

THE MIXED COMMISSION ON BRITISH AND AMERICAN CLAIMS

THE RESULT OF THEIR LABORS—TWO PER CENT. OF THE ENGLISH CLAIMS ALLOWED, THE U. S. CLAIMS REJECTED.

(From the Boston Journal.)

THE LABORS ENDED.

The Mixed Commission on British and American Claims, appointed under the twelfth article of the Treaty of Washington, which has been in session since the third day of June last, has adjourned, having made its final awards and concluded its business one day in advance of the time fixed by the treaty; two years from the date of its first meeting in Washington, on the 26th of September, 1871.

THE OBJECT OF THIS COMMISSION,

as defined by the articles of the treaty referred to, was to hear and decide all claims on the part of the corporations, companies or private individuals, citizens of the United States, against Great Britain; or subjects of Her Britannic Majesty against the Government of the United States, on account of acts committed by the Government of either country against citizens or subjects of the other, between the 12th day of April, 1861 and the 9th day of April, 1865, not being claims growing out of the acts of vessels referred to in the first article of this treaty, commonly known as Alabama Claims, adjudged at Geneva.

THE COMPOSITION OF THE COMMISSION.

The Treaty of Washington provided for three commissioners: one to be named by the President of the United States, one by Her Britannic Majesty, and third the by the President of the United States and Her Britannic Majesty conjointly. The President named John James S. Frazier, of Indiana, late Justice of the Supreme Court of that State; Great Britain appointed the Right Honorable Russell Gurney, member of Parliament, member of Her Majesty's Privy Council and Recorder of the City of London. The two Governments conjointly selected as the Commissioner Count Louis Corti, Italian Minister, at Washington, who has acted as President of the Commission. The British Government was further represented on the Commission by Henry Howard, Esq., of the British Legation at Washington, who acted in the capacity of agent, and by James L. Corliss, Esq., of Washington, as counsel. Hon. Robert S. Hale of New York, was appointed agent and counsel for the United States. Thomas C. Cox, of Georgetown D. C., has acted as Secretary of the Commission. Judge Hale was assisted by E. L. Stanton son of ex-Secretary Stanton, and Gen. H. B. Tins, of New Hampshire, who was employed particularly in certain important cases in Arkansas and Louisiana, known as the Osband raid cases.

THE CHARACTER OF THE CLAIMS

which have been passed upon by this Commission is second only in importance to those which were presented to the Tribunal at Geneva. The number of claims presented by the subjects of Her Britannic Majesty against the Government of the United States, was four hundred and seventy eight, amounting in the aggregate to about ninety five millions of dollars including interest. There were claims presented on behalf of citizens of the United States against Her Britannic Majesty to the number of nineteen counting in all to about one million dol-

of the claims of American citizens against Her Britannic Majesty. Thirteen grew out of the St. Alban's raid and the capture of the Philo Parsons on Lake Erie; four claims were for the detention at Calcutta of vessels loaded with saltpetre. Some of these claims were brought by citizens of Boston and presented by F. V. B. Johnson Esq., acting as attorney. The detention of vessels occurred immediately after the receipt of the intelligence of the Trent affair, and when war with Great Britain was hourly expected. Of the two remaining claims, one was for an improvement in fire arms, which had been adopted and used by the British Government and for the expulsion from San Juan of an American citizen by the British Government, and consequent loss of a lime quarry.

The claims which were presented on behalf of subjects of Her Britannic Majesty against the Government of the United States were of every conceivable character, from the loss of old clothes stolen by Sherman's bummers to a quicksilver mine in Santa Clara County, California, valued at \$148,000, from which the claimants, Barron, Forbes & Co., were ejected by the United States authorities.

The intermediate claims included damages arising out of capture, detention, and condemnation of vessels as prizes during the war, the appropriation by the United States Government of their cargoes, and also of quartermaster's and commissary stores in the Southern States during the rebellion, the destruction of property by rebel forces, the alleged unlawful arrest and imprisonment of British subjects, claims on Confederate bonds, claims for damages in consequence of the enforcement of legal tender act, by which British creditors were compelled to accept greenbacks in lieu of gold in settlement of claims against American citizens and corporations. These and a hundred other claims of similar character were presented on the attention of the Commission.

THE WORK OF THE COMMISSION

Upon passing awards upon these claims has been one of insuperable labor. Each claimant has been allowed every opportunity for the establishment of his claim. As a consequence, an immense mass of testimony has been taken, and in several individual cases testimony covering thousands of octavo pages has been printed. Testimony has been taken in nearly, if not every State and Territory in the United States in all the British Provinces of North America, in Mexico, England, Ireland and Scotland and even in Egypt. In the taking of the testimony the claimants and their respective governments have been represented by counsel who have been allowed the largest latitude in the representation of their several cases.

THE AWARDS OF THE COMMISSION.

The existence of this Commission has been patent to only a small portion of the reading public, and yet their action has been watched with interest by the claimants on both sides of the Atlantic. Very little has been said about this Commission, who have pursued their labors in Newport, at the residence of Mr. King, since the 10th of May last. The amount of printing involved in the work of the Commission is immense; the presses of Washington, Boston, New York, Charleston, S. C., having been employed in the reproduction of the testimony for the use of the Commission and for preservation.

In making up their awards the members

of the Commission are supposed to have been governed by a spirit of equity and a desire to preserve the harmonious relations which exist between the two nations whose interests were involved in the controversy.

WHAT ENGLAND RECEIVES.

The award of the Commission in the case of subjects of Her Britannic Majesty against the Government of the United States numbered one hundred and nineteen, and amounted to one million nine hundred and twenty nine thousand and nineteen dollars, or about two per cent. of the amount claimed.

AMERICANS GET NOTHING.

On the other hand, the claims of the American citizens against the Government of Great Britain are rejected on the principles of international law decided at Geneva, as it did not appear that the Government of Great Britain had not exercised due diligence to prevent these incursions from her territory across the border.

THE DECISION FINAL.

The decision of this Commission is final in every case that has been brought before it. The final award of the amount which the United States must pay on account of all these claims, has been signed in duplicate, and a copy will be immediately transmitted to both Governments. This sum, by the terms of the Treaty, must be paid within one year from the date of this final award. An appropriation for this purpose will of course be made by the next Congress.

MINOR DETAILS.

Each Government pays its own Commissioner agent and counsel; all other expenses are defrayed by the two governments in equal moieties, except that 5 per cent. of the amount of this final award is to be deducted on account of contingent expenses. The interest in the proceedings of the Commission has apparently been confined to the claimants who have appeared before it.

A SUBJECT FOR CONGRATULATION.

The general public has known little in regard to it, yet considering the magnitude of the interests at stake in the consideration and final decision of enormous claims against our government, prosecuted by the Government of Great Britain in behalf of her subjects, many of whom had long been residents of this country, mostly in the States lately in rebellion, involving questions of military and maritime as well as international law, these proceedings are truly of great national importance, and that so small a percentage of the claims so ably and persistently prosecuted has finally been allowed is indeed a matter of congratulation as to each and all of those claims embraced in the Treaty of Washington. The decision has been in our favour in the Alabama claims at Geneva, in the fisheries, in the navigation of the St. Lawrence, and of lakes and rivers connected with it in the claim to the Island of San Juan, by award of the Emperor of Germany, and now finally in an award of but two per cent. of the amount of claims against our Government by citizens of Great Britain, on account of damages resulting from any and all acts done during the war.

THE FINALE.

The members of the Commission were entertained at the residence of Count Corti, the President of the Commission. As a happy finale, Mr. Gurney proposed the