Richmond Enquirer.

SANS PEUR ET SANS REPROCHE

VOLUME LIII. TUESDAY MORNING, JUNE 3, 1856. NUMBER 9

THE RICHMOND ENQUIRER,
PUBLISHED DAILY, SEMI-WEEKLY, AND WEEKLY,
BY RITCHIE, PRYOR & DUNNAVANT.

TERMS:

☞ Daily Paper, seven dollars per annum, and at the rate of eight dollars if taken for a shorter period than one year. For the Semi-Weekly, five dollars per annum, and three dollars for six months, payable in advance, *to be paid* in advance, or remitted by mail, post-paid; or six dollars per annum at the end of the year.

With the view of extending the circulation of the RICHMOND ENQUIRER in the Southern States, the Proprietors have commenced the issue of a WEEKLY PAPER, which contains nearly all the reading matter of the Daily and Semi-Weekly editions.

We need say nothing of the political character of the RICHMOND ENQUIRER, which is now what it was half a century ago. We may state that it is the purpose of the Editors to devote all their energies to the discussion of the issues which Know-Nothingism has brought before the country.

The Weekly Enquirer is published every Wednesday morning at $2 per annum if paid in advance, or for $2.50 when payment is not made in advance. A deduction is made in favor of clubs, in the following ratio: for $10 six copies of the Weekly Enquirer will be furnished; for $20 twelve copies; for $40 twenty four copies, and so on in the same proportion.

TERMS OF ADVERTISING.

IN THE DAILY ENQUIRER—For TEN lines or less, first insertion, fifty cents, and every succeeding insertion twenty-five cents. If inserted twice a week or three times a week thirty-seven and a half cents for each insertion after the first, and when inserted only once a week fifty cents for each insertion.

IN THE SEMI-WEEKLY—For TEN lines or less, first insertion, seventy-five cents; for each subsequent insertion fifty cents; when inserted only once a week seventy-five cents for each insertion.

IN THE WEEKLY—For TEN lines or less, first insertion seventy-five cents; for each continuance fifty cents.

Annual advertisers are charged $35 for one square of 10 lines, $50 for two squares, and in that proportion for advertisements of a greater length, except Auctioneers, who are charged $100, (paper included.)

☞ All Obituaries and Tributes of Respect, exceeding twenty lines, are charged for as advertisements.

Orders from a distance must be accompanied with the cash, or satisfactory references, to insure execution.

☞ All dues to this office may be remitted per mail, in gold and available Bank notes, at the risk of the Editors.

THIRTY-FOURTH CONGRESS—First Session.

THURSDAY, MAY 29, 1856.

SENATE.

The House bills granting lands to Wisconsin, Alabama, Louisiana and Michigan, to aid in the construction of rail roads therein, were severally passed.

The President sent in a message, covering important documents in relation to our affairs with England.

Mr. Mason spoke in complimentary terms of the ability with which the question had been discussed by Mr. Marcy.

Mr. Cass thought that no pretext for war should arise out of the dismissal of Mr. Crampton, unless Eng and was determined to go to war.

Mr. Toombs thought that if this government was satisfied with the explanation of Lord Clarendon, Mr. Crampton should not have been dismissed.

Mr. Cass replied that this Government had not expressed its satisfaction with Mr. Crampton's conduct, but with the assurances of the British Government that they intended no violation of our laws. It now turned out that Mr. Crampton had acted in violation of the intentions and directions of his own Government.

Mr. Toombs did not believe that England or her officers had violated our laws at all. While the matter was pending he did not choose to argue the question against our Government; but he would now say that he disapproved the construction which this Government had placed upon our neutrality laws.

Mr. Butler thought it would have been better to have dismissed Mr. Crampton as soon as his complicity in the matter was discovered.

The Senate adjourned until Monday.

HOUSE OF REPRESENTATIVES.

Mr. Campbell of Ohio, from the select committee, said that he had been unanimously instructed to ask the House to adopt a resolution that the select committee appointed under the resolution of the 22d inst., to investigate the matter of the alleged assault on Senator Sumner by Mr. Brooks, may present their report or reports with the journal of their proceedings, at any time when the House is in session, which shall thereupon be laid on the Speaker's table and printed. The resolution was unanimously adopted.

Mr. Grow, from the Committee on Territories, representing the majority, made a report proposing to admit Kansas into the Union, with the Topeka or Free State Constitution. Its consideration was postponed till the 25th of June.

A message was received from the President, similar to that sent to the Senate, on the recruitment question, which was referred to the committee on foreign affairs.

Several private bills wer passed.

On motion, it was resolved that the Clerk be directed to refit the Hall for summer use.

The House adjourned to Monday.

SECRETARY MARCY'S LETTER OF DISMISSAL TO MR. CRAMPTON.

The following is the official dismissal of Mr. Crampton, the British Minister:

DEPARTMENT OF STATE,
Washington, May 28, 1856.

SIR—The President of the United States has directed me to announce to you his determination to discontinue further intercourse with you as Her Majesty's Diplomatic Representative to the Government of the United States. The reasons which have compelled him to take this step at this time have been communicated to your government.

I avail myself of this occasion to add that due attention will be cheerfully given to any communication addressed to this department from Her Majesty's Government affecting the relations between Great Britain and the United States, which may be forwarded to this government through any other channel.

Should it be your desire to retire from the United States, the President directs me to furnish you with the usual facilities for that purpose. I consequently enclose herewith the passport in such cases.

I avail myself of this opportunity to renew to you, sir, the assurance of my respectful consideration.

WM. L. MARCY.

To John F. Crampton, Esq., Her Majesty's Minister, etc.

THE DISMISSAL OF BRITISH CONSULS.

The following is a copy of the notice furnished to Mr. Mathew, the British Consul at Philadelphia.—Similar letters have been sent to the other dismissed officials at Cincinnati and New York:

DEPARTMENT OF STATE,
Washington, May 28, 1856.

SIR: For reasons which have been communicated to Her Majesty's government, the President has revoked the exequatur heretofore granted to you, by which you were permitted to exercise the functions and enjoy the privileges of British Consul at Philadelphia. I herewith send you a copy of the act of revocation. I have the honor to be, your obedient servant,

W. L. MARCY.

BAPTIST ANNIVERSARIES.

(*Correspondence of the Richmond Dispatch.*)

LYNCHBURG, May 29, 1856—12½ P. M.

The General Association was organized this morning—Dr. Jeter is the Moderator. No business was transacted besides organization. The opening sermon, by Dr. Barrows, is postponed till the afternoon session. A large number of delegates was in attendance, many more arrived in the Eastern train, which just reached here.

Richmond is well represented in numbers and character. I learned on the cars to-day that Rev. J. R. Graves, whose book, called the "Iron Wheel," and advocacy by Rev. Mr. Brownlow, of the Jones-Morgan Wing, has lately excited so much attention, is in Lynchburg.

The same drought prevails here as in Richmond. Thousands of peerless tobacco hills are visible on the road. The noble James is very low; one might easily wade across it.

LYNCHBURG, Friday, May 30.

The Association met at 9 A. M., and was opened in prayer by Rev. Mr. Birney of Washington.—Rev. Mr. Baptist, of Alabama, was received as Corresponding Member.

The following committees were appointed, viz:

To Nominate New Boards.—H. K. Ellyson, W. P. Planck, R. Ryland, W. M. Young, J. T. Tinsley, J. Gwathmey.

Nominate place and Preacher for next Association.—C. Georgeson, B. S. Hurt, A. B. Smith, J. Dabbs, Burkedale, G. J. Sumner, E. G. Jefferson.

Rev. T. Hume reported the list of delegates in attendance, embracing about 200. Report was referred back for completion.

Rev. Mr. Lewis read an extract from the will of the Rev. J. Harrison, of Madison, giving $1,000 to several Societies connected with the Association, viz: State Missions, $100; Bible, $200; Education, $200; Foreign Missions, $200.

Dr. Howell moved that the Treasurer receive the money, and give ten brethren as security in the required bond, required by the Executor.

After some discussion on the best mode of giving currency, it was agreed that the resolution be referred to a committee.

Rev. Mr. Tustin was then allowed to speak in behalf of the Southern Baptist Publication Society. He made an earnest appeal in its behalf to Virginia Baptists, to assist in raising $25,000 for this Society's permanent endowment. Alabama and Georgia had each pledged $5,000. Brethren in South Carolina (embracing those in Charleston, who had given already liberally) would make up the sum to $20,000, if Virginia and North Carolina would raise $5,000 between them. At the close of his speech, Mr. Tustin asked and obtained leave to collect subscriptions at this time.

Various pledges were given, and a considerable sum had been raised in this way among the delegates present, when our report was sent off—about one-half of the $2,500 having been pledged.

MASSACHUSETTS MEN TO BE DEFENDED.

BOSTON, May 30.—The American Council of Chester has received, in case of the commission of further outrages on Massachusetts men in Congress, to hold themselves prepared to depart at an hour's notice for Washington, and if necessary to defend them against any personal assault.

NEW YORK ABOLITION CONVENTION.

SYRACUSE, May 29.—The Convention of Radical Abolitionists to-day nominated Gerritt Smith for President and Samuel McFarland, of Pennsylvania, for Vice President, after which the body adjourned *sine die*.

THE RICHMOND ENQUIRER.

BY RITCHIE, PRYOR & DUNNAVANT.

WM. F. RITCHIE & ROGER A. PRYOR, EDITORS.

TUESDAY MORNING, JUNE 3, 1856.

In apology for any want of attention which our columns have latterly betrayed, we may mention that one of the editors is absent from the city, and that the other has been confined to a sick room for the last two weeks.

CONCLUSION OF THE ENLISTMENT DISPUTE—WM. L. MARCY.

The conduct of the Administration in the enlistment controversy is approved by so general an expression of popular applause, that the captious spirit of a partizan press suspends its habitual strain of senseless invective. Papers with which abuse of the Administration is a necessity of existence, are either reduced to silence, or else indemnify their baffled malignity, by a low growl over imaginary blunders. Thus, though the dismissal of Crampton and his accomplices is obnoxious to no objection of public policy, and is sustained by the almost unanimous sentiment of the country, papers in the interest of the opposition imagine they may excite some clamor against the President, by affecting to lament the delay and hesitancy which preceded the final resolution of the Cabinet.

Now, if ever any particular policy was justified by the event, the conduct of the Administration in the enlistment controversy is certainly vindicated by the present posture of the dispute. The least display of harshness or precipitancy on the part of this Government, would have inevitably provoked resentment, and perhaps have hopelessly complicated the difficulty. Mr. Marcy pursued a different course. Without abating the least of his demands, or betraying any impatience of feeling, he suffered the controversy to follow a natural order of development—neither unduly hastening nor timidly postponing the catastrophe. He did not offend the egotism of the British Government by teasing importunity, nor flatter its presumption by inconsiderate concession. Throughout the controversy he has displayed a courteous, temperate, but inexorable spirit. After driving the British Ministry from position after position, and discrediting all the arguments by which they have sought to shelter themselves, he returned to his original demand, and applied the proper remedy in a firm, but respectful temper. It was easy enough to precipitate the conclusion; but it was inconceivably difficult to reconcile the demands of our violated dignity, with the sentitive scruples of British pride. Mr. Marcy has accomplished this apparent impossibility. He has conducted a very delicate controversy to a violent result, without inflicting any shock on the public mind, or disturbing the repose of the country. He has achieved the object of his exertions, with the least possible sacrifice of security. He has satisfied the national honor without endangering the national interests. Never were prudence, sagacity, skill, firmness, and indeed all the qualities of perfect diplomacy, so signally displayed in any negotiation.

Mr. Marcy's reply to Lord Clarendon's famous despatch of the 30th April, is inserted in another column. The reader will agree that it illustrates the superior ability which the American Secretary has exhibited at every stage of the controversy, and asserts an easy and complete triumph over his adversary.—Mr. Marcy accepts the apologies of the British Minister as an ample atonement for the misconduct of his Government, and as a sufficient sacrifice to the injured dignity of American law. Thus the difficulty between the governments is adjusted. But, Mr. Marcy is not content with the exculpation of Crampton and his accomplices. He objects that Lord Clarendon does not meet all the accusations against them; and that such as he undertakes to deny, are not satisfactorily discredited. Crampton and his accomplices not being purged of their iniquity, and their presence in the country being offensive to our government and people, Mr. Marcy accepts the logical conclusion, and sends them their passports. At the same time he assures the British Ministry that the act is in no sense intended to affect the relations of the two governments.

It is obvious from this brief review of the tenor of Mr. Marcy's despatch, that the British Ministry have no excuse for interrupting the relations of the two countries. The act, if offensive, is not directed against the British Government, but against its agents in this country, and is intended simply as a punishment of their personal misconduct. The British Ministry can retaliate with no propriety. If they dismiss Mr. Dallas, it will be a wanton ebullition of angry self-reproach, which the world will condemn, and for the consequences of which this country will be in no way responsible.

If there be a man in eminent place, to whom, next to the President, the country is under greater obligations at this moment than to any other person, it is Wm. L. Marcy. The Administration was inaugurated upon an impulse of Filibusterism. The country was mad with a fever of radicalism, and seemed ready to precipitate itself in a crusade against the universe. Marcy was the conservative element in the Cabinet. He set himself steadfastly against all schemes which had not the countenance of public law and national honor. He repressed Filibusterism. He enforced the observance of treaty obligations.—In disputes with other governments he displayed the utmost moderation of temper, consistent with an energetic support of American rights. All violence and precipitancy he opposed with the counsels of a firm but courteous and sagacious statesmanship. History will account it fortunate for the country, that in a time of unusual difficulty and danger, its foreign policy was directed by a statesman of such unselfish ambition, and of such elevated and far-seeing wisdom. In the judgment of posterity, Marcy will rank with the most illustrious of American statesmen.

THE SUMNER DISCIPLINE—THE NEEDFUL REMEDY.

A few Southern journals, affecting an exclusive refinement of feeling or regard for the proprieties of official intercourse, unite with the abolition papers in condemning the chastisement inflicted upon Sumner by the Hon. P. S. Brooks. We have no patience with these mealy mouthed pharisees of the Press. Why not speak out and declare at once that you are shocked by the "brutality of a slave-holding ruffian?" It is much more manly to adopt the violent vocabulary of the *Tribune*, than to insinuate disapprobation in the meek accents of a conscience-smitten saint.

In the main, the press of the South applaud the conduct of Mr. Brooks, without condition or limitation. Our approbation at least is entire and unreserved. We consider the act good in conception, better in execution, and best of all in consequence. These vulgar abolitionists in the Senate are getting above themselves. They have been humored until they forget their position. They have grown saucy, and dare to be impudent to gentlemen! Now, they are a low, mean, scurvy set, with some little book learning, but as utterly devoid of spirit or honor as a pack of curs. Intrenched behind "privilege," they fancy they can slander the South and insult its Representatives, with impunity. The truth is they have been suffered to run too long without collars. They must be lashed into submission. Sumner, in particular, ought to have nine and-thirty early every morning. He is a great strapping fellow, and could stand the cowhide beautifully. Brooks frightened him, and at the first blow of the cane, he bellowed like a bull-calf. There is the blackguard Wilson, an ignorant Nantick cobbler, swaggering in excess of muscle, and absolutely dying for a beating. Will not somebody take him in hand? Hale is another huge, red face, sweating scoundrel, whom some gentlemen should kick and cuff until he abates something of his impudent talk. These men are perpetually abusing the people and representatives of the South, for tyrants, robbers, ruffians, adulterers, and what not. Shall we stand it? Can gentlemen sit still in the Senate and House of Representatives, under an incessant stream of denunciation from wretches who avail themselves of the privilege of place, to indulge their devilish passions with impunity? In the absence of an adequate law, Southern gentlemen must protect their own honor and feelings. It is an idle mockery to challenge one of these scullions. It is equally useless to attempt to disgrace them. They are insensible to shame; and can be brought to reason only by an application of cowhide or gutta percha. Let them once understand that for every vile word spoken against the South, they will suffer so many stripes, and they will soon learn to behave themselves, like decent dogs—they can never be gentlemen. Mr. Brooks has initiated this salutary discipline, and he deserves applause for the bold, judicious manner, in which he chastised the scamp Sumner. It was a proper act, done at the proper time, and in the proper place. Of all places on earth the Senate chamber, the theatre of his vituperative exploits, was the very spot where Sumner should have been made to suffer for his violation of the decencies of decorous debate, and for his brutal denunciation of a venerable statesman. It was literally and entirely proper, that he should be stricken down and beaten just beside the desk against which he leaned as he fulminated his filthy utterances through the capitol. It is idle to talk of the sanctity of the Senate Chamber, since it is polluted by the presence of such fellows as Wilson and Sumner and Wade. They have desecrated it, and cannot now fly to it as to a sanctuary from the lash of vengeance.

We trust other gentlemen will follow the example of Mr. Brooks, that so a curb may be imposed upon the truculence and audacity of abolition speakers.—If need be, let us have a caning or cowhiding every day. If the worse come to the worse, so much the sooner so much the better.

SAM DEAD.

Too little significance, in our judgment, is attached to the result of the recent local elections in this State. We do not pretend that the overwhelming defeat suffered by the "American" candidates, was in every particular instance, a Democratic triumph; but we do affirm that the general result betrays the essential and irreparable decay of the Know Nothing party in Virginia.

"Sam" is a mouser. He hunts only after the small game of petty offices. A seat in Congress, or the Governship of a State, is an elevation quite beyond the range of his ambition; but after a sheriffalty or some such subordinate place, he strives with an intensity of desire which is vehement in proportion to the worthlessness of the object. Such small conquests are not only on a level with his aspirations and within the compass of his powers, but they are the legitimate prey of his low cunning and incessant intrigues. Hence the success which has generally attended "Sam's" contests for the honor of Sheriff, Constable and Magistrate.

Now, everybody knows "Sam" did not suffer the election in this State the other day, to go by default. The Washington *Organ* announced significantly that "Sam would be about." What this slang phrase means, we need not stop to explain. "Sam" was about, and did his best to pick up the crumbs. Poor fellow, he was on the lift, and was struggling for existence. To no purpose! All his energies are exhausted; he is incapable of effort. He is dead! Yea, Samivel is deceased!! He is whipped out of almost every county in the State. What there is of him, is hid here in this city. His best friend can render him no other service now than award him a decent interment. His worst enemy can do him no greater harm than write an accurate narrative of his life and exploits. Ah! he was a rascally chap, that "Sam." He wrought much mischief in his lifetime, but he is now dead, and we have no heart to speak ill of his memory.

We are indebted to Mr. P. H. Taylor for "Ellen Bayne" and "The Warrior Page," two pretty songs, published by Firth, Pond & Co., New York.

VIRGINIA STATE DEBT.

The following statement has been handed us for publication, and we take pleasure in calling attention to it, because, in some quarters, doubts have heretofore been expressed as to whether Virginia would be able to meet her liabilities. It will be seen, from the details given below, that, as heretofore, when a crisis has to be met, our noble old State never fails to discharge faithfully and promptly her whole duty:

INTEREST ON VIRGINIA PUBLIC DEBT.

Being frequently addressed upon the subject of the probable ability of Virginia to pay the interest, &c., which will be due the 1st of July next, I deem it proper to make the following statement:

By an act of the General Assembly, passed the 18th March, 1856, the undersigned was authorized, "under the advice and with the approbation of the Governor," to borrow from time to time such sums as might be deemed expedient to meet the public engagements, on the sale of twelve months Treasury Notes, at a rate not under par.

Agreeably to the foregoing provisions, I have sold near one million dollars ($1,000,000) of Treasury notes. This sum, added to about eight hundred thousand dollars ($800,000) arising from taxes on May, 1856, licenses, semi-annual dividends on Bank stocks belonging to the State, and other ordinary subjects of revenue, will furnish ample means to enable the Commonwealth to meet the July (1856) interest promptly; besides paying the "floating debt" or temporary loan heretofore obtained from a portion of the Virginia Banks.

It is proper to observe that all the Treasury notes sold, have been purchased by bankers and capitalists in Virginia.

G. W. CLUTTER,
Auditor Public Accounts.

AUDITOR'S OFFICE, RICHMOND, May 31, 1856.

BONDS OF SHERIFFS AND OTHERS.

We have been requested to publish the following opinion of the Attorney General, in relation to the bonds to be given by sheriffs holding over until the 1st of January, 1857; also in relation to the bonds to be given by sheriffs and other public officers chosen at the late election for the regular term of two years from the first day of January next:

FOR THE AUDITOR OF PUBLIC ACCOUNTS.

The second section of the act "concerning sheriffs, &c., passed March 15th, 1856, is as follows:

"The term of the office of the Commissioners of the Revenue and of the Sheriffs shall commence on the first day of January next after their election.—The Sheriffs now in office shall hold over and continue to exercise the duties and powers of their offices until the commencement of the term of office of their successors, upon giving bonds as now required by law, for the discharge of their duties during such continuance in office."

Nothing in the Constitution, in my opinion, withholds from the Legislature power to change, before an election, and for the public convenience, the time of the year at which the terms of sheriffs shall commence, as done in the first part of the section.—Therefore, the persons who have been elected sheriffs at the recent elections, though they must take the oaths and give bonds very speedily, cannot act as such sooner than the first day of January next, because not till then does the term commence for which they have been elected. The commencement of an officer's term, as well as the oaths and bonds required of him by law, is a necessary part of his qualification to act.

The Constitution provides, article 6, section 23, that judges and all other officers, whether elected or appointed, shall continue to discharge the duties of their respective offices after their terms of service have expired, until their successors are qualified.—Under this constitutional provision, it would seem the sheriffs now in office might have continued to exercise the office till the 1st of January, 1857, but for the latter part of the section above recited from the act of March last. That portion of the said section is intended to guard against difficulties which might have arisen under the present bonds of the sheriffs, executed before this act passed, and requires the sheriffs to give new bonds as a condition of holding over after the end of their terms till the 1st of January, when the new terms commence. And this condition I consider the Legislature may rightfully attach, under the latter clause of section 38, article 4, of the Constitution.

My opinion is that in no event can the newly elected sheriffs exercise the office earlier than the 1st January, 1857; that the present sheriffs may continue after the 1st July, and up to the 1st January, provided they give the bond in due time; and that in case of their failure or refusal to give such bond, there will be a vacancy in the office.

At what time must such bond be given? On this the act is silent. It may be that a sheriff would save his right to "hold over," if he gave the bond at any term of his county court that comes within sixty days after the election; for in that case there would be no extension of his time of service, but what might have been if the new act had never been passed.—But the safest course will be to give it at the June term.

OATHS AND BONDS OF THE NEW OFFICERS.

It may be well to direct the attention of the newly elected officers to the general provisions, and especially to the 19th section of the act passed April 22d, 1852, providing for the election, &c., of county officers. That portion of this section is believed to be still in force, which directs that every such officer shall take the oaths and give the bonds required of him by law, within sixty days after his election, and declares that *if he fails to do so, his office shall be deemed vacant.* By another section and later act, a Justice of the peace is required to qualify within thirty days after he receives his commission. Therefore, the section under consideration would seem not to apply to justices. But does seem applicable to all the other county officers, without regard to the time when their terms are to commence; and of course to Sheriffs and Commissioners of the Revenue, as well as the rest. All of them, therefore, ought to take the oaths and give the bonds before the sixty days expire; and it is important that those whose bonds can only be given in court, should bear the time in mind.

W. P. BOCOCK.

May 28, 1856.

OUR RELATIONS WITH GREAT BRITAIN.

The President communicated to Congress on Thursday the following Message, accompanied by a series of papers, of which we append the leading one, being the reply of Mr. Marcy to the communication of Lord Clarendon of the 30th of April last, in relation to the enlistment controversy:

WASHINGTON, May 29, 1856.

To the Senate and House of Representatives:

I have ceased to hold intercourse with the Envoy Extraordinary and Minister Plenipotentiary of her Majesty the Queen of the United Kingdom of Great Britain and Ireland near this Government. In making communication of this fact, it has been deemed by me proper also to lay before Congress the considerations of indispensable public duty which have led to the adoption of a measure of so much importance. They appear in the documents herewith transmitted to both Houses.

FRANKLIN PIERCE.

Mr. Marcy to Mr. Dallas.

DEPARTMENT OF STATE,
Washington, May 27, 1856.

SIR: The President has carefully considered the note of the 30th ultimo, addressed to you by the Earl of Clarendon, her Majesty's Principal Secretary of State for Foreign Affairs, relative to the questions which have arisen between this Government and that of Great Britain on the subject of recruiting within the United States for the British army, and has directed me to present to you his views thereon for the purpose of having them made known to her Majesty's Government.

He has been much gratified by the conciliatory spirit of that note, and by the desire manifested by the Earl of Clarendon to adjust the existing difficulties and to preserve and strengthen the friendly relations between the United States and Great Britain. The vast interest which the Government and people of both countries have in upholding and cherishing such relations cannot be more solemnly impressed upon her Majesty's Government than it is upon that of the United States.

The unequivocal disclaimer by her Majesty's Government of "any intention either to infringe the law, or to disregard the policy, or not to respect the sovereign rights of the United States," and their expression of regret "if, contrary to their intentions and to their reiterated directions, there has been any infringement of the laws of the United States," are satisfactory to the President. The ground of complaint, so far as respects her Majesty's Government, is thus removed.

But the President extremely regrets that he cannot concur in Lord Clarendon's favorable opinion of the conduct of some of her Majesty's officers who were, as this Government believed, and, after due consideration of all which has been offered in their defence, still believes, implicated in proceedings which were so clearly an infringement of the laws and sovereign rights of this country. In respect to such of these officers and agents as have no connexion with this Government, it has nothing to ask from that of her Majesty, but the case is different in relation to Mr. Crampton, her Majesty's Envoy Extraordinary and Minister Plenipotentiary to this Government, and the Consuls of New York, Philadelphia and Cincinnati. The President is gratified to perceive that her Majesty's Government would not have hesitated to comply with the request to withdraw these officers from their official positions, if it had entertained the views here taken of their conduct in regard to recruiting contrary to the laws and sovereign rights of the United States.

I scarcely need say that in making this request no interruption of the diplomatic relations between this government and that of Great Britain was anticipated; but, on the contrary, the President was and is sincerely desirous to keep them upon a most friendly footing. Mr. Crampton's withdrawal was asked for expressly upon the ground that "his connection with that affair raising recruits in this country for the British service,) has rendered him an unacceptable representative of her Britannic Majesty near the Government." For the same reason, the withdrawal of the three British Consuls was also required.—These officers were, as this Government confidently believes, deeply implicated in proceedings contrary to the law and sovereign rights of the United States, and contrary, as it now appears, to the intentions and reiterated instructions of their own Government.—It was their personal acts, certainly not the less objectionable for having been done contrary to the direction of her Majesty's Ministers, which rendered them, in their official characters and positions, unacceptable to this Government, and induced the President, for that cause, to solicit their recall, believing that by this course he was contributing to the common interest and harmony of the two Governments. He has not, after the most mature deliberation, been able to change his view of their conduct, and cannot, therefore, change his purpose in relation to them. Though their conduct pertained to, and in fact originated a difficulty which disturbed the cordial harmony and good understanding between the two countries, it constituted a decided objection to them of a personal character, which loses none of its force by the satisfactory adjustment of that difficulty.

The only embarrassment which attends the case is the difference of opinion between the two Governments as to the complicity of these officers in illegal proceedings within the United States.

In reviewing this subject, the President was disposed to avail himself of any reasonable doubts which could be raised in his mind in order to bring his opinion in this respect into conformity with that of her Majesty's Government; but after careful reconsideration of the case, he has been unable to change the conclusion to which he had previously arrived.

This difference of opinion may be, in some degree, ascribed to the difference in the views of the two Governments in respect to the neutrality law and the sovereign rights of this country.

It is not proposed, however, to continue the discussion upon that subject. The conclusions of the President, stated in my dispatch of the 28th of December, to your predecessor, in regard to the construction of that law and the character and extent of those rights, remain unchanged, and he cannot forego the duty of using all proper means to sustain and vindicate them.

The main cause of this difference of opinion is the different appreciation of the proof by which the charges against her Majesty's diplomatic representative and consuls are sustained.

Lord Clarendon asks this Government to regard the bare declarations of these officers as of sufficient weight to countervail the evidence against them.—Their denials as presented in his dispatch of the 30th of April—and that is all which has been communicated to this Government on the subject—seem to be special, and do not traverse all the allegations against them. They deny that they have infringed our neutrality law, by enlisting persons in the United States for the British service, or hiring or retaining persons to leave the United States for the purpose of being enlisted in that service. The charges against them are much broader, and embrace the offence of violating the laws and sovereign rights of the United States by setting in operation, within our territory, and conducting an extensive system of recruiting, which was not and could not be carried into effect without infringing our laws and rights; by employing numerous agents to engage persons for pecuniary or other considerations to leave the United States for the express purpose of entering into the British army, and by keeping these agents in this employment after it was well known that they were constantly infringing our laws.

The denial of the implicated officers only covers a part of the delinquencies imputed to them; but, confining the exculpatory declaration to the simple charge of having violated the provisions of our neutrality act, it does not merit the consideration which Lord Clarendon has ascribed to it. By adopting Lord Clarendon's construction of our neutrality law contained in his note of the 16th of November, which renders it almost nugatory, and is contrary to that of this Government and of its judicial tribunals, these officers have not probably found much embarrassment in meeting the charges with a general denial.

But, giving to the declaration of Mr. Crampton and the Consuls all the consideration which can be fairly claimed for it under the circumstances of the case, it cannot counterbalance the unimpeached and well sustained evidence which establishes the charges against these officers of having infringed the laws and sovereign rights of the United States.

Lord Clarendon's note to you of the 30th of April conveys the impression that the evidence by which these officers are implicated is derived from one or two witnesses whose credibility has been assailed.—This, however, is not a correct view of the facts.

By the examination of my dispatch of the 28th of December, it will be perceived that these witnesses were strongly corroborated, and that there are proofs wholly independent of their testimony, abundantly sufficient to establish the complicity of Mr. Crampton and the Consuls, in the infringement of the laws and sovereign rights of the United States. I trust it will not be questioned that it belongs exclusively to this Government and its judicial tribunals to give a construction to its municipal laws, and to determine what acts done within its jurisdiction are infringements of those laws. This is a matter which concerns its internal administration, and it cannot allow the agents of any foreign power to controvert that construction and justify their conduct by a different interpretation of our laws, which virtually renders them ineffective for the purposes intended.

The Earl of Clarendon informs you, in his note of the 30th of April, that Mr. Crampton positively denies the charge of complicity in any of the acts of illegal enlistment in the United States, and that the three consuls inculpated do the same. He assumes that the charge against them is sustained mainly by the evidence of two persons, Strobel and Hertz, whom he conceives to be unworthy of credit; and he appeals to the American government to accept as conclusive the declarations of the minister and consuls. I am instructed to say that these considerations do not relieve the President's mind of the unfavorable impressions produced by the conduct of those gentlemen in relation to foreign recruitment in the United States.

It will be seen, by referring to my despatch of the 28th of December, in which the grounds of charge against Mr. Crampton were fully stated, that the testimony of Strobel and Hertz was quite a secondary, and an unimportant, part of the evidence adduced; the charge being supported, independently of their testimony, by other witnesses, by original letters of Mr. Crampton and others, and by undenied and undeniable acts of Mr. Crampton.

As to Strobel and Hertz, however, it may be observed that the documents transmitted by Lord Clarendon, as proving those persons unworthy of credit, are entitled to but little weight, consisting, as they do, chiefly of *ex parte* affidavits, detailing matters mostly of mere hearsay. And whatever may have been the character of those persons, it by no means follows that they did not testify to the truth. They were agents selected and trusted by Mr. Crampton himself, and to them he committed most important concerns. Such an endorsement should countervail the impeachment of their veracity founded on loose hearsay reports. Nor does it seem to be a thing of much moment, in relation to the present question, that Strobel, in consequence of imputed misconduct, was dismissed from employment by the lieutenant governor of Nova Scotia, and afterwards endeavored to obtain money from Mr. Crampton. The fact remains that he held a commission in the British Foreign Legion, and that, as it is clearly proved, and not denied, he maintained, as a recruiting officer, and for a considerable period of time, association, personally or by correspondence, with Mr. Crampton.

The employment of Strobel by Mr. Crampton, their long association in the joint work of recruiting in the United States for the Foreign Legion, the distinction of her Majesty's commission of captain in that corps, conferred on Strobel, would seem, at least, to deprive Mr. Crampton of the right to deny his credibility as a witness.

But there is a larger and more comprehensive class of considerations applicable to this particular question. For a period of nearly five months—that is, from about the middle of March, 1855, to the 5th of August, 1855—the peace and order of this country were disturbed, especially in the cities of Boston, New York, Philadelphia, and Cincinnati, by the unlawful acts of numerous persons engaged in raising recruits, or in being recruited, for the British Foreign Legion. They were supplied with ample funds by British agents. They obstinately resisted and set at naught all the efforts of the local authorities of the United States to put a stop to their proceedings, nor did they desist until they received orders to that effect from the British government in the month of August.—The recruits thus unlawfully raised in the United States during all that time were conveyed by British agents to Halifax, and there enrolled in the Foreign Legion.

All these acts, as well as their illegality, were notorious. Long before the trial of Hertz in September, and of Wagner in October, they must have been brought to the particular notice of Mr. Crampton, the British consuls and other agents, by preliminary judicial inquiries, which took place both at New York and Philadelphia.

In consequence of the steps to that effect taken by me on the 22d of March, the proper instructions were issued on the 23d, and prosecutions commenced in Philadelphia on the 30th of March, and in New York on the 5th of April.

As example of the character of these proceedings, their notoriety, and their conclusive legal effect, what occurred in May deserves particular notice.

At New York, on the 15th of May, a number of persons—namely, Godfried, Watcher, Wilhelm, Schumacher, Julius Parkus, Oscar Cromey, and Andrew Lutz—were examined before Commissioner Betts, on the charge of recruitment for the service of Great Britain. Eminent counsel were employed by the parties accused, who argued that no offence had been committed, because it did not appear that any valid contract of enlistment had been consummated. But this ground of defence was overruled by the commissioner, who, though he discharged Wachter for defective evidence, committed Lutz, Schumacher, Cromey, and Parkus.

At Philadelphia, on the 25th of May, three persons, Hertz, Perkins, and Bucknal, having been arrested on the charge of illegal recruiting in the service of Great Britain, applied to the Circuit Court of the United States, by *habeas corpus*, to be discharged from custody. The presiding judge, the Hon. John K. Kane, on examination of the evidence taken in the case before a commissioner, found that the proofs were sufficient to bring the acts of Hertz and Perkins within the conditions of the law, but not so as to Bucknall. Accordingly, the latter was discharged, but the two former were committed for trial.

Thus, so early as May, it was judicially shown that what was doing in this respect was unlawful. Mr. Crampton was acquainted with these proceedings, and was thus sufficiently admonished that the acts of recruitment carried on under his authority did, in fact, whatever may have been his intention, constitute a violation of the municipal law of the United States. This had been decided by the courts of the United States, and was publicly and extensively made known. It is not controverted—indeed, it is admitted—that he had the recruiting business in his charge, and under his control; yet he permitted it to be continued, although judicially determined to be unlawful, through the months of May, June and July, into August.

Now, this long series of acts, unlawful and otherwise prejudicial to the good name and the tranquility of this country, were performed by persons who were liberally paid by British officers, and many of whom actually entered the military service of Great Britain. That was incontestably proved on the trial of Hertz and Wagner, by evidence which has not been, and cannot be impeached; and although the evidence adduced on those trials does not need corroboration still, it may not be amiss to add that much other evidence to the same effect is in possession of this government, some of which is annexed to this dispatch in the form of documents responsive to those accompanying the letter of the Earl of Clarendon.

Who is to be held accountable for these unlawful acts? Were they all performed by volunteer and irresponsible persons, as argued in the Earl of Clarendon's despatch of the 16th of July? That cannot be admitted, for the conclusive reason that they received pay from British officers, and, of course, were employed by some responsible agents of the British government.

The Earl of Clarendon, in behalf of her Majesty's government, disclaims all intention to violate the laws, compromise the neutrality, or disrespect the sovereignty, of the United States, by enlisting troops within their territory. The President unreservedly accepts, and is fully satisfied with, this disclaimer.—Of course, the unlawful acts in question were not authorized by the British government: but the fact is, nevertheless, well established that they were done, and done in the name, and at the expense, of the British government. Who, then, is responsible for these acts? Were there no direct proof—though there is much of that character—the inference would be irresistible, that not being authorized by the British government itself, they were the unauthorized acts of British agents in the United States. Such agents having acted in wilful disregard of the orders of their government in thus infringing our laws, may have failed to inform their government that what they had undertaken to do could not be done without infringing those laws; or by mismanagement, indiscretion, or over zeal, they may have participated in such infringement, though well knowing it was contrary to the wishes and the express orders of their government. However this may be, it is certain that agents existed, because their acts appear. Who were those agents?

Of this we are not left in doubt. In the documents on the subject recently laid before Parliament, it is distinctly stated that the enlistments in the United States did not stop until Mr. Crampton gave orders for their cessation on the 5th of August. He had power to stop the acts of enlistment; he knew the proceedings were, from the commencement, exceedingly offensive to this government, and that it was devoting its active energies to arrest them; he was bound to know—he could not but know, what was notorious to all the world—that through the months of April, May, June and July, the recruiting agents in various parts of the United States, and conspicuously in Boston, New York, Philadelphia and Cincinnati, were keeping up a most unseemly contest with the law officers of the United States, and that at least as early as May the illegality of the proceedings had been pronounced by the federal courts in New York and Philadelphia; and yet, notwithstanding this, he permitted the unlawful acts in question to go on, without check, until the month of August. For thus giving countenance to these illegal proceedings he is distinctly responsible.

But his accountability extends yet further; for the same documents show that the official suggestion to the British government of the untoward scheme of obtaining recruits in the United States came from the correspondence of Mr. Crampton, and of the consuls at New York, Philadelphia, and Cincinnati; and that to Mr. Crampton were the superintendence and execution of the scheme committed. And thus it is that he who directed had the power to stop the proceeding; and thus, from early in March until August, he is found busily occupied in superintending enlistments, partly in the United States and partly in Canada and Nova Scotia, and in issuing instructions to the agents engaged in that enterprise.

It does not suffice for Mr. Crampton now to say that he did not intend to commit, or participate in the commission of any infringement of the laws of the United States. He was the directing head of long-continued infringements of the law, it was under superior authority from him that acts of continuous violation of law were perpetrated by the inferior ag