DIPLOMATIC CORRESPONDENCE.

Correspondence Relating to the Subject of Claims, the Subject of Boundary and the Subject of the Rights of Naturalized Citizens Between the United States of America Great Britain.

WASHINGTON, Feb. 17, 1869.

The following is the diplomatic correspondence between this government and the government of Great Britain on the subject of the Alabama claims, our Northwest boundary line and the naturalization question.

On December 4, 1867, Mr. Adams forwarded the following letter to Mr. Seward:—

Further Correspondence Respecting British and American Claims Arising Out of the Late Civil War in the United States.

LORD STANLEY TO SIR F. WRIGHT BRUCE.

FOREIGN OFFICE, Sept. 10, 1867.

SIR—The Minister of the United States called upon me to-day and communicated to me a despatch, of which, however, he was not authorized to give me a copy, from Mr. Seward, dated the 12th of August, in reply to my despatch to you of the 24th of May, respecting the mutual claims of the two countries on each other arising out of the late civil war. By this despatch Mr. Adams is authorized to assure me that Mr. Seward did not understand my previous order of arbitration to apply only to claims arising out of the depredations of the Alabama, to the exclusion of those arising out of the depredations of vessels of the like character, but, on the contrary, understood the offer to apply equally to all such claims. The President, Mr. Seward says, considers the terms of the offer of the British government to go to arbitration upon the question whether, in the matters connected with all those vessels out of whose depredations the claims of American citizens have arisen, the course pursued by the British government and those who acted upon its authority was such as would involve a moral responsibility to make good either in whole or in part the losses of American citizens, to be at once comprehensive and sufficiently precise to include all the claims of American citizens for depredations on their commerce during the late rebellion, which have been the subject of complaint on the part of the government of the United States.

But Mr. Seward goes on to say that the government of the United States would deem itself at liberty to insist before the arbiter that the actual proceedings and relations of the British government, its officers, agents and subjects towards the United States in regard to the rebellion and the rebels as they occurred during that rebellion are among the matters which are connected with the vessels whose depredations are complained of; just as in the case of general claims, alluded to in my despatch, the actual proceedings and relations of her Majesty's government, its officers, agents and subjects, in regard to the United States in regard to the rebellion and the rebels are necessarily connected with the transactions out of which those general claims arose.

Mr. Seward further observes that my plan seems to be to constitute two descriptions of tribunals: one an arbiter to determine the question of the moral responsibility of the British government in regard to the vessels of the Alabama class; and the other a mixed commission, to adjudicate the so-called general claims of both sides; and a contingent reference to the same or other mixed commissions to ascertain and determine the amount of damages for indemnity to be awarded in the cases examined by the first tribunal in the event of a decision of moral responsibility in favor of the United States. But Mr. Seward says that the government of the United States do not consider any distinction as to principle between the two tribunals to be necessary, and that in every case they agree only to unrestricted arbitration. It may be convenient, indeed, that the claims should be distributed between the two tribunals, both of which, however, the government of the United States consider should proceed upon the same principle, and be clothed with the same powers.

Mr. Seward concludes his despatch by saying that the President will be gratified if the explanations contained in it should conduce to the removal of the difficulties which have heretofore prevented the two governments from coming to an amicable and friendly understanding and arrangement.

I reserve for a future occasion any observations that I may have to offer on Mr. Seward's despatch.

STANLEY.

MR. ADAMS TO MR. SEWARD.

LEGATION OF THE UNITED STATES, LONDON, Dec. 6, 1867.

SIR—I obtained an interview on Tuesday last with Lord Stanley, for the purpose of renewing the representations as directed in your despatch, No. 2,037, of the 5th of November, respecting the difficulties growing out of the state of things in Ireland. I explained the precise nature of the question as applicable to naturalized American citizens. I read to him the chief passages of your despatch, and concluded by asking him to reconsider the former decision of the government so far as it relates to supplying better security to our citizens in that island.

His lordship asked me if I had any special measures to suggest. I said nothing beyond that already specified in your despatch No. 2,049, of August last, and the later one already referred to. He said that passports had long since proved to be of little avail. Unless the descriptions were very accurate they were easily transferred from hand to hand: beside which, they had become rather obsolete here. At any rate, it seemed to him that whenever evidence was necessary to identify citizens was a thing to be supplied in America, and therefore should be suggested from there. He asked me some questions about the forms of naturalization. I said that they were always involved the issue of formal certificates in the last stage of the process. Why, he asked, would not that do? I said it might, in most cases, provided it was given to be understood that they were essential as a protection. But, in course of time, many were lost by neglect to preserve them, or other accident, and it was a long process from here to procure official copies. There was also a class of cases of children under age at the time of naturalization who grew up and claimed citizenship by virtue of the act of their father, without need of any legal process for themselves. That claim was recognized with us. Some cases of this kind had occurred since I had been here. There had been much trouble in consequence, and some hardship.

His lordship said he was at a loss to perceive what they could do, but he would take the matter into further consideration, and consult with Lord Mayo about it. I said that, so far as I knew, there was no case left of arrest and detention without assigned cause and provision made for trial.

The question was, therefore, at present, only one of a prospective character. His lordship said he believed this state of things would not last much longer.

I gently reminded him of the fact that this had been announced very formally last year; yet, here we were. He admitted the truth of it, but rested on the discouragement incident to the failure of all the schemes.

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD, Secretary of State, Washington, D. C.

Here follows a letter from Mr. Adams, enclosing a letter and editorial published in the London *Times* on the subject of the law of expatriation.

MR. ADAMS TO MR. SEWARD.

LEGATION OF THE UNITED STATES, LONDON, Dec. 24, 1867.

SIR—In accordance with the directions contained in your despatches Nos. 2,192 and 2,193, of the 29th of November and 3d of December, I obtained to-day an interview with Lord Stanley for the purpose of reading to him the contents of the first. After having done so I left a copy, as directed in No. 2,193.

His lordship on receiving it asked me whether I was in possession of any later views of my government on the subject of this despatch. I promptly responded in the negative. I considered the negotiation as now closed, without a prospect of reopening it, and had so written home.

His lordship then said that he had just received a letter from Mr. Ford, at Washington, which he would be glad to have me read and give him my impression of its meaning. He then handed it to me, and I looked over it carefully. It was dated the 8th inst., and reported a conversation the writer had just had with you. The substance of it was, according to him, that you said you could not recede from the position of holding the British government responsible for the consequences of the proclamation of neutrality; hence that all prospect of success from the proposal of arbitration, made with an exception of that point, must be regarded as over. Neither could you make any new offer to negotiate, for the United States felt itself like a party injured by a severe blow, who could not properly initiate a proposal for reparation from the party that had inflicted it. In order to get rid of the awkwardness of such a position, you suggested the possibility of his lordship's proposing to merge this particular question in the mass of matters now remaining open between the countries, and jumping them altogether in one treatment or negotiation. You closed by hinting that an avenue would remain open to his lordship through the answer which he might make to the last note which you had written—in other words, to the despatch No. 2,102, which I had just communicated.

After reading it, I observed that this view of the subject was, in some measure, new to me, and that I could not undertake, with my partial comprehension of it, to give him any explanations having authority. If it was the intention to proceed by the customary way of negotiation between the countries, in my opinion the brief remnant of the term of the administration would expire before much progress had been made. This was said in view of the fact that there must, after all, be some precision arrived at in defining the controverted points. The British claims would require examination, and perhaps evidence to substantiate them, before they could be conceded. The same thing would happen with ours, which were larger and more complicated with disputed questions.

His lordship said that he did not quite understand it. He had regarded the main question as involving a claim put forth for damages, which it seemed to him the part of the person considering himself aggrieved to advance; but he was not strenuous on that point. A more serious difficulty would persist in the fact that the private claimants under what were, after all, the greatest questions, might not be well content to see them liable to be mixed up and bargained away against other points in which they were not interested.

I said that there was the more ground for such an objection in the fact that precisely such an event had happened in a former treaty of ours with France. The effect of it had been, in that case, that the country had received a benefit for the surrender of large claims for unlawful captures of private property at sea; but from that day to this not a farthing of compensation had ever been made good by it to the owners of the claims thus abandoned.

His lordship concluded by saying that he had but just received this letter, and he should endeavor to give it the most careful reflection; but at present he could not perceive any course open to him. The papers would probably be all laid before the House of Commons at the adjourned session, when he would be called upon to make his explanations. He should endeavor to be prepared for the occasion.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD, Secretary of State, Washington, D. C.

To this Mr. Seward replies, January 13, 1868.—

With reference to the conversation which occurred between yourself and his lordship on the subject of a recent despatch of Mr. Ford, in which Mr. Ford gave an account of a conversation which he had with me, it would, perhaps, be sufficient to say that Mr. Ford submitted no report of that conversation, nor did he inform me what he proposed to write to Lord Stanley. I may add that either Mr. Ford or Lord Stanley, or both, have misapprehended the full scope of what is reported by Mr. Ford as a suggestion on my part. Both of these gentlemen seem to have understood me as referring only to mutual pecuniary war claims of citizens and subjects of the two countries which have lately been extensively discussed. Lord Stanley seems to have resolved that the so called Alabama claims shall be treated so exclusively as a pecuniary commercial claim as to insist on altogether excluding the proceedings of her Majesty's government in regard to the war from consideration in the arbitration which he proposed.

On the other hand I have been singularly unfortunate in my correspondence if I have not given it to be clearly understood that a violation of neutrality by the Queen's proclamation and kindred proceedings of the British government is regarded as a national wrong and injury to the United States; and that the lowest form of satisfaction for that national injury that the United States could accept would be found in an indemnity without reservation or compromise, by the British government, to those citizens of the United States who had suffered individual injury and damages by the vessels of war unlawfully built, equipped, manned, fitted out or entertained and protected in the British ports and harbors in consequence of a failure of the British government to preserve its neutrality.

Besides this question there exist also other open questions. There is a divided occupation of the island of San Juan, in the Pacific, which ought to be settled soon; there is the assumption of Great Britain to hold naturalized citizens of the United States, if they were born in Great Britain, amenable for offences under laws and before tribunals which are not and cannot be applied to native born citizens of the United States. A grave question arose during the recent rebellion upon the treaty arrangements between the two countries for extradition of criminals. There is a deferred question between the two countries in regard to the fisheries in the North Atlantic waters. Any one of these questions may at any moment become a subject of exciting controversy. The naturalization treaty is already working in that way.

MR. ADAMS TO MR. SEWARD.

LEGATION OF THE UNITED STATES, LONDON, Feb. 18, 1868.

SIR—On Saturday last, the 15th instant, I had a favorable opportunity of meeting Lord Stanley and of communicating to him the substance of your despatch No. 2,118 of the 13th of January. The chief portions of it I gave to him in your own words, especially the closing paragraph, precluding any inference that the suggestion that preceded was to be considered a proposal to reopen a negotiation.

His lordship said that his desire, as I must know, had always been so strong to arrive at some terms of agreement with us that if he could see a way to it he should not stand upon ceremony in the order of initiating it. With respect to one of the subjects referred to in the despatch, that of allegiance, he believed the feeling was universal that some change of the law was necessary to meet the change of circumstances. If there were inconvenience to us likely to spring from it on this side, it was not less true that equal inconvenience might result in certain cases to them on the other. Some had actually been experienced during the late war. In the instructions that had been given to Mr. Thornton, the new Minister, he had included a proposal, in a friendly spirit, to engage in any consultation that might have for its object the arrangement of all existing difficulties on this head.

I said I was very glad to learn this; for just at the present moment there was a more pressing need of removing uneasiness on this score than on any other. We then went into some general conversation upon the difficulties in the way of a definite settlement of this right of expatriation among the great nations of the world, in the course of which his lordship started the idea of some commission of eminent legal representatives of the four Powers most interested in the question to devise and recommend some common system for all. I expressed my own willingness to favor this notion, and the more that our difficulties were even more serious with Germany on this subject than with England. Passing from this, however, his Lordship expressed his doubts whether it would be found more easy to come to an understanding by accumulating all the different topics recited in your despatch in one heap than by treating each separately. The term "conference," too, was so general that he could not yet quite affix a practical measure to it. He should be very glad to learn more fully what idea it was intended to convey. I said that I would, if he pleased, communicate this wish to you, it being understood that thereby no implication could be raised adverse to the observance of the precautionary final paragraph in your despatch.

His lordship assented to this reserve. So it was understood between us that, saving all notion of the presentation of any overture thereby, I was to ask if you would be willing to convey to his mind more fully an idea of what was intended under the term "conference."

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD, Secretary of State, Washington, D. C.

MR. SEWARD TO MR. ADAMS.

DEPARTMENT OF STATE, WASHINGTON, March 7, 1868.

SIR—I have just now received your despatch of the 18th of February, No. 1,539. I entirely approve of your proceeding in submitting the substance of my despatch No. 2,118 to Lord Stanley. I have also taken the President's directions concerning the suggestions which his lordship has made to you with a view to the adjustment of existing differences between the United States and Great Britain.

You were wise, as you always are, in saying to his lordship that it is the naturalization question which causes an uneasiness that more urgently needs removal than any other. While that uneasiness shall remain unrelieved it would seem almost hopeless to attempt an adjustment of the other differences. This one will admit of no delay, compatibly with the preservation of harmony between our two countries. For this reason I cannot approve of his lordship's suggestion for a commission of eminent legal representatives of the four Powers most interested in the question of naturalization.

There now exists, it seems to me, a possibility of our being able to adjust this question promptly and satisfactorily. It could have been only a very few days after your conversation was held with Lord Stanley that Mr. Bancroft made a treaty with the North German government for adjusting the question of naturalization between the United States and that great and friendly Power. That treaty has not as yet been received here. It is expected, however, to come by the very next mail. Its stipulations are believed to be tolerably well understood here. It is supposed also that they would be unobjectionable in principle to the British government. A single supplemental stipulation would render a treaty with Great Britain similar to that we are making with North Germany equally acceptable and satisfactory to the United States. That supplemental article would be that the naturalized citizens of one country should have and enjoy in the other all the rights and privileges which, by the law of nations, treaties, or municipal law, are allowed in that latter country to the native citizen of the country to which the naturalized citizen belongs.

I am in communication now with Mr. Thornton upon the subject. So soon as I shall have received the Berlin treaty, I shall furnish him with a *projet* of a treaty, which, if he approves, I shall be ready to execute immediately. I shall suggest to him today that he ask by telegraph for the necessary special power and directions.

If we can make such a treaty, only two things more will be necessary to relieve the now existing uneasiness which has resulted from the naturalization question. These are, first, that pardons be granted to Lynch and McMahon, two prisoners in Canada, believed by this government to be morally guiltless, and whose further punishment wears an aspect of unnecessary severity towards them and unkindness towards the United States; secondly, that her Majesty's government shall in some way provide for a discontinuance or termination of the cases of Colonels Warren and Nagle, which cases have been needlessly and blindly complicated by judicial persistence in the dogma of the indefeasibility of native British allegiance, which it is expected will be relinquished in the proposed treaty.

With the good hope of adjusting the naturalization question promptly and in the manner indicated, I reserve, for the present, the consideration of Lord Stanley's suggestions relating to a mode of proceeding to regulate the Alabama and other questions, because the views I shall have occasion to submit on those subjects will be greatly influenced by the result of the anticipated proceedings in regard to naturalization.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, &c., &c.

LORD STANLEY TO MR. THORNTON.

[Communicated by the British Legation.]

FOREIGN OFFICE, March 21, 1868.

SIR—I have already informed you that her Majesty's government would endeavor to frame a draught of a treaty which might be acceptable both to England and to the United States, and that in the meanwhile you should assure Mr. Seward that the matter was under the serious consideration of your government. I regret to say that the more the subject has been examined the greater have been found to be the legal difficulties with which the question is surrounded.

The matter might be disposed of with comparative ease if no other party but the one naturalized were to be affected by the renunciation or remission of natural allegiance, though, even in that case, it would be necessary to determine whether such renunciation or remission should be absolute, or whether readmission into the fold of original allegiance should be permitted, and if so on what terms and under what conditions.

But other and more complicated matters arise when questions of descent, succession, title to property and the general bearing of municipal laws adapted to the existing state of things have to be considered, and much difficulty might arise and much litigation occur in the courts, and many questions might come into discussion between government unless such matters were duly weighed and discussed and definite principles by which all such difficulties should be obviated were adopted between the countries concerned and were sanctioned by their respective Legislatures.

As regards this country if the principles of the Prussian treaty were to be adopted as the groundwork of a treaty between Great Britain and the United States, it would be necessary to consider the bearing which such treaty would have not only on the common and statute law but also on the legislation of British colonies; and considering the close resemblance between the law and procedure of this country and those of the United States, the same process would doubtless have to be gone through there, and in both it would probably be found that a considerable revision of the law would be required to enable a naturalization treaty to work smoothly.

The only instruction, therefore, that her Majesty's government I feel can now be safely given to you, is that you should assure Mr. Seward of their anxious desire to act in concert with the government of the United States in endeavoring to devise some effectual means for setting at rest this important and intricate question. The obstacles to immediate action which they see are of a legal, not of a political character. They disclaim the idea of desiring to maintain and enforce the doctrine of indefeasible allegiance, and are quite willing to adopt the principle of expatriation, which they think ought properly to be conceded by a government which for many years past has sanctioned and even encouraged an extensive emigration of British subjects to foreign States.

It is their intention at once to institute an inquiry into the legal bearings of the question, and they hope that the result of this inquiry may be the production, without unnecessary loss of time, of a well considered and satisfactory measure.

You are at liberty to communicate this despatch to Mr. Seward and give him a copy. I am, &c.,

STANLEY.

EDWARD THORNTON, Esq., C. B., &c., &c., &c.

Following is a letter from Mr. Adams, enclosing the report of a debate in the House of Commons, March 6, to which Mr. Seward replies expressing his pleasure as the "meliorated tone of parliamentary and public opinion in Great Britain." He also ventures suggestions of his to Mr. Thornton for a settlement of the naturalization, San Juan and Alabama questions. On March 25, he telegraphs to "inquire of Stanley and urge what Thornton recommends about naturalization treaty," to which Mr. Adams replies that Stanton agrees "to empower for naturalization, but wants time to mature qualifications." Mr. Seward replies that "delay is hazardous

On May 27, 1868, Mr. Seward, writing to Mr. Moran, requests him to "sound the government again upon the question of naturalization," he having learned that a commission of Lord Clarendon and others had been appointed to examine the British Naturalization laws. Mr. Moran's answer, dated June 16, conveys the information that "there was a prospect that her Majesty's government would soon be disposed to empower Mr. Thornton to negotiate a treaty."

Under date of July 20, 1868, Mr. Seward addresses a very long letter to Mr. Reverdy Johnson, in which he urges the settlement of the naturalization question and refers to the arrests of American citizens in Ireland. On the latter subject he says:—

As naturalized citizens of the United States, Irishmen and their descendants have a right to visit Great Britain and to be safe in their persons and property there, so long as they practice due submission to the authority of Great Britain, the same as native citizens of the United States. When, however, a naturalized citizen of Irish birth or descent transiently visiting Great Britain is arrested or questioned under the acts suspending the habeas corpus, or by warrant or other form of complaint in judicial proceedings, and thereupon claims the rights of citizens of the United States, he is met in the courts of that country with a denial of the validity of his naturalization and with the assertion that his allegiance to the sovereign of Great Britain continues unbroken. This theory is especially maintained in judicial tribunals in that country—first, as a ground for denying to the naturalized citizen of Irish birth or extraction a trial by jury *de medietate linguæ*, which is extended by statute to all foreigners; and also by the pretence that he is especially amenable in British courts for political opinions and conduct maintained or pursued while in the United States, the land of his adoption. It ought not to have been at any time a matter of surprise to her Majesty's government that these invidious discriminations in British tribunals between two classes of citizens of the United States, who stand upon one common platform under our own laws, continually engenders suspicion of prejudice and injustice. If these suspicions are suffered to continue and increase with the progress of political agitation in Great Britain, it must sooner or later result in an extensive and profound alienation of the two countries.

In reference to the San Juan and boundary questions Mr. Seward announces that the United States "still remain in a disposition favorable to the process of adjustment originally contemplated." On the subject of the Alabama claims, after referring to past efforts at adjustment, Mr. Seward goes on:—

It seems to the President that an adjustment might now be reached without formally reviewing former discussions. A joint commission might be agreed upon for the adjustment of all claims of citizens of the United States against the British government and of all claims of subjects of Great Britain against the United States upon the model of the joint commission of February 8, 1853, which commission was conducted with so much fairness and settled so satisfactorily all the controversies which had arisen between the United States and Great Britain from the peace of Ghent, 1814, until the date of the sitting of the convention.

While you are not authorized to commit this government distinctly by such a proposition you may sound Lord Stanley upon the subject after you shall have obtained satisfactory assurances that the two more urgent controversies previously mentioned can be put under process of the adjustment in the manner which I have indicated.

MR. JOHNSON TO MR. SEWARD.

LEGATION OF THE UNITED STATES, LONDON, August 29, 1868.

SIR—I have the honor to forward herewith three copies of the recent correspondence between the United States and Great Britain on the question of a treaty on the subject of naturalization, and likewise respecting the imprisonment of Messrs. Warren and Costello, which have just been issued for the use of Parliament.

REVERDY JOHNSON.

Hon. WILLIAM H. SEWARD, Secretary of State.

Under date of August 29 Mr. Johnson incloses the correspondence with the United States respecting the imprisonment of Messrs. Warren and Costello.

LORD STANLEY TO MR. THORNTON.

FOREIGN OFFICE, June 14, 1868.

SIR—The United States Charge d'Affaires has inquired of me, by direction of Mr. Seward, whether her Majesty's government were prepared at once to enter into a treaty with the United States on the subject of naturalization.

I reminded Mr. Moran, in reply, of the statements which some weeks ago I made in the House of Commons, and which were received, as I believed, with general approval, that her Majesty's government were prepared to entertain in principle the question of a naturalization treaty, and no longer held to the doctrine of indefeasible allegiance.

But, I observed to Mr. Moran, that with every good disposition on their part to contribute to setting at rest a question which, as it now stood, was calculated to interfere with the maintenance of good understanding between this country and the United States, her Majesty's government found it was inexpedient, not to say impossible, to proceed hastily in a matter which involved points of great legal difficulty, and might affect the interests not only of persons now in being, but of persons still unborn. It was necessary, therefore, to consider how British law bore on the question, and the similarity between the laws of the two countries need scarcely be insisted upon in support of the statement that there are many legal points to be considered and determined before either a treaty can be concluded or legislation attempted by this country.

STANLEY.

LORD STANLEY TO MR. THORNTON.

FOREIGN OFFICE, July 23, 1868.

SIR—The United States Charge d'Affaires at this Court has communicated to me a despatch which he has received from Mr. Seward, bearing date the 22d ult., in which Mr. Seward alludes to the frequent remonstrances and expostulations which have been addressed on the part of the United States government to her Majesty's government against the imprisonment of Messrs. Warren and Costello in this country, and complaining that the judicial severity maintained by her Majesty's government in these cases tends to embarrass the friendly relations between the two countries, and to protract the political excitement which has unhappily for some time disturbed the peace of the British realm and the British provinces adjacent to the United States.

As regards the imprisonment of Messrs. Warren and Costello I have to point out to you that the allegation on which Mr. Seward's request for their release is founded—viz., that they were convicted and sentenced for words spoken and acts committed in the United States—rests on a total misconception of the facts of the case.

These prisoners were convicted of treason-felony at the Commission Court for the county of Dublin, held in October last, the most prominent overt act insisted upon and proved against them being that they had come over to Ireland and cruised along the coast with intent to effect a landing of men and arms in Ireland, in order to raise insurrection against the Queen.

You will read this despatch to Mr. Seward and leave a copy of it with him.

I am, &c., STANLEY.

MR. JOHNSON TO MR. SEWARD.

LEGATION OF THE UNITED STATES, LONDON, Oct. 9, 1868.

SIR—I have the honor to enclose you a protocol on the naturalization question, signed by Lord Stanley and myself on this day, for the settlement of all claims that the citizens of either country may have against this government and the government of the United States; that known as the Alabama claims are of course embraced by it.

The first article provides for the appointment of four commissioners, two by each government. The board to meet in London at the earliest period subsequent to their appointment, and before considering any claims to agree upon an umpire.

In the event of their not being able to come to a decision upon any claim, the questions are to be submitted to the umpire.

In relation to all claims other than the Alabama claims, decisions may be made by a majority of the commissioners.

This provision is contained in the second article. It also stipulates that each government is to appoint one person to represent it before the board as agent, and point out in general terms his duties.

By the third article all claims are to be presented within six months from the day of their first meeting; but authority is given them to extend the time for their presentation three months longer. And the whole is to be closed within two years from the first named day.

Articles four, five and six apply only to the Alabama claims. By the fourth, before the commissioners are to consider such claims the two governments are to agree upon some "sovereign or head of a friendly State as an arbitrator in respect of such claims, to whom such class of claims shall be referred in case the commissioners shall be unable to come to an unanimous decision upon the same."

By the fifth, if the arbitrator appointed under the authority of the fourth shall decide in favor of any or all of these claims they are to be referred back to the commissioners to ascertain the amount due upon each. This may be decided by a majority; and if there be not a majority, the decision is to be made by the umpire appointed by the commissioners under the authority given them by the first article.

By the sixth article the correspondence and evidence in regard to these claims, now in the possession of either government, are, without further argument or evidence, to be alone considered by the commissioners or the arbitrator, unless they, unanimously, or he shall call for further argument or evidence.

By the seventh the decision by the commissioners or the arbitrator, as the case may be, is made conclusive upon both governments.

Under the eighth article no claims are to be received which may have arisen prior to the 26th of July, 1858, the date of the exchange of the ratifications of the convention of 8th February, 1853, these having all been adjusted by the commissioners under that treaty.

Under the ninth article the awards are to be paid in coin, or its equivalent without interest, within twelve months after the date of each award.

The 10th article makes the decisions arrived at under the convention conclusive upon all claims presented, and all claims which might be presented, but are not, are also to be barred.

The 11th article contains some details, and gives the authority to appoint the secretary of the board to the principal secretary of state for foreign affairs and United States minister in London.

The salaries of the commissioners are to be fixed and paid by each government appointing them.

The remaining article provides that the ratifications of the convention are to be exchanged at London as soon as may be within twelve months from its date.

It is proper that I should give, as briefly as may be necessary, my reasons for assenting to the convention, or rather to some of its provisions:—

First—You have heretofore refused to enter into an agreement to arbitrate the Alabama claims unless this government would agree that the question of its right to acknowledge as belligerents the late so-called Southern confederacy be also included within the arbitration. You will see by the terms of the first and the fourth articles that that question, as well as every other which the United States may think is involved in such claims, is to be before the commissioners, or the arbitrator. This is done by the use of general terms and the omission of any specification of the questions to be decided. And my authority for agreeing to this is found in your original instructions of the 20th of July last, and is indeed to be found in the correspondence between yourself and my predecessor regarding these claims.

Second—Upon reflection I thought it better for our claimants, particularly the Alabama claimants, that the commission should sit in London instead of Washington, because nearly all if not all the evidence upon which they rest is to be found here or in Liverpool, and my instructions were silent as to the place of meeting.

Third—The provision that the awards are to be paid in coin, or its equivalent, I deemed to be due to good faith. As those which may be made in favor of our citizens against this government will be paid in coin, I thought it obviously just that those which may be made in favor of British subjects should be discharged in the same way.

Hoping and not doubting that the convention will meet with the approval of the President and yourself and receive the sanction of the Senate, I remain, with high regard, your obedient servant,

REVERDY JOHNSON.

Mr. WILLIAM H. SEWARD, Washington, D. C.

[Here follows the convention signed November 10, 1868.]

MR. SEWARD TO MR. JOHNSON.

[Telegram per cable.]

DEPARTMENT OF STATE, WASHINGTON, Nov. 11, 1868.

REVERDY JOHNSON, Esq., &c.:—

Claims protocol not received. Convention must sit in Washington. We thought this understood; absolutely essential under circumstances. Get this and all will be right. WILLIAM H. SEWARD.

MR. JOHNSON TO MR. SEWARD.

[Telegram per cable.]

LEGATION OF THE UNITED STATES, LONDON, Nov. 12, 1868.

Hon. WILLIAM H. SEWARD, Washington, D. C.:—

Will try Washington. Best for Alabama claims. All proof here. If umpire European, Washington would much delay settlement. Did not understand you wished Washington. Your 37 to Adams says not of sufficient importance to insist on. Stanley not here. Can do nothing without him. Convention, yesterday's mail. REVERDY JOHNSON.

MR. SEWARD TO MR. JOHNSON.

[Telegram per cable.]

DEPARTMENT OF STATE, WASHINGTON, Nov. 12, 1868.

REVERDY JOHNSON, &c.:—

Insist, in view of highly disturbed national sensibilities, Washington is indispensable.

WILLIAM H. SEWARD.

MR. JOHNSON TO MR. SEWARD.

LEGATION OF THE UNITED STATES, LONDON, Nov. 14, 1868.

SIR—As you will have seen before this reaches you your cable cipher despatch of the 11th instant was duly received. The one of the next day was also duly received.

Lord Stanley will not be in London before Wednesday or Thursday next, and until then I shall not be able to inform you whether Washington will be substituted as the place for the meeting of the claims commission.

As stated in my cipher despatch to you of the 12th instant, I agreed to London as the place, for two reasons—first, because what are known as the Alabama claims against this government, in value a much larger amount than all the other claims of our citizens, and the evidence in support of them, as well as any other that may be called for by the commissioners or the umpire, is in England; and second, because I suppose it to be almost certain that the umpire in relation to these claims will be the head of a European state, to whom the claimants and the agent of our government could have much more speedy access than if the commission was in Washington; and I cannot help thinking that the proposed change, if effected, will operate to their injury or at least to their inconvenience. If, however, I had been instructed to insist upon Washington as the place of meeting, or had understood that such was the wish of yourself and the President I should have insisted upon it. But I was not so instructed nor did I so understand.

Your original instructions to me of the 20th of July, 1868, are altogether silent upon the point, as are also everything which you have forwarded to me since, prior to your cipher despatch of the 11th inst.; and, before signing the convention, I referred to your despatch No. 375, of October 21, 1862, to Mr. Adams, in which I found that although the evidence on what the then "British claims," or most of them rested, was said by you to be in the United States, a suggestion doubtless made with a view to induce the government to agree to Washington as a place for the meeting of the commission you then desired. You informed Mr. Adams that if it was strenuously objected to by this government it was "a matter not of sufficient importance to be insisted upon." Although I cannot say that Lord Stanley strenuously objected to the change—and I hope he will not now—yet he urged me to agree to London as the place best suited for the interest of all claimants, British and American, and as being much more convenient and less expensive. I thought this view was the correct one and acted upon that impression. Under these circumstances I hope that the President and yourself will not think that I committed any great mistake. It may be true that at home there exists a "highly disturbed national sensibility," which for a moment would influence the public judgment upon the subject, yet I have such confidence in the good sense of our people as to believe that when all the facts are known and the reasons which have governed me are disclosed, that judgment would be satisfied with what I have done. But, however this might be, I will do whatever I may be able to get Washington instead of London made the place for the meeting of the commission, and will at the earliest moment advise you of the result.

REVERDY JOHNSON.

Hon. William H. Seward, Washington.

MR. JOHNSON TO MR. SEWARD.

[Telegram per cable.]

LEGATION OF THE UNITED STATES, LONDON, Nov. 16, 1868.

Hon. WILLIAM H. SEWARD, Secretary of State, Washington, D. C.:—

I have reason to believe Washington will be agreed to. REVERDY JOHNSON.

MR. JOHNSON TO MR. SEWARD.

LEGATION OF THE UNITED STATES, LONDON, Nov. 23, 1868.

SIR—Lord Stanley and myself have signed to-day a supplement to the claims convention, which makes two changes in the original. The first is that Washington is to be the place of meeting of the commission instead of London; and the second, rendered necessary by that change, is that the secretary of the commission is to be chosen by our Secretary of State and the British Minister at Washington.

I am glad to say that Lord Stanley very readily assented to these alterations, and that he has from the first evinced an earnest desire to settle upon terms entirely satisfactory to the United States every disputed matter, while scrupulously guarding what he believed to be the rights and honor of his own country; and I am equally glad to say that this is in accordance with the manifest sentiment of the people of all classes, and especially of the statesmen who, if there be a change in the administration here, will be called to the government. REVERDY JOHNSON.

MR. JOHNSON TO MR. SEWARD.

[Telegram per cable.]

LEGATION OF THE UNITED STATES, LONDON, Nov. 24, 1868.

Hon. WILLIAM H. SEWARD, Secretary of State, Washington, D. C.:—

Washington substituted for London. See bag. REVERDY JOHNSON.

Under date of November 27 Mr. Seward acknowledges the receipt of the convention signed on the 10th, and in the course of a very long review of it says:—

The present negotiation was undertaken in the hope that the controversy about international claims which has so long existed and has been attended with so much national feeling on both sides might be amicably settled and closed by adopting the very simple, yet comprehensive, principles and forms of reference and adjudication which were adopted with so much success, under circumstances not very dissimilar, by the convention for the adjustment of international claims of February 8, 1853. That convention was proposed by the United States as a model which had already received the approval of both parties and had the prestige of complete and even felicitous success. That convention of 1853 had no reservations and no preference of, for, against or concerning claims of any class of citizens or subjects of either nation. A judicial tribunal was constituted by it in a manner perfectly equal, just and fair, and to that tribunal was confided the duty of hearing all claims of whatever separate classes in only one and exactly the same manner and deciding upon them in only one and exactly the same manner. It probably would conduce to no good end to set forth on this occasion the reasons why the Alabama claims, more than any other class of international claims existing between the two countries, are the very claims against which the United States cannot agree to admit of any prejudicial discrimination. To present those reasons now would be simply to restate arguments which have been continually presented by this department in all the former stages of this controversy, while it is fair to admit that those reasons have been controverted with equal perseverance by her Majesty's department for foreign affairs.

It is not to be understood by these remarks that the United States except against the possible designation of a sovereign or head of a friendly State as arbitrator or umpire in regard to the Alabama claims. On the contrary, the United States would not be unwilling to have so distinguished an arbitrator or umpire agreed upon by the commissioners in any and, indeed, in every case that shall come before them. All that is insisted upon is that the arbitrament of a sovereign or head of a nation shall not be made unnecessary in regard to other United States claims and British claims and yet be made indispensable to the adjustment of the Alabama claims.

All the correspondence that follows relates to amendments to the convention suggested by Mr. Seward and Lord Clarendon, and finally adopted, as published in the HERALD of January 22 of the present year.

HYDROPHOBIA.

Further Particulars of the Death of Timothy McCarthy, in Paterson, N. J., on Sunday Last.

In Tuesday's HERALD there was published a brief account of the death, by hydrophobia, of Timothy McCarthy, of Paterson, N. J., concerning which the following particulars are presented:—

Mr. McCarthy resided in Straight street, near the shops of the Paterson Iron Company. He worked in one of the shops a portion of the time, but also kept a saloon as an additional means of livelihood, and until recently kept about the latter place a large black dog, which he thought much of, it having proved itself to be an excellent night watch. Through some cause, but whether when playing with the brute or after having provoked it is not known, on New Year's day he was slightly bitten by the animal on the finger. The wound being very trivial in appearance, nothing more than a mere pin scratch and not causing any pain, no notice was taken of it and no apprehensions were entertained that any serious results were likely to result therefrom.

A short time afterwards, however, the dog began to manifest a very unusual disposition, and after making several attempts to bite other persons was killed by the neighbors, who were convinced that the animal was growing mad and ought to be destroyed. McCarthy thenceforth grew melancholy and worried, and expressed much anxiety that evil would result from the wound he had received. It became a monomania with him, he evidently being in continual terror, unable to sleep at night, and, in fact, evincing every symptom of a person under great depression of mind. This condition was not much improved by rather loudly spoken, imprudent expressions of anxiety on the part of intimate friends.

Thus he continued until about three o'clock on Sunday morning, when he was seized with terrible paroxysms, so that three strong men could scarcely hold him. He continued rational most of the time, but suffered great agony, and begged in piteous tones that they would permit no water to be brought near him, and every few seconds would relapse into a state of the most abject fear, crouching down in the corner and raving like one suffering with the delirium tremens.

The patient could not bear the presence of a female in his room, at once flying into a spasm and evincing almost as much dread as he did of water. At one time he imagined there was a dog under his bed and became greatly alarmed, but was finally quieted by his friends repeatedly assuring him that nothing of the kind was there.

In the afternoon (Sunday) Dr. John Quin was sent for, and ascertaining his condition before entering the room, to prove the truth of it and see his symptoms for himself, procured a glass of water and walked quietly into the room where McCarthy was lying. The man's horror almost turned the hearts of the spectators; the poor man drew himself up in the bed corner, and almost seemed trying to push himself through the partition in his intense efforts to get as far as possible from the water held by the doctor, and the latter was obliged to carry the tumbler hastily from the apartment for fear the patient would spring through the window.

Dr. Quin, who is an old school practitioner of long experience, both in this country and Europe, at once expressed his opinion that it was a hopeless case of genuine hydrophobia, and his opinion proved correct, for the man died in about an hour afterwards, utterly exhausted. Dr. Quin has witnessed two other cases of this nature, but considers this by far the most violent of any that has come under his observation. He says it is always most dangerous and violent in the winter season.

The fits came on about the usual time, which is generally from four to six weeks after the bite. McCarthy was seized at three o'clock in the morning with the violent symptoms and died at three o'clock in the afternoon, the spasms continuing just twelve hours. McCarthy was known to be a temperate man, notwithstanding he kept a saloon; and the doctor has not the slightest hesitation in declaring that his death was directly caused by the bite of the dog. The deceased had a dance at his place on Saturday night, but did not indulge in liquor to any extent, so that it cannot be believed that his death was hastened in any way by indulgence in liquor.

McCarthy had many friends and was quite publicly known; consequently his horrible death created a great excitement in the neighborhood, and his funeral, which took place on Tuesday, was very largely attended. He left a wife and one child.

There is naturally an excited feeling existing in