



The London Gazette.

Published by Authority.

FRIDAY, OCTOBER 16, 1863.

Foreign Office, October 14, 1863.

THE following Despatch has been addressed by Earl Russell to Sir Alexander Malet, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Diet of Frankfort:

*Foreign Office,
September 29, 1863.*

SIR,

YOUR Despatch of the 21st inst, shows in a convincing manner, that the state of affairs between Germany and Denmark is becoming very serious.

You state that a Report of a Committee has been presented to the Diet, from your analysis of which it appears that the framers of this Report recommend Federal execution in the Duchy of Holstein; that the Report is to be considered on the 1st of October, and if adopted, execution will take place three weeks afterwards, the shortest interval of time, you observe, which the Constitution of the Diet allows.

It appears further, that the grounds upon which the resolution of Federal execution is to be based, are of the widest description.

The Report says, "The aim of the execution consists unmistakably in carrying out the Diet's Decrees of the 11th of February and the 12th of August, 1858, of the 8th of March, 1860, of the 7th of February, 1861, and the 9th of July, 1863, in so far as this has not already been done, and at the same time in fulfilment of the declared engagement entered into by the Royal Rescript of the years 1851-2, with reference to the Duchies of Holstein and Lauenburg, that is to say, to establish between the said Duchies, together with Sleswig, and the kingdom of Denmark Proper, a general constitution connecting them by a common union (*gleichhartiger herbande*) which should secure the independence and equal rights of each, in such wise that no one part should be subordinated to another; and likewise for the establishment of provincial constitutions for the Duchies of Holstein and Lauenburg, possessing a representation with competence of final decision."

It is impossible for Her Majesty's Government to shut their eyes to the gravity of the proposition which the Diet have to consider.

Had the report of the Committee gone no further than to affirm that the Royal Letters Patent do not fulfil the resolutions of the Diet as to the Duchy of Holstein; that the Duke of Holstein

has no right to dispose of the money of Holstein without the consent of its representatives; that he has no right to enact laws for Holstein but in concurrence with the Diet of Holstein; that the long delays of the Danish Government to come to a satisfactory arrangement have made Federal execution necessary, Her Majesty's Government, although they would still have lamented the interference of the German Diet at this particular time, could not have denied that the principles asserted were the sound, and indeed the fundamental principles of constitutional government.

But it cannot be pretended that the constitution of the whole Danish Monarchy can be subject to the jurisdiction of the German Confederation.

If the representatives of the Duchies of Holstein and Lauenburg are to have a *veto* on the proceedings of the Danish Parliament and of the Danish Government, it is obvious that measures the most necessary for the defence of Denmark against a foreign enemy may be hindered, the whole action of the Danish monarchy may be paralysed, and the integrity and independence of Denmark may be seriously impaired.

Her Majesty, by the Treaty of London of May 8, 1852, is bound to respect the integrity and independence of Denmark. The Emperor of Austria and the King of Prussia have taken the same engagement.

Her Majesty could not see with indifference a military occupation of Holstein, which is only to cease upon terms injuriously affecting the constitution of the whole Danish monarchy.

Her Majesty's Government could not recognize this military occupation as a legitimate exercise of the powers of the Confederation, or admit that it could properly be called a Federal execution.

Her Majesty's Government could not be indifferent to the bearing of such an act upon Denmark, and upon European interests.

Her Majesty's Government therefore earnestly entreat the German Diet to pause, and to submit the questions in dispute between Germany and Denmark to the mediation of other Powers, unconcerned in the controversy, but deeply concerned in the maintenance of the peace of Europe and the independence of Denmark.

I am, &c.,
(Signed) RUSSELL.

P.S. You are desired to give the President of the Diet a copy of this Despatch.