THE ALABAMA CLAIMS.

Diplomatic Correspondence on the Subject.

Review of Our Grievances by Secretary Fish.

Instructions to Minister Motley Regarding His Course.

Letter from Lord Clarendon to Minister Thornton.

The British Government Ready to Reopen Friendly Negotiations.

WASHINGTON, Dec. 22, 1869.

The President to-day sent to the Senate a reply to the resolution of the Senate of the 20th inst., requesting the President to communicate to that body, if compatible with the public interest, copies of any correspondence between the United States and Great Britain concerning the questions pending between the two countries since the rejection of the claims convention by the Senate.

Mr. Fish to Mr. Motley.

[Extract.]

DEPARTMENT OF STATE, WASHINGTON, May 15, 1869.

SIR—Your predecessor has already been directed to notify Lord Clarendon that the Senate has refused its advice and consent to the ratification of the convention signed at London on the 17th of January last for the settlement of all outstanding claims.

Under some circumstances the announcement made to your predecessor of the rejection of this convention might be sufficient; but the magnitude of the claims involved and the gravity of the questions depending between the two governments require more than the mere announcement to which the delicacy of his own relations to the negotiation limited the directions to him. The government in rejecting the recent convention abandon neither its own claims nor those of its citizens, nor the hope of an early satisfactory and friendly settlement of the questions depending between the two governments. You will so say to Lord Clarendon, or in your discretion you may further proceed to communicate the views given below. The terms of the convention having by accident became known to the public in this country before the action upon it by the Senate, were disapproved by the people with an approach to unanimity that foreshadowed, possibly, even a less favorable vote on the question of ratification than was actually given. This adverse judgment, while unanimous or nearly so, in its conclusion was not reached by any single train of argument nor from any one standpoint of policy, nor with any single standard of estimate of the claims, either of the nation or of its citizens, nor with the same degree of importance attached to various points that have been discussed in the correspondence referred to in the convention. Various sources furnished currents running through different and widely separate channels, but meeting to form one common stream of thought, both with the people and in the Senate—different minds viewing it from different standpoints—each measuring by its own standard and judging in its own way, arrived at the one conclusion. The time and the circumstances under which the convention was negotiated were very unfavorable to its acceptance either by the people or by the Senate. The nation had just emerged from its periodical choice of a Chief Magistrate, and having changed the depository of its confidence and its power, looked with no favor on an attempt at the settlement of the great and grave questions depending by those on the eve of retiring from power, without consulting or considering the views of the ruler recently entrusted with their confidence, and without communication with the Senate, to whose approval the treaty would be constitutionally submitted, or with any of its members. It is wholly unnecessary to say to statesmen of the intelligence which always marks those of the British empire that the rejection of a treaty by the Senate of the United States implies no act of discourtesy to the government with which the treaty may have been negotiated. The United States can enter into no treaty without the advice and consent of the Senate, and that advice and consent to be intelligent must be discriminating, and their refusal can be no subject of complaint and can give no occasion for dissatisfaction or criticism.

On the 12th of May, 1803, a convention between the United States and Great Britain for settling the boundaries on our northeastern and northwestern frontier was signed at London by Mr. Rufus King and Lord Hawkesbury, on the part of their respective governments, and submitted to the Senate by President Jefferson, with a message of the 24th of October in that year. The Senate approved of the convention, but upon the condition that the fifth article should be expunged—a condition which was never complied with. Upon one point the President and the Senate and the overwhelming mass of the people are convinced, namely—that the convention, from its character and terms, or from the time of its negotiation or from the circumstances attending its negotiation would not have removed the sense of existing grievance, would not have afforded real substantial satisfaction to the people, would not have proved a hearty, cordial settlement of the pending questions, but would have left a feeling of dissatisfaction inconsistent with the relations which the President desires to have firmly established between two great nations of common origin, common language and objects in the advancement of the civilization of the age. The President believes the rejection of the convention to have been in the interest of peace and in the direction of a more perfect and cordial friendship between the two countries, and in this belief he fully approved the action of the Senate. That action is quite recent, and has been the cause of some excitement and popular discussion on both sides of the Atlantic, and possibly of some little disappointment, if not of irritation, in England. The tone of the press and the proclaimed opinions of some public men in each country suggest that the present is not the most hopeful moment to enter upon a renewed discussion either of the objections to the lately proposed convention or of the basis of a renewed negotiation. A suspension of the discussion on these questions for a short time will allow the subsidence of any excitement growing out of the negotiation or rejection of the treaty, and will enable the two governments to approach the more readily to a solution of their differences.

But in communicating with Lord Clarendon you will be particular to assure him that the desire on our part is that their suspension be limited to the shortest possible time consistent with its object. The President hopes that her Majesty's government will view the propriety of the suspension in the same light in which he proposes it—as wholly in the interest and solely with a view to an early and friendly settlement of the question between the two governments. He hopes that when the question shall again be considered it may comport with the views of her Majesty's government to embrace within the scope of the negotiation some agreement by the two governments defining their respective rights and duties as neutrals, in case the other government became, unfortunately, involved in war with a third power. The absence of some agreement or definition on this subject was among the causes leading to the rejection of the recent convention, under which, had it been adopted by the two countries, none of the grave questions which have arisen would have been passed upon by a tribunal whose decision either party, much less other nations, would regard as authority so as to prevent repetition or retaliation. It might, indeed, well have occurred in the event of the selection by lot of the arbitrator or umpire, in different cases involving, however, precisely the same principles that different awards resting upon antagonistic principles might have been made. If, however, the two great leading maritime commercial nations of the world establish a rule to govern themselves, each with respect to the other, they may reasonably hope that their conclusion will be accepted by the other powers and will become for the future recognized as a part of the public law of the civilized world. The President recognizes the right of every power, when a civil conflict has arisen within another State and has attained a sufficient complexity, magnitude and completeness, to define its own relations and those of its citizens and subjects towards the parties to the conflict, so far as their rights and interest are necessarily affected by the conflict. The necessity and propriety of the original concession of belligerency by Great Britain at the time it was made have been contested and are not admitted. They certainly are questionable; but the President regards that concession as a part of the case only so far as it shows the beginning and the animus of that course of conduct which resulted so disastrously to the United States. It is important in that it foreshadows subsequent events. There were other nations that acted contemporaneously with England in making a similar concession; but it was in England only that the concession was supplemented by acts causing direct damage to the United States.

The President is careful to make this discrimination, because he is anxious as much as possible to simplify the case and to bring into view these subsequent acts, which are so important to determining the question between the two countries.

I am, sir, your obedient servant,

HAMILTON FISH.

To JOHN LOTHROP MOTLEY, Esq.

Mr. Fish to Mr. Motley.

[Extract 23.]

DEPARTMENT OF STATE, WASHINGTON, June 28, 1869.

SIR—The President wishes that whenever negotiations or discussions on the subject of the "Alabama claims," so called, shall be renewed they be considered in the United States, and he desires that at the proper time you should convey this wish to the Minister of Foreign Affairs. It is impossible to say at present when that time will arrive, but it will certainly have arrived whenever the British government shall propose a discussion, or shall intimate a desire to reopen the negotiation.

I am, sir, your obedient servant,

HAMILTON FISH.

To JOHN LOTHROP MOTLEY, Esq.

Mr. Fish to Mr. Motley.

DEPARTMENT OF STATE, WASHINGTON, Sept. 25, 1869.

SIR—When you left here upon your mission the moment was not thought to be the most hopeful to enter upon renewed discussion or negotiations with the government of Great Britain on the subject of the claims of this government against that of her Majesty, and you were instructed to convey to Lord Clarendon the opinion of the President that a suspension of the discussion for a short period might allow the subsidence of any excitement or irritation growing out of events then recent, and might enable the two governments to approach more readily to a solution of their differences. You have informed me that Lord Clarendon saw no objection to this course, and agreed with you that it would be well to give time for emotions which had been excited of late to subside. The President is inclined to believe that sufficient time may have now elapsed to allow subsidence of those emotions, and that thus it may be opportune and convenient at the present conjuncture to place in your hands for appropriate use a dispassionate exposition of the just causes of complaint of the government of the United States against that of Great Britain. In order to do this in a satisfactory manner it is necessary to go back to the very beginning of the acts and events which have in their progress and consummation so much disturbed the otherwise amicable relations of the two governments.

When in the winter of 1860 and 1861 certain States of the American Union undertook, by ordinances of secession, to separate themselves from the others and to constitute of their own volition and by force a new and independent republic, under the name of the Confederate States of America, there existed between Great Britain and the United States a condition of profound peace; their political relations were professedly and apparently of the most friendly character, and their commercial and financial relations were as close and intimate in fact as they seemed to be cordial in spirit—such as became the two great liberal, progressive and maritime and commercial Powers of the world. Associated as they were by strong ties of common interest, language and traditions the government of the United States had no reason to presume that the amicable sentiment of the British government would be diminished or otherwise prejudicially affected by the occurrence of domestic insurrection within the United States any more than those of the latter had been impaired by the occurrence of the rebellion in British India, or might be impaired by such occurrence elsewhere in the dominion of Great Britain. Least of all, could the government of the United States anticipate hostility towards it and special friendship for the insurgents of the seceding States in view of the inducements and objects of that insurrection, which avowedly, and as every statesman, whether in Europe or America, well knew, and as the very earliest mention of the insurrection in the House of Commons indicated, were to secure the establishment of a perpetual and exclusive slaveholding republic. In such a contest the government of the United States was entitled to expect the earnest good will, sympathy and moral support of Great Britain. It was with painful astonishment, therefore, that the United States government received information of the decision of her Majesty's government which had already been made, on the 6th day of May, 1861, and was announced on that day in the House of Commons by her Ministers, and was followed by the issue on the 13th of May, 1861, of a proclamation which, in effect, recognized the insurgents as a belligerent power and raised them to the same level of neutral rights with the United States. The President does not deny, on the contrary he maintains, that every sovereign Power decides for itself, on its responsibility, the question whether or not it will at a given time accord the status of belligerency to the insurgent subjects of another Power, as also the larger question of the independence of such subjects and their accession to the family of sovereign States. But the rightfulness of such an act depends on the occasion and the circumstances, and it is an act like the sovereign act of war, which the morality of the public law and practice requires should be deliberate, reasonable and just in reference to surrounding facts, national belligerency, indeed, like national independence, being but an existing fact officially recognized as such, without which such a declaration is only the indirect manifestation of a particular line of policy.

The precipitancy of the declaration of the Queen's government, as Mr. Bright characterized it, the remarkable celerity, undue and unfriendly haste with which it was made, appears in its having been determined on the 6th of May, four days prior to the arrival in London of any official knowledge of the President's proclamation of April 17, 1861, by reference to which the Queen's proclamation has since been defended, and that it was actually signed on the 13th of May, the very day of the arrival of Mr. Adams, the new American Minister, as if in the particular aim of forestalling and preventing explanations on the part of the United States. The prematureness of the measure is further shown by the very tenor of the proclamation, which sets forth its own reason, namely:—"Whereas hostilities have unhappily commenced between the United States of America and certain States styling themselves 'The Confederate States of America.'" Moreover it is not pretended by the proclamation that war exists, but only a contest, in reference to which it is not unimportant to note that the language used is such as would fitly apply to parties wholly independent one of the other, so as thus to negative or to suppress at least the critical circumstances that this bare commencement of hostilities, this incipient contest, was a mere domestic act of insurrection within the United States. But that which conclusively shows the unseasonable precipitancy of the measure is the fact that on that day (May 13, 1861) and, indeed, until long afterwards, not a battle had been fought between the insurgents and the United States, nor a combat even, save the solitary and isolated attack on Fort Sumter. Did such a bare commencement of hostilities constitute belligerency? Plainly not. There was at that time no such thing as a population elevated into a force and by the prosecution of war, which Mr. Canning points out as the test of belligerent condition. The assumed belligerency of the insurgents was a fiction—a war on paper only, not the field; like a paper blockade, the anticipation of a supposed belligerency to come, but which might never have come if not thus anticipated and encouraged by the Queen's government. Indeed, as forcibly put by Mr. Adams, the Queen's declaration had the effect of creating posterior belligerency instead of merely acknowledging an actual fact, and that belligerency, so far as it was maintained, proceeded from the ports of Great Britain and her dependencies alone, with the aid and co-operation of the subjects of Great Britain. The government of the United States, that of Great Britain and other European Powers, had repeatedly had occasion to consider this question in all its bearings. It was perceived that the recognition of belligerency on the part of the insurgents, although not so serious an act as the recognition of independence, yet might well be prejudicial to the legitimate government, and therefore be regarded by it as an act of unfriendliness. It was a step, therefore, to be taken with thoughtfulness and with due regard to exigent circumstances. Governments had waited months, sometimes years, in the face of actual hostilities, without taking this step. But the circumstances might arise to call for it. A ship of the insurgents might appear in the port of the neutral, or a collision might occur at sea imposing on the neutral the necessity to act, or actual hostilities might have continued to rage in the theatre of insurgent war; combat after combat might have been fought for such a period of time; a mass of men may have engaged in actual war until they should have acquired the consistency of military power, to repeat the idea of Mr. Canning, so as evidently to constitute the fact of belligerency, and to justify the recognition by the neutral, or the nearness of the seat of hostilities to the neutral may compel the latter to act on either of these contingencies. The neutral would have a right to act; it might be his sovereign duty to act, however inconvenient such action should be to the legitimate government.

There was no such fact of necessity, no such fact of continued and flagrant existing hostilities to justify the action of Great Britain in the present case. Hence the United States felt constrained at the time to regard the proclamation as the sign of a purpose of unfriendliness to them and of friendliness to the insurgents, which purpose could not fail to agravate all the evils of the pending contest, to strengthen the insurgents and to embarrass the legitimate government. And so it proved. For, as time went on, as the insurrection from political cause at length to be military, as the sectional controversy in the United States proceeded to exhibit itself, in the organization of great armies and fleets and in the prosecution of hostilities on a scale of gigantic magnitude, then it was that the spirit of the Queen's proclamation showed itself in the event, seeing that by virtue of that proclamation maritime enterprises in the ports of Great Britain, which would otherwise have been piratical, were rendered lawful, and to the end continued to be the arsenal, the navy yard and the treasury of the insurgent confederates. A spectacle was thus presented without precedent or parallel in the history of civilized nations. Great Britain, although the professed friend of the United States, yet in time of avowed internal peace permitted armed cruisers to be fitted out and harbored and equipped in her ports to cruise against the merchant ships of the United States, and to burn and destroy them until our maritime commerce was swept from the ocean. The merchant vessels were destroyed particularly by captors who had no ports of their own in which to refit or to condemn prizes, and whose only nationality was the quarter decks of their ships, built and despatched to sea, and, though seldom in name, still professedly owned in Great Britain. Earl Russell truly said, "It so happens that in this conflict the Confederates have no ports except those of the Mersey and the Clyde from which to send out ships to cruise against the federals." The number of our ships thus directly destroyed amounted to nearly two hundred, and the value of property to many millions. Indirectly the effect was to increase the rate of insurance in the United States, to diminish exports and imports and otherwise obstruct domestic industry and production, and to take away from the United States its immense foreign commerce and to transfer this to the merchant vessels of Great Britain, so that while in the year 1860 the foreign merchant tonnage of the United States amounted to 2,546,237 tons, in 1866 it had sunk to 1,492,923 tons. This depreciation is represented by a corresponding increase in the tonnage of Great Britain during the same period to the amount of 1,120,650 tons, and the amount of commerce abstracted from the United States and transferred to Great Britain during the same period is in still greater proportion. Thus, in effect, war against the United States was carried on from the ports of Great Britain by British subjects in the name of the Confederates. Mr. Cobden, in the House of Commons, characterized by these very words the acts permitted or suffered by the British government. "You have been carrying on war from these shores against the United States," he said, "and have been inflicting an amount of damage on the country greater than would have been produced by many ordinary wars."

The gravity of these facts may be appreciated by considering what had happened at other periods. In the latter period of the war of the French revolution Great Britain was compelled to strain every nerve to maintain herself against the power of Napoleon. In such straits, by a sort of war in disguise, she trespassed on the rights of neutrals with special prejudice of the United States, to the result, at length, of solemn war between the two nations; but neither in the events which preceded that war nor in the events of the war itself did the United States suffer more at the hands of Great Britain than we did by the late rebellion by the aid, direct or indirect, which she afforded to the Confederate insurgent States; for while on the ocean our merchant service was destroyed by cruisers sent out from Great Britain, and our military service was mainly occupied in watching and counter working the blockade runners fitted out in Great Britain by the official agents of the insurgents, on the land it was in like manner the munitions of war and the wealth drawn by the insurgents from Great Britain which enabled them to withstand, year after year, the arms of the United States. In the midst of all this remonstrances of the government of the United States were prompt, earnest and persistent. Our Minister in London appealed to the international amity of the British government. He called on it to discharge its obligations of neutrality. He invoked the aid of the municipal laws of Great Britain. Ample proofs of the wrongs committed were submitted to the Queen's government. Indeed, these wrongs were open, notorious, perpetrated in the face of day—the subject of debate and boast even in the House of Commons. The Queen's Ministers excused themselves by alleged defects in the municipal law of the country. Learned counsel either advised that the wrongs committed did not constitute violations of the municipal law or else gave sanction to artful devices of deceit to cover up such violations of law, and, strange to say, the courts of England or of Scotland, up to the very highest, were occupied month after month with judicial technicalities of statute constructions in this respect, while the Queen's government itself, including the omnipotent Parliament, which might have settled these questions in one hour by appropriate legislation, sat with folded arms, as if unmindful of its international obligations, and suffered ship after ship to be constructed in its ports to wage war on the United States. We hold that the international duty of the Queen's government in this respect was above and independent of the municipal laws of England. It was a sovereign duty, attaching to Great Britain as a sovereign power. The municipal law was but a means of repressing or punishing individual wrongdoers. The law of nations was the true and proper rule of duty for the government. If the municipal laws were defective, that was a domestic inconvenience of concern only to the local government and for it to remedy or not, by suitable legislation, as it pleased. But no sovereign power can rightfully plead the defect of its own domestic penal statutes as justification or extenuation of an international wrong done to another sovereign power.

When the defects of the existing laws of Parliament had become apparent the government of the United States earnestly entreated the Queen's Ministers to provide the required remedy, as it would have been easy to do by a proper act of Parliament. But this the Queen's government refused. The United States, at an early day in their history, had set the example of repressing violations of neutrality to the prejudice of Great Britain by their own authority, and in the discharge of their own national duty without waiting for the assistance of municipal statute. They afterward enacted such statutes for their own convenience and as an attestation of their good faith toward other nations; and on special occasions where defects were perceived in such cases we enacted new ones to meet the case, not deeming that such legislation was derogatory to our public dignity, but on the contrary conceiving that in so doing we best consulted the highest dictates of national dignity, self-respect and public honor, and if Great Britain had so understood her national duty on this occasion she would have done much to save the countries from the present controversy and all its possible consequences. Once before in its intercourse with the United States the Queen's government had fallen into the error of assuming that municipal laws constitute the measure of international rights and obligations. That is to say, when official agents of the British government attempted to enlist military recruits in the central counties of Prussia, the United States and elsewhere for service against Russia, on the hypothesis that if the prohibitions of municipal law could be evaded that would suffice, overlooking the paramount considerations of the respect due to the sovereign rights of the neutral Power, so on the present occasion the Queen's Ministers seem to have committed the error of assuming that they needed not to look beyond their own local laws, executed for their own domestic convenience, and might under cover of the deficiencies of that law disregard their sovereign duties toward another sovereign Power.

Nor was it in our judgment any adequate excuse for the Queen's Ministers, who profess extreme tenderness of private rights, or apprehension of actions for damages in case of any attempt to arrest the many ships which either in England or Scotland were with ostentation publicly being constructed to cruise against the United States. Surely that was an imaginary difficulty, or if a real one it presented the election between a serious complication of relations with the United States and the hazard of a legal conflict with John Laird and Charles Kuhn Prioleau. But the government of the United States has never been able to see the force of this alleged difficulty. The common law of England is the common law of the United States. In both countries, and certainly in England, revenue seizures are made daily and ships prevented from going to sea on much less cause of suspicion than attached to the suspected ship of the Confederates. In both countries, and not less in England, the previous order of the government for its subsequent approval covers the acts of the subordinate officers. In both countries, or if not in England assuredly in the United States, under municipal laws, in this behalf substantially the same, the government finds no difficulty in arresting ships charged with actual or intended violations of the sovereign rights or neutral duties of the States. Signal examples of this occur in the history of the United States. Thus, during the great war between Great Britain and Russia, on complaints with affidavits filed by the British Consul at New York charging that the bark Maury was being equipped there as a belligerent cruiser, on this (and far less evidence than the American Consul at Liverpool exhibited against the Alabama), the bark Maury was arrested within an hour by telegraphic order from Washington. Other examples of the decision and promptitude in maintenance of sovereign rights and in discharge of the neutral duties of the United States have occurred, as is well known, under both the last and the present administrations; nay, at every period in our history the government of the United States has not been content with preventing the departure of ships fitted out in violation of neutrality, and with putting a stop to military recruitments and expeditions of the same nature, but has further manifested its good faith in its respect for its own sovereignty and laws by prosecuting criminally the guilty parties. Examples of this occur in the early stages of the war of the French revolution; on the occasion of the insurrection of the Spanish-American Continental provinces, and of the revolutionary movements in the Spanish-American republics, and on various other occasions, including the existing insurrection in Cuba. But although such acts of violation of law were frequent in Great Britain and susceptible of complete technical proof, notoriously flaunted directly in the face of the world, varnished over, if at all, with the shallowest pretexts of deception, yet no efficient step appears to have been taken by the British government to enforce the execution of its municipal laws or to vindicate the majesty of its outraged sovereign power, and the government of the United States cannot believe it would conceive itself wanting in respect for Great Britain to impute that the Queen's Ministers are so much hampered by judicial difficulties that the local administration is thus reduced to such a state of legal impotence as to deprive the government of capacity to uphold its sovereignty against local wrongdoers, or its neutrality as regards other sovereign Powers. If, indeed, it were so the causes of reclamation on the part of the United States would only be the more positive and sure, for the law of nations assumes that each government is capable of discharging its international obligations; and, perchance, if it be not, then the absence of such capability is itself a specific ground of responsibility for consequences. But the Queen's government would not be content to admit, nor will the government of the United States presume to impute to it such political organization of the British empire as to imply any want of legal ability on its part to discharge in the amplest manner all its duties of sovereignty and amity towards other Powers.

It remains only in this relation to refer to one other point, namely, the question of negligence. Neglect on the part of officers of the British government, whether superior or subordinate, to detain Confederate cruisers, and especially the Alabama, the most successful of the depredators on the commerce of the United States, on this point the President conceives that little needs now to be said for various cogent reasons. First, the matter has been exhaustively discussed already by the Department or by the successive American Ministers. If the question of negligence be discussed with frankness, it must be treated in this instance as a case of extreme negligence, which Sir William Jones has taught us to regard as equivalent or approximate to evil intention. The question of negligence, therefore, cannot be presented without danger of thought or language disrespectful towards the Queen's ministers and the President, while purposing, of course, on his sense of duty, requires to sustain the rights of the United States in all their utmost amplitude; yet intends to speak and act in relation to Great Britain in the same spirit of international respect which he expects of her in relation to the United States; and he is sincerely desirous that all discussions between the governments may be so conducted as not only to prevent any aggravation of existing difficulties, but to lead to such reasonable and amicable determination as best becomes two great nations of common origin and conscious dignity and strength. I assume, therefore, pretermitting detailed discussion in this respect that the negligence of the officers of the British government, in the matter of the Alabama, at least was gross and inexcusable, and such as indisputably to devolve on that government full responsibility for all the depredations committed by her. Indeed this conclusion seems, in effect, to be conceded in Great Britain. At all events the United States conceive that the proofs of responsible negligence in the matter are so clear that no room remains for debate on that point, and that it should be taken for granted in all future negotiations with Great Britain. It is impossible not to compare and contrast the conduct of the States generally, as regards Great Britain. On the occasion of the revolt of the British colonies with that of Great Britain, as regards the insurrection in the Southern States, no fleets were fitted out by America in the ports of the Netherlands to prey on the commerce of Great Britain. Only in a single instance did American cruisers have temporary harborage in Texel. Year after year the exports of munitions of war for the Netherlands were forbidden by the States General, the more completely to fulfil the duty of amity and neutrality towards Great Britain. But, nevertheless, Great Britain treated a declaration of neutrality by the States General, and the observance of that declaration as a sufficient cause of war against the Netherlands, prior to which the British government continually complained of the occasional supplies derived by the colonies from the island St. Eustatius. How light in this respect would have been the burdens of the United States during the late insurrection if British aid had been confined to a contraband commerce between the insurgents and the port of Nassau. Not such is the complaint of the United States against Great Britain. We complain that the insurrection in the Southern States, if it did not exist, was continued and obtained its enduring vitality by means of the resources it drew from Great Britain. We complain that by reason of the imperfect discharge of its neutral duties on the part of the Queen's government Great Britain became the military, naval and financial basis of the insurgent warfare against the United States. We complain of the destruction of our merchant marine by British ships, manned by British seamen, armed with British guns, despatched from British dockyards, sheltered and harbored in British ports. We complain that by reason of the policy and acts of the Queen's Ministers injury incalculable was inflicted on the United States.

Nevertheless the United States manfully and resolutely encountered all the great perils and difficulties of the situation, foreign and domestic, and overcame them. We endured with proud patience the manifestation of hostility there, where we had expected friendship in England, the protagonist of the abolition of negro servitude, in order to perpetuate which the Southern States had seceded from the Union. We entered on a great war, involving sea and land; we marched to the field with hundreds of thousands of soldiers and expended thousands of millions in treasure for their support; we lavished the blood of our bravest and best in battle as if it were but water; we submitted to all privation without a murmur; we staked our lives, our fortunes and our honor on the issue of the combat, and, by the blessing of God, we came out of the deadly struggle victorious, and, with courage proved, strength unimpaired, power augmented and our place fixed among the nations second to none, we may without presumption say in the civilized world. Providence had smiled on our sacrifice and our exertions, and in the hour of supreme trial we felt that while mindful of good will shown us by friendly Powers in the hour of trial, we could afford to account in moderation with others which, like Great Britain, had, as we thought, speculated improvidently and to their own discomfiture on the unexpected dismemberment and downfall of the great American republic. As to Great Britain we had special and peculiar causes of grief. She had prematurely, as we deemed it, and without adequate reason, awarded the status of belligerency to our insurgents. But the act of itself and by its incoherent nature was of neutral color and an act which, however we might condemn it in the particular case, we could not deny to be of the competency of a soverign State. Other European governments also recognized the belligerency of the insurgents, but Great Britain alone had translated a measure indefinite of itself into one of definite wrong to the United States as evinced by the constant and efficient aid in ships and munitions of war which she furnished to the Confederates, and in the permission or negligence which enabled Confederate cruisers from her ports to prey on the commerce of the United States. Great Britain alone had founded on that recognition a systematic maritime war against the United States, and this to effect the establishment of a slave government, as to which Mr. Bright might well say, "We supply the ships, we supply the arms, the munitions of war. We gave aid and comfort to the foulest of crimes. Englishmen only do it."

Thus, what in France, in Spain, as their subsequent conduct showed, had been an untimely and ill-judged act of political manifestation, had in England, as her subsequent conduct showed, been a virtual act of war. We reflected that the Confederates had no ships, no means of building ships, no mechanical appliance, no marine, no legal status on the sea, no open seaports, no possible courts of prize, no domestic command of the instruments and agencies of modern maritime warfare. We asked ourselves, "What would the Queen's government have said if the United States had awarded the rights of belligerency to insurgents in India or in Ireland in the same circumstances—that is, on the occurrence of a single act of rebel hostility—and had bestowed upon them their only means of maritime as well as territorial warfare against Great Britain?"

In truth, while in the hour of their great triumph, the United States were thankfully inclined to sentiments of moderation, both at home and abroad, for at home no man has suffered death for political causes. We were thus more inclined to moderation, especially as regards Great Britain, in view of the enormity of the wrongs we had sustained, and the consequent difficulty of measuring the reparation due, even if sincerely proffered by the Queen's government. We desired no war with England. We shrink from the thought of another lustrum of fratricidal carnage like that through which we had just passed, with no change in the conditions of war, but the substitution on the one side of misguided Englishmen in place of misguided Americans. We preferred, if possible, to find some satisfaction of our great grievance by peaceful means, consistent alike with the honor of Great Britain and of the United States. The influence of this condition of mind is apparent in all the discussions of the subject by or under the instruction of this department during the preceding administrations of the government. It resulted in earnest efforts on our part to determine the controversy by arbitration in the interest of peace and of international good will, which efforts, if promptly met by the Queen's Minister in the spirit in which they were made would long since have removed the present controversy from the field of diplomacy and effectually harmonized the relations of the United States with Great Britain.

But the amicable advances of the United States to dispose of the question by arbitration were at the start, and persistently long afterward, met by Lord Russell, in the name of the Queen's government, with subtleties of reservation and exception, the effect of which would have been, instead of closing up the controversy, to leave us in a condition worse than before and more perilous to the cause of peace. The government of the United States has never been able to appreciate the force of the reasons alleged in support of such reservation and exceptions. When one Power demands of another the redress of alleged wrongs, and the latter entertains the idea of arbitration as the means of settling the question, it seems irrational to insist that the arbitration shall be a qualified and limited one through apprehensions lest, peradventure, there might thus be implication that such wrongs had been committed by intention, and that such implication would be injurious to the honor of the wrong doing government. On these premises arbitration may be the means of adjusting immaterial national wrongs but not material ones; that is to say, if the grievances be serious the two nations must of necessity go to war, while neither desires it, which would be an absurd conclusion. Lord Stanley and Lord Clarendon appear to have seen this and therefore to have regarded the particular question with more correct estimations of its incidents than Lord Russell, and thereupon to have admitted as theory comprehensive arbitration concerning all questions between the governments. But the convention which in this view was negotiated by the Earl of Clarendon and Mr. Reverdy Johnson did not prove satisfactory to the Senate of the United States. It is well known to the government of Great Britain that the President and the Senate of the United States are distinct powers of the government, associated in the conclusion of treaties and in the appointment of public officers, but not dependent one on the other, nor of necessity entertaining the same opinion on public questions. Each act in appropriate convictions of duty and of right, and the Senate has the same absolute power to reject a treaty as the President has to negotiate one. Of course, it is not necessarily incumbent on the President to express approval or disapproval of an act of the Senate; but the President deems it due to the Senate, to himself and to the subject, to declare that he concurs with the Senate in disapproving of that convention. His own particular reasons for this conclusion are sufficiently apparent in this despatch. In addition to these general reasons, he thinks the provisions of the convention were inadequate to provide reparation for the United States in the manner and to the degree to which he considers the United States entitled to redress. Other and special reasons for the same conclusions have been explained in a previous despatch, such, namely, as the time and circumstances of the negotiation, the complex character of the proposed arbitration, its chance agency and results, and its failure to determine any principle or otherwise to fix on a stable foundation the relations of two governments.

The President is not yet prepared to pronounce on the question of the indemnities which he thinks were due by Great Britain to individual citizens of the United States for the destruction of their property by rebel cruisers fitted out in the ports of Great Britain, nor is he now prepared to speak of the reparation which he thinks due by the British government for the longer account of the vast national injuries it has inflicted on the United States; nor does he attempt now to measure the relative effect of the various causes of injury, and whether, by the untimely recognition of belligerency, by suffering the fitting out of rebel cruisers, or by the supply of ships, arms and munitions of war to the confederates or otherwise, in whatever manner; nor does it fall within the scope of this despatch to discuss the important changes in the rules of public law, the desirableness of which has been demonstrated by the incidents of the last few years, now under consideration, and which in view of the maritime prominence of Great Britain and the United States it would befit them to mature and propose to the other States of Christendom. All these are subjects of future consideration, which, when the time for action shall arrive the President will consider with sincere and earnest desire that all the differences between the two nations may be adjusted amicably and compatibly with the honor of each and to the promotion of future concord between them, to which end he will spare no efforts within the range of his supreme duty to the right and interest of the United States. At the present stage of controversy the sole object of the President is to state the position and maintain the attitude of the United States in the various relations and aspects of this grave controversy with Great Britain.

It is the object of this paper, which you are at liberty to read to Lord Clarendon, to state calmly and dispassionately, and with a more unreserved freedom than might be used in one addressed directly to the Queen's government, what this government seriously considers the injuries it has suffered. It is not written in the nature of a claim, for the United States now makes no demands against her Majesty's government on account of the injuries they feel that they have sustained. Although the United States are anxious for a settlement on a liberal and comprehensive basis of all the questions which now interfere with the cordial relations which they desire to exist between the two governments, they do not now propose or desire to set any time for this settlement. On the contrary, they prefer to leave that question, and also the more important questions of the means and method of removing the causes of complaint, of restoring the much desired relations of perfect cordiality and the preventing of the probability of like questions in the future to the consideration of her Majesty's government. They will, however, be ready whenever her Majesty's government shall think the proper time has come for a renewal of negotiations to entertain any proposition which that government shall think proper to present and to apply to such propositions their earnest and sincere wishes and endeavors for a solution honorable and satisfactory to both countries.

I am, sir, your obedient servant,

HAMILTON FISH.

Mr. Fish to Mr. Motley.

[Extract.]

DEPARTMENT OF STATE, WASHINGTON, Sept. 25, 1869.

SIR—It is probable that his Lordship Lord Clarendon may be disposed to discuss the questions at issue referred to in those instructions. Should that be the case, or should the opportunity be offered in any other way, you will say to him, as previously instructed, that the President hopes that her Majesty's government will be willing to conduct the discussion at Washington, where any propositions they have to make, and any views they have to offer will be received and carefully considered by the President with a purpose to reach an amicable adjustment, if her Majesty's government are disposed to meet this government in a fair spirit and to lend a just ear to the statement of the grievances of which the government and citizens of the United States complain.

I am, sir, your obedient servant,

HAMILTON FISH.

To JOHN LOTHROP MOTLEY, Esq.

Mr. Motley to Mr. Fish.

[No. 122.]

LEGATION OF THE UNITED STATES, LONDON, Oct. 16, 1869.

SIR—Referring to my No. 119, of the 12th inst., I have now to inform you that I had an interview at the Foreign Office, by appointment, yesterday, with her Majesty's principal Secretary of State for Foreign affairs. I said to him that I had received from the United States Secretary of State a few days ago a long despatch containing a calm, serious and deliberate statement of the position maintained by the United States the main questions at issue between the two nations, together with a review of the causes and chief incidents of the controversy, and that I was at liberty to read the despatch to him if he was inclined to hear it. Lord Clarendon signifying his desire to do so, I read the paper through, no comments being made by either of us during the reading. When I had finished, his Lordship, who had listened throughout with profound attention, observed that he could naturally not trust his memory sufficiently to retain the scope and topics of so long and important a despatch after hearing it once read so as to be able to discuss them. He asked if I was authorized to furnish him with a copy of it. I replied in the affirmative, and asked him to address a line to me, officially making that request. This he promised to do at once. I then said that it was not desired by me to enter into a general discussion of the subject, as I was instructed to express the hope of the President that her Majesty's government would be willing to conduct the discussion hereafter at Washington. I assured him that any proposition they have to make, and any views they have to offer there, would be received and carefully considered by the President with a purpose to reach an amicable adjustment, if her Majesty's government were disposed to meet the United States in a fair spirit and to lend a just ear to the statement of the grievances of which the government and the citizens of the United States complain. His Lordship said that he had listened attentively to the despatch, but that it would be necessary for him to read and ponder it well, and to confer with his colleagues before discussing the subject at all, and before arriving at a decision on the proposal that the negotiations when reopened should be conducted at Washington. This terminated our official conversation. It is my duty to state that nothing could be more frank and conciliatory than his Lordship's manner, nor more earnest than his assurances of the desire of Her Majesty's government for cordial and peaceful relations with the United States.

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

JOHN L. MOTLEY.

Hon. HAMILTON FISH, Secretary of State, Washington, D. C.

Mr. Motley to Mr. Fish.

[No. 125.]

LEGATION OF THE UNITED STATES, LONDON, Oct. 19, 1869.

SIR—I beg to forward herewith copies of a note addressed to me by Lord Clarendon on the 15th inst., requesting a copy of your despatch No. 70, read by me to him on that day, and of my reply of the 16th of October, furnishing the said copy.

I have the honor to be, &c.,

JOHN L. MOTLEY.

To Hon. HAMILTON FISH, &c.

Lord Clarendon to Mr. Motley.

FOREIGN OFFICE, Oct. 15, 1869.

SIR—As I am apprehensive that in reporting from memory to my colleagues I might not do justice to the long and important despatch which you read to me this afternoon I should be much obliged to you if you would have the goodness to furnish me with a copy of it.

I have the honor to be, with the highest consideration, your obedient, humble servant

CLARENDON.

To J. L. MOTLEY, Esq., &c., &c.

Mr. Motley to Lord Clarendon.

LEGATION OF THE UNITED STATES, LONDON, Oct. 16, 1869.

MY LORD—I have the honor to transmit herewith, in compliance with the request contained in your note of the 15th inst., a copy of the despatch from the Secretary of State of the United States, which I read to your Lordship yesterday.

Renewing the assurance of my highest consideration, I have the honor to be, my Lord, your Lordship's most obedient servant,

JOHN LATHROP MOTLEY.

To the Right Honorable the EARL OF CLARENDON.

Lord Clarendon to Mr. Thornton.

FOREIGN OFFICE, LONDON, Nov. 6, 1869.

SIR—Mr. Motley called upon me at the Foreign Office on Tuesday, the 15th of October, and read to me a despatch from Mr. Fish on the Alabama claims. When he had concluded I said, although I had not interposed any observations, and should not then, in compliance with the wish he had expressed, enter into any discussion on the subject, yet I hoped that my silence would not be considered to indicate that the despatch did not admit of a complete reply. I requested that he would have the goodness to give me a copy of the despatch, as I could not understand from memory accurately to report to my colleagues the contents of the long and important document he had just rapidly read to me. Mr. Motley agreed to do so if I would ask him for it officially, and I accordingly addressed to him the same afternoon the letter of which I enclose a copy, and received from him on the afternoon of the 18th inst. a copy of Mr. Fish's despatch, of which I now also enclose to you a copy. This despatch, as you will see, recapitulates at great length the causes of dissatisfaction which the government of the United States considers itself entitled to feel with the conduct of the British government during the late civil war; but it does not make any proposition as to the manner in which that dissatisfaction may be removed or offer any solution of the difficulty. On the contrary, Mr. Fish distinctly says that the President is not yet prepared to pronounce upon the question of indemnity which he thinks due by Great Britain to the individual citizens of the United States for the destruction of their property by the rebel cruisers fitted out in the ports of Great Britain; neither is he prepared to speak of the reparation which he thinks due by the British government for the larger account of the vast national injuries it has inflicted on the United States; neither does he attempt now to measure the relative causes of injury, as whether by untimely recognition of belligerency, by the suffering of the fitting out of rebel cruisers, or by the supply of ships, arms and munitions of war to the confederates or otherwise; neither does it fall within the scope of his despatch to discuss the important changes in the rules of public law, the desirableness of which had been demonstrated by the incidents of the last few years now under consideration, and which, in view of the maritime prominence of Great Britain and the United States, it would befit them to mature and propose to the other States of Christendom.

All these subjects the President, Mr. Fish says, will be prepared to consider hereafter, with a sincere and earnest desire that all differences between the two nations may be adjusted amicably and compatibly with the honor of each, and by the promotion of future concord between them, to which end he will spare no effort within the range of his supreme duty to the right and interest of the United States. The objects of his despatch, Mr. Fish goes on to say, is to state calmly and dispassionately what the government of the United States seriously consider to be the injuries it has suffered. It is not written in the nature of a claim, for the United States now make no demand against her Majesty's government on account of the injuries they feel they have sustained. Although the United States are anxious for a settlement on a liberal and comprehensive basis of all the questions which now interfere with the entirely cordial relations which they desire should exist between the two governments, yet they do not now propose or desire to fix any time for the settlement. They prefer to leave that and the more important questions of the means and the method of removing the causes of complaint, of restoring the much desired relations of perfect cordiality and the prevention of like questions in future to the consideration of her Majesty's government; but they will be ready whenever her Majesty's government shall think the proper time has come for renewed negotiations to entertain any propositions which that government shall think proper to present, and to apply to such propositions their earnest, sincere wishes and endeavors for a solution honorable and satisfactory to both countries.

I have recited at length the concluding passages of Mr. Fish's despatch, because they express many sentiments which her Majesty's government most cordially and sincerely reciprocate. The government of her Majesty, equally with the government of the United States, earnestly desires that all differences between the two nations may be adjusted amicably and compatibly with the honor of each, and that all causes of future difference between them may be prevented, and they would heartily co-operate with the government of the United States, and in laying down as between themselves and recommending for adoption by other maritime nations such principles of maritime law as might obviate the recurrence of similar causes of differences between them; and it is because they earnestly desire to hasten the period at which these important objects may be accomplished that her Majesty's government have determined not to follow Mr. Fish through the long recapitulation of the various points that have been discussed, the voluminous correspondence that has taken place between the two governments for several years. Her Majesty's government had, indeed, hoped that by the conventions which under the instructions to his government and with their full and deliberate concurrences, Mr. Reverdy Johnson signed with me on the 14th of January of the present year, all correspondence between the two governments had been brought to an end, and that all matters in dispute would be referred for a settlement to a dispassionate tribunal. With a view to that result, her Majesty's government had in some degree departed from their deliberate convictions and declared resolves. They agreed to the mode of settlement proposed by the United States government, which was more than once in the course of that negotiation modified to meet the wishes of that government; but they did so willingly, because they thought the restoration of a good understanding between Great Britain and the United States might well be purchased by concessions kept within bounds and not inconsistent with the honor of this country.

Her Majesty's government learned with deep concern that the Senate of the United States, in the exercise of the power unquestionably conferred upon it by the constitution, repudiated the acts of the government under whose authority the convention was concluded, and by rejecting it had left open the whole controversy between the two countries, and had indefinitely prolonged the uncertainty attendant upon such a state of things. Her Majesty's government regret no less sincerely that the President of the United States concurs with the Senate in disapproving that treaty; but their regret would in some degree be diminished if Mr. Fish had been authorized to indicate some other means of adjusting the questions between the two countries, which, as long as they remain open, cannot be favorable to a cordial good understanding between them. This, however, Mr. Fish has not been empowered to do, but he expresses the readiness of the President to consider any proposition eminating from this country. It is obvious, however, and Mr. Fish will, probably, on reflection, admit, that her Majesty's government cannot make any new proposition or run the risk of another unsuccessful negotiation until they have information more clearly than that which is contained in Mr. Fish's despatch respecting the basis upon which the government would be disposed to negotiate.

But her Majesty's government fully agree with Mr. Fish in considering that it would be desirable to turn the difficulties which have arisen between the two governments to good account by making the solution of them subservient to the adoption, as between themselves in the first instance, of such changes in the rules of public law as may prevent the recurrence between nations that may concur in them of similar difficulties hereafter. You may assure Mr. Fish that her Majesty's government will be ready to co-operate with the government of the United States for so salutary a result, which would redound to the mutual honor of both countries, and, if accepted by other maritime nations, have an important influence towards maintaining the peace of the world. You will read this despatch to Mr. Fish, and give him a copy of it if he should desire to have one. I am,

CLARENDON.

EDWARD THORNTON, Esq., &c.

OBITUARY.

Mariano Manzocchi.

This distinguished composer, maestro and professor of music, who has been for many years identified with the progress of the divine art in this city, died recently at his residence in Thirty-fifth street. He was born in the year 1824 at Naples, and at an early age gave evidence of rare musical ability. He studied music under Donizetti and Mercadante, and was one of the most eminent *élèves* of the conservatoire of his native city. He produced two grand operas at the San Carlos with such great success that he was sent for by the director of the Royal Italian opera at Madrid for the purpose of bringing out the same works before the Spanish public. Thirteen years ago he came to this country and established himself in New York as one of the leading masters in singing. His pupils were very numerous, and some of them gained the highest positions on the operatic and concert stage. Among them we may mention Adelina Patti, Madame Cora de Wolhorst, Laura Harris, Mlle. Sconcia, Madame Hermann, Signor Bignardi and some of the first amateurs of this city. His system of teaching was considered to be without a superior, as may be seen from the results exemplified in the above instances. As he died quite suddenly, leaving his family without being able to make adequate provision for them, there is an excellent opportunity now for his late pupils in this city, and all besides who have the interests of music at heart, to testify their gratitude to him and their appreciation of the art in whose cause he so long and faithfully labored by assisting in a grand benefit concert, which is in contemplation at an early date, at Steinway Hall.

CUSTOM HOUSE ODDS AND ENDS.

Sale of Unclaimed Goods at the Public Stores.

A large amount of goods remaining unclaimed in the Custom House public stores were sold at public auction yesterday by John H. Draper, auctioneer. The catalogue embraced every variety of article, from an iron pot to a locomotive, and as many of the lots were sold by the marks upon them, the buyers were at times in doubt as to what they bought. Some of the prices were considerably ahead of the valuation of the appraiser, and again others sold much lower, but on a general average the prices were considered good. Twenty-seven barrels of soda, valued at $150, were knocked down for $80. Four casks of white porcelain, valued at $60, sold for $255. One cask of twine sold for $102 50, whereas the valuation was only ten dollars. One lot, called a box of samples, but of what no one knew, was put up, and, although it was marked no value, it seemed to acquire much importance. The price went up very rapidly and it finally sold for fifteen dollars. Several boxes and trunks of personal effects, valued from one to five dollars, were bid upon and in each instance brought from ten to twenty dollars. The buyers evidently thought they were getting a prize, but it is not difficult to foretell their mistake. Two bales of rugs, valued at sixty dollars each, were bid upon by almost everybody present, and brought respectively $400 and $575. If the bales were large and the rugs of fine manufacture they might be worth this price, but considering that no one had seen what they were buying, it is possible the bargain will not be such a great one. All sorts of articles sold for all sorts of prices, and the oddity of many of them caused much amusement.

COMMISSIONERS OF EMIGRATION.

Arrival of Emigrants—Christmas on Ward's Island.

A stated semi-monthly meeting of the Board of Commissioners of Emigration was to have been held yesterday afternoon, but at the time for which the meeting was called there were but three members present—Messrs. Winston, Loutrell and Kapp.

The semi-monthly statement of the Commissioners was presented. The statement showed as follows:—

Number of emigrants arrived to Dec. 15	254,422
Arrived since December 22	1,027
Total to date	255,449
To same date in 1868	210,868
Increase during the present year	44,581
Cash account in bank January 1, 1869	$8,041
Received since to date	818,469
Total receipts	$826,510
Disbursements to December 15	535,508
Balance to the credit of the Commissioners	$291,002

Commissioner Kapp requested the secretary (Mr. Casserly) to notify the Commissioners that on Saturday next (Christmas) there would be a distribution of toys, &c., to the children on Ward's Island at ten A. M., and a grand Christmas dinner given to the inmates of the Refuge.

There not being a quorum present it was suggested that the treasurer obtain the requisite signatures to all the warrants, after which the meeting adjourned.

SINGULAR DEATH OF A THIEF.—The *Sunday Chronicle* yesterday made mention of the fact that the body of a colored man had been discovered hanging in an unoccupied building in the First ward, on G street, between Seventeenth and Eighteenth streets, and removed to the First ward station house to await an inquest by the Coroner, who had been notified of the discovery. Yesterday morning Dr. Potter called at the station house and held an inquest over the body. The testimony of several policemen given before the Coroner's jury elicited the fact that the remains were those of a notorious burglar and sneak thief named James Dikes, and better known in police circles as Slim Jim, aged about twenty-one years. After hearing the evidence of several witnesses, the jury returned a verdict to the effect that deceased came to his death from asphyxia, or suffocation, while attempting to rob the premises situated at No. 1,794 G street northwest, of its gas fixtures. From the manner and position of the body when found it is supposed that the thief entered the premises on Thursday night last, and, after having cut loose some leaden pipe in the bathroom, attempted to obtain access to the room below without passing down stairs. The flooring of the bathroom contained a small aperture, through which he undoubtedly attempted to descend to the floor below. He had succeeded in passing his body through the same, but was unable to pass his chest, and, from compression by the flooring therewith, he was slowly suffocated to death. The man had been several times arrested for robbing unoccupied houses, and was a notorious and desperate character.—*Washington Chronicle, Dec. 20.*