

in any way to discourage the attempt at some settlement of it; and although without authority to enter upon it here during the limited continuance of my mission, I entertain a confident hope that this task may be accomplished when undertaken with the spirit of candor and conciliation which has marked all our late negotiations.

It not being our intention to endeavour now to come to any agreement on this subject, I may be permitted to abstain from noticing at any length your very ingenious arguments relating to it, and from discussing the grave matters of constitutional and international law growing out of them. These sufficiently show that the question is one requiring calm consideration, though I must at the same time admit that they prove a strong necessity of some settlement for the preservation of that good understanding which I trust we may flatter ourselves that our joint labours have now succeeded in establishing.

I am well aware that the laws of our two countries maintain opposite principles respecting allegiance to the Sovereign. America receiving every year by thousands the emigrants of Europe, maintains the doctrine suitable to her condition, of the right of transferring allegiance at will. The laws of Great Britain have maintained from all time the opposite doctrine. The duties of allegiance are held to be indefeasible; and it is believed that this doctrine, under various modifications, prevails in most, if not in all, the civilized states of Europe. Emigration, the modern mode by which the population of the world peaceably finds its level, is for the benefit of all, and eminently for the benefit of humanity. The fertile deserts of America are gradually advancing to the highest state of cultivation and production, while the emigrant acquires comfort, which his own confined home could not afford him. If there were anything in our laws or our practice on either side tending to impede this march of providential humanity, we could not be too eager to provide a remedy: but as this does not appear to be the case, we may safely leave this part of the subject without indulging in abstract speculations, having no material practical application to matters in discussion between us.

But it must be admitted that a serious practical question does arise, or rather has existed, from practices formerly attending the mode of manning the British navy in times of war. The principle is, that all subjects of the Crown are, in case of necessity, bound to serve their country; and the sea-faring man is naturally taken for the naval service. This is not, as is sometimes supposed, any arbitrary principle of monarchical government, but one founded on the natural duty of every man to defend the life of his country; and all the analogy of your laws would lead to the conclusion that the same principle would hold good in the United States, if their geographical position did not make its application unnecessary.

The very anomalous condition of the two countries with relation to each other here creates a serious difficulty. Our people are not distinguishable, and, owing to the peculiar habits of sailors, our vessels are very generally manned from a common stock. It is difficult under these circumstances to execute laws which at times have been thought to be essential for the existence of the country, without risk of injury to others. The extent and importance of those injuries, however, are so formidable, that it is admitted that some remedy should, if possible, be applied. At all events it must be fairly and honestly attempted. It is true that during the continuance of peace no practical grievance can arise; but it is also true that it is for that reason, the proper season for the calm and deliberate consideration of an important subject. I have much reason to hope that a satisfactory arrangement respecting it may be made, so as to set at rest all apprehension and anxiety; and I will only further repeat the assurance of the sincere disposition of my Government favourably to consider all matters having for their object the promoting and maintaining undisturbed kind and friendly feelings with the United States.

I beg, Sir, &c.,  
(Signed) ASHBURTON.