

Notes

1. William D'Arcy, The Fenian Movement in the United States, 1858-1886 (1947; reprint edition, New York, 1971), p. 70. c.f. Henry Cuddy, "The Influence of the Fenian Movement on Anglo-American Relations, 1860-1872" (Ph.D. diss., St. John's University, 1953), p. 35. Adams to Seward, 22 September 1865, U.S., Department of State, Papers Relating to Foreign Affairs, 1865, vol. 1 (1866; reprint edition, New York, 1965), pp. 562-563. Hereafter, this series will be referred to as FRUS.

2. West to Seward, 16 September 1865, U.S., Congress, House of Representatives, Executive Documents Printed by Order of the House of Representatives, 40th Cong., 2nd sess., 1868, vol. 13, no. 157, pt. 2, p. 7. Hereafter, referred to as House Executive Document, 157. Leon O'Broin, Fenian Fever: An Anglo-American Dilemma (New York, 1971), p. 13.

3. The New York Times, no friend of the Fenians, commented that the English were making a mistake by building up their forces in Ireland because it would give prestige to the Fenian threat. As to sending ships to Ireland, the Times suggested that the British might enjoy a visit to Bantry Bay, but they

would not be troubled by a mythical Fenian navy. New York Times, 15 September 1865, p. 4, and 21 September 1865, p. 4.

4. Adams to Seward, 28 December 1865, FRUS, 1866, vol. 1, pp. 36-37. Eastman to Seward, 24 September 1865, House Executive Document, 157, pt. 2, p. 10.

5. West to Seward, 20 September 1865, West to Seward, 14 October 1865, House Executive Document, 157, pt. 2, pp. 8-9, 14-15. Seward to Adams, 11 December 1865, Adams to Seward, 28 December 1865, FRUS, 1866, vol. 1, pp. 29-30, 36-37. Brian Jenkins, Fenians and Anglo-American Relations during Reconstruction (Ithaca, N.Y., 1969), pp. 77-81.

6. Adams to Seward, 28 December 1865, FRUS, 1866, vol. 1, pp. 36-37. West to Seward, 14 January 1866, House Executive Document, 157, pt. 2, pp. 31-32. New York Times, 27 January 1866, p. 1. Jenkins, Fenians and Anglo-American Relations, pp. 85-87. Clipping from the Evening Mail and Post of 17 February 1866 in House Executive Document, 157, pt. 2, pp. 38-41. Adams to Seward, 22 February 1866, FRUS, 1866, vol. 1, pp. 69-70.

7. Jenkins, Fenians and Anglo-American Relations, pp. 76-77. R.W. Flournoy, "Naturalization and Expatriation," Yale Law Review vol. 31, no. 8 (June, 1922), pp. 848-852. Adams also believed that the British knew about the lax fashion in which the United States enforced its naturalization laws--before an election, judges sometimes made men citizens even though they had not fulfilled the requirements, just as long as the new citizen could be counted on to vote the right way. See Jenkins, Fenians and Anglo-American Relations, p. 95. Cornelius O'Dowd,

"Fenians," Blackwood's Magazine vol. 101, no. 615 (January, 1867): pp. 58-59.

8. Alexander Cockburn, Nationality (London, 1869), p. 7.
John G. Bellamy, The Tudor Law of Treason (Toronto, 1979), p.26.
John G. Bellamy, The Law of Treason in England in the Later Middle Ages (Cambridge, 1970), pp. 10, 27.

9. Cockburn, Nationality, pp. 7-8.

10. Bellamy, Law of Treason in England, p. 9. Bellamy, Tudor Law, pp. 26-27, 69-70. Thomas Hobbes quoted in Ernst Cassirer, The Philosophy of the Enlightenment (1951, reprint edition, Boston, 1955), p. 256.

11. William Blackstone, Commentaries on the Laws of England, vol. 1 (Oxford, 1765), pp. 357-358.

12. Carl Becker, The Declaration of Independence (1922; reprint edition, New York, 1958), pp. 63-66.

13. Emerich de Vattel, The Law of Nations, 4th American edition (Philadelphia, 1835), pp. 103-105.

14. David Hawke, The Colonial Experience (Indianapolis, 1966), pp. 545 and 570. The Declaration of Independence appears in Henry Steele Commager, editor, Documents of American History, 8th edition (New York, 1968), p. 101. For a discussion of the philosophical influences on America's founding fathers, especially regarding international relations, see Felix Gilbert, To the Farewell Address (Princeton, 1961).

15. James Kent, Commentaries on American Law, 5th edition, vol. 2 (New York, 1844), pp. 41-48.

16. Joseph Story, Commentaries on the Conflict of Laws, Foreign and Domestic, 3rd edition (Boston, 1846), pp. 24-25, 29-33.

17. Coleman Phillipson, Wheaton's Elements of International Law, 5th English edition (London, 1916), pp. 241, 246.

18. U.S., Department of Justice, Official Opinions of the Attorney's General of the United States, vol. 8 (Washington, D.C., 1858), pp. 140, 163-168.

19. U.S. Statutes at Large, vol. 2, 7th Cong., sess 1 chapter 28, pp. 153-154. The law even required the prospective citizen to state the name of his former king, sovereign or state, and specifically renounce that allegiance. James Fulton Zimmerman, Impressment of American Seamen (1925; reprint edition, Port Washington, 1966), pp. 18-19.

20. John Bassett Moore, The Principles of American Diplomacy (New York, 1905) pp. 275-276. c.f., Zimmerman, Impressment, pp. 22-23. "Madison's War Message," in Commager, Documents, pp. 208-209. Rising Lake Morrow, "The Early American Attitude toward Naturalized Americans Abroad," American Journal of International Law vol. 30 (October, 1936), pp. 648, 654-655. Burton Spivak, "Republican Dreams and National Interest," The Society for Historians of American Foreign Relations Newsletter vol. 12, no. 2 (June, 1981), p. 16.

21. Flournoy, "Naturalization and Expatriation," pp. 848-849. Morrow "Early American Attitude toward Naturalized Americans Abroad," pp. 655-656.

22. Clay made these remarks in a statement on impressment, and since impressment was, by then, a dormant issue, Clay's words received little attention. Morrow, "Early American Attitude toward Naturalized Americans Abroad," p. 656.

23. Morrow, "Early American Attitude toward Naturalized Americans Abroad," pp. 657-658.

24. Moore, Principles, p. 276. Morrow, "Early American Attitude toward Naturalized Americans Abroad," p. 658.

Buchanan to Bancroft, 23 October 1848, 28 October 1848, 18 December 1848, 12 February 1849, and 17 February 1849, James Buchanan, The Works of James Buchanan, vol. 8 (1911, reprint, New York, 1960), pp. 227, 230-231, 264-266, 319-321, 336-337. Entry for 17 February 1849, James K. Polk, The Diary of James K. Polk, vol. 4 (Chicago, 1910), pp. 337-338. c.f., Jenkins, Fenians and Anglo-American Relations, pp. 15-19.

25. Morrow, "Early American Attitude toward Naturalized Americans Abroad," p. 659. Henry M. Adams, Prussian-American Relations, 1775-1871 (Cleveland, 1960), pp. 69, 71-72.

26. I-Mien Tsiang, "The Question of Expatriation in America Prior to 1907," Johns Hopkins University Studies in Historical and Political Science series 60, no. 3 (1942), pp. 82-83. Moore, Principles, p. 285.

27. D'Arcy, Fenian Movement, pp. 12-14.

28. D'Arcy, Fenian Movement, p. 18.

29. Jenkins, Fenians and Anglo-American Relations, p. 26. James M. Hennon, Celts, Catholics and Copperheads: Ireland Views the Civil War (Columbus, Ohio, 1968), p. 15. William

Shannon notes that at least thirty-eight Northern regiments contained the word, "Irish," in their names. William Shannon, The American Irish: A Political and Social Portrait (1963, reprint edition, New York, 1974), p. 59.

30. Some recruiters apparently did not wait for the immigrants to arrive in the United States. An article in the Liverpool Daily Mercury of 18 November 1864 told of a man named Murphy arrested in Athlone, Ireland for having attempted to recruit some of the local men for the Union army. Wilding to Seward, 18 November 1864, FRUS, 1865, vol. 1, pp. 33-34, Cuddy, "Influence," p. 29.

31. Likewise, the American government, for the most part, tolerated the activities (short of treason) of such alien revolutionary groups in the United States. Paul Seabury, "Ideology and Foreign Policy," Encyclopedia of American Foreign Policy, vol. 2 (New York, 1978), p. 402. Thomas Brown, Irish-American Nationalism, 1870-1890 (Philadelphia and New York, 1966), p. 28.

32. D'Arcy, Fenian Movement, pp. 168-169.

33. In 1866, 202,000 persons of Irish birth lived in New York City. Philadelphia had 96,000 Irish born, and Boston had 56,000. By 1860, all together, 1,611,304 native Irishmen lived in the United States. Cuddy, "Influence," p.2. U.S., Department of Commerce, Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1970, Bicentennial edition (Washington, D.C., 1975), pp. 108, 117-118.

34. As early as the 1790s, the Irish had favored Jefferson's party over the Federalists, who had sponsored the anti-immigrant Alien and Sedition Acts. This support continued right through the post-Civil War era, when the Irish saw Republicans as spin-offs of the Know-Nothings. Shannon, American Irish, p. 47. Edward L. Gambill, Conservative Ordeal: Northern Democrats and Reconstruction, 1865-1868 (Ames, Iowa, 1981), p. 6.

35. Jenkins, Fenians and Anglo-American Relations, p. 23. D'Arcy, Fenian Movement, p. 181.

36. Carl Wittke, The Irish in America (1956, reprint edition, New York, 1970), p. 154. D'Arcy, Fenian Movement, pp. 124, 133.

37. Dictionary of American Biography, s.v. "Seward, William Henry."

38. Glyndon G. Van Deusen, William Henry Seward (New York, 1967), p. 270.

39. Gideon Welles, quoted in John Niven, Gideon Welles: Lincoln's Secretary of the Navy (New York, 1971), p. 576. This opinion should be balanced by mentioning that Welles saw Seward as a rival for influence within the cabinet.

40. Van Deusen, William Henry Seward, pp. 281-284.

41. Dictionary of American Biography, s.v. "Seward, William Henry." Van Deusen, William Henry Seward pp. 262, 266.

42. Dictionary of American Biography, s.v. "Seward, William Henry". Jenkins, Fenians and Anglo-American Relations, pp. 46-47, 127-128.

43. Dictionary of American Biography, s.v. "Seward, William Henry." Jenkins, Fenians and Anglo-American Relations, pp. 100-101. Seward to Adams, 10 March 1866, FRUS, 1866, vol. 1, pp. 77-79.

44. Jenkins, Fenians and Anglo-American Relations, pp. 98-99. West to Seward, 3 March 1866, House Executive Document, 157, pt. 2, pp. 43-46. Seward to Adams, 22 March 1866, FRUS, 1866, vol. 1, pp. 86-88.

45. Jenkins, Fenians and Anglo-American Relations, p. 97.

46. Seward to Adams, 30 April 1866, Adams to Seward, 1 June 1866, FRUS, 1866, vol. 1, pp. 113, 123-124. Jenkins, Fenians and Anglo-American Relations, pp. 102-103.

47. Seward to Adams, 21 April 1866, 28 April 1866, 1 May 1866, 29 May 1866, 16 June 1866, 23 July 1866, 24 July 1866, FRUS, 1866, vol. 1, pp. 107-111, 115-117, 122-123, 137-139, 153-154.

48. Adams to Seward, 23 August 1866, FRUS, 1866, vol. 1, p. 175.

49. The intra-Fenian squabbling that went on between the various factions gave proof to Dr. Samuel Johnson's remark: "The Irish are a fair people; --they never speak well of one another." Oxford Dictionary of Quotations, 2nd edition (London, 1953), p. 272.

50. Seward to Adams, 11 January 1867, and 15 January 1867, Adams to Seward, 25 January 1867, and 6 February 1867, FRUS, 1867, vol. 1, pp. 44-45, 55-57, 60, 62-63.

51. Adams to Seward, 19 February 1867, and 8 March 1867, Seward to Adams, 28 March 1867, FRUS, 1867, vol. 1, pp. 64, 67, 75-77. Eastman to Seward, 16 February 1867, 7 March 1867, 9 March 1867, 14 March 1867 House Executive Document, 157, pt. 2, pp. 65-67.

52. Cuddy "Influence," p. 61. D'Arcy, Fenian Movement, pp. 244-247. Jenkins, Fenians and Anglo-American Relations p. 237.

53. Seward to Adams, 15 May 1867, FRUS, 1867, vol. 1, pp. 87-88.

54. Adams to Seward, 18 May 1867, FRUS, 1867, vol. 1, pp. 90-92.

55. Adams to Seward, 28 May 1867, Adams to Stanley, 25 May 1867, Stanley to Adams, 26 May 1867, Adams to Seward, 4 June 1867, FRUS, 1867, vol. 1, pp. 95-98.

56. Seward to Adams, 9 July 1867, and 7 August 1867, Bruce to Stanley, 22 August 1867, FRUS, 1867, vol. 1, pp. 112-113, 120, 203. Jenkins, Fenians and Anglo American Relations, pp. 237-238.

57. Adams to Seward, 3 September 1867, 11 September 1867, 13 September 1867, Seward to Adams, 20 September 1867, FRUS, 1867, vol. 1, pp. 133, 140-1, 144.

58. Adams to Seward, 21 September 1867, FRUS, 1867, vol. 1, pp. 145-151. The day after the Manchester attach, Sir Frederick Bruce, always a voice of moderation died, while visiting Boston.

59. Seward to Adams, 3 October 1867, Adams to Seward, 12 October 1867, FRUS, 1867, vol. 1, pp. 156-158, 242-243. When Warren and Nagle were told that the United States Government would pay for their legal fees, each said he wanted his own lawyer. The frugal Adams compromised, saying he would supply only one lawyer for both prisoners, but they could select the lawyer. Adams to Seward 19 October 1867, FRUS, 1867, vol. 1, pp. 159-160.

60. Adams to Seward, 1 November 1867, FRUS, 1867, vol. 1, p. 165.

61. Adams to Seward, 5 November 1867, FRUS, 1867, vol. 1, pp. 171-172.

62. Seward to Adams, (telegram) 15 November 1867, Seward to Adams, 15 November 1867, Adams to Seward, 16 November 1867, 18 November 1867, Seward to Adams 19 November 1867, 21 November 1867, 21 November 1867, 22 November 1867, FRUS, 1867, vol. 1, pp. 174-177.

63. William D'Arcy asserts that the execution of the "Manchester Martyrs" helped to increase the lifespan of the Fenians. D'Arcy, Fenian Movement, p. 271. Allen, Larkin and O'Brien are remembered to this day in a song still popular among Irish folk singers:

God Save Ireland

High upon the gallows tree swung the noble-
hearted three,

By the vengeful tyrant stricken in their
bloom;

But they met him face to face, with the
spirit of their race,

And they went with souls undaunted to
their doom.

"God save Ireland," said the heroes, "God
save Ireland," said they all;

"Whether on the scaffold high, or the
battle-field we die,

O what matter, when for Erin dear we fall!"

This is reprinted in Songs of the Irish Republic (Cork, Ireland, 1972), p. 75.

64. Savage, quoted in D'Arcy, Fenian Movement, p. 272.

Savage was correct as to Adams's reticence in regard to requesting clemency for O'Brien. On 22 November, Adams wrote that he had "come to the painful conclusion that such a step would be likely to do more harm than good" because the British government would have to say no, or else look weak in the face of American interference. Adams to Seward, 21 November 1867, FRUS, 1867, vol. 1, pp. 176-177.

65. Seward to Adams, 21 November 1867, FRUS, 1867, vol. 1, pp. 176-177.

66. O'Broin, Fenian Fever, p. 210. D'Arcy, Fenian Movement, p. 276. Seward to Adams, 25 December 1867, FRUS, 1868, pp. 132-133.

67. Adams to Seward, 24 December 1867, Seward to Adams, 27 December 1867, FRUS, 1868, vol. 1, pp. 131-134. Thornton to Stanley, 10 March 1868, Great Britain, Foreign Office, F.O.

1356, 1. E, Public Record Office, London. Files, F.O. 1356, 1. E and F.O. 1357 1. E are used with the permission of the Public Record Office. Hereafter, they will be referred to as F.O. 1356 and F.O. 1357.

68. Copy of the London Times article included in Adams to Seward, 11 December 1867, FRUS, 1868 vol. 1, pp. 38-40.

69. Adams to Seward, 11 December 1867, FRUS, 1868 vol. 1, pp. 40-44.

70. Adams to Seward, 8 January 1868, 11 January 1868, 15 January 1868, and 18 February 1868, FRUS, 1868 vol. 1, pp. 135-41, 143, 155-156.

71. Seward to Bancroft, 20 May 1867, FRUS, 1867, vol. 1, pp. 583-584. Adams, Prussian-American Relations, p. 94.

72. Bismark, quoted in M.A. DeWolfe Howe, The Life and Letters of George Bancroft, vol. 2 (1908, reprint edition, Port Washington, N.Y., 1971), pp. 257-258.

73. Seward to Wright, 9 April 1866, 24 September 1866, FRUS, 1866, vol. 2, pp. 12, 46-47. Bancroft to Seward, 9 September 1867, FRUS, 1867, vol. 1, p. 585. Bancroft to Seward, 22 February 1868, FRUS, 1868, vol. 2, pp. 47-49.

74. Rising Lake Morrow, "The Negotiation of the Anglo-American Treaty of 1870," American Historical Review vol. 39, no. 4 (July, 1934): pp. 668-669. Bancroft to Seward, 23 January 1868, FRUS, 1868, vol. 2, p. 42.

75. Thornton to Stanley, 8 March 1868, and 10 March 1868 F.O. 1356.

76. Foreign Office to Home Office, 9 March 1868, Stanley to Thornton, 14 March 1868, Thornton to Stanley, 20 March 1868, and 4 April 1868, F.O. 1356.

77. Thornton to Stanley, 30 March 1868, and 13 April 1868, F.O. 1356.

78. Seward to Thornton, 9 June 1868, Stanley to Thornton, 16 June 1868, F.O. 1356. Seward to Moran, 22 June 1868, FRUS, 1868, vol. 1, pp. 318-319. Stanley to Thornton, 28 July 1868, F.O. 1356.

79. David Donald, Charles Sumner and the Right of Man (New York, 1970), pp. 363-364. Thornton to Stanley, 27 June 1868, F.O. 1356. U.S., Statutes at Large, vol. 15, 40th Cong., sess. 2, chap. 249, pp. 223-224.

80. For a more complete discussion of the effect of the Naturalization Act of 1868, see Milton Plesur, America's Outward Thrust: Approaches to Foreign Affairs, 1865-1890 (DeKalb, Ill, 1971), pp. 67-86.

81. Seward to Johnson, 20 July 1868, and 23 September 1868, Johnson to Seward 12 September 1868, FRUS, 1868, vol. 1, pp. 328-331, 350, 354-356.

82. Stanley to Thornton, 19 September 1868, F.O. 1356. Report from the British Law Office, dated 1 October 1868 (initialled 5 October 1868 by the attorney general and the solicitor general), F.O. 1356. Johnson to Seward, 9 October 1868, FRUS, 1868 vol. 1, p. 357-360.

83. Stanley to Thornton, 9 October 1868, F.O. 1356. Jenkins, Fenians and Anglo-American Relations, p. 278.

84. Thornton to Clarendon, 22 February 1869, F.O. 1357.

85. The report of the royal commission dealing with the question of allegiance is reprinted in FRUS, 1873, vol. 2, pp. 1234, 1241-2.

86. The Senate acted on the naturalization protocol on 13 April 1869, the same day it rejected the Johnson-Clarendon Convention on the Alabama claims by a vote of 54-1. Adrian Cook, The Alabama Claims: American Politics and Anglo American Relations, 1865-1872. (Ithaca, N.Y., 1975), p. 70.

87. Clarendon to Johnson, 4 May 1869, F.O. 1357.

88. W.E. Lunt, History of England, 4th edition (New York, 1957), p. 693. Motley to Clarendon, 26 June 1869, F.O. 1357. Clarendon to Motley, 5 July 1869 (Clarendon based his note on a memorandum by Charles S.A. Abbott dated 30 June 1869), F.O. 1357.

89. Motley to Clarendon, 10 September 1869, F.O. 1357. Foreign Office to Home Office, 24 September 1869, F.O. 1357.

90. Morrow, "Negotiation," p. 680. Clarendon to Thornton, 21 April 1870, F.O. 1357. Thornton to Clarendon, 21 April 1870, F.O. 1357.

91. A copy of this bill (33 Victoria, chap. 14) dated 12 May 1870 is reprinted in F.O. 1357. Morrow "Negotiation," p. 680.

92. Memorandum by Lord Tenterden dated 11 May 1870, with a covering letter dated 14 May 1870, F.O. 1357.

93. Thornton to Clarendon, 13 June 1870, F.O. 1357.

94. U.S., Department of State, Treaties and Other International Agreements of the United States, 1776-1949, vol. 12 (Washington, D.C., 1974), pp. 158-160. Morrow, "Negotiation," p. 680. Thornton to Granville, 5 August 1870, F.O. 1357.

95. Foreign Office to Home Office, 25 August 1870, Liddell to Hammond, 30 August 1870, Granville to Motley, 16 September 1870, Motley to Granville, 3 October 1870, Granville to Moran, 29 December 1870, Granville to Her Majesty's Consuls, 30 December 1870, Granville to Thornton, 6 January 1871, F.O. 1357.

96. Thornton to Granville, 23 January 1871, Thornton to Granville, 30 January 1871, Foreign Office to Home Office, 14 February 1871, Liddell to Foreign Office, 15 February 1871, Granville to Thornton, 18 February 1871, Granville to Thornton, 19 April 1871, Circular issued to consuls by the Foreign Office, 22 April 1871, F.O. 1357. U.S., Department of State, Treaties, vol. 12, pp. 167-169.

97. Memorandum by Lord Tenterden, 17 July 1871, F.O. 1357. Foreign Office to Home Office, 18 July 1871, F.O. 1357.

98. Foreign Office to Home Office, 18 July 1871, Liddell to Under Secretary of the Foreign Office, 5 August 1871, Fish to Pakenham, 4 September 1871, Pakenham to Granville, 5 September 1871, F.O. 1357.

99. Memorandum by Tenterden, 27 September 1871, F.O. 1357. Home Office to Hammond, 25 October 1871, F.O. 1357. Great Britain, Law Reports, Public General Statutes 35-36 Victoria (1872), vol. 7, chap. 39, pp. 251-253.

100. J.E. Cookson, Lord Liverpool's Administration: The Crucial Years, 1815-1822 (Hamden, Connecticut, 1975), p. 99.

101. Charles S. Campbell, The Transformation of American Foreign Relations, 1865-1900 (New York, 1976), p. 1.

102. Robert Beisner L., From the Old Diplomacy to the New, 1865-1900 (Arlington Heights, Ill., 1975), p. 39.

103. Ironically, Nathaniel Banks had begun his political career as a member of the Know-Nothings, a group known for its anti-immigrant stand.

104. As early as 1839, Seward, as governor of New York, sought to rid the state's public schools of their Protestant bias, and Seward and his associates "made energetic efforts in 1840 to capitalize politically on the governor's friendship for foreigners." Van Deusen, William Henry Seward, pp. 68-69. c.f. Jenkins, Fenians and Anglo-American Relations, p. 252.

105. Charles Campbell claims that the American government paid more attention to its relations with Britain than it did with all other countries put together. Campbell, Transformation, p. 5.

106. Jenkins, Fenians and Anglo-American Relations, p. 276. Cook, Alabama Claims, pp. 43-44.

107. Jenkins, Fenians and Anglo-American Relations, pp. 286-288, 290-291.

108. By September 1868, the army had been reduced to 48,000 men, less than the number of casualties suffered by Grant's Union forces between 5 and 12 May 1864 during the Wilderness campaign. Andrew Johnson's annual message to Congress, 9 December 1868, FRUS, 1868, vol. 1, pp. 10-11. Samuel Eliot Morison and Henry Steele Commager, The Growth of the American Republic, 5th edition, vol. 1 (New York, 1962), p. 774. James A. Field, Jr., America and the Mediterranean World, 1776-1882 (Princeton, N.J., 1969), p. 312.

109. See House Executive Document, 157.
110. Beisner, From the Old Diplomacy, pp. 79-81.
111. Campbell, Transformation, p. 3. D'Arcy, Fenian Movement, pp. 131-132. Cook, Alabama Claims, pp. 38, 47. Seward to Moran, 22 June 1868, FRUS, 1868 vol. 1, pp. 318-319.
112. Seward to Adams, 27 December 1867, FRUS, 1868, vol. 1, p. 133. Beisner, From the Old Diplomacy, p. 80.
113. Campbell, Transformation, p. 1. Beisner, From the Old Diplomacy, p. 80.

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Adams does not say much about the negotiation of the Bancroft Treaty specifically, but works the naturalization question into the generally good relations between Prussia and the United States and the parallel friendly ties between Bismark and Bancroft.

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theoretical model useful for testing how the naturalization question fits in with the broader diplomatic scene in the post-Civil War period.

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Bellamy, John G. The Tudor Law of Treason: An Introduction. Toronto: University of Toronto Press, 1979. Includes a brief survey of expatriation as it relates to the law of treason. This connection may have added to England's reluctance to accede to America's position on expatriation.

Bemis, Samuel Flagg, editor. The American Secretaries of State and Their Diplomacy. Vol. 7. 1928. Reprint. New York: Cooper Square Publishers, 1963. A standard secondary source in American diplomacy.

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Bassett Moore. 11 vols. 1908-1911. Reprint. New York: Antiquarian Press, 1960.

A useful primary source containing letters, speeches and state papers by one--who first as secretary of state, and then as president--endeavored to protect naturalized American citizens abroad.

Campbell, Charles S. The Transformation of American Foreign Relations. 1865-1900. New York, Harper and Row, 1976.

A fine survey of American foreign relations in the latter part of the nineteenth century. Useful, though it contains no mention of the Anglo-American dispute on naturalization.

Cassirer, Ernst. The Philosophy of the Enlightenment. 1951.

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Commager, Henry Steele, editor. Documents of American History.

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A collection of the central documents in the history of America.

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Perhaps a bit too strong in its opinions, it is still useful because it is one of the few secondary sources which provides substantial coverage of the dispute on expatriation and naturalization.

Cookson, J.E. Lord Liverpool's Administration: The Crucial

Years, 1815-1822. Hamden, Connecticut: Archon Books, 1975.

Cuddy, Henry. "The Influence of the Fenian Movement on Anglo-American Relations, 1860-1872." Ph.D. dissertation, St. John's University, 1953.

Despite a number of questionable interpretations, Cuddy's work remains a useful secondary source if read in connection with D'Arcy and Jenkins (see below) which are more dependable.

D'Arcy, William. The Fenian Movement in the United States,

1858-1886. 1947. Reprint. New York: Russell and Russell, 1971.

Originally a doctoral thesis, this is the best general history of the Fenians.

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Policy. 3 vols. New York: Scribners, 1978.

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Donald, David. Charles Sumner and the Rights of Man. New
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An excellent secondary source. Sumner, chairman of the Senate Committee on Foreign Relations, played an important role in American foreign affairs in the post-Civil War era. Donald shows Sumner's progression from one who prevented the passage of bills which he believed would lead to war between Britain and America, to one who took a firm stand in favor of huge American claims in regard to the Alabama.

Duberman, Martin B. Charles Francis Adams, 1807-1886. Boston
and New York: Houghton Mifflin, 1961.

This standard biography of Charles Francis Adams offers disappointingly little coverage of the post-Civil War era. Little mention is made of naturalization.

Field, James A., Jr. America and the Mediterranean World, 1776-1882. Princeton, N.J.: Princeton University Press, 1969.

Although nothing on naturalization or the Fenians, the book does show a widespread American presence in Europe that would seem at least somewhat to mitigate Beisner's claim that the United States was non-interventionalist during the post-Civil War period.

Flournoy, R.W. "Naturalization and Expatriation," Yale Law Journal. Vol. 31, Nos. 7 and 8 (May and June 1922): pp. 702-719, 848-868.

Traces American thinking on naturalization and expatriation.

Franklin, Frank George. The Legislative History of Naturalization in the United States, From the Revolutionary War to 1861. 1906. Reprint. New York: Arno Press, 1969.

Contains an interesting chapter which traces the unwillingness of Congress--up to 1860--to speak specifically about expatriation: to decide whether or not expatriation was a right of American citizens. Franklin stays close to the topic of legislation. Because of this, he deals only tangentially with the protection of naturalized citizens abroad--seeming to veer away from the subject any time he comes close to it. For instance, Franklin jumps from the Naturalization Act of 1802 to an act passed in 1813, thus, almost totally avoiding the topic of impressment.

Gambill, Edward L. Conservative Ordeal: Northern Democrats and Reconstruction, 1865-1868. Ames, Iowa: Iowa State University Press, 1981.

Helpful secondary source for background information on American domestic politics.

Gibson, Florence E. The Attitude of the New York Irish toward State and National Affairs, 1848-1892. 1951. Reprint. New York: AMS Press, 1968.

This often quoted secondary source gives only brief coverage to the negotiation of the Naturalization Treaty of 1870.

Gilbert, Felix. To the Farewell Address: Ideas of Early American Foreign Policy. Princeton, N.J.: Princeton University Press, 1961.

A well written study which describes a dichotomy of European influences--Enlightenment thought and traditional power politics--on early American diplomatic thinking.

Great Britain. Foreign Office. F.O. 1356, 1. E., and F.O. 1357, 1. E. London, Public Record Office. Microfilm Copy.

Foreign Office files 1356, 1. E and 1357, 1. E are used with the permission of the Public Record Office. These files contain drafts of letters and treaties in the years 1868-1871 relating to the settlement of the questions of expatriation and naturalization with the United States.

Great Britain. Law Reports, Public General Statutes. 35-36 Victoria (1872). Vol. 7.

Hawke, David. The Colonial Experience. Indianapolis, Indiana: Bobbs-Merrill, 1966.

Hernon, Joseph M. Gelts, Catholics and Copperheads: Ireland Views the Civil War. Columbus, Ohio: Ohio State University Press, 1968.

Good for information about Fenian hopes during the Civil War.

Hobsbawm, Eric J. The Age of Capital, 1848-1875. 1975.

Reprint. New York: Mentor-New American Library, 1979.

Provides background information about Europe during the period under consideration. Hobsbawm shows the Fenians in the context of other contemporary European nationalist

movements. Hobsbawm asserts that the Fenians were a proletarian movement, unlike earlier nineteenth century Irish revolutionary movements which were controlled by the middle class. Hobsbawm stretches this analysis a little too far when, noting that the Ireland of the 1860s had few industrial workers, he claims that Fenianism "anticipates the revolutionary national movements of the under-developed countries in the twentieth century."

Howe, M.A. DeWolfe. The Life and Letters of George Bancroft. 2 vols. 1908. Reprint. Port Washington, N. Y.: Kennikat Pr., 1971.

This laudatory biography contains little on the Bancroft Naturalization Treaty with Prussia.

Jenkins, Brian. Fenians and Anglo-American Relations during Reconstruction. Ithaca, N.Y.: Cornell University Press, 1969.

An excellent survey of how the Fenians fit into the skein of American diplomatic relations. Jenkins provides the best available account of the negotiation of the naturalization treaty.

Kent, James. Commentaries on American Law. 5th edition. 4 vols. New York: Printed for the author by W. Osborn Printers, 1844.

A classic in American jurisprudence.

Lunt, W.E. History of England. 4th edition. New York: Harper and Row, 1957.

Lyons, F.S.L. Ireland Since the Famine. London: Weidenfeld and Nicolson, 1971.

A sympathetic history of Ireland.

Moore, John Bassett. The Principles of American Diplomacy.

New York: Harper and Brothers, 1905.

Contains a useful chapter on the question of expatriation.

Morison, Samuel Eliot and Commager, Henry Steele. The Growth of the American Republic. 5th edition. 2 vols. New York: Oxford University Press, 1962.

Morrow, Rising Lake. "The Early American Attitude toward Naturalized Americans Abroad," American Journal of International Law. Vol. 30 (October, 1936), pp. 647-663.

This and the following two articles form a useful trilogy on the expatriation question.

Morrow, Rising Lake. "The Early American Attitude toward the Doctrine of Expatriation," American Journal of International Law. Vol. 26, No. 3 (July, 1932), pp. 552-564.

Morrow, Rising Lake. "The Negotiation of the Anglo-American Treaty of 1870," American Historical Review. Vol. 39, No. 4 (July, 1934), pp. 663-681.

The earliest writing of some length on the Naturalization Treaty of 1870. Still valuable.

Myers, Phillip Earl. "Mask of Indifference: Great Britain's North American Policy and the Path to the Treaty of Washington, 1815-1871." Ph.D. dissertation, University of Iowa, 1978.

This dissertation, covering a wide sweep of Anglo-American diplomacy, deals only briefly with the naturalization

question. Myers seems to have based this coverage on Brian Jenkins's book listed above.

Neidhart, W.S. Fenianism in North America. University Park, Pa.: Pennsylvania State University Press, 1975.

Deals with the Fenians from a Canadian point of view.

Although not specifically referred to in this paper, it is a major secondary source on the Fenians.

Nevins, Allan. Hamilton Fish: The Inner History of the Grant Administration. New York: Dodd, Mead, 1937.

Although a standard and generally sympathetic biography of Hamilton Fish, it is more than that. The subtitle is a better indication of its contents. This volume is a good balance to Adrian Cook's Alabama Claims, which is quite critical of Fish.

New York Times.

Sir Frederick Bruce recommended that the Canadian government subscribe to the Times because it reflected Geward's thinking. Very useful.

Niven, John. Gideon Welles: Lincoln's Secretary of the Navy. New York: Oxford University Press, 1971.

A good biography of this opinionated cabinet member.

Nye, Russel B. George Bancroft: Brahmin Rebel. New York: Knopf, 1944.

Not much on Bancroft's naturalization treaty with Prussia.

O'Brein, Leon. Fenian Fever: An Anglo-American Dilemma. New York: New York University Press, 1971.

Although quite cluttered with names, and lacking a good index, this volume is useful, especially for Fenian operations in Ireland and for the responses of the police.

O'Dowd, Cornelius. "Fenians," Blackwood's Magazine. Vol. 101, No. 615 (January, 1867): pp. 58-59.

Oxford Dictionary of Quotations. 2nd edition. London: Oxford University Press, 1953.

Phillipson, Coleman. Wheaton's Elements of International Law. 5th English edition. London: Stevens and Sons, 1916.

An important commentary. It is useful for explaining to the uninitiated the complexities of its subject (e.g. the legal difference between residence and domicile). The work is especially interesting because Wheaton acted as minister to Prussia during a time when the naturalization question was still a problem for American diplomats.

Plesur, Milton. America's Outward Thrust: Approaches to Foreign Affairs, 1865-1890. DeKalb, Ill.: Northern Illinois University Press, 1971.

A chapter, "The Eagle's Protective Wing," traces the effect of a congressional act of 1868 which said that American citizens abroad, both native and naturalized, would receive the protection of the United States government. The book's bibliography led to a number of secondary sources.

Polk, James K. The Diary of James K. Polk. Edited by Milo Milton Quaife. 4 vols. Chicago: A.C. McClurg & Co., 1910.

A complementary source to Buchanan's Works for policy during the Polk administration.

Robson, Maureen M. "The Alabama Claims and the Anglo-American Reconciliation, 1865-1871," Canadian Historical Review.

Vol. 42, No. 1. (March, 1961). pp. 1-22.

Good brief survey of the various questions that complicated Anglo-American affairs in the Reconstruction era.

Schrier, Arnold. Ireland and the American Emigration, 1850-1900. 1958. Reprint. New York: Russell and Russell.

Provides an interesting explanation for the failure of Fenianism in Ireland.

Shannon, William V. The American Irish: A Political and Social Portrait. 1963. Reprint. New York: MacMillan, Collier Books, 1974.

A well written survey of the Irish in America since colonial times. Provides useful insights into the advantages the Irish immigrants had in securing political power in the United States.

Songs of the Irish Republic. Cork: Ireland C.F.N., 1972.

Spivak, Burton. "Republican Dreams and National Interest: the Jeffersonians and American Foreign Policy," The Society for Historians of American Foreign Relations Newsletter. Vol. 12, No. 2 (June, 1981): pp. 1-21.

Stacy, C.P. "Britain's Withdrawal from North America, 1864-1871," Canadian Historical Review. Vol. 36, No. 3 (Sept., 1955): pp. 185-198.

A helpful sketch of Anglo-American affairs in the years after the Civil War, but little on naturalization.

Steiner, Bernard Christian. A Life of Reverdy Johnson.

Baltimore: Norman Remington Co., 1914.

A complimentary biography of the man who negotiated the preliminary settlement of naturalization in 1868. The chapter on his tenure as minister to England follows other accounts, and has only a brief account of the events leading to the signing of the protocol.

Story, Joseph. Commentaries on the Conflict of Laws, Foreign and Domestic. 3rd edition. Boston: Charles C. Little and James Brown, 1846.

An important elucidation of American law by a noted Supreme Court justice.

Tsiang, I-Mien. "The Question of Expatriation in America Prior to 1907," Johns Hopkins University Studies in Historical and Political Science. Series 60, No. 3 (1942): pp. 1-128.

Short, incisive coverage of the Bancroft naturalization treaties. A useful secondary source.

United States. Congress. House of Representatives. 1868.

Executive Documents Printed by Order of the House of Representatives during the Second Session of the Fortieth Congress, 1867-68. Vol. 13, No. 157. Washington, D.C.: Government Printing Office.

A large group of documents concerning the protection of American citizens in Ireland, presented by President Johnson to Congress.

United States. Department of Commerce. Bureau of the Census.
1975. Historical Statistics of the United States, Colonial
Times to 1970. Bicentennial edition. 2 parts. Washing-
ton, D.C.: Government Printing Office.

A gold mine of statistics.

United States. Department of Justice. 1858. Official Opinions
of the Attorneys General of the United States. Vol. 8.
Washington, D.C.: R. Farnham.

This volume contains the opinions of Caleb Cushing during
the period 10 July 1856 to 4 March 1857. An opinion of
31 October 1856 (pages 139-169) deals with the question
of expatriation.

United States. Department of State. 1866. Papers Relating
to Foreign Affairs, 1865. 3 vols. and appendix. Reprint.
New York: Kraus Reprint Corp., 1965.

This and the four sets cited immediately below are valuable
primary sources. Not only do they contain diplomatic letters,
~~they also include~~ transcriptions of newspapers articles that
make them a mine of information.

United States. Department of State. 1867. Papers Relating
to Foreign Affairs, 1866. 3 vols. Reprint. New York:
Kraus Reprint Corp., 1965.

United States. Department of State. 1868. Papers Relating
to Foreign Affairs, 1867. 2 vols. Reprint. New York:
Kraus Reprint Corp., 1965.

United States. Department of State. 1869. Papers Relating to Foreign Affairs, 1868. 2 vols. Reprint. New York: Kraus Reprint Corp., 1965.

United States. Department of State. 1873. Papers Relating to Foreign Affairs, 1873. 3 vols. Reprint. New York: Kraus Reprint Corp., 1966.

United States. Department of State. 1968-1976. Treaties and Other International Agreements of the United States of America, 1776-1949. Compiled under the direction of Charles I. Bevans. 13 vols. Washington, D.C.: Government Printing Office.

United States. Statutes at Large. Vol. 2.

United States. Statutes at Large. Vol. 15.

Van Deusen, Glyndon G. William Henry Seward. New York: Oxford University Press, 1967.

Van Dausen based his section dealing with Fenianism on D'Arcy's study. Very useful for information on Seward.

Vattel, Emerich de. The Law of Nations: Or Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns. 4th American edition. Philadelphia: P.H. Nicklin and T. Johnson, 1835.

An important work by a legal philosopher of the Enlightenment.

Ward, A.W. and Gooch, G.P., editors. The Cambridge History of British Foreign Policy. 3 vols. New York: MacMillan Co., 1922-1923.

Of some use in providing a view of England's relatively isolated stance at a time (1866-1870) when the balance of

power in Europe was going through great changes. C.P. Stacy, however, says that, while this is better than some earlier British writing on Great Britain's foreign policy, it still pays inadequate attention to how events in Europe and America combined to affect British diplomacy.

Wittke, Carl. The Irish in America. 1956. Reprint. New York: Russell and Russell, 1970.

An often cited history of the American Irish. Wittke's section on the Fenians is based on D'Arcy.

Zimmerman, James Fulton. Impressment of American Seamen. 1925. Reprint. Port Washington, N.Y.: Kennikat Press, 1966.

Very good in showing the relationship of impressment to the naturalization issue. In this regard, Zimmerman fleshes out the assertion by his mentor, John Bassett Moore, that the boarding of neutral vessels on the high seas was more important than the issue of America's right to protect its naturalized citizens as a source of conflict between the American Revolution and the War of 1812.