

the sanction of the Senate. Upon the latter point I could not but concur. Mr. Seward confessed that it was possible that some excuse might be made for Mr. Johnson's not having kept more closely to his instructions, because, as some of these were given by telegrams in answer to Mr. Johnson's questions sent by the same channel, Mr. Seward may have misunderstood the former, and Mr. Johnson may not have fully comprehended the instructions sent in reply.

But, wherever the fault lay, Mr. Seward proceeded to assure me that his Government earnestly desired that a good work, which had been brought so nearly to a satisfactory conclusion, should not at the last moment fail; and that, consequently, although they acknowledged that your Lordship would be justified in declining to reopen negotiations, they hoped that, in consideration of the importance of the subject, you would not do so, but would consent to some modifications of the Convention which would render it acceptable to the Senate. At the same time, he expressed his sense, and that of his colleagues, of the difficulty which would be encountered of explaining by correspondence why the Convention in its present shape is objectionable, and that they had considered the expediency of sending some one to England for the purpose of doing this verbally. It was at first proposed that either Mr. Evarts, now Attorney-General, who during the war was well known in England, or Mr. Seward himself, should undertake this mission; but upon examination it was found that, besides other reasons which rendered this step unadvisable, the President had not the power to allow either of these gentlemen to entrust to any one else, even for a short time, the duties of their offices. It was therefore proposed, and the President commissioned Mr. Seward to ask me whether I would consent to go to England for the purpose of laying the circumstances of the case before your Lordship. I at once replied that I could not do so without your Lordship's leave, but would consider whether I should ask for it by telegram. At the same time I pointed out to him that so sudden a visit to England might give rise to suppositions and rumours in this country, which might be prejudicial to the end we both had in view. It was agreed that I should again see Mr. Seward on the next day, when he would explain to me more fully the objections which were made to the Convention in its present form. But before he left me I pointed out to him that unless the Convention were finally accepted by the United States, the latter would be in a bad position in the eyes of the world if, after Her Majesty's Government had consented to all that was asked by the Representative of the United States, the Government and Senate of the latter should refuse to confirm what he had signed, and that I therefore hoped a conciliatory spirit would be shown in the fresh instructions now about to be given. Mr. Seward did not deny the truth of my observation, but replied that such a feeling would pass off, and the conviction would remain that the United States were determined to keep the question open—a state of things which, with regard to future eventualities, might be more injurious to England than to this country. He assured me, however, in the most earnest manner, that he was convinced that the Senate would sanction the Convention if it were modified in the manner which he should now propose.

Upon reflection I determined to send to your Lordship my telegram of the 27th instant.*

On the following day I had an interview with Mr. Seward, during which he read me the draft of a despatch which he intended to send to Mr. Reverdy Johnson; and, after the receipt of your Lordship's telegram of the 28th instant, I paid him another visit. I understand that a telegram was sent to Mr. Johnson on the evening of the 27th instant, and that the despatch, of which the draft had been read to me, left New York on the 28th instant. These two contained the modifications proposed by Mr. Seward, and which I proceed to detail more fully than was possible in the telegram which I had the honour of forwarding to your Lordship to-day.†

Mr. Seward has pointed out to Mr. Reverdy Johnson that he had always intended, and had so instructed him, that a Protocol, not a Convention, should be signed with regard to the "Alabama" and war claims, in the same manner, and with the same condition, as that upon the San Juan question. I have certainly always understood this to be the case, and I believe that my correspondence with your Lordship has given indications of this conviction on my part. Mr. Seward explains that he had proposed this step, not from any want of confidence that a Bill would be submitted by Her Majesty's Government to Parliament for modifying

* See No. 18.

† See No. 19.