The North Carolina Whig.

"Be true to God, to your Country, and to your Duty."

VOLUME 5. CHARLOTTE, N. C., JUNE 17, 1856. NUMBER 17.

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Editor & Proprietor.

TERMS:

The North Carolina Whig will be afforded to subscribers at TWO DOLLARS in advance; TWO DOLLARS AND FIFTY CENTS if payment be delayed for three months; and THREE DOLLARS at the end of the year. No paper will be discontinued until all arrearages are paid, except at the option of the Editor.

Advertisements inserted at One Dollar per square (16 lines or less, this sized type) for the first insertion, and 25 cents for each continuance. Court advertisements and Sheriff's Sales charged 25 per cent. higher; and a deduction of 33⅓ per cent. will be made from the regular prices, for advertisers by the year. Advertisements inserted monthly or [illegible] $1 per square for each time. Semi-monthly 75 cents per square for each time.

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Deferred Articles.

From our Correspondents.

CHARLESTON, Jun 4, 1856.

The caning of Sumner by Col. Brooks is still the topic of conversation in all circles. Meetings have been held throughout the State, and thanks and canes and congratulations without number have been voted to the brave and chivalric representative from the Palmetto State. And even some of the more sensible and temperate Northern journals have commended Brooks for the penalty be inflicted on this rabid abolitionist, for his foul slander of the State and its venerable Senator. A gold headed cane worth fifty dollars, and a pair of duelling pistols have been sent on to him by his friends in Charleston, to be used if necessary, in teaching Northern abolitionists to be civil and respectful to, the South and her citizens and institutions. I see that the committee that was appointed to investigate the matter, have recommended his expulsion, but his friends here have no fear of any such result.

It appears that a strange fatality to human life has recently been hanging over our devoted city. Two men were recently shot, one of whom is since dead, and the other will probably never recover. And during the heavy blow on Saturday last, several fishing boats were capsized in our harbor, and two white men and six negroes were drowned, and several others narrowly escaped the same sad fate.

The Moultrie House on Sullivans Island was formally opened on Monday, under the auspices and immediate direction of Daniel Mixer, the experienced and accommodating proprietor of the Charleston Hotel, and our citizens are already flocking by crowds to that far famed and popular summer resort. I think that the present state of feeling existing between the North and the South, should induce our citizens to spend their money at watering places South of Mason's and Dixon's line. I am not now, and never was, an ultra disunionist; in other words, a fire eater, but I go in for standing up to our rights, and defending them at all hazards, and to the last extremity.

The clouds have never seemed more dark and threatening than those which now lower in our political sky, and the distant mutterings of the deep toned thunder portend a storm at which the patriot's heart may well quake for the consequences. But the South, if she is wise and prudent, still holds in her hands the power to demand and obtain equal rights in the Union, or independence out of it. The battle has already begun. Blood has been spilt at the Federal Capitol, and the Northern populace have been wrought up to a frenzy of madness. The next gale that sweeps from the plains of Kanzas may bring to our ears the clash of resounding arms. The war has already begun, and in the language of Patrick Henry, I say let it come. The colision seems to be inevitable, and the sooner the crisis is met, the better for the South.

The following is an extract from a letter dated at Atchinson, and written by a member of the second company that went out from this city. It breathes the true spirit and determination that actuates the breast of every Carolinian representative upon the soil of Kansas. Such men may be cut to pieces—annihilated; but they can never be conquered.

"I write you in haste, we are ordered to march in an hour's time to Lawrence—great excitement prevails in our midst, we start to set in defence of the rights of the South, and I for one, pledge you my word of honor, that I will do my share of fighting. I wrote you yesterday, and said in that letter that I did not believe that I was born to be shot by an abolitionists. Farewell, if I return from the field of duty unscathed and all right, I will at once inform you, &c." I'm off. G. W.

I am fully aware that this is a fast age—too fast, perhaps, in some respects, for the good of the people who live in it. But as Speaker Banks said of the Union, "let her slide," and unless she bursts a boiler and kills all aboard, she will only get in port the sooner. Progressive Democracy, Manifest Destiny and Young America, now form the grand triumvirate in which is bound up the destiny of the world, or at least, of the Western hemisphere. And far be it from me to attempt to bridle the whirlwind, curb the careering tempest, or lock the wheel of the world's great progress. I would rather facilitate matters by striding the avalanch, or leaping aboard the express train of humanity that is thundering over the great air line railroad of life, and spur the swift winged lightning into greater speed. It would seem that in these latter days of progress and reform, that the world has been converted into a mammoth wholesale warehouse, and that crowns, kingdoms and continents are now brought and sold, and numbered among the ordinary articles of commerce.

I have been led into this rather extravagant train of thought by seeing an advertisement in one of the morning papers with the following significant heading—"*Sullivan's Island to rent.*" Now this would really strike an old fogy as rather an extensive proposition, and one whose magnificence would be somewhat calculated to startle even the young moustached, go ahead, advocates of steam and lightning. *An Island to rent*; and one too, on which is growing up a large and populous town, marks an era in the progress of the material universe of which our fathers little dreamed, and which would have startled the wildest imaginaries of Alladdin with his magic camp, or the misty speculations of the knight of La Mancha.

ASHLEY.

WASHINGTON, June 4, 1856.

Our municipal election took place on Monday, and, contrary to the very confident expectation of the American party, they have been defeated. Yes, for the first time since the formation of the American party they have failed to elect their candidates for office in this city. But while we grieve at the result, and acknowledge that it was unexpected, we cannot be surprised thereat.

The patronage of the President and Senate was used against us, while that of the House, where the Doorkeeper and Clerk are Americans, has not been used in our favor. Every office holder, from the heads of Departments down to laborers and coal-heavers were compelled to vote the anti-American ticket. In many cases, it has been since ascertained those persons were not legally entitled to vote; and in some cases they were rejected when challenged.—Charles Mason, Commissioner of Patents, was one of this number, and acknowledged that he did not consider himself a citizen of this city, but of the State of Iowa. With such odds to contend with, the wonder to me is, that any determined opposition should be made, and that the people did not sit quietly down, and let the administration say, these men shall rule over you.

The vote for Mayor was for Magruder, Sag Nicht, 2,927; for Hill, American, 2,914; majority for Magruder thirteen. There is some talk of contesting the election, and if this is done our candidate may receive the certificate. But at any rate we have some comfort left; we still have a majority in both Boards of our city councils, so that, should Dr. Magruder be the Mayor, he will be unable to get any of his party measures through.

The committee of the House to investigate the assault of Mr Brooks upon Mr. Sumner, have reported in favor of the expulsion of Mr. Brooks. The minority of the committee have made a report declaring that Mr Brooks is not guilty of a breach of privilege. There will be no action on either report this week.

The Democratic National Convention, now in session at Cincinnati, are having a very stormy time. The principle cause of dissension being the appearance of two sets of delegates from New York and Missouri.

The Convention was permanently organized by the appointment of John Ward, of Georgia, as President; Bedford Brown, of North Carolina, and thirty others as Vice Presidents and a large number of Secretaries. A committee on the platform has been appointed but has not yet reported.—We have nothing from Cincinnati by telegraph to day. Letters from there say that things are tending toward the nomination of Mr Buchanan.

The letter of Mr. Marcy dismissing Mr. Crampton, has been published. As to the justice of this step on the part of the government there are various opinions. Senator Toombs characterizes it as unjust, considering that the British government has apologized for his conduct. It is thought by many to be merely a political move on the part of Pierce.

Senator Sumner is slowly recovering his health though he is not yet able to leave his room.

A man named John Essex killed another named Quigley on Pennsylvania avenue yesterday. Essex was arrested, and while in the custody of the officer escaped.

There is nothing doing in Congress this week, most of the Democratic members being in attendance at the convention.

BRONTES.

MORE FLORIDA INDIAN OUTRAGES.—The Tampa Peninsular, of the 11th instant, says that about dark on the evening of the 14th, a number of Indians fired upon the house of Capt. Bradley, in Hernando county, and killed two of his children. On the 1[illegible]th the same band of savages, as is supposed, attacked the train carrying provisions to the State troops, from Tampa to Ichepuckarsas, twelve miles from Tampa. The train was guarded by four white men, a boy and a negro man. While watering their horses, the Indians, hidden in a thicket close by, fired upon them and killed the boy; the next discharge the boy's father, Sterlings by name, was killed, and immediately after a man named Roach fell—Hinson was shot across the breast, but got upon one of the horses and escaped, as did the negro man. Hatfield, the fourth guard, stood under cover of the wagons, and kept the Indians off until he had loaded and fired five times. He then escaped on a mule.

A GOOD ONE—OVER THE LEFT.—A few days since one of our Railroad Agents, a better fellow than whom does not "live, move or have his being," received a letter from a gentleman in a neighboring city, inquiring for a trunk which had been misplaced or lost, adding, by way of description: "The trunk has 'A. B.' marked on the left end." Whereupon he received from "Alf" the following answer:

"After a careful inspection of all the baggage at this depot, and very mature deliberation thereupon, we are of the opinion that both ends of your trunk are left."

TIT FOR TAT.—The editor of the Albany Herald says that he once knew a wild widow who cut out her own daughter in the good graces of her lover, and married him herself! To obtain revenge for this mean, unmotherly trick, the daughter set her cap for the young man's rich father, (of whom he was the only heir,) and actually married him, and had children, to the infinite annoyance of the other parties. This occurred in Onondago county.—*Exchange.*

RELATIONS with GREAT BRITAIN.

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 those 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 connexion with that affair (raising recruits in this country for the British service) has rendered him an unacceptable representative of her Britannic Majesty near this Government." For the same reason the withdrawal of the three British Consuls was also requested. 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 objectional 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, change his purpose in relation to them. Though their conduct related to and in fact originated a difficulty which disturbed the cordial harmony and good understading 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 defference 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 despatch 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 proofs 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 despatch 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 within the United States for the British service, or hiring or retaining persons to leave the United States for the purpose of being enlisted in the 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 Claredon 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 those 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 despatch 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 exparte 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 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: Gedfried Watcher, Wilhelm Schumacker, Julius Farbus, Oscar Cromey, and Andrew Lutz, were examined before Commissioner Betts on the charge of recruiting 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 Watcher for defective evidence, committed Lutz, Schumacker, Cromey and Parkus.

At Philadelphia, on the 25th of May, three persons, Hertz, Perkins, and Bucknall, 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 was 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 the possession of this Government, some of which is annexed to this despatch 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 those 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 executing 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 agents; some of those agents are proved by his own letters to have held direct intercourse with him; and at every stage of inquiry, in numerous cases investigated by the American Government, there is reference, by letter and oral declaration, to the general superintendence of Mr. Crampton.

His moral and his legal responsibility are thus demonstrated. With full information of the stringency of the laws of the United States against foreign recruiting, with distinct perception of its being all but impossible to raise recruits here without infringing the laws, and with knowledge of the condemnatory judicial proceedings of April and May at New York and Philadelphia, yet he persisted in carrying on the scheme until August, when its obstinate prosecution had at length brought on a most unpleasant controversy between the United States and Great Britain. And it is not the least of the causes of complaint against Mr. Crampton, that by his acts of commission in this business, or in failing to advise his Government of the impracticability of the undertaking in which he was embarked, and the series of illegal acts which it involved, and in neglecting to observe the general orders of his Government and to stop the recruiting here the moment its illegality was pronounced by the proper legal authorities of the United States, he was recklessly endangering the harmony and peace of two great nations, which, by the character of their commercial relations and by other considerations, have the strongest possible inducements to cultivate reciprocal amity.

The foregoing considerations substantially apply to the conduct of the British Consuls at New York, Philadelphia and Cincinnati. Though of subordinate official character, they are not less responsible than Mr. Crampton. The continuous violation of the law proceeded within their respective consulates month after month, under their eyes, not only without any apparent effort on their part to stop it, but with more or less of their active participation therein. The consulate at New York appears to have been the point at which the largest expenditures were made; and it is proved, by documents herewith transmitted, that payments at that consular office to some of the recruiting agents continued to be made by the secretary of the Consul, and in the Consul's presence, from time to time, down to the beginning of January of the present year.

The President, as has already been stated by me, cannot admit the force of the objection now urged, of alleged want of respectability on the part of some of the witnesses by whom these facts were proved, and as to whom a prominent cause of such alleged want of respectability seems to be the fact that their evidence has inculpated their accomplices in the violation of law.—The testimony which most directly inculpates the British Consul at New York, as will be perceived by the enclosures herewith, is in the affidavits of the very persons relied on by her Majesty's Government for proofs in this case, and whose depositions accompany Lord Clarendon's note to you of the 30th of April.

The Earl of Clarendon perfectly well understands that in Great Britain, as well as in the United States, it would be impossible to administer penal justice without occasionally receiving the evidence of accomplices. In Great Britain not only is evidence of this class received continually, in State trials as well as in inferior matters, but rewards and other special inducements are held out to such witnesses by not a few provisions of acts of Parliament. The competency of such persons as witnesses in a given case, and the credibility, are, in both countries, questions upon which the court and jury, in their respective spheres of jurisdiction, ultimately pass. In the present case conclusions have been established on documentary proofs and other unimpeachable evidence, by proceedings before the proper tribunals of the United States, by the verdicts of juries, and by the rulings of judges, which must be held as final in the estimation of the President.

The Earl of Clarendon suggests, as a consideration pertinent to this question, that the Minister and Consuls had no means or opportunity of rebutting the charges thus indirectly brought against them in the trial of the inferior recruiting agents.

In regard to the Consuls, the Earl of Clarendon errs in supposing that they had not full means and opportunity, if they saw fit, to appear and to confront and contradict any accusing witnesses. They were not allowed to interfere in the trials by mere letters written for the occasion, which indeed they could not have done lawfully had there been no such prohibition; but, if conscious of their own innocence and that of the parties on trial, and that their own acts would bear examination, it was alike their duty and their right to appear and say so on oath, and to contradict by their testimony whatever was alleged against British officers or agents, if known to them to be untrue.

Nor is it any just cause of complaint that evidence was received upon these trials impugning the acts of Mr. Crampton. It was in the due course of proceeding required to be shown, against the parties on trial, that the recruitments in which they were engaged were for the service of a foreign Government. Mr. Crampton was himself privileged from trial or violation of the municipal law, but the persons whom he employed were not for that cause to go unpunished, nor was the administration of penal justice to be indefinitely suspended on account of his position and the diplomatic immunities which that conferred. On the contrary, it was peculiarly proper that the facts by which he was implicated, but for which he could not be tried, should be verified in due form of law for the information of his own Government as well as that of the United States.

The Earl of Clarendon remarks in his letter of the 30th of April "the intentions of the British Government and the arrangements made to carry those intentions into execution were not concealed from the Government of the United States. Those intentions and arrangements were frankly stated by Mr. Crampton to Mr. Marcy, in a conversation on the 22d of March, 1855, and the only observation which Mr. Marcy made in reply were, that the neutrality laws of the United States would be rigidly enforced, but that any number of persons who desired it might have the United States and get enlisted in any foreign service."

It is incumbent on me to say that, in this respect, the Earl of Clarendon labors under serious misapprehension, which, while it serves in part to explain how it happened that the enlistments went on for so many months in a manner contrary to the intentions and express orders of the British Government, also serves to increase the weight of Mr. Crampton's responsibility in this respect.

I repeat now, with entire consciousness of its accuracy, what I stated in my letter of the 28th of December last: that at that interview (on the 22d of March, the only one I ever had with Mr. C., as he admits, in which the recruitment business was alluded to) "he [Mr. Crampton] had satisfied me that his Government had no connexion with it, and was in no way responsible for what was doing in the United States to raise recruits for the British army." "But I am quite certain that on no occasion has he intimated to me that the British Government, or any of its officers, was or had been in any way concerned in sending agents into the United States to recruit therein, or to use any inducements for that purpose; nor did he ever notify me that he was taking or intended to take any part in futhering such proceedings. Such a communication, timely made, would probably have arrested the mischief at its commencement."

If he had then apprized me of the system of recruiting which had at that time been already arranged and put in operation within the United States by British agents, and under his superintending direction, he would have been promptly notified, in the most positive terms, that such acts were contrary to the municipal law, incompatible with the neutral policy of the country, a violation of its national sovereignty, and especially exceptionable in the person of a representative of any foreign Government. Mr. Crampton admits that I specially warned him against the violation of our neutrality laws, but blames me now for not then stating to him that my construction of that law differed from his own; but no such difference of opinion was then developed. Mr. Crampton on that occasion manifested a coincidence in the opinion as to the provisions of that law which I then held and have since fully disclosed. He called upon me to show a letter which he had written on that day to the Consul at New York, "disapproving the proceedings of a Mr. Angus McDonald because I (he) thought those proceedings would or might be taken to constitute a violation of the act of 1818"—the neutrality law of the United States. What were the proceedings of Mr. McDonald which Mr. Crampton thought might constitute a violation of our neutrality?—The simple issuing of a handbill specifying the terms on which recruits would be received at Halifax into the Queen's service. This opinion of Mr. Crampton ascribes as much stringency to our neutrality acts as has ever been claimed for them by the Government or Courts of the United States. I had then no suspicion, nor did Mr Crampton give me any cause to suspect that he was acting or intended to act upon an interpretation of that law which would justify the act of McDonald, which he then condemned, and make that law but little better than a dead letter. I could not but suppose that he viewed it in the same light as Lord Clarendon did when he wrote his despatch to Mr Crampton on the 12th of April thereafter, in which his Lordship declared it to be "not only very just, but very stringent."

To show that I was not mistaken in this respect, I quote a passage from a letter of