THE BRITISH COUNTER CASE.

Specific Features as Presented to the Geneva Tribunal.

The Vessels to Which the American Claims Refer.

ENGLAND'S POSITION STATED

The Duties and the Responsibilities of Neutrals.

THE MEASURE OF COMPENSATION

A Review of the Indictment Presented by the United States Against England.

The steamship City of London, which arrived at this port yesterday evening, brought us mails up to April 18. The counter case of England on the Alabama claims, which was published on the preceding day, arrived by this mail, and the following is substantially the paper forwarded to Geneva by the British government:—

The counter case of the British government has been printed by the Foreign office. It contains 142 folio pages, with an annex of fourteen pages of notes. It commences as follows:—

The government of Her Britanic Majesty now presents to the tribunal of arbitration its counter case, or reply to the case submitted on the part of the United States, so far as a reply appears to be necessary or admissible. To the second chapter of the American case, which imputes to the British government hostile motives, and even insincere neutrality, no reply whatever will be offered in this counter case. The British government distinctly refuses to enter upon the discussion of these charges. First, because it would be inconsistent with the self-respect which every government is bound to feel; secondly, because the matter in dispute is action and not motive, and, therefore, the discussion is irrelevant; thirdly, because to reply, and to enter upon a retrospective exposition, must tend to inflame the controversy which, in the whole tone and tenor of its case, the British government has shown its desire to appease; and lastly, with respect to the charges themselves, if they were of any weight or value, the British government would still contend that the proper reply to them was to be found in the proof which it has supplied that its proceedings have throughout, in all points, been governed by a desire, not only to fulfil all clear international duties toward the government of the United States, but likewise, when an opportunity was offered, even to go beyond what could have been demanded of it as of right, in order to obviate all possibility of a valid complaint in its conduct. Neither will this counter case contain any reference whatever to the subject of indirect losses. Her Majesty's government is engaged in a correspondence with the government of the United States on this subject, pending which the counter case is presented, without prejudice to the position assumed by Her Majesty in that correspondence, and under the reservations more particularly stated in a note accompanying it, which will be, at the same time, delivered to the arbitrators.

With regard to the argument of the government of the United States our government says:—

The positions contended for by the United States are in substance as follows:—1. The municipal laws of Great Britain and the administrative acts of her government are to be regarded as defining as against her her conception of her international duties. What these laws or acts prohibit she must be assumed to regard as prohibited by the law of nations, and by that standard she must be tried. In short, where her conception of international duty, thus measured, appears to fall short of the common standard, it is to be disregarded; in every other case it is to be assumed as the measure of what she owes to other nations, though not as the measure of what other nations owe to her. 2. Independently of this theory, Great Britain is under an international obligation to execute her municipal laws and enforce her proclamations and ordinances where they are for the advantage of other nations. 3. In the performance of these duties Great Britain is bound to use "due diligence," by which is meant an exercise of active vigilance and an effectual use of all the means within the power of the government. 4. Failing to use this due diligence, Great Britain is bound to make compensation for any injury resulting from such failure. It is necessary to state these positions clearly, because they are expressed with some vagueness in the case of the United States. Such, then, is the general measure of neutral duties which the government of the United States has adopted, and endeavors to persuade the arbitrators to adopt, in support of its claims against Great Britain. To state the first of this series of positions is to confute it. If it were a true assumption that the municipal laws of a State, where they prohibit acts which may affect the security or interest of other States, must have been founded, not on considerations of policy and expediency, but on conceptions of international obligation, it would nevertheless be impossible to contend, with any show of reason, that by these conceptions, and not by the general rules of the law of nations, the State was to be judged in any international controversies in which it might become engaged. Such a rule, it is evident, would produce the most fantastic consequences. In place of a common and equal standard of obligation we should then have a variegated and unequal one, varying with the nations to which it was applied and with the notions of duty which they might from time to time entertain. It would be as reasonable to contend that a question between private litigants ought to be decided, not by what the law, but by what the defendant had supposed to be the law, provided that the plaintiff could show that the difference was in his own favor.

Her Britannic Majesty's government then proceeds to remark upon that part of the case of the United States in which the government of the United States has explained and endeavoured to support its view of the extent of the duties of a neutral Power. It says:—

The British government deems it right here to observe that the questions submitted to the tribunal are not of an abstract or speculative character. The arbitrators have not to consider and determine what rules might with advantage be laid down for the regulation of the conduct of neutral Powers during war; what, under such rules, would have been the duty of Great Britain, or whether Great Britain acted in accordance with that standard of duty. They have to deal with facts. Injuries are alleged to have been inflicted by Great Britain and sustained by the United States. Reparation is claimed for those injuries. There can be no injury without some violation of a duty actually existing at the time. The arbitrators, before they decide against Great Britain, must be satisfied that there was such a violation of duty. They must be satisfied, therefore, in the first place, that the alleged duty really existed. They must be satisfied, further, that the violation, if any, was such that a reparation may justly be awarded for it in money—that is, that it was the direct cause of some substantial and appreciable loss to the party claiming reparation. The British government believes that the arbitrators would search in vain in text books of acknowledged authority anterior to the civil war, and in the general practice of maritime nations, for any proof or acknowledgment of a duty incumbent on neutral governments to prevent their citizens or subjects from supplying belligerents with ships adapted for warlike use. They would find it, indeed, asserted, on the one hand, that among the duties of a neutral government is that of preventing hostile expeditions in aid of either belligerent from being organized within and despatched from its territory. They would not, on the other hand, find the sale or delivery to a belligerent by a citizen or subject of the neutral of a vessel adapted for war classed among the acts which if not prevented by government, it would be bound to prevent. Nor would they find any distinction drawn in this respect between the sale and delivery of a vessel built to order and that of a vessel not built to order. It is true beyond controversy that at the time when the events occurred out of which the claims of the United States have arisen, the sale and delivery of a vessel adapted for war in a neutral port to a belligerent, and the mere construction of such a vessel to the order and for the use of a belligerent, had not been declared by any authority to be acts which the neutral government was under an obligation to prevent, or which violated any neutral duty. And it must never be forgotten that the obligations of international law are such as have been received and acknowledged by the general consent of nations. No private opinions or theoretical developments of the principles on which they are supposed to rest can ever constitute new international obligations or enlarge the old. Such they have been themselves generally acknowledged and received. It would seem, indeed, to be inconsistent with neutrality for a neutral Power to introduce or adopt during war innovations on these subjects to the prejudice of either belligerent.

Upon the question of precedent appealed to by the United States government the answer of the British government is clear, and it shows that in 1793-4 privateers for cruising under the French flag were repeatedly fitted out in the American ports against Great Britain, and that all restitution was refused by the treaty of 1794. Several other precedents are referred to to show that the government of the United States had refused to accept any such responsibility as the present government of that country now attempt to fix upon the government of the British empire. The conduct of the American government with respect to the filibustering expeditions of General Walker in Nicaragua is also referred to, as well as the loss and injury caused by the Fenian raids on Canada and the expeditions in aid of the Cuban insurrection. This portion of the case concludes as follows:—

Finally, her Majesty's Government cannot forbear to remark that the history of this subject is from first to last a history of unlawful enterprise originated either in the United States, or by citizens of the United States in other countries. Great Britain, Spain, Portugal, Mexico, the Central American Republics, Cuba and Canada have from time to time been harrassed by privateers fitted out in the ports of the Union, or hostile expeditions organized and assembled with in its territory. And when, in 1861, civil war broke out within the Union itself, it was for American citizens that the plan was formed to abuse, for the more effectual prosecution of that war, the soil and the waters of a neutral and friendly nation. Baffled, in the great majority of cases, by the restraints of the law, and the watchfulness of the Executive, they contrived, in a very few, to elude those restraints. They procured ships, transported them to distant seas, armed and manned them there, and employed them in cruising against their countrymen, not indeed for the sake of plunder or profit, but to assist the people of their own States in a struggle for independence. The Southern States have returned to their allegiance. They have been treated with clemency, and no attempt has been made to exact from them, by fines or forfeitures, pecuniary reparation for the losses which the government and the rest of the people of the United States have sustained through their means. The acts which they directed and authorized, when in arms against the Union, are now, on behalf of the nation of which they form an important part, made the subject of complaints and demands against Great Britain. Her Majesty's government has been ready and willing to give the United States all reasonable satisfaction by submitting the question to the award of an impartial tribunal. But it is surely no unjust observation that, if ever there was a case in which a Power, deeming itself aggrieved, might have been expected to state its complaints with moderation and to make ample allowance for administrative difficulties and unavoidable deficiencies of proof, that occasion is the present and that Power is the United States.

With regard to the purchases of arms and *materiel*, it is shown that by far the larger proportion of such purchases in England were made by or on behalf of the federal government. The history of each of the ships in respect of which claims are made is gone into at considerable length, and there is a full analysis of the action of this country as to its reception of Confederate cruisers, as well as a fair setting forth of the action of other States in this respect. In the recapitulation of the argument for Great Britain the government says:—

Her Majesty's government has deemed it convenient, both in the case which it has previously presented and in this counter case, to place before the arbitrators as clearly as possible the nature and general limits of the questions which they are about to decide. The comparatively novel character of these questions, the importance of them, the number and variety of the facts which may be supposed to bear on them, appeared to make this course not only convenient but necessary; and the necessity has been enhanced by a circumstance peculiar to this controversy. The war which commenced in April, 1861, and ended in May, 1865, was a civil war; and it was hard, even for a government which had again and again proclaimed itself neutral in similar contests occurring elsewhere, to reconcile itself to the assumption, in its own case, of the same attitude by other nations. Every occasion on which that neutrality had to be practically asserted was painful, and perhaps naturally painful to the United States. But neutrality, in a war wholly or partly maritime, is not, and cannot be, as regards maritime Powers, a merely negative condition. States the most remote from the principal theatre of hostilities may yet, through their shipping or their colonial possessions, be brought into contact with those hostilities in various parts of the world, and questions will thus arise which cannot be avoided or put aside by mere inaction. In the case of Great Britain the points of contact, and therefore the occasions of complaint, were greatly multiplied by the diffusion of her maritime interests, the magnitude of her commercial marine, the number of her colonies, the activity of her manufacturing industries, and the almost unbounded liberty which her laws allow to trade. The feelings of annoyance which the impartial neutrality of Great Britain excited in many ways and under many circumstances in the government and people of the United States were, it was hoped by Her Britannic Majesty's government, almost, if not quite, forgotten; these were matters, at all events, which neither this government nor probably any other would have thought it right to refer to any arbitrators, however carefully selected. But the claims which are submitted to the tribunal are of a different character. The United States believes them just; Great Britain believes them erroneous. Both nations agree in regarding them as proper to be referred to an independent and impartial decision. Hence the importance of separating these claims from the various matters of complaint or causes of dissatisfaction with which they were long associated in the diplomatic correspondence of the American government and in the minds of the American people; and of keeping plainly and steadily in view the questions with which the tribunal has actually to deal, and the facts and arguments which are properly and directly relevant to those questions. Adhering firmly to this distinction, Her Majesty's Government has, at the same time, not declined to meet and argue, within the limits prescribed by its own self-respect, and by its view of the proper scope of the reference to arbitration, the wider issues which the United States has thought proper to raise. Endeavors were made on the part of the United States to show that, in various matters which are not referred to the arbitrators, the British government had permitted violations of its neutrality in favor of the Confederate States, while it had been rigorous in refusing to the United States the employment of corresponding advantages. The arbitrators were asked to draw from hence a conclusion, which it was desired they should apply to the question actually submitted to them for adjudication. These complaints related substantially to the traffic in arms and munitions of war, and other articles of commerce, carried on with Southern ports, from ports within the British dominions, and particularly from and through that of Nassau. The United States insisted also on the fact that the Confederate government had agents in England for the purchase of what it required; and employed, as financial agents, a mercantile house in this country, to whom they remitted specie and cotton, and through whom their payments were made. But, on the part of Great Britain, it has been clearly proved that all these complaints are groundless. It has been shown that the United States, equally with the Confederate States, resorted to England for necessary supplies of arms and munitions of war, and that they also had their agents here for making purchases, as well as for their financial transactions, and for the disbursement of money. It has been shown that the traffic carried on with the two communities (which, for the time, they were) differed slowly in incidental circumstances, which were the natural result of the overwhelming superiority at sea possessed by the United States, and which imposed no peculiar duties on the government of Great Britain; that in all these matters no favor or accommodation was accorded to one which was denied to the other; and that the real substance of the complaints of the United States is, that Great Britain declined to assist by active interference the more powerful belligerent, and to thwart the endeavors of the weaker to obtain the necessary supplies, and that she from first to last persevered in holding an even hand between the two. In short, it is not that she departed from impartial neutrality in favor of the Confederacy, but that she refused to depart from it in the interest of the United States. It is therefore, from this part of the conduct of Her Majesty's government, a presumption is to be applied to any other part, the legitimate presumption is, not that the government would be discovered to deviate from the line of an impartial neutrality, but that it would scrupulously and steadily adhere to that line. Is, then, this presumption found to fail when we approach the questions which are specially before the arbitrators, and which relate exclusively to the particular vessel enumerated in the case of the United States? Her Majesty's government maintains that it is not. In the case which it has presented, and in this counter case, the British government has fully stated to the arbitrators the measures adopted to prevent the equipment in its ports of belligerent ships of war and the departure from its ports of vessels specially adapted for warlike use and intended for the naval service of either belligerent, explaining at the same time the peculiar difficulties which, in a country like Great Britain, must always attend the enforcement of such a prohibition, the powers with which the government was armed by law, and the restraints which it was empowered and restraints judged expedient in England for the due security of property and civil liberty and for the proper administration of justice. All the cases of alleged or suspected equipment or warlike adaptation which occurred during the war have been stated in order to the arbitrators; and they have thus been enabled to take a connected view of the manner in which these cases were dealt with by the government, and the general course which it followed in regard to them. In connection with this part of the subject, the question naturally arises, what measure of care or diligence can reasonably be expected in matters of this kind from a neutral government, or, to speak more exactly, ought to be held due from such a government as a matter of international obligation. The United States have attempted to furnish a definition of this, which the British government appears not only to fail as a definition, but to exact more than neutral Powers could safely or rightly concede, and much more than has ever been practiced by the United States themselves. In illustration of this, and for no purpose of recrimination or reproach, it has been found necessary to refer to the past and recent history of the United States, not only as being the Power which now produces this very strict definition of due diligence, but as the country which has been the principal seat and source of enterprises such as those for which it now seeks to make Great Britain responsible. It has been necessary to exhibit the striking contrast between the course of the American government in dealing with enterprises against friendly States within its territory renewed again and again, and always with impunity, during a long series of years, and the iron rigor of the rules it now seeks to enforce against Great Britain, in the perfection of administrative organization it seems to exact from her. The views of Her Majesty's government as to what constitutes a reasonable measure of diligence or care have, in its case and counter case, been stated in general terms. But this government has refrained from the attempt, in which the United States, as it comes, have failed: and it has left the arbitrators to judge of the facts presented to them by the light of reason and justice, aided by that knowledge of the general powers and duties of administrative government which they possess as persons long conversant with public affairs.

On the measure of compensation claimed by the United States, the counter case says:—

The losses which may be taken into account by the arbitrators are at the utmost those only which have directly arisen from the capture or destruction by one or more of the cruisers enumerated in the case, of ships or property owned by the United States, or by citizens of the United States, and the extent of the liability of Great Britain for any such losses cannot exceed that proportion of them which may be deemed justly and reasonable to some specific failure or failures of duty on the part of her government in respect of such cruiser or cruisers. It is the duty of the arbitrators in deciding whether any claims for compensation in respect of any particular cruiser shall be allowed, to consider, first, what liability is imposed by such default, to take into account not only the losses incurred, but the greater or less gravity of the fault itself, and all the causes which may have contributed to the default, and particularly to consider whether the alleged default was wholly or in part due to a want of reasonable activity and care on the part of the United States themselves. The claims for money alleged to have been expended in endeavoring to capture or destroy any Confederate cruiser are not admissible, together with the claims for losses inflicted by such cruiser. The claims for interest are not admissible. Should the tribunal award a sum in gross, it ought to be measured by the extent of liability which the tribunal may find to have been incurred by Great Britain on account of any failure or failures of duty proved against her. The estimates of losses, public and private, presented by the United States are so loose and unsatisfactory and so plainly excessive in amount that they cannot be accepted even as furnishing a *prima facie* basis of inquiry. The estimates of expenditure (were the claims on that head to be considered admissible) would likewise be found too unsatisfactory to serve a like purpose. Her Majesty's government is sensible that should the arbitrators find it necessary to approach this question they will probably find it one of no inconsiderable difficulty. The foregoing considerations are intended to circumscribe it within just and reasonable limits, and, subject to these considerations, the British government leave it to the impartial judgment of the tribunal."

The following concluding remarks are appended to the counter case:—

Her Britannic Majesty's government thinks it right to advert, in a few words, to considerations which invest this controversy with an importance not, perhaps, so great as is ascribed to it in the case of the United States, but sufficient to make it a matter of profound general interest. The discussion turns on the duties and responsibilities of neutrals, and the field of discussion embraces questions of principle, questions of fact, and questions of peculiar moment respecting the application of principles to facts. The United States have asked the arbitration of the arbitrators to conceptions of neutral duty, and still more of neutral liabilities, which, to the British government appear to be fraught with grave consequences, and to demand serious attention. These views, theoretically stated in an earlier part of the American case, are embodied in a practical shape by the charges advanced against Great Britain; and they assume a still more formidable aspect when they are invoked to support large claims for pecuniary reparation. For the first time in history, as the British government believes, it has been seriously insisted that every act or omission, however doubtful or insignificant, on the part of a neutral government or its officers, which could be construed by a belligerent into a deviation from the line traced out for neutrals by international law and practice, may be made the foundation for pecuniary demands upon the neutral Power, such as are now urged against Great Britain. If this be so it becomes a matter of the highest moment that the rules binding on neutrals should be simple and few. But what, according to the case of the United States, must be the ordinary situation of a neutral in a maritime war? It must be a situation of perpetual and unremitting anxiety, surrounded by dangers, harrassed by a crowd of new obligations unknown in peace, which nothing short of sleepless vigilance will satisfy, while any lapse in the performance of them, on the part even of a subordinate officer, is to be visited with heavy national penalties. The transactions of private life, commerce must be made the object of minute inquisitorial supervision; private persons, suspected of being agents of either belligerents, must be tracked, when within the neutral country, by spies and informers; trade within the belligerent nations must be fettered by restraints with the hostilities ordinarily extended and prohibited; ships in ports of the neutral must be guarded with jealousy or zeal on the part of the local authorities, precautions, for the strict enforcement of which no human agency can afford an adequate guarantee. Laws and regulations enacted by the neutral nation with a view to its own protection, far from being a means of security, become an additional source of danger, when they are liable to be construed as acts by which the neutral establishes as against himself, by admission, or otherwise, a new class of international obligations. Is this picture overdrawn? It can hardly be thought so when we pass in review the various articles of the long indictment preferred by the United States against Great Britain, and the statements and arguments which have been used in support of them. It is evident that if these principles were to be generally adopted the only prudent course for neutral Powers would be to enact no regulations, repeal all laws which could be interpreted as admissions against themselves, exclude all belligerent vessels of war from their ports, prohibit all traffic with belligerent nations. But even this would not be enough, since it is difficult—perhaps impossible—for maritime States, by any legislative or administrative precautions, to isolate themselves and their subjects completely from all contact with a maritime war. States—especially the less powerful—would be tempted to abandon a position so precarious and menaced by such heavy penalties; to choose in preference the certain evils of war itself, and to seek protection in an alliance with one belligerent or the other. The British government is convinced that the arbitrators will not give any sanction to views of neutral obligation to which not even the authority of this tribunal could secure the general assent of neutral Powers. Nay, the British government is persuaded that these extreme views, though for the sake of argument they have been insisted on in the case of the United States, are not thoroughly realized, and would never in practice be accepted as binding by the United States themselves. The conceptions of neutral duty which have been stated to the arbitrators on the part of Great Britain are those on which she has constantly acted, and is prepared to act in future, and which she believes to be upheld by reason, by authority, and by the general consent of nations. It is the right of a State which remains at peace while others are at war that its relations with foreign countries and the duties it owes to them as a member of the society of nations should, as far as possible, continue to subsist unaltered by discords from which it stands aloof and wherein it has no share. Impartiality in act; the exercise of reasonable care to prevent itself from being made, even against its will, a virtual participant in the war, while claiming the advantages and amenities of peace; this is all that the neutral is bound to give or the belligerent entitled to require. Great Britain has laid before the arbitrators, with a fulness and minuteness of detail, rendered necessary by the long train of accusations she has to meet, the acts of her government and of its officers and every ascertained fact and circumstance which can be material to a decision, and she leaves with confidence to their judgment, and to that of the world, the question whether her obligations as a neutral were not fairly discharged towards the United States during the civil war. Finally, Her Britannic Majesty's government desires to express its earnest hope, in which it is assured that the government of the United States will cordially share, that the frank and open statement of facts as they actually occurred may effectually remove every misunderstanding between nations allied by innumerable ties to one another.

The Exchange of Counter Cases at Geneva—The Meeting of the English and American Representatives—The Italian, Swiss and Brazilian Arbitrators.

[Geneva (April 16) correspondence of the London Times.]

I arrived at Geneva yesterday morning at twenty-five minutes to eleven o'clock. Lord Tenterden, attended by Mr. Mr. Brookes Taylor and another secretary, and Mr. Bancroft Davis, with whom were Mr. Caleb Cushing and a solicitor, were at that moment still closeted together in the *Salle des Mariages* of the Hotel de Ville, where they had met at ten. Their whole duty was limited to the exchange of their respective counter cases and the delivery of copies of those documents to the Secretary of the Tribunal, M. Favrot, the agent for the government of Berne, whose duty it was to forward the copies to the Arbitrators, not one of whom was present in Geneva. Upon arriving at the station I met Mr. Caleb Cushing, who was at that moment leaving Geneva. Mr. Bancroft Davis was also expected to leave to-day, and Lord Tenterden was likewise making ready for his homeward journey, probably this very day. For two months to come nothing connected with the arbitration will occur in Geneva.

I have already told you that the contending parties have been generally congratulated on their happy choice of umpires. The Italian government deserves the higest credit for the appointment of their representative. They could not have found in the whole peninsula a gentlemen better qualified for the task imposed upon him than Count Sclopis di Salerano. He is a gentleman highly distinguished both for his proficiency in all legislative studies, and for the part he played in the great events which lately changed the destinies of his country. He was one of the statesmen chosen by Charles Albert to draw up a Constitution for Piedmont in 1847-8, and was a member of that King's Cabinet—I believe as Minister of Justice—on the first installation of a liberal government. In later days he sat on the right of the Chamber, and subsequently of the Senate, during the administration of Count Cavour, and was, with Count Revel, one of the leaders of the conservative opposition. Had it depended on Count Sclopis, Piedmont would never have made common cause with the Western allies in the Crimean war of 1854. Italy perhaps would never have been united, and she would certainly never have found her way to Rome. As a member of the aristocratic and clerical party, Count Sclopis was looked upon as a codino, or reactionist, in Turin. But he was universally respected for his high character, even by his most determined adversaries; and, although his influence on public affairs considerably declined, he was relied upon for earnest and enlightened patriotism. Like Massimo d'Azeglio, he had no faith in the possibility of an annexation and fusion of the North with the South of Italy; and, like Count Balbo, he was too strong a Catholic to think that the aspirations of Italy should be allowed to interfere with the "imprescriptible rights of the Holy See." He has been and is one of the most distinguished members of the Turin Academy, and has contributed to its essays a valuable work on the Diplomatic Relations between the House of Savoy and the English Government from the Earliest Times to the Peace of 1815." His literary fame, however, chiefly rests on his "History of Legislation in Piedmont," a work of unwearied research, and recommendable for mature criticism. I believe that hardly any man in Italy has made the science of international law the object of more assiduous pursuit than Count Sclopis. The Swiss arbitrator, M. Staempfli, has been repeatedly at the head of the federal government, and his influence is considered paramount, whether he is the actual President or whether he fills subordinate offices. The Brazilian arbitrator is the representative of the Emperor of Brazil in Paris, and is conspicuous among the diplomatists of his country. The impression among the persons I have here conversed with is that the whole controversy before the Tribunals will be carried on by writing, and all the Arbitrators are sufficiently conversant with the English language to understant thoroughly what they read. Were the occasion for oral discussion to arise, it is possible that some of the arbitrators might be unable to follow the orators if they spoke English, but both the English and American Commissioners would be able to use French as freely as their own native idiom. The Lord Chief Justice, as you are aware, is fully as eloquent in one language as in the other; and the same, I believe, may be asserted of his American colleague.

THE CROPS.

State of the Soil and the Cereals at the Opening of Spring.

WASHINGTON, April 27, 1872.

The April report from the Agricultural Department on the condition of the winter grain says:—

The low temperature in the month of March, and the accumulation of winter snow and ice, have retarded the springing of vegetable life and tinged with gloom the views of the local reporters. Over a large area, at the date of the reports, snow still covered deeply the grain fields, and only conjecture, founded on the forwardness and vigor of plants at the opening of winter, and on the mechanical condition of the soil and the severity of the season, could point to the probable status of the winter grain. The general tenor of the reports carries the idea not of sweeping destruction by freezing, but of injury by thinning out—by killing in spots and patches and especially by retarding an early start and vigorous growth. In many cases the plants, apparently dead, were only sleeping, unpromising in appearance, but firmly rooted, and ready, with favoring warmth and sunshine, to start into sure and steady, if not rapid growth. Where the fields were drained, the soil deep and mellow, the casualties of winter have been unknown. Where seeding was done with the soil on land having any fair degree of suitable preparation, almost absolute immunity from loss by freezing has been secured. The April returns, as a whole, indicate rather more than the average amount of winter killing, retarded growth and stunted appearance, but a sound condition of the roots of the plants in suitable soil, or that covered uniformly with snow which, with favoring weather, may secure a vigorous growth and a good yield. The report is filled with extracts from correspondence, illustrating the conditions of winter grain in the various States from which the above points are derived. The reports from New York in the early part of the month were not very cheerful in tone, the snow and ice not having disappeared, or indicated a probable improvement under the influences of fine weather, the plants being generally dead. Most of the New Jersey returns represent the ground as poorly covered with snow, while the ground was frozen. The temperature was low and the soil deeply frozen. Advices from Pennsylvania refer to the severity of the weather and the depth of freezing, the weather protected in several counties. Lack of snow in ware. South Jersey caused severe injury in Delaware. Maryland and Virginia little wheat is grown, and the returns received mainly for winter pasture. The returns represent less than from those States generally accounts from other average of the grain. The some promising, other parts South are various—are indications of indifferent poorly. In Texas there pointing to an enlarged attention to cereals, season. The Western reports are to be harvested this promising as to the appearance of winter grain generally are unReturns from the Pacific coast of winter grain, able, both in California and are nearly all favor-gon.

HAVANA MARKETS.

HAVANA, April 26, 1872.

Sugar—Stock in warehouse at Havana, April 27, 1872, 413,000 boxes and 25,500 hhds. Receipts and Matanzas, at Havana and Matanzas, 75,000 boxes, the past week reported during the week from Havana 200 hhds. Exports, 17,800 boxes and 6,900 hhds., including for Matanzas 6,600 hhds. to the United States 1 boxes and 1,000 boxes, half of which is of the trifugals. Market buoyant. Numerous offers have been received, especially from Europe have are entertained that rains will interfere with Pearl Nos. 10 to 12, Dutch standard, 9¾ a 10¼ reals pending. Nos. 15 to 20, Dutch standard, 11½ a 12½ reals pending. Molasses sugar in fair demand at 7¾ a 8½ reals pending. Nos. 8 to 10, Muscovado sugar, inferior to cobbe from 8¾ a 9 reals per arroba; fair to good refining at 9¼ a 8½ reals per arroba; grocery grades active 10¼ a 11 reals per arroba, closing quiet and steady. Molasses—Brin At Havana, 6 reals per keg. At Matanzas, clayed, 6¾ reals per keg; muscovado, 6¾ reals per arroba. Bacon, $12 50 a $13 50 per cwt. Butter weak, at $26 a $28 per quintal for superior American. Flour in fair demand, at $15 25 a $16 25 for American. Hams dull; American sugar cured, $20 a $22 per quintal. Lard, in kegs, heavy, at $14 50 a $14 75 per quintal; in tins firm, at $17 50 a $18 75 per quintal. Tallow active and unchanged. Wax in fair demand and unchanged. Honey firm at 6½ reals per gallon. Lumber—White pine nominal at $36 a $38 per M; pitch pine, $26. Shooks—Box firm at 9¾ a 10 reals; hogshead quiet at 18 a 20 for sugar, unchanged for molasses. Empty hogsheads, $2 50 a $2 62½. Hoops dull; Long Island shaved, $45 per M. Freights firm; a rise in rates is expected. To Northern and Southern ports in the United States per box of sugar, $1 37½ a $1 62½; per hogshead of sugar, $5 75 a $7 50; per hogshead of molasses, a$4 25 $5; to Falmouth and orders, 47s. 6d. a 50s. per ton.

THE COLLAPSED COLISEUM.

Energetic Work Among the Rubbish—A Change of Plan—Pillars Instead of Arches—Gangs Night and Day.

BOSTON, April 28, 1872.

The disaster to the Coliseum by Friday night's gale is the chief topic of conversation in Boston now, and the scene of the wreck has been visited by thousands of curious visitors to-day. All fears that the accident would cause a postponement or abandonment of the great International Musical Festival will not be realized; for it is the purpose of Mr. Gilmore and his associates to go along with preparations just the same as if nothing had happened. The contract with the builders specifies that the structure shall be completed by the 10th of June, and they claim that notwithstanding the delay occasioned by the accident that they will have it ready by that time. The original plans of the building have been modified, however, and instead of making it an arched structure it will be

SUPPORTED BY PILLARS,

the same as the Coliseum of 1869. By building it in this style a much larger number of workmen can be employed simultaneously. The *debris* of the wreck caused by the falling of the truss on Friday evening, has all been cleared away, and to-morrow morning the work of reconstruction will be commenced. Two gangs of men are employed alternately between the hours of four in the morning, and eight in the evening, and in a few days or as soon as gas lights can be brought in requisition, a night gang will be added. The contractors are under heavy bonds to have their work

FINISHED AT THE TIME SPECIFIED,

and they do not for a moment doubt their ability to perform their obligation. The arrangements for the music and rehersals of the various chorus societies and orchestra unions, are going on vigorously, and unless some other and unforseen drawback occurs, the event will undoubtedly be the greatest in the musical annals of the whole world.

STABBING AFFRAY.

Last night Alexander James, a colored man, residing at 160 Leonard street, and Mary A. Brown, also colored, of 42 Baxter street, became engaged in a quarrel, during which the latter stabbed James in the arm with a pocket knife, inflicting severe wounds. The wounded man was attended by Dr. Stanley, and Mary was arrested by an officer of the Sixth precinct.

SHIPPING NEWS.

Almanac for New York—This Day.

Sun rises	5 02	Moon rises	morn 12 50
Sun sets	6 54	High water	eve 1 26

OCEAN STEAMERS.

DATES OF DEPARTURE FROM NEW YORK FOR THE MONTH OF MAY.

Steamers.	Sails.	Destination.	Office.
Wyoming	May 1	Liverpool	29 Broadway.
Atlantic	May 4	Liverpool	19 Broadway.
Europa	May 4	Glasgow	7 Bowling Green
Washington	May 5	Havre	58 Broadway.
Minnesota	May 8	Liverpool	29 Broadway.
Baltic	May 11	Liverpool	19 Broadway.
Idaho	May 15	Liverpool	29 Broadway.

PORT OF NEW YORK, APRIL 28, 1872.

ARRIVALS.

REPORTED BY THE HERALD STEAM YACHTS.

Steamship City of London (Br), Mirehouse, Liverpool April 18 and Queenstown 19th, with mdse and passengers to John G Dale. April 25, lat 46, lon 37 30, passed ship Havaria, bound west; April 27, lat 41 10, lon 67 10, ship Europa, from —— for Boston.

Steamship Minnesota (Br), Morgan, Liverpool April 17 and Queenstown 18th, with mdse and 1229 passengers to the National Steamship Co. April 24, lat 46 34, lon 37 40, passed bark Patrick Henry, bound West.

Steamship City of Galveston, Rowland, New Orleans April 21, with mdse to C H Mallory & Co.

Steamship Gen Barnes, Mallory, savannah April 25, with mdse and passengers, to Livingston, Fox & Co.

Steamship Chattanooga (Br), Brown, Charleston April 25, with mdse and passengers to H R Morgan & Co.

Steamship Benefactor, Jones, Wilmington, NC, with naval stores to the Lorillard Steamship Co.

Steamship Isaac Bell, Blakeman, Richmond, City Point and Norfolk, with mdse and passengers, to the Old Dominion Steamship Co.

Steamship John Gibson, Winters, Washington, DC, with mdse and passengers, to Geo B Merrick.

Ship Neuvo Rattier, (Ital), La Commerce, Cardiff 74 days, with railway iron to order—vessel to Segar & Co. Took the middle passage and had variable weather.

Bark Erik (Br), Hansen, Hamburg, Liverpool, 52 days, with salt, to Saml Thompson's Nephew & Co; vessel to Funch, Edye & Co. Took the southern passage, and had light, variable winds. April 24, lat 33, lon 70, spoke bark Gertrude, bound S.

Bark Malta (Br), Malcolmson, Ardrossan, 62 days, with mdse to Wm Nelson, jr. Took the southern passage and had variable winds; been 7 days north of Bermuda; April 22, lat 34 5, lon 69 5, passed a vessel's lowermast, bright, varnished, and but a short time in the water.

Bark Freeman Dennis (Br), Fletcher, Antwerp Feb 15, Flushing 23d, and Ile of Wight 27th, with mdse to Boyd & Hincken. Took the southern passage and had light winds and calms; has been ten days north of Bermuda. March 3, lat 49 37, lon 8 27. Spoke ship Athenais (Br) from Antwerp for Philadelphia, March 12, lat 39, lon 15 30. Spoke bark Freeling (N G) from Liverpool for Richmond, Va. April 12, lat 24 33, lon 62 50; again saw bark Freeling April 25, lat 36 50, lon 74 20. Saw bark Eliza Evelina bound west.

Bark Burgermeister Muller (N G), Fischer, Rotterdam 75 days, with mdse to Finch, Edy & Co., took the southern passage and had light winds and calms; has been 14 days north of Bermuda.

Bark Ormus (of Pembroke), Pettangall, Marseilles, 57 days, with mdse to James Henry, vessel to Brett, Son & Co. Had moderate weather; has been 16 days north of Bermuda.

Bark Jason (Nor), Christensen, Bordeaux, 70 days, with mdse to order. Took the southern passage and had variable weather.

Bark Onore (Aus), Sappa, Cette, 57 days, with wine, &c., to Funch, Edge & Co. Passed Gibraltar March 22 and took the Southern passage, and had light variable winds. April 4, lat 22, lon 40, spoke bark Onnie (Nor), from Liverpool for Philadelphia.

Bark Eureka, Holloway, Charente 58 days, with brandy, wine, &c, to order—vessel to D R De Wolf & Co. Took the southern passage and had variable weather.

Bark Generosa (Ital), Biasolo, Cardiff, Symrna 71 days, with mdse to order. Passed Gibraltar March 16 and took the southern passage; had fine weather.

Bark Augustine Kobbe (of Searsport), Carver, Matanzas, 9 days, with sugar to Dunham & Co—vessel to James E Ward & Co. Had moderate weather.

Brig Josephine (Br), Crawford, Matanzas 58 days, with fruit, to Baring Bros & Co—vessel to Hatton, Watson & Co. Passed Gibraltar March 16. Took the middle passage and had moderate weather.

Brig Therese Butler (of New Orleans), Blohm, Progreso 18 days, with brandy, &c, to R C Degener. Had moderate weather; been 4 days north of Hatteras.

Brig Jenny (Dan), Lauretsen, Porto Cabello 20 days, with coffee, to Dallett, Bliss & Co. Had strong N and NE winds.

Brig Wm McKeon (Br), McKeon, Arrogo, PR, April 7, via Salinas 14th, with sugar to Galway & Cassado; vessel to Hatton, Watson & Co. Had moderate weather; sailed in company Schr Abbie Perkins, for Norwich.

Brig S E Kennedy, Gray, Cardenas 12 days, with sugar, to Moses Taylor & Co; vessel to John Zitlogsen. Had fine weather; been four days north of Hatteras.

Brig Robin (Br), Woodman, Cardenas, 11 days, with molasses to Garner & Barnes.

Brig Water Lilly (Br), Haley, Matanzas, 13 days, with sugar, to Hatton, Watson & Co. April 23, lat 34 10, lon 74 30, had a heavy gale from NE; April 25, lat 36 20, lon 75 15, saw a bark with maintopmast gone, steering NE.

Brig Florence (Br), Dickson, Matanzas, via Bermuda, 10 days, with sugar, to Trumbull & Bertram. Had heavy weather; April 24, lat 36 45, lon 71 2, spoke steamship Concordia, from New Orleans for Liverpool.

Schr Hattie E Smith (of Newburyport), Brown, Barcelona 12 days, with fruit to Wm Douglas—vessel to B J Wenberg. Had moderate weather; April 23, lat 31 55, lon 73 30, spoke schr Lottie E Cook, from Baltimore for Nassau.

Schr Sam Weller (Br) Warwell, Malaga 44 days, with fruit to order, vessel to G F Bailey. Passed Gibraltar March 17, took the southern passage, and had variable weather.

Schr Wm McKeon (Br), McKeon, Arroyo, PR, April 7, via Salinas, 14 days, with sugar to Galway & Cassado—vessel to Hatton, Watson & Co. Sailed in company schr Abbie Parker, for Norwalk.

Schr Chattanooga (of Boston), Snare, Aguadilla, PR, via Delaware Breakwater, 13 days, with molasses, to H H Swift & Co—vessel to H W Loud & Co. Had moderate weather; has been 5 days north of Hatteras.

Schr Uncle Tom, Looke, Jacksonville, 6 days, with yellow pine to Dodge & Co—vessel to Warren, Ray & Co. April 24, lat 33 58, lon 74 16 spoke brig Nellie Ware, from Porto Rico for New York, with loss of fore and mainmast.

Schr Sa Nol