

Inclosure in No. 6.

Memorandum.

AS to the first objection, Mr. Seward remarks, that five years' continuous residence, by the law of the United States, is a necessary preliminary to naturalization, so that the case supposed in the first British objection cannot occur.

As to the second point, Mr. Seward remarks, that a parent going back, or becoming again a citizen or subject of his own or a third country, does not deprive the child of the citizenship acquired by birth in either country. Citizenship of the child does not necessarily change with the return of the parent to his original country.

The IIIrd Article is to be omitted in the Treaty.

There is no difficulty involved in the IVth Article, except such as is in all cases and everywhere incident to domicile.

A British subject, naturalized in America and returning to Great Britain for two years, does not necessarily renounce his American citizenship, only he may be called upon to assert or prove his purpose more explicitly.

(A new Article.) The parties agree to negotiate a further Convention if it shall be rendered necessary by reason of embarrassments experienced in the execution of the stipulations of this Treaty.

No. 7.

Mr. Thornton to Lord Stanley.—(Received April 18.)

(Extract.)

Washington, April 7, 1868.

IN accordance with your Lordship's permission I have given to Mr. Seward a copy of your despatch of the 21st ultimo, leaving out the first paragraph. He has promised me a Report, drawn up by a lawyer, on the bearing of the stipulations contained in the Treaty with Prussia, upon the common and statute law of this country.

No. 8.

Mr. Thornton to Lord Stanley.—(Received April 25.)

(Extract.)

Washington, April 13, 1868.

WITH reference to my despatch of the 7th instant, in which I stated that Mr. Seward had promised me a Report, drawn up by a lawyer, on the bearing of the provisions of the Treaty on Naturalization between the United States and the North German Confederation, upon the laws of this country, I have now the honour to inform your Lordship that, upon further reflection, he has confessed to me his inability to comply with my wishes on this subject. He says that the consideration of the subject in this light would bring to the surface a number of hypothetical cases on which it could not be supposed that any Government would be willing to commit itself, and which he thinks it would be impossible to decide upon at present, nor, indeed, until further experience shall show what requirements may arise out of the provisions of the Treaty as it stands.

It is on this account that Mr. Seward still urges that England and the United States should come to a simple Treaty engagement on the great principles of expatriation and naturalization, and that the discussion and negotiation of further details should be deferred to a later period when experience may have thrown more light upon the subject.

With reference to the provision in the IVth Article of the Treaty with Prussia as to the renewal of residence by a naturalized subject in his native country, I should say that this was rather a concession on the part of the United States to Prussia than a necessary part of the Treaty. It is by no means meant as a mode of insisting by the United States that a Prussian naturalized in America should be received back again into his native country, but merely as a declaration that after his having shown an intention to remain there, the United States would no longer grant him their protection, nor prevent the Prussian authorities from obliging him