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BY
WILLIAM H. COUNCELL,
EDITOR AND PROPRIETOR.

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ADVERTISEMENTS,
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All orders addressed to the editor, post-paid will receive prompt attention.

WE published the following beautiful poem some months ago, but its beauty and applicability the present time strikes us with double force.

"Maryland,
Where Calvert's tolerant footsteps trod,
And good Charles Carroll worshipped God—
There—deep within thy hallowed sod—
Plant thou that Flag—for aye!"

MARYLAND:

"THE HEART OF OUR UNION."

Unroll the NATION'S crumpled chart—
Half rent, amid Disunion's jar—
And mark the State whose loyal heart
Beats for the Union stars!
Unfurl the Nation's bannered blue,
And flash its gules from hill to hill;
For MARYLAND, thank God! is true—
True to the Union still!
Behold! from Vernon's solemn gloom
Our FATHER lifts his guardian hand;
Behold! from Vernon's silent tomb
He points to—MARY-LAND!
As if, in sooth, his Mother's name
Could link no worthier soil with fame!
No need hast thou oh Baltimore!
Of storied shafts to crown thy shore!
While roll the waves of Chesapeake
Their seaward song thy truth shall speak,
And round our home, returning ships
Cry "UNION STILL!" with eager lips!
For, high on Alleghany's edge,
And blue Kotoctin's ridge—
And up the ancient Warrior crags,
I see ten thousand starry flags;
And, woven with every stripe and star,
In scrolls of glory flashing far,
I see the UNION'S azure band
Enclasp the zone of Maryland!

Heart of our Nation!—nobly steeled
To breast and baffle danger's shocks!
TRIED, in the changing battle-field—
TRUE, at the Ballot-box!
Heart of the Union!—Maryland!
Clasp thou its Banner in thy hand!
Let this thy faith repay:
Where Calvert's tolerant footsteps trod,
And good Charles Carroll worshipped God—
There—deep within thy hallowed sod—
Plant thou that Flag—for aye!
From Susquehanna's joyous tide,
And where Patuxent's waters glide,
To Wicomico's sunlit side,
Ye Southern maidens rise;
Go! crown with wreaths your patriot band—
Go! bless the brave who loyal stand!
Go! greet the sons of Maryland
With lips and cheeks, and eyes!
No sweeter lip, no purer cheek,
No brighter eye, in love may speak—
No warmer heart the world command,
Than woman's heart in MARYLAND!
Faithful, amid the faithless now,
Oh Sister of the South! thou art!
Henceforth our Banner-Bearer thou—
Thy name—"The Union's Heart!"
Our Flag shall wave—our Union stand,
While beats the heart of Maryland!

A. J. H. DUGANNE.

[From the Boston Post.

The State of the Country.

Lecture by Hon. Daniel S. Dickinson, of New York.

On the invitation of the Mercantile Library Association, Hon. Daniel S. Dickinson, of New York, delivered a Lecture Monday evening, on "The State of Country," at the Music Hall, to a large and brilliant audience. The platform was occupied by a large number of distinguished gentlemen, eminent for their public services and private worth.

On the entrance of Mr. Dickinson he was greeted with enthusiastic cheering. He was introduced to the audience by Oliver Richardson, Esq., of the Lecture Committee, in a very complimentary manner, and as he took his place upon the platform, he was received with a fresh out-burst of cheers.

The rise of this Republic, said Mr. Dickinson, and its almost fabulous progress, to its present gigantic dimensions, are events in the history of nations which are contemplated with deep and stirring interest wherever civilization exists. Its success has carried gladness to freedom's children throughout the earth, and shaken with fear and consternation every throne in Christendom. Its greatness long since shamed and silenced ridicule and derision, and those who employed these ministers of annoyance and reproach, had been forced to exchange them for the solemn realities of envy and unwilling admiration.

"And fools who come to scoff remained to pray." But while our strength has proved sufficient to resist and chastise the advances of oppression and tyrany from abroad, the Government will be characterized as a miserable and melancholy failure, unless we have power to crush speedily and successfully conspiracy and treachery and treason at home. [Applause.] How the conspiracy originated is of little practical moment; how it shall be put down, is of almost infinite importance, for put down the rebellion must be; and since it was not crushed in the bud, as it should have been, it must be plucked up by the roots, and the confidence of the world re-established in the strength and perpetuity of free government. [Prolonged cheering.] It is not the case of a people conspiring against the government, but were high officers of government conspired against the people. [Applause.] The ministering spirits of the rebellion were not the ignorant, the thoughtless, or the vulgar, hurried away from their propriety by some sense of wrong, real or imaginary; but the experienced, the educated, the well-informed, to whom a generous and confiding people had committed their most sacred trusts. The train was laid with deliberate and murderous preparation, that the Union might be razed to its foundations and scattered in fragments.

The rebellion was not inaugurated because any portion of the Free States, or their people, had been unmindful of their constitutional obligations, nor for the reformation of abuses, but it was for the purpose of realizing the romantic dreams of a new empire upon the ruins of this. In every age of the world, and with every people, a traitor has been execrated, loathed and despised by honorable men. Judas Iscariot betrayed the Savior for money, and his name has been a synonym for baseness, for nineteen centuries, though his perfidy was signalized by the redemption of his fallen men. But he showed a decent regard for public opinion, and furnished an example which all traitors should copy with alacrity, for he went out and hanged himself. [Enthusiastic cheering.] As the vulture when he stoops for prey, seizes the weak and straggling members of the flock, so the ill-omened buzzard of Secession, with the keen instincts of its nature, seized South Carolina as its lawful booty, and bore it triumphantly away. It hated the Union of our fathers, and sought to destroy it; it scorned the glorious emblem of liberty, and sought to dishonor it; it sowed rebellion, and is now gathering the harvest. Mythology informs us, that when Minerva was born, it rained gold in the Island of Rhodes; and South Carolina doubtless believed, that upon the nativity of Secession, if it did not rain sovereigns, it would bring showers of genuine sovereigns into Charleston, not from any mint, but bearing the image and superscription of the land of Dahomey and Ashantee, beaming in their original lustre, increasing without investment, and sometimes growing yellow with re-coinage. [Loud laughter and applause.]

The loyal people of North Carolina have been plunged into the "Dismal Swamp" of secession by her fretful, restless and conspiring politicians but are already seeking to secede from secession; and when they shall have cast off the incubus which has cursed them, and shall have returned to their place in the family of States, and will unite in a festive song to those "who were dead and are alive again, who were lost and are found." [Loud applause.] And where is old Virginia, the land of great deeds and the mother of greater men? In attempting to tear herself from the Union, she has torn out her own vitals, and lies prostrate, dismembered and bleeding—pitied by the compassionate, jeered by the rabald and scorned and despised by all for the wickedness and folly which brought her to shame. In this connection, Mr. Dickinson described the desolation and ruin which Virginia had brought upon herself by the part she has taken in the rebellion in language as truthful as strong and eloquent.

The first great practical duty before us, he continued, is to crush the rebellion which threatens us, and to vindicate the Constitution. And to do this, we must treat it as it is, not as the struggle of a political canvass, nor as a Government with which we are at war, but as an overgrown turbulent, irresponsible mob—tossing, roaring, pillage, murdering; generated in the fœtid hot-bed of a desperate and daring conspiracy, and governed and directed by self-selected dictators, resolved.

"Rather to reign in hell than serve in heaven."
—[Applause.]

If we would have an honorable and enduring peace, we must not purchase, but conquer it, though the conflict be as protracted and bloody as that which ended on Bosworth's field, and terminated the War of the Roses. [Great applause.] There is not now, nor can there be hereafter, any peace or safety in yielding to the demands of depraved ambition. [Renewed plaudits.] We are admonished by the indicates of our holy religion—by the instincts of humanity—by the best impulses of civilization, to put forth the whole power of Government and people to destroy this rebellion—to strike it hardest where it is weakest. [Prolonged cheers.]—While we should scrupulously respect the right of the loyal, we should confiscate the property of rebellion, including its "persons held to service"—[applause]—totally absolutely, *immediately*.—[Tremendous applause.] Put them to labor in the camps, and leave to Congress to make such humane provision for them hereafter as the occassion demands. [Renewed cheering.] The recognition of Secession in any form would be the inauguration of anarchy, conferring a premium upon conspiracy, treason and its concomitants—offering a reward for rebelion. Once compromise the power and dignity of Government in the hope of cowardly conciliation, and we shall have no Government to compromise.—[Applause.] Dynasty after dynasty will rise up—every State and section and city will produce its aspirants for supreme command, and causes of fancied oppression will be found wherever a desire for leadership shall commence the search.

The prime movers of the rebellion were decayed politicians—sapped by base uses, and seedy by wear and tear; Senators, Representitives and Cabinet Ministers, whose terms were drawing to a close; officers in the army and navy, who were looking for increased rank and emoluments; idlers who were seeking consequence and compensation, and bankrupts who longed for a revolution that would cancel old contracts, and give them a credit to make new ones. [Laughter and applause.] It is a contest for extermination. It is Constitution or Conspiracy, Government or Guerrilla; Law or Licentiousness. Government must crush and conquer armed rebellion by force of arms, or sink beneath its violence, a helpless hopeless wreck, and thus perish an empire destined by heaven to keep the lights of liberty burning during the darkness of the world. [Loud applause.] Every one must determine whether he will aid in upholding or overthrowing for there can be no neutrals. Those who are not for, without condition or equivocation, are against. Those who are for the Union, and find apologies for the rebellion, or rejoice in reverses of the Government, are more hurtful than openen emies, either in the cabinet or in the field. [Cheers.] The people must stand together, with one heart and one accord, in efforts to preserve the Union.—Political parties have their uses, but it is not their office to stand in array against each other when the citadel is in danger. The hope of the rebellion has rested in expected sympathy in the loyal State, and it clings to the delusion still. But if we could raise the united voice of the whole people, in a common purpose, regardless of previous political opinions and associations, or party antecedit would, at this time carry more terror to the heart of rebellion, than an army of half a million with banners. [Applause.]

Let no one lay the flattering unction to his soul, that this Union can ever be divided with success or a prospect of future peace. To advocate or assent to divisions is to favor or consent to destruction. We are not to stay the loss of life, the effusion of blood, the oppression of taxation, or mitigate the harsh features of war, by yielding to, or tampering the rebellion. Whoever counsels division in the hope of purchasing peace, sows heresy broadcast, and will reap a harvest of delusion. "Were I charged with administration of this Government," says an individual, irresolute in principle, and weak in understanding, "I would consent to secession and independence of the Confederate States, and restore peace to our torn and bleeding and distracted country." "And so would we," respond the people, "were we as weak, irresolute, and treacherous as you are," [Loud applause.]—The United States cannot be successfully separated. If the poetic conception be not irreverently applied—

"They form one part of a stupendous whole.
Whose body nature is, and God the soul."

Although composed of numerous States, the Federal Government is one and indivisible. Not a single stone in this arch of freedom can be removed without disfigureing the edifice. How could we partition the glorious passage in our history as a nation, or divide the memories of the revolution, around which our souls' holiest impulses linger! The effort would be like parting the raiment of the Saviour of men, and casting lots for his vesture. [Applause.] What section of the Union is so steeped in degradation that it would surrender its inheritance in Lexington and Saratoga and Yorktown? What son of Revolutionary sire would visit Bunker Hill, with Governments permission, or bear a rebel passport to the tomb of Washington? Our great nation is animated by one popular heart, and when that shall cease to throb the nation will die—die forever; when the darkness of death and night closes over it, no spark shall reclaim its light of life—

"No sound shall awake it to glory again."

There are those who would compare this rebellion with the glorious American Revolution. The conception is desecration; its utterance treason against Heaven! The Revolution aimed at man's emancipation from tyranny of man. This cowardly conspiracy seeks to raise its superstructure upon the foundation of involuntary servitude—the Revolution fought to establish for man a more enlarged freedom. Our fathers sought to release—they seek to enslave. Our fathers protected the rights of property in servitude on grounds of necessity and expediency; they seek to make servitude indispensable to Government. Our fathers founded us system of justice, equality and peace; they seek to subvert it for one of injustice, inequality, and military rule. The doctrine of Secession, that a State may, in withdrawing from the Union, rightfully seize and appropriate to its use all property belonging to the Government it can find, if approved and sanctioned, would drive the highwayman from the field by its competition, destroy the pursuits of the burglar by more convenient thefts in open day, and re enact the code of Sherwood forest, that

"He may take who has the power,
And he may keep who can." [Cheers.]

We must meet the emergencies of the day as our fathers met theirs. Had they trembled as the thought of blood, or been alarmed by the cry of taxation, we should this day have been the serfs and slaves and colonial dependencies of a foreign power, ruled over by foreign governors and their decrees enforced by the bayonets of a foreign soldiery. They could have submitted to their fate without dishonor, but we cannot surrender the contempt of civilization. (Applause.) We must neither be misled nor intimidated by the imperious demands and haughty and gasconades of rebellion. Tyrants, conspirators, oppressors and usurpers are as cowardly, when firmly met, as they are desperate and cruel when they hold the mastery.

When the ferocious monsters who conspired for the destruction of the Union, who planned his rebellion and urged it forward, shall stand before the people in their naked and heinous deformity—not as Presidents, Judges, Senators and Ministers of State, but as conspirators, perjurers, robbers, pirates, thieves and cut-throats—an ambulatory conspiracy—a Government on castors—an administration on horseback, like the predatory bands of the Pampas and the gorges of the Andes (Laughters and applause)—when they shall see themselves as they will be seen by the masses of their own deluded States, they will call upon the rocks and mountains to hide them from the face of those they have betrayed and defrauded, and bereaved, and left homeless. Stripped of their disguises, deposed from their mock official stations, disrobed of their stolen insignia, they must fly from the land they have descerrated and disgraced, or submit to the majesty of the laws they have offended, and terminate an ignoble career with the gibbet or the dungeon, and all the people will say amen. (Great cheering.)

This unnatural and ferocious war, with all its destruction and desolation, will leave some traces of utility behind—will teach us the relative rights of Government and people—of the Union and of the several States—the blessings of peace and the inflictions of war. All Governments claim a perpetuity of existence, if that extstence is imperiled, they may exert every power, even to absolute despotism, to preserve it. The necessity and utility of martial law in times like these has been established and vindicated by numerous and illurtrious examples. It has seized and committed to places of confinement spies and traitors,—it has stayed the subtle and insidious poison of a pestilent and treasonable press—it has changed the project of two eminent ministers from the course of foreign to domestic missions,—(prolonged applause)—where, although their field of labor and usefulness may be circumscribed, they will be sure to find more appreciative and sympathizing audiences and congenial associates, and in their ministrations, in one respect, at least, resemble the Apostles of old—preach to spirits in prison. (Laughter and applause.)

The arrest of these conspirators by the intrepid Wilkes (enthusiastic cheering) has stirred the currents of the popular heart afresh. It will be hailed with loud acclaim by every loyal citizen of this Union, and approved by the judgement of mankind. It will be sanctioned by the requirements of international law, and vindicated by the justice of Heaven's chancery. If apologies are to be given or disclaimers made, let them come from that nation which has violated the comity of States by attempting to shield under the ægis of her flag, and speed upon their criminal enterprise, those who were known to be engaged in efforts to destroy this great and good Government, of which they were citizens, and to which they owed allegiance; and not from those who, in endeavoring to preserve the government which protects and shelters them, at most, have only copied too faithfully a long list of British precedents.

If this nation shall feel constrained to mourn the loss of her illustrious passengers, let her console her grief by rejoicing that she was permitted to retain a forfeited vessel. If censures are to be bestowed, let them rest upon the miscreant who lent himself to aid conspiracy and rebellion by smuggling its chiefest instruments away to the theatre of their mischiefs, and not on him whose fidelity and watchfulness defied the proud emblem under which they sought exemption from the consequences of their crimes. (Loud applause.)

The Government of the Union, assailed as it is by conspirators and traitors, appears to-day more bright and beautiful than ever, and exhibits a power and energy of which no Government on earth can boast. (Cheers.) When rebellion reared its crest, five thousand armed men, every one a sovereign, leaped to their feet for the defence of the Union, without a single forced levy, and millions more stand ready for the conflict. The spirit of the people is neither bowed nor broken, but the band of liberty, fanned by the tireless wing of the American Eagle, burns with a purer and more constant glow than ever.

In conclusion, the lecturer paid an eloquent tribute to woman for her patient endurance and lofty devotion to her country. Having referred to the vow of Jeptha, and its fulfillment by the sacrifice of his daughter, he said—Though the lofty cause of the Union demands no bloody sacrifice except on the field of battle, our maidens may inspire us to nobler deeds, by chanting the triumphs of the faithful to the music of Christian liberty and law, of woman's resignation to the Divine behests, and of her love of country, in the spirit of the last song of the doomed and devoted—

"Though the daughter of Salem lament,
Be the judge and the hero unbent;
I have fought the great battle for thee,
And my father and country are free!

"Though this blood of thy giving has gushed,
Though the spirit thou lovest is hushed,
Let my memory still be thy pride—
And forget not, I smiled when I died."

"Do you keep matches," asked a wag of a retailer.

"O, yes, all kinds," was the reply.

"Well, I'll take a trotting match."

The retailer immediately handed him a box of Brandreth's pills.

THE COLONEL'S HORSE.

We find the following old "hoss" yarn in an old number of *Porter's Spirit of the Times*, credited to an exchange. We do not know but some of our readers may have met with it before—if they have we doubt not they will enjoy a new laugh over its perusal:

I have never been able to ascertain the cause of the quarrel between the Crickley's and the Drakes. They have lived within a mile of each other in Illinois for five years, and from their first acquaintance there had been a mutual feeling of dislike between the two families.

One day, Mr. Drake, the elder, was returning home with a pocket full of rocks, from Chicago, where he had been to dispose of a load of grain, and Sam Barton was on the wagon with him. As they approached the grove which intervened between them and Mr. Drake's house, he observed to his companion:

"What a beautiful shot old Crickley's roan is over yonder!"

"Rang it, so it is!" muttered old Drake.

The horse was standing under some trees twelve rods from the road.

Involuntarily drake stopped his team. He glanced furtively around, then, with a queer smile, the old hunter took up his rifle from the bottom of the wagon, and raising it to his shoulder, drew a sight on the Colonel's horse.

"Beautiful," muttered Drake, lowering his rifle with the air of a man who had resisted powerful temptation. "I could drop the old roan so handsome?"

"Shoot!" suggested Sam Barton, who loved fun in any shape.

"No, 'twont do," said the old hunter, glancing cautiously around.

"I won't tell said Sam.

"Wall, I won't this time, tell or not tell.—The horse is too nigh, if he was fifty yards off, instead of twelve, so there would be a bare possibility of mistaking him for a deer, I'd let fly.—As it is I'd give old Crickley five dollars for a shot."

At this moment the Colonel himself stepped from behind a big oak, not half a dozen paces distant, and stood before Mr. Drake.

"Well, why don't you shoot?"

The old man stammered out some words in confusion.

"That you, Colonel? I—I was tempted to, I declare. But, as I said, I'll give you a V, for a pud."

"Say an X, and it's a bargain."

Drake felt for his rifle and looked at the old horse.

"How much is old roan worth?" he whispered in Sam's ear.

"About $50."

"Well, I'll do it. Here's an X."

The Colonel pocketed the money, muttering, "I'll be hanged if I thought you'd do it."

With high glee the old hunter put a fresh cap on his rifle, stood up in his wagon and drew a close sight on old roan. The Colonel put the money in his pocket and chuckled too.

Crack went the rifle, the hunter let a horrid oath which I will not here repeat. Sam was astonished, the Colonel stared; old roan never stirred.

Drake stared at his rifle with a face black as Othello's.

"What's the matter with you, hey? fust time you ever served me such a trick, I swan."

And Drake re-loaded his piece with great wrath and indignation.

"People say you've lost your nack of shooting," said the Colonel, in a tone of cutting sarcasm.

"Who said so? It's a lie!" thundered the enraged old hunter. "I can shoot ——"

"A horse at ten rods. Ha! ha!"

Drake was lived.

"Look here, Colonel, I can't stand that," he began.

"Never mind, the horse can," sneered the Colonel.

Grinding his teeth, Drake produced another X.

"Here," he growled, "I'm bound to have my shot."

"Crack away," said the Colonel, pocketing the note.

Drake did crack away—with deadly aim too, but the horse did not mind the bullet in the least. To the rage and unutterable disgust of the old hunter, roan stared him right in the face, as if he liked the fun.

"Drake," cried Sam, "you're drunk. A horse at a dozen rods! O La!"

"Shut your mouth, or I'll shoot you," said old Drake.

"The man lies that says I can't shoot. Last week I cut a goose's head at fifty rods, and I can do it again. Crickley, you can laugh now, but I'll bet you fifty dollars that I can bring down old roan at the very next shot."

The wager was readily accepted. The stakes were placed in Sam's hands. Elated with the idea of winning back his two tens and making an X in the bargain, Drake carefully selected a perfect ball, and with a buckskin patch, carefully loaded his rifle.

It was now nearly night, but the hunter was in the habit of boasting that he could shoot a bat on the wing by starlight, and without hesitation he drew a bead on old roan's head.

A moment later and old Drake was driving through the grove, the most enraged and desperate of men. His rifle, innocent victim of his ire, lay with broken stock in the bottom of his wagon. Sam Barton was too frightened to laugh.

In the meantime, the gratified Colonel was rolling on the ground convulsed with mirth, and old roan was standing under the trees.

When old drake reached home, his two sons, discovering his ill-humor, hastened to arouse his spirits with the news which they were sure would make him dance with joy.

"Clear out!" growled the angry old man; "I don't want to hear any news; get away, or I'll knock you down!"

"But, father, it is such a trick played on old Crickley."

"Old Crickley?" asked the old man, getting interested. "Glad if you have played the Colonel a trick—let's have it.

"Well, father, Jed and I went out this evening for deer—"

"Hang the the deer, lets hear about your trick."

"Couldn't find the deer, but I thought we must kill something, so Jed banged away at the Colonel's old roan—shot him dead."

"*Shot* old roan!" thundered the hunter. "Jed did you shoot the Colonel's hoss?"

"Didn't do anything else."

"Then," said Jed, confident that the Joke must be agreeable to his father, "Jim and I propped him up, and tied his head back with a string, and left him standing under the tree just as if he was alive. Ha! ha! Is't a joke?"

Old Drake's head fell upon his breast. He felt his empty pocket book and looked at his rifle. Then, in rueful tone, he whispered to the boys:

"It's a joke, but if you ever tell of it—or if you do, Sam Barton—I'll skin you alive. I have been shooting at that dead horse for over half an hour at $10 a shot."

At this moment Sam fell into the gutter. He had laughed himself almost to death.

IMPORTANT NEWS!!

Mason and Slidell to be Given up.

Arrangement of the Difficulty.

The Demand of England and Secretary Seward's Reply.

The public were led to conclude, several days ago, that the dangers of a collision with Great Britain upon this question had passed by; the stock market of New York, a true political barometer in this country, and the givings out from other well posted sources, very clearly indicated that the matter would be arranged without a recourse to arms, but in what manner this was to be accomplished, was left in doubt. Saturday morning's Nat. Intelligencer, however, brought to us the correspondence between the British Government and Mr. Seward, and also between the French Minister of Foreign Affairs and our Government upon the subject. The abstract we we give from the National Intelligencer gives a very clear view of the whole case, and supersedes the necessity of giving the correspondence in full. We will, however, embody some extracts which will add to the better understanding of the subject.

MR. SEWARD TO MR. ADAMS.

The first despatch is from Mr. Seward, commending the tone of the remarks of Mr. Adams at the Lord Mayor's dinner, in London, in which the kindly feelings of the American people to the British nation, and especially towards its sovereign were very prominently presented. Mr. Seward then alludes to the Trent affair, which had subsequently taken place, and that our Government had deemed it prudent to await the action of England in the premises before any movement should be made on our part—that there was one feature, however, in the case that it was proper for Mr. Adams to understand at once, "namely, that in the capture of Messrs. Mason and Slidell on board a British vessel, Captain Wilkes having acted without any instructions from the Government, the subject is therefore free from the embarrassment which might have resulted if the act had been specially directed by us."

The second despatch is from Lord Russell to Lord Lyons, giving the view of the case as presented in England, from the statements of the officers of the trent, which the English Minister is directed to present to Mr. Seward, in case the latter had not already communicated with Lord Lyons on the subject:

EARL RUSSELL TO LORD LYONS.

MY LORD: Intelligence of a very grave nature has reached her Magisty's Government.

This intelligence was conveyed officially to the knowledge of the Admiralty by Commander WILLIAMS, agent for mails on board the contract steamer *Trent*.

It appears from a letter of Commander Williams dated "Royal Mail contract packet Trent, at sea, November 9," that the Trent left Havana on the 7th instant, with her Majesty's mails for England, having on board numerous passengers. Commander Williams states that, shortly after noon on the 8th, a steamer having the appearance of a man-of-war, but not showing colors, was observed ahead. On nearing her at 1.15 P. M., she fired a round shot from her pivot gun across the bows of the Trent, and showed American colors. While the Trent was approaching her slowly the American vessel discharged a shell across the bows of the Trent, exploding half a cable's length ahead of her. The Trent then stopped, and an officer with a large armed guard of marines boarded her. The officer demanded a list of the passengers; and, compliance with this demand being refused, the officer said he had orders to arrest Messrs. Mason, Slidell, McFarlane and Eustis, and that he had sure information of their being passengers in the Trent.

While some parley was going on upon this matter, Mr. Slidell stepped forward and told the American officer that the four persons he had named were then standing before him. The commander of the Trent and Commander Williams protested against the act of taking by force out of the Trent these four passengers, then under the protection of the British flag. But the San Jacinto was at that time only two hundred yards from the Trent, her ship's company at quarters, her ports open, and tompions out. Resistance was therefore out of the question, and the four gentlemen before named were forcibly taken out of the ship. A further demand was made that the commander of the Trent should proceed on board the San Jacinto, but he said he would not go unless forcibly compelled likewise, and this demand was not insisted upon.

It thus appears that certain individuals have been forcibly taken from on board a British vessel, the ship of a neutral power, while such vessel was pursuing a lawful and innocent voyage an act of violence which was an affront to the British flag and a violation of international law.

Her Majesty's government, bearing in mind the friendly relations which have long subsisted between Great Britain and the United States, are willing to believe that the United States naval officer who committed the aggression was not acting in compliance with any authority from his Government, or that if he conceived himself to be so authorized he greatly misunderstood the instructions which he had received. For the Government of the United States must be fully aware that the British Government could not allow such an affront to the national honor to pass without reparation, and her Majesty's Government are unwilling to believe that it could be the deliberate intention of the Government of the United States unnecessarily to force into discussion, between the two Governments, a question of so grave a character, and with regard to which the whole British nation would be sure to entertain such unanimity of feeling.

Her Majesty's Government, therefore, trust that when this matter shall have been brought under the consideration of the Government of the United States that Government will, of its own accord, offer to the British Government such redress as alone could satisfy the British nation, namely, the liberation of the four gentlemen and their delivery to your lordship, in order that they may again be placed under British protection, and a suitable apology for the aggression which has been committed.

Should these terms not be offered by Mr. Seward you will propose them to him.

You are at liberty to read this despatch to the Secretary of State, and, if he shall desire it, you will give him a copy of it. I am, &c.,
RUSSELL.

This despatch was read to Mr. Seward, by Lord Lyons, in obedience to instructions from Lord Russell, to which an elaborate

REPLY WAS MADE BY SECRETARY SEWARD

Which comprises

The third despatch—in which Mr. Seward says that the British Government has rightly conjectured that Capt. Wilkes acted "without any direction, instruction, or even foreknowledge of our government"—that "no directions had been given to him, or any other naval officer, to arrest the four persons named, or any of them, on the Trent or any other British vessel, or on any other neutral vessel, at the place where it occurred, or elsewhere," and consequently that no insult was intended to the British sensibilities. Mr. Seward then corrects sundry errors in the statement of the case, as presented by Lord Russell, predicated upon the testimony of the officers of the British packet, and discusses at some length the position of England towards this country, in the present civil strife, according to her own showing and the bearing of International law upon the case in point. He quotes from Sir Wm. Scott, the acknowledged British authority upon the subject of what is contraband of war, and assumes that this Judge's decision gives to us "the spirit of the law," if not the exact letter. Sir Wm. Scott, speaking of civil magistrates who was arrested and detained as contraband, says:

"It appears to me on principle to be but reasonable that when it is of sufficient importance to the enemy that such persons shall be sent out on the public expense, it should afford equal ground of forfeiture against the vessel that may be let out for a purpose so intimately connected with the hostile operations."

Having thus concluded that Slidell and Mason were contraband of war, Mr. Seward proceeds to the consideration of the question, "whether Captain Wilkes had a right by the law of nations to detain and search the Trent," and thinks that according to all British authorities upon the subject, that he had, and "that the circumstance that the Trent was proceeding from a neutral port to another neutral port does not modify the right of the beligerent captor!"

The Secretary next proceeds to the examination of the question "whether Capt. Wilkes exercised the right of search in a lawful and proper manner?"—and thinks that with the modifications already presented of the statement of the commander of the Trent, no doubt can be entertained of the right as examined.

Another point is then presented, and discussed by Mr. Seward, whether "Having found the suspected contraband of war on board the Trent, had Capt. Wilkes a right to centure the same?" But little time is expended in coming to the conclusion of an acknowledged fact, that the vessel itself was subject to capture and confiscation.

The test point in the discussion is thus seized hold of by Mr. Seward, and discussed with great ability, viz: Did Captain Wilkes exercise the right of capturing the contraband in conformity with the law of Nations?" If the question was simply, what shall you do with the contraband vessel, Mr. Seward says the answer would be easily found, that you must take her into a convenient port and try her in a court of admiralty, and decide the questions of "belligerency, neutrality, contraband and capture"—but the question really to be looked at, and around which all the difficulties centre, is "not to the vessel that was carrying the contraband, nor yet to contraband things which worked the forfeiture of the vessel, but to contraband persons"—and upon this point he admits "*the books of law are dumb*"—and that "the question is as important as it is difficult." All the bearings of the case are presented by Mr. Seward in which it is shown that the course pursued by the San Jacinto is liable to abuse, because—

"The person captured may be innocent—that is, he may not be contraband. He, therefore, has a right to a fair trial of the accusation against him. The neutral State that has taken him under its flag, is bound to protect him if he is not contraband, and is therefore entitled to be satisfied upon that important question. The faith of that State is pledged to his safety, if innocent, as its justice is pledged to his surrender if he is really contraband. Here are conflicting claims, involving personal liberty, life, honor, and duty. Here are conflicting national claims, involving welfare, safety, honor, and empire. They require a tribunal and a trial. The captors and the captured are equals; the neutral and the belligerent State equals."

Here the whole question may be said to rest—for the very courts that would have jurisdiction in the case in point, (the admiralty) formulas to try only claims to contraband chattles, but *none to try claims concerning contraband persons*. The courts can entertain no proceedings and render no judgment in favor of or against the alleged contraband men." Mr. Seward after further discussing this difficult problem, comes to the conclusion, that—"All unprejudiced minds will agree that, imperfect as the existing judicial remedy may be supposed to be, it would be, as a general practice, better to follow it than to adopt the summary one of leaving the decision with the captor, and relying upon diplomatic debates to review his decision. Practically, it is a question of choice between law, with its imperfections and delays, and war with its evils and desolations."

Under these circumstances of the case, Mr. Seward comes to the conclusion, that "In the present case, Captain Wilkes, after capturing the contraband persons and making prize of the Trent, in what seems to us a perfectly lawful manner, instead of sending her into port, released her from the capture, and permitted her to proceed with her whole cargo upon her voyage. He thus effectually prevented his judicial examination, which might have otherwise occurred."

The Secretary presents the statement of Capt. Wilkes to show that his reason for not capturing the Trent, as well as the passengers on board, was from his kind consideration to the great loss and inconvenience to the other passengers which would have occurred, in preventing them from joining the steamer from St. Thomas to Europe; therefore, he had forborne consulting his own and the interests of his crew, in his kind feelings towards others, by permitting the vessel to proceed; and upon this error, founded as it certainly was upon the best feelings of human nature, the whole difficulty of the case has arisen; and whilst Mr. Seward admits that the reasons are satisfactory to the Government, so far as Captain Wilkes is concerned, (and thus exonerating him from all blame,) still the question is narrowed down to the point, that, by the very error Capt. Wilkes committed, Great Britain has the right to reparation under that error, if she demands it, and very frankly admits that the facts in the case do not warrant our Government, "*in withholding that reparation that we, as an independent State, should expect from Great Britain or from any other friendly nation in a similar case.*" Mr. Seward adds:

"I trust that I have shown to the satisfaction of the British Government, by a very simple and natural statement of the facts, and analysis of the law applicable to them, that this Government has neither meditated, nor practiced, nor approved any deliberate wrong in the transaction to which they have called our attention; and, on the contrary, that we have [illegible] simply an [illegible] [illegible] and probably by the several parties concerned either imperfectly understood or entirely unknown."

Mr. Seward admits the apparent [illegible] which it would be deemed he is [illegible] an argument for what seems to be the British side of it against his own country—but thinks he is relieved from all embarrassment on that sub-

44404