

"Thornton," owing to some misconception and mistake on the part of the official to whom it had been addressed, had not been acted upon.

A renewed order has gone forward for their release—as had been distinctly directed last January, and which I had no reason to doubt had been promptly obeyed.

In my note to you of the 11th instant, I stated it to be my impression that no Enclosure No. 2 of hindrance to their re-possession by the owners of the vessels named No. 34. existed.

This impression it now appears, was not well founded, and as my object is to give you the fullest information within my power in relation to all transactions touched in our correspondence, I hasten to communicate the latest report made to me from the Department of Justice.

I take leave also to express my regret that any misconception of the instructions and orders of the President should have delayed their prompt execution.

I have, &c.

T. F. BAYARD.

The Honorable Sir L. WEST, K.C.M.G.

No. 498.

*Lord Lansdowne to Sir H. Holland.*

20th October, 1887

SIR,—With reference to previous correspondence upon the subject of the seizure of British sealing vessels in Behring Sea, I have the honor to forward, for your information, a clipping from the *Toronto Mail* of the 17th instant, publishing in full the Canadian brief prepared by Mr. Drake, Q.C., and filed in the Alaska courts on behalf of the officers of the British sealers seized in Behring Sea.

I also enclose for your information a clipping from the *New York Herald* of the 13th instant, giving the United States brief filed in the District Court at Sitka, by Mr. A. K. Delaney, as counsel for the United States Government.

I have, &c.,

LANSDOWNE.

The Right Honorable Sir Henry Holland, Bart., &c., &c.

[Enclosure No. 1.]

*Extract from Toronto "Mail."*

BEHRING SEA.

MR. DRAKE'S MASTERLY ANSWER TO AMERICAN PRETENSIONS.

*The Russian Claim Discussed—Position Assumed by the States Untenable—Going Beyond the Recognized Law of Nations—The Seizures Entirely Illegal.*

(From our own Correspondent.)

OTTAWA, 16th October.—Hitherto only a brief *resumé* of Mr. Drake's brief in the Alaska courts has been published. As the United States press has recently been making a great parade over the American Government's case, it may not be out of place to give in full the brief prepared by Mr. Drake himself, and filed on behalf of the officers of the British sealers seized in Behring Sea.

THE BRIEF.

*United States Court District of Alaska. The United States Plaintiff, vs. J. D. Warren and J. C. Riley, Defendants.*

Brief in support of the demurrer, filed herein the 30th August, 1887, on behalf of the masters and owners of the British schooners "Anna Beck," "Dolphin," "Grace" and "W. P. Sayward," seized by the United States cutter for an alleged