, therefore, assumes, upon his own responsibility, the notification to the merchants, ever since 1831, of the illegality of the trade with Circassia.

But the Government pretends to be alarmed by the dread of war. But, good God! it is by England’s support having been given to Russia during seven years by a British minister that Russia’s strength, quadrupled by that of England, has or has had, the means of aggression. Now, it is not Russia, but Lord Palmerston, that cuts off that trade with Circassia, on which avowedly its prolonged independence is contingent. It is the union of England with Russia that makes England weak and Russia strong,—it is the union of England with Russia, in promoting her policy or her arms in Circassia, Turkey, Egypt, Greece, Algeria,

Cracow, and Poland, that constitutes the despair of every threatened population, and arrays against England herself that moral feeling, that sense of public justice, which has hitherto been her boast as well as her strength.

England has not to fear war, but treason; not violence, but deception; but the time will come when deception will end in violence, and when treason may render, not war, but defeat and humiliation, unavoidable.

But if the seizure and confiscation of the *Vixen* is legal, as Lord Palmerston and his abettors contend, why speak of the desire of avoiding war with Russia? Allusion to war is incompatible with the belief in their own minds of the assertion that the rights of England have not been violated.

To suppose that Russia could go to war to support an infraction of the law of nations, is what no sane man could admit. Can, then, any member of the Ministry connected with Lord Palmerston honestly believe that the *Vixen* was legally condemned, when they have ever on their lips the danger of war.

Can war have any danger so great as the avowal by a Minister of England of the dread of it? And what guarantee have we left for the preservation of strength, and with it peace, if a threat of war is to interfere with our own estimate of the rights of Englishmen and the honour of England?

The first thing that strikes us on a review of this unparalleled transaction is the cohesiveness of the whole of its parts. Not the least remarkable part is the combination of so many individuals, while having to deal with a nation which the diplomatic servants rejoice to find "obtuse on foreign matters," and while the Foreign Secretary exults in the "empty benches" of the House of Commons.

The following are the results of the ostensible communication which took place between the two Governments during the thirty-four days of activity, or from the 19th. of April to the 23rd. of May, after the seventy days of repose from the 8th. of February to the 19th. of April.

The occupation of a country which was not occupied, and where there was no testimony to its occupation.

The invalidating of the documents of Russia that told against her own conclusions.

The withholding from the Russian Government all testimony which would have committed the Russian Government.

The establishment for Russia of grounds which she did not assume.

The exposure to the Circassians that it has been the Go-

vernment of England which has enforced the regulations of Russia against their commerce.

The reconciliation of two lines of procedure : the one based on practical war which could not be disguised—the other on peaceful regulations which did not exist.

The supplying of diplomatic grounds to Russia by misquotation, misapplication, and falsification of dates of treaties. An extensive combination to establish for Russia local regulations under which confiscation is suffered ; which regulations, if they had been published and recognised, could have had no action, but which, in fact, never existed at all.

The union of Great Britain with Russia to cut off the commerce of all nations with Circassia.

The prostitution of the diplomatic and consular service of England ; the degradation of the British character by the rejection of the testimony of British merchants ; the branding of British merchants, injured by Russia, as political intriguers.

Lord Palmerston dares, in the face of the House of Commons, to say that he rejects the word "the Foreign Office." To the Members of the House of Commons it was sufficient for him to say that he assumed responsibility on himself. The object of the assertion was to cast off the responsibility of his own agents before the public, and to render them, within the pale of the service, completely subservient to himself. He denies the responsibility of the Under-Secretaries of State,—he throws overboard the representative of the Crown,—and declares that Lord Ponsonby's words go for nothing ; and while he adopts, though rejecting their validity, the acts of the ostensible representative of the Foreign Office, and the ostensible representative of majesty at Constantinople, he recalls a subordinate and irresponsible officer at Constantinople, on the grounds of concurrence in an object which the Ambassador and the Foreign Office actively promoted. But that agent, not being committed, might have been a witness against His Lordship.

Lord Palmerston has only succeeded so far by playing a double game, by pretending distrust, by expressing hostility, and, by putting himself for a while at the head of the opposition in this country to Russia, to frustrate that opposition and the more completely to delude opinion. He never could have anticipated (judging from the past) the possibility of any one bringing together these diplomatic points, or perhaps of venturing to charge him with his crime. Now that the charge is made, the danger is in part averted ; for the public instinct must force investigation, the result of

which must be the exposure of the erroneousness, if they are so, of these accusations, or the removal of a recognised enemy of his country.

But what is this Power with whose wrath the English Ministry threaten the English nation,—with whose might they justify their own subserviency? Russia's political and commercial existence is at the mercy of England. Against her military power, supported by the influence and diplomacy of England, even the tribes of the Caucasus can wage a not unequal war. Lord Palmerston, it is true, left this ground in the House of Commons to his co-adjutors. Dr. Lushington and Lord J. Russell, who had the boldness, rather than the cowardice, to appeal to the fears of their audience, and thereby falsely to proclaim the decay of British power!

These transactions show at every step the dread of Russia for England. Not one of them could have existence but for that dread. Of what use this suborning of an English Minister? Why these diplomatic labours? Why these nights of watchfulness? but because Russia dreaded the practical power of England through those states whose independence she was overthrowing, and the energy of the national mind and character unless perverted and misled.

Through the degradation of the diplomatic service, Russia is now the patron of that service. Subserviency to her views is the condition of the English service. The character of Englishmen in their fundamental representation, the mercantile body, is degraded, and the advocate of the Government jeeringly inquires whether a hundred tons of salt is to plunge England into war, and is vehemently cheered by the President of the Board of Trade!

The House of Commons has been, step by step, committed in these transactions. It has sanctioned the continuance of the payment of the interest of the Russo-Dutch loan after the legal advisers of the Crown had decided that Russia, by violating her engagements to England in the affair of Cracow, had abrogated all stipulations by which England was bound to her. The House of Commons has borne harmless the Foreign Minister in every transaction by which the rights and interest of the Porte have been sacrificed to Russia and France,—by which the interests of Mexico have been sacrificed to the United States,—by which the aggressions of France in North and South America have been supported. It has received, without comment, the papers upon the subject of the frontier of New Brunswick,—surpassing, perhaps, in magnitude as in imbecility

or corruption, the transactions connected with Turkey. The House of Commons has accepted and sanctioned the false statements and falsified accounts presented by Lord Palmerston on the affairs of Greece. In fine, a majority in the House of Commons is committed on the affair of the *Vixen*. Whatever danger accrues from the acts of the Foreign Department,—whatever treaties have been violated,—whatever rights of England have been sacrificed,—whatever responsibility and penalty have been incurred,—lie now, not on the shoulders of the individual Minister, but on those of the House of Commons. The British nation can, therefore, no longer rely on the wisdom, or confide in the integrity, of that assembly.

The overthrow of the constitutional existence of this country has once already occurred, through the contempt of the nation for its representatives. The degradation of the House of Commons in the present times may lead to the accomplishment of the designs of Russia, no less through the internal convulsion which may result from the exhibition of its incapacity, than from its sacrificing the honour and undermining the power of England by its positive acts.

A consideration of the gravest character is associated with this question, which will be brought to the reader's mind, on reflecting that the death of William IV. has deprived this country of the sole advocate of its rights. Our Constitution is composed of three parts—the Crown, the Lords, and the Commons. The Lords have ceased to have any influence. The whole of the authority of the State is now in the hands of the House of Commons—a majority of which body has brought about, by sanctioning, and is, therefore, committed to, that policy from which danger results, and by which the present alarm has been created.

In the instinct of self-preservation of the commercial communities the only chance and hope of safety dwell. That community, slow to perceive, and tardy to combine, is, however, decided when convinced, and all powerful when united; and a voice has already spoken from the second constituency in the United Kingdom,* which gives the earnest and the proof of the spirit that has been roused, and of the power which may be exerted.

* Glasgow.