

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

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

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

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

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

AN OLD DIPLOMATIC SERVANT.

no less master of his colleagues than he is of the empty benches of the House of Commons.

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

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

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

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

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

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

No. 26.

Viscount Palmerston to the Earl of Durham.

Foreign Office, April 19, 1837.

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

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

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

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

I am, &c.

PALMERSTON.

His Excellency the Earl of Durham, &c.

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

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

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

No. 16.

Mr. George S. Bell to Viscount Palmerston.

(Received February 8.)

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

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

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

I have the honour, &c.

GEORGE BELL.

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

Lord Durham writes to Count Nesselrode,—

Enclosure 1 in No. 28.

St. Petersburgh, May 6, 1837.

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

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

The undersigned, &c.

DURHAM.

His Excellency Count Nesselrode.

Count Nesselrode replies,---

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

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

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

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

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

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

The undersigned, &c.

NESSELRODE.

His Excellency the Earl of Durham, &c.

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