



# LIBRARIES

UNIVERSITY OF WISCONSIN-MADISON

## **Executive documents printed by order of the House of Representatives, during the second session of the thirty-ninth Congress, 1866-'67. Vol. II 1866/1867**

United States Department of State

Washington, D.C.: U.S. Government Printing Office, 1866/1867

<https://digital.library.wisc.edu/1711.dl/G5OAT7XT7HRHX84>

As a work of the United States government, this material is in the public domain.

For information on re-use see:

<http://digital.library.wisc.edu/1711.dl/Copyright>

The libraries provide public access to a wide range of material, including online exhibits, digitized collections, archival finding aids, our catalog, online articles, and a growing range of materials in many media.

When possible, we provide rights information in catalog records, finding aids, and other metadata that accompanies collections or items. However, it is always the user's obligation to evaluate copyright and rights issues in light of their own use.

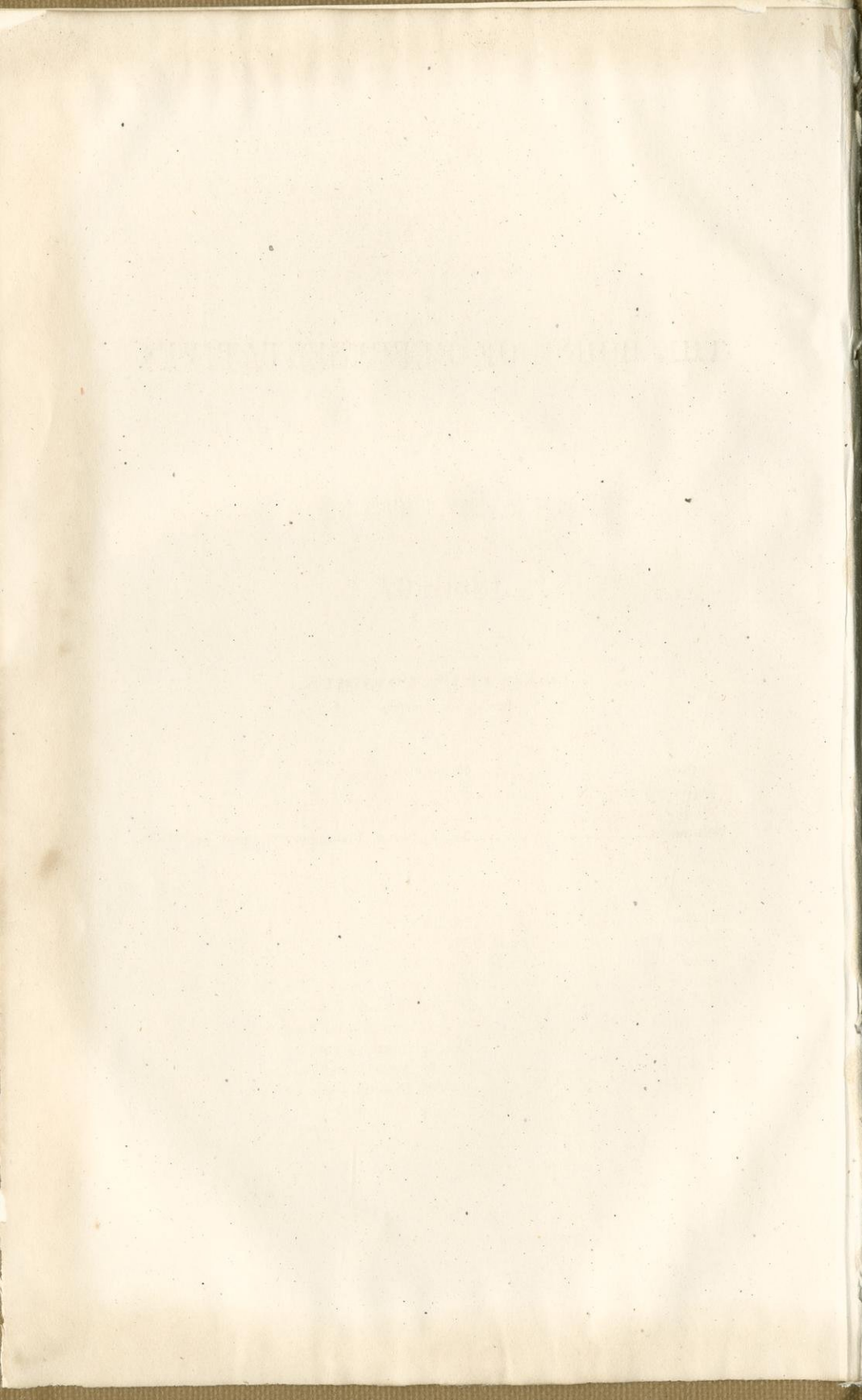












# EXECUTIVE DOCUMENTS

PRINTED BY ORDER OF

## THE HOUSE OF REPRESENTATIVES,

DURING THE

SECOND SESSION OF THE THIRTY-NINTH CONGRESS,

1866-'67.

---

### IN SIXTEEN VOLUMES.

---

Volume 1.....	No. 1. Diplomatic: Parts 1, 2, and 3.
Volume 2.....	No. 1. Interior.
Volume 3.....	No. 1. War.
Volume 4.....	No. 1. Navy, Postmaster General, and No. 2.
Volume 5.....	No. 3 to 8.
Volume 6.....	No. 9 to 24.
Volume 7.....	No. 25 to 49.
Volume 8.....	No. 50 to 54.
Volume 9.....	No. 55 to 56.
Volume 10.....	No. 57 to 70.
Volume 11.....	No. 71 to 116, except Nos. 76, 81, 87, 107, and 109.
Volume 12.....	No. 76. Mexican Affairs.
Volume 13.....	No. 81. Commercial Relations.
Volume 14.....	No. 87. Coast Survey.
Volume 15.....	No. 107. Agricultural Report.
Volume 16.....	No. 109. Patents, parts 1 and 2.

---

WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1867.



EXECUTIVE DOCUMENTS

ISSUED BY ORDER OF

THE HOUSE OF REPRESENTATIVES

ISSUED BY

THE CLERK OF THE HOUSE OF REPRESENTATIVES

1867-68

IN SENATE

The following documents were received by the Secretary of the Senate on the 1st day of January, 1868, and are hereby published in accordance with the provisions of the Act approved March 3, 1845, and amended March 3, 1847, and March 3, 1849, and March 3, 1855, and March 3, 1857, and March 3, 1859, and March 3, 1861, and March 3, 1863, and March 3, 1865, and March 3, 1867, and March 3, 1869, and March 3, 1871, and March 3, 1873, and March 3, 1875, and March 3, 1877, and March 3, 1879, and March 3, 1881, and March 3, 1883, and March 3, 1885, and March 3, 1887, and March 3, 1889, and March 3, 1891, and March 3, 1893, and March 3, 1895, and March 3, 1897, and March 3, 1899, and March 3, 1901, and March 3, 1903, and March 3, 1905, and March 3, 1907, and March 3, 1909, and March 3, 1911, and March 3, 1913, and March 3, 1915, and March 3, 1917, and March 3, 1919, and March 3, 1921, and March 3, 1923, and March 3, 1925, and March 3, 1927, and March 3, 1929, and March 3, 1931, and March 3, 1933, and March 3, 1935, and March 3, 1937, and March 3, 1939, and March 3, 1941, and March 3, 1943, and March 3, 1945, and March 3, 1947, and March 3, 1949, and March 3, 1951, and March 3, 1953, and March 3, 1955, and March 3, 1957, and March 3, 1959, and March 3, 1961, and March 3, 1963, and March 3, 1965, and March 3, 1967, and March 3, 1969, and March 3, 1971, and March 3, 1973, and March 3, 1975, and March 3, 1977, and March 3, 1979, and March 3, 1981, and March 3, 1983, and March 3, 1985, and March 3, 1987, and March 3, 1989, and March 3, 1991, and March 3, 1993, and March 3, 1995, and March 3, 1997, and March 3, 1999, and March 3, 2001, and March 3, 2003, and March 3, 2005, and March 3, 2007, and March 3, 2009, and March 3, 2011, and March 3, 2013, and March 3, 2015, and March 3, 2017, and March 3, 2019, and March 3, 2021, and March 3, 2023, and March 3, 2025.

WASHINGTON

GOVERNMENT PRINTING OFFICE

1868

INDEX  
TO  
THE EXECUTIVE DOCUMENTS  
OF THE  
\*  
HOUSE OF REPRESENTATIVES OF THE UNITED STATES,  
OF THE  
SECOND SESSION OF THE THIRTY-NINTH CONGRESS.

Title.	Vol.	No.	Page.
A.			
Adjutant General of the United States. Annual report of the .....	3	1	
Agassiz. Message of the President of the United States relative to the visit to Brazil of Professor .....	11	86	
Agriculture. Annual report of the Commissioner of .....	15	107	
American seamen. Letter from the Secretary of State relative to relief and protection of .....	5	6	
Appointments to office. Message from the President of the United States transmitting statement from heads of departments, giving names of all .....	10	67	
Architect of the Capitol extension. Report of the .....	2	1	557
Attorney General of the United States. Relative to the case of A. B. Morey, letter from the .....	7	40	
Auditor of the Treasury for the Post Office Department, of the operations of his office for the fiscal year ending June 30, 1866. Annual report of the Sixth .....	4	1	74
B.			
Banking associations. Letter from the Secretary of the Treasury relative to the amount of taxes annually paid by .....	11	73	
Banking associations. Letter from the Secretary of the Treasury relative to same subject as above .....	11	98	
Banking associations, national. Report of the Comptroller of the Currency, with table of abstract of quarterly reports of .....	5	3	1
Bills allowed to become laws. Letter from the Secretary of State relative to .....	10	69	
Bills allowed to become laws. Letter from the Secretary of State relative to .....	11	104	
Bouton, R. M., and H. M. Fisher. Message from the President of the United States relative to the case of .....	11	110	
Brazilian steamers. Letter from the Postmaster General relative to ocean mail service by .....	7	33	
British provinces. Letter from the Secretary of State relative to revenue trade and commerce with the .....	11	78	

Title.	Vol.	No.	Page.
Browne, J. Ross, relative to mineral resources west of the Rocky Mountains. Letter from the Secretary of the Treasury transmitting the report of.....	7	29	
Bureau of Immigration. Letter from the Secretary of State transmitting the report of the.....	7	39	
Bureau of Refugees, Freedmen and Abandoned Lands. Letter from the Secretary of War relative to funds received by the.....	5	7	
Bureau of Refugees, Freedmen and Abandoned Lands. Message from the President of the United States transmitting the report of the Secretary of War relative to the operations of the.....	3	1	705
Bureau of Military Justice. Report of the chief of the.....	3	1	45
C.			
Cadiz, Spain. Message from the President of the United States relative to the importation of wines from.....	11	103	
Candia. Message of the President relative to the revolution in.....	7	38	
Capitol extension. Report of the architect of the.....	2	1	557
Captured and forfeited cotton. Message from the President of the United States relative to.....	11	97	
Church, American Protestant, at Rome. Message from the President of the United States relative to the removal from the American embassy at Rome of the.....	10	57	
Church, American Protestant, at Rome. Message from the President of the United States of like import as above.....	11	115	
Clerks in the Treasury Department. Letter from the Secretary of the Treasury, transmitting a report of the disbursement of the fund appropriated to.....	6	22	
Clerks in the Treasury Department. Letter from the Secretary of the Treasury relative to the disbursement of the funds appropriated as extra compensation to.....	7	30	
Clerks of the federal courts. Message from the President of the United States relative to, and the marshal of the district of North Carolina.....	7	48	
Clerks to postmasters, letter from the Secretary of the Treasury relative to salary tax upon.....	11	99	
Clerks in the Treasury Department. Letter from the Secretary of the Treasury, transmitting list of names of.....	11	100	
Coast Survey. Report of the Superintendent of the.....	14	87	
Coast Survey. Letter from the Secretary of the Treasury, transmitting the number of persons employed in the.....	6	10.	
Commercial relations of the United States with foreign nations during the year 1866. Report of the Secretary of State upon the.....	13	81	
Commissary General of Subsistence of the army. Annual report of the.....	3	1	374
Commissioner of Public Buildings relative to the sewer through the Botanic garden. Letter from the.....	7	49	
Commissioner of Public Buildings. Annual report of the.....	2	1	544
Commissioner of Agriculture. Annual report of the.....	15	107	
Commissioner of Indian Affairs. Annual report of the.....	2	1	1
Commissioner of the General Land Office. Annual report of the.....	2	1	363
Commissioners, special, to Indian tribes. Letter from the Secretary of the Interior, recommending an appropriation to send.....	11	88	
Commissioner of Patents. Annual report of the.....	16	109	
Comptroller of the Currency. Annual report of the.....	5	3	
Constitutional amendment. Message of the President of the United States relative to the ratification of the.....	11	74	
Constitutional amendment. Message from the President of the United States relative to the ratification of the.....	11	94	
Contingent fund of the Treasury Department. Letter from the Secretary relative to the disbursement of the.....	7	42	
Contingent fund of the State Department. Letter from the Secretary of State relative to the disbursement of the.....	10	59	
Contingent fund of the Navy Department. Letter from the Secretary of the Navy relative to the disbursement of the.....	10	64	
Contracts by the engineers' department. Letter from the Secretary of War relative to.....	7	43	

INDEX.

v

Title.	Vol.	No.	Page.
Contracts for fire-arms since April 1, 1864. Letter from the Secretary of War relative to.....	8	53	
Contracts by the Quartermaster General's department. Letter from the Secretary of War relative to .....	7	28	
Contract for printing specifications of patents. Letter from the Secretary of the Interior relative to .....	11	108	
Contractors for mail service in Tennessee. Letter from the Postmaster General relative to .....	11	83	
Cotton claims. Letter from the Secretary of the Treasury relative to ..	11	114	
D.			
Drawback regulations. Letter from the Secretary of the Treasury, transmitting copies of.....	7	41	
E.			
Emperor of Russia. Message from the President of the United States relative to the attempted assassination of the.....	11	112	
Engineer, Chief, of the army. Operations of his department during the fiscal year ending June 30, 1866. Annual report of the.....	3	1	414
Engineer, Chief, relative to the improvement of the harbor at Chicago. Letter from the Secretary of War, transmitting the report of the....	6	21	
Engineer, Chief, relative to the surveys of Rock and Illinois rivers. Letter from the Secretary of War, transmitting the report of the .....	7	26	
Engineer, Chief, relative to the ship channel of the Patapsco river. Letter from the Secretary of War, transmitting the report of the .....	7	44	
Engineer, Chief, relative to certain public works. Letter from the Secretary of War, transmitting the report of the.....	9	56	
Engineer, Chief, relative to the surveys of the Upper Mississippi. Letter from the Secretary of War, transmitting the report of General Warren and of the .....	10	58	
Engineer, Chief, relative to the survey of St. Clair flats. Letter from the Secretary of War, transmitting report of the.....	10	62	
Engineer, Chief, relative to the harbor improvements on Lake Michigan. Letter from the Secretary of War, transmitting a report of the.....	10	70	
Engineer, Chief, relative to the survey of the rapids of the Mississippi. Letter from the Secretary of War, transmitting the report of the .....	11	79	
Engineer, Chief, relative to the harbor at Ontonagon. Letter from the Secretary of War, transmitting the report of the .....	11	80	
Engineer, Chief, relative to the harbor at Plattsburg. Letter from the Secretary of War, transmitting the report of the .....	11	89	
Engineer, Chief, relative to the survey at Hell Gate, New York. Letter from the Secretary of War, transmitting the report of the.....	11	90	
Engineer, Chief, relative to the survey of the Kennebec and Penobscot rivers. Letter from the Secretary of War, transmitting the report of the.....	11	91	
Estimates of appropriations for the Post Office Department for the fiscal year ending June 30, 1868. Letter from the Postmaster General, transmitting.....	6	19	
Estimates of additional appropriations required to complete the service of the fiscal year ending June 30, 1867, and previous years .....	4	2	4
Estimates of appropriations required to meet deficiencies for the fiscal year commencing on the 1st day of July, 1866, and ending 30th day of June, 1867 .....	4	2	6
Estimates of appropriations, specific and indefinite, made by former acts of Congress, which may be required for the service of the last three quarters of the fiscal year ending June 30, 1867 .....	4	2	7
Estimates of appropriations required for the service of the fiscal year ending June 30, 1868 .....	4	2	10
Estimates of appropriations for per diem and mileage of senators, and for the support of the office of the Secretary of the Senate, per act of July 28, 1868, for the year ending June 30, 1868 .....	4	2	10
Estimates of appropriations for per diem and mileage of the members of the House of Representatives and delegates from the Territories, per 17th section of the act of July 28, 1866, for the fiscal year ending June 30, 1868 .....	4	2	11

Title.	Vol.	No.	Page.
Estimates for the office of the Superintendent of Public Printing for the year ending June 30, 1868.....	4	2	13
Estimates for the support of the Library of Congress for the year ending June 30, 1868.....	4	2	14
Estimates of appropriations for the support of the executive department for the year ending June 30, 1868.....	4	2	15
Estimates of appropriations for the support of the State Department for the year ending June 30, 1868.....	4	2	15
Estimates of appropriations for the general purposes of the northeast executive building for the year ending June 30, 1868.....	4	2	17
Estimates of appropriations for the support of the Treasury Department for the year ending June 30, 1868.....	4	2	17
Estimates of appropriations for the support of the Interior Department for the year ending June 30, 1868.....	4	2	30
Estimates of appropriations for the support of the General Land Office for the fiscal year ending June 30, 1868.....	4	2	31
Estimates of appropriations for the support of the Indian Office for the year ending June 30, 1868.....	4	2	32
Estimates of appropriations for the support of the Pension Office for the year ending June 30, 1868.....	4	2	32
Estimates of appropriations for incidental and contingent expenses of the Interior Department for the year ending June 30, 1868.....	4	2	33
Estimates of appropriations for the support of the War Department for the year ending June 30, 1868.....	4	2	35
Estimates of appropriations for the support of the office of the Adjutant General for the year ending June 30, 1868.....	4	2	36
Estimates of appropriations for the support of the office of the Quartermaster General for the year ending June 30, 1868.....	4	2	37
Estimates of appropriations for the support of the office of the Paymaster General for the year ending June 30, 1868.....	4	2	37
Estimates of appropriations for the support of the office of the Commissary General for the year ending June 30, 1868.....	4	2	38
Estimates of appropriations for the support of the office of the Surgeon General for the year ending June 30, 1868.....	4	2	39
Estimates of appropriations for the support of the office of the Chief Engineer for the year ending June 30, 1868.....	4	2	39
Estimates of appropriations for the office of the Chief of Ordnance for the year ending June 30, 1868.....	4	2	40
Estimates of appropriations for the support of the office of Military Justice for the year ending June 30, 1868.....	4	2	41
Estimates of appropriations for the support of the office of the Signal Corps for the year ending June 30, 1868.....	4	2	41
Estimates of appropriations for the support of the office of the Inspector General for the year ending June 30, 1868.....	4	2	41
Estimates of appropriations for the incidental and contingent expenses of the War Department for the year ending June 30, 1868.....	4	2	41
Estimates of appropriations for the purposes of the northwest executive building for the year ending June 30, 1868.....	4	2	42
Estimates of appropriations for the purposes of the building corner of Seventeenth and F streets for the year ending June 30, 1868.....	4	2	42
Estimates of appropriations for the purposes of the building corner of Fifteenth and F streets for the year ending June 30, 1868.....	4	2	43
Estimates of appropriations for the support of the Navy Department for the year ending June 30, 1868.....	4	2	43
Estimates of appropriations for the support of the Bureau of Yards and Docks for the year ending June 30, 1868.....	4	2	43
Estimates of appropriations for the support of the Bureau of Equipment and Recruiting for the year ending June 30, 1868.....	4	2	43
Estimates of appropriations for the support of the Bureau of Navigation for the year ending June 30, 1868.....	4	2	44
Estimates of appropriations for the support of the Bureau of Ordnance for the year ending June 30, 1868.....	4	2	44
Estimates of appropriations for the support of the Bureau of Construction and Repair for the year ending June 30, 1868.....	4	2	45
Estimates of appropriations for the support of the Bureau of Steam Engineering for the year ending June 30, 1868.....	4	2	45

Title.	Vol.	No.	Page.
Estimates of appropriations for the support of the Bureau of Provisions and Clothing for the year ending June 30, 1868.....	4	2	45
Estimates of appropriations for the support of the Bureau of Medicine and Surgery for the year ending June 30, 1868.....	4	2	46
Estimates of incidental and contingent expenses of the War Department for the year ending June 30, 1868.....	4	2	46
Estimates of appropriations for the general purposes of the southwest executive building for the year ending June 30, 1868.....	4	2	47
Estimates of appropriations for the support of the Post Office Department for the year ending June 30, 1868.....	4	2	47
Estimates of appropriations for contingent expenses of the Post Office Department for the year ending June 30, 1868.....	4	2	48
Estimates of appropriations for the support of the Department of Agriculture for the year ending June 30, 1868.....	4	2	48
Estimates of appropriations for the support of the Mint of the United States and branches and assay office in New York for the year ending June 30, 1868.....	4	2	49
Estimates of appropriations for the support of the governments in the Territories for the year ending June 30, 1868.....	4	2	52
Estimates of appropriations for the support of the judiciary for the year ending June 30, 1868.....	4	2	55
Estimates of appropriations for the expenses of intercourse with foreign nations for the year ending June 30, 1868.....	4	2	62
Estimates of appropriations for miscellaneous purposes for the year ending June 30, 1868.....	4	2	64
Estimates of appropriations for the support of the survey of the coast for the year ending June 30, 1868.....	4	2	65
Estimates of appropriations for the support of the light-house establishment for the year ending June 30, 1868.....	4	2	65
Estimates of appropriations to be expended under the direction of the Department of the Interior for the year ending June 30, 1868.....	4	2	69
Estimates of appropriations for the support of public buildings and grounds for the year ending June 30, 1868.....	4	2	69
Estimates of appropriations for the support of the Smithsonian Institution for the year ending June 30, 1868.....	4	2	72
Estimates of appropriations for the support of the jail in the District of Columbia for the year ending June 30, 1868.....	4	2	73
Estimates of appropriations for the support of the government hospital for the insane for the year ending June 30, 1868.....	4	2	73
Estimates of appropriations for the support of the Metropolitan Police for the year ending June 30, 1868.....	4	2	73
Estimates of appropriations for the support of the Patent Office for the year ending June 30, 1868.....	4	2	73
Estimates of appropriations for the support of the Columbian Institution for the Deaf and Dumb for the year ending June 30, 1868.....	4	2	73
Estimates of appropriations for expenses of the collection of revenues from sales of public lands for the year ending June 30, 1868.....	4	2	73
Estimates of appropriations for surveying the public lands for the year ending June 30, 1868.....	4	2	74
Estimates of appropriations for the support of the engineer's office, Department of the Interior, for the year ending June 30, 1868.....	4	2	75
Estimates of appropriations for the payment of pensions for the year ending June 30, 1868.....	4	2	75
Estimates of appropriations for the support of the Indian department for the year ending June 30, 1868.....	4	2	75
Estimates of appropriations for the payment of annuities to Indian tribes during the year ending June 30, 1868.....	4	2	76
Estimates of appropriations for the general and incidental expenses of the Indian service for the year ending June 30, 1868.....	4	2	78
Estimates of appropriations to be expended under the direction of the War Department for the year ending June 30, 1868.....	4	2	83
Estimates of appropriations for the support of the army proper for the year ending June 30, 1868.....	4	2	83
Estimates of appropriations for the support of armories and arsenals, and for munitions of war for which estimates were made last year, for the year ending June 30, 1868.....	4	2	83

Title.	Vol.	No.	Page.
Estimates of appropriations for the support of the Military Academy for the year ending June 30, 1868.....	4	2	84
Estimates of appropriations for fortifications and other works of defence for the year ending June 30, 1868.....	4	2	85
Estimates of appropriations for the support of the Bureau of Refugees, Freedmen, and Abandoned Lands, for the year ending June 30, 1868.....	4	2	86
Estimates of appropriations to be expended under the direction of the Navy Department for the year ending June 30, 1868.....	4	2	87
Estimates of appropriations for the support of the navy proper for the year ending June 30, 1868.....	4	2	87
Estimates of appropriations for the support of the marine corps for the year ending June 30, 1868.....	4	2	87
Estimates of appropriations for the support of navy yards for the fiscal year ending June 30, 1868.....	4	2	87
Estimates of appropriations for the support of naval hospitals for the year ending June 30, 1868.....	4	2	88
* Estimates of appropriations for miscellaneous purposes of the Navy Department for the year ending June 30, 1868.....	4	2	88
<b>F.</b>			
Finances for the fiscal year ending June 30, 1866. Report of the Secretary of the Treasury on the state of the.....	5	4	
Fire-arms. Letter from the Secretary of War relative to contracts made since April, 1864, for.....	8	53	
Fire-arms, small, manufactured at the Springfield armory and purchased elsewhere. Letter from the Secretary of War relative to.....	8	54	
Fisher, H. M., and R. M. Bouton. Message from the President of the United States relative to the case of.....	11	110	
Fraser, Trenholm & Co. Message from the President of the United States relative to the case of.....	10	63	
Freedmen, Refugees, and Abandoned Lands. Letter from the Secretary of War relative to funds received by the Bureau of.....	5	7	
Freedmen, Refugees, and Abandoned Lands. Message of the President of the United States transmitting the report of the Secretary of War of the operations of the Bureau of.....	3	1	705
<b>G.</b>			
Gold mines east of the Rocky mountains. Letter from the Secretary of the Treasury transmitting the report of Special Commissioner James W. Taylor relative to.....	11	92	17
Government securities. Letter from the Secretary of the Treasury relative to purchase of.....	8	52	
Grant, U. S., General. Message from the President of the United States transmitting annual report of.....	3	1	
Grنفel, George Saint Leger. Message of the President of the United States relative to case of.....	8	50	
<b>H.</b>			
Harbor at Chicago. Letter from the Secretary of War transmitting the report of the Chief of Engineers relative to the.....	6	21	
Harbor improvements on Lake Michigan. Letter from the Secretary of War transmitting report by the Chief of Engineers relative to the.....	10	70	
Harbor and river improvements. Letter from the Secretary of War transmitting a report by the Chief of Engineers relative to.....	9	56	
Harbor at Ontonagon. Letter from the Secretary of War transmitting a report by the Chief of Engineers relative to the.....	11	80	
Harbor at Plattsburg. Letter from the Secretary of War transmitting a report of the Chief of Engineers relative to the.....	11	89	
Hazen, General, and General Rusling. Letter from the Secretary of War transmitting reports of inspection made by.....	7	45	
Hell Gate, New York. Letter from the Secretary of War transmitting a report of the Chief of Engineers relative to a survey of.....	11	90	

Title.	Vol.	No.	Page.
Horses seized by United States authorities in the State of Indiana. Letter from the Secretary of War relative to claims for.....	7	32	
Hot Springs reserve, in Arkansas. Message of the President of the United States relative to the.....	11	82	
I.			
Immigration, Bureau of.....	7	39	
Indian Affairs. Annual report of the Commissioner of.....	2	1	1
<i>Papers accompanying the above.</i>			
WASHINGTON SUPERINTENDENCY.			
No. 1. Letter from C. A. Huntingdon, chief clerk.....	2	1	67
No. 2. Letter from Henry A. Webster, Makah agency.....	2	1	67
No. 3. Report of John T. Knox, Olympia agency.....	2	1	69
No. 4. Report of Henry A. Webster, Neeah Bay agency.....	2	1	70
No. 5. Letter from W. H. Waterman, superintendent.....	2	1	71
No. 6. Letter from George A. Paige, acting agent.....	2	1	73
OREGON SUPERINTENDENCY.			
No. 7. Report of J. W. P. Huntingdon, superintendent.....	2	1	73
No. 8. Report of Amos Harvey, Grande Ronde agency.....	2	1	80
No. 9. Report of J. B. Clark, teacher, Grande Ronde agency.....	2	1	82
No. 10. Report of John Smith, Warm Springs agency.....	2	1	83
No. 11. Report of J. U. D. Gillett, teacher, Warm Springs agency.....	2	1	84
No. 12. Report of G. W. Collins, Alsea sub-agency.....	2	1	85
No. 13. Report of Benjamin Simpson, Siletz agency.....	2	1	85
No. 14. Report of W. H. Barnhart, Umatilla agency.....	2	1	86
No. 15. Report of A. S. White, superintendent of farming, Umatilla reserve.....	2	1	88
No. 15 A. Report of Father Warnersch, principal teacher for the Walla-Walla, Cayuse, and Umatilla tribes.....	2	1	88
No. 15 B. Report of Lindsay Applegate, Ashland Mills sub-agency.....	2	1	89
CALIFORNIA SUPERINTENDENCY.			
No. 16. Report of Charles Maltby, superintendent.....	2	1	91
No. 17. Report of Robert L. Stockton, Hoopa Valley Reserve agency.....	2	1	95
No. 18. Report of B. L. Fairfield, Round Valley Reservation agency.....	2	1	97
No. 19. Report of George J. Hoffman, special agent, Tule River farm.....	2	1	98
No. 20. Report of G. Kingsbury, special agent, Smith River reserve.....	2	1	98
No. 21. Letter from Charles Maltby, superintendent.....	2	1	99
No. 21 A. Letter from William Bryson, agent, Smith River reserva- tion.....	2	1	100
No. 21 B. Letter of Charles Maltby, superintendent.....	2	1	100
No. 21 C. Report of William Bryson, agent, Smith River reservation.....	2	1	101
No. 21 D. Letter from Charles Maltby, superintendent.....	2	1	101
No. 22. Report of J. Q. A. Stanley, special agent, Los Angeles.....	2	1	102
No. 23. Communication from Charles Maltby, superintendent.....	2	1	103
No. 24. Communication from D. N. Cooley, superintendent of Indian affairs.....	2	1	104
ARIZONA SUPERINTENDENCY.			
No. 25. Report of Geo. W. Leihy, superintendent.....	2	1	108
No. 26. Letter of H. Ehrenberg on proposed reservations.....	2	1	109
No. 27. Special Agent Feudge's report, July, 1866.....	2	1	111
No. 28. Dr. C. H. Lord's report, Papagos, &c.....	2	1	111
NEVADA SUPERINTENDENCY.			
No. 29. Superintendent Parker's annual report.....	2	1	113



Title.	Vol.	No.	Page.
No. 30. Agent Campbell's annual report .....	2	1	117
No. 31. Report of farmer, Truckee River reservation.....	2	1	120
No. 32. Superintendent Parker's letter relative to trespassers .....	2	1	121
No. 33. Superintendent Parker's estimates for manual labor.....	2	1	122
UTAH SUPERINTENDENCY.			
No. 34. Superintendent Head's annual report .....	2	1	122
No. 35. Agent Mann's report, Fort Bridger agency .....	2	1	127
No. 36. Superintendent Head's letter, visit of Washakee .....	2	1	128
No. 37. Superintendent Head's letter relative to Indian hostilities .....	2	1	128
No. 38. Superintendent Head's letter relative to same subject.....	2	1	129
No. 39. Superintendent Head's letter relative to increase of salaries..	2	1	131
NEW MEXICO SUPERINTENDENCY.			
No. 40. Report of J. K. Graves, special agent .....	2	1	131
No. 41. Abstract of papers accompanying same .....	2	1	135
No. 42. Office report on estimates for expenses of Bosque Redondo reservation .....	2	1	142
No. 43. Annual report of Superintendent Norton. (Extracts) .....	2	1	144
No. 44. Special Agent Ward's report, Pueblos. (Extracts) .....	2	1	148
No. 45. Agent Dodd's report, Navajoes. (Extracts) .....	2	1	148
No. 46. Report of surgeon United States army hospital, Bosque Redondo.....	2	1	151
No. 47. Superintendent Norton's report relative to Comanches.....	2	1	151
No. 48. Superintendent Norton's report relative to hostilities by Utes.	2	1	152
No. 49. Memorial of legislature relative to depredations.....	2	1	152
COLORADO SUPERINTENDENCY.			
No. 50. Annual report of Governor Cummings, superintendent <i>ex</i> <i>officio</i> .....	2	1	153
No. 51. Letter of Governor Cummings, February 14, 1866 .....	2	1	156
No. 52. Report of Agent Oakes, February 12, 1866 .....	2	1	157
No. 53. Letter of Governor Cummings, June 9, 1866 .....	2	1	159
No. 54. Instructions to Governor Cummings, July 22, 1866 .....	2	1	159
No. 55. Correspondence relative to recent hostilities.....	2	1	160
DAKOTA SUPERINTENDENCY.			
No. 56. Report of Major General Corse, January 11, 1866, dispo- sitions for peace.....	2	1	162
No. 57. Report of Governor Edmunds, February 15, 1866, suffering of Indians .....	2	1	162
No. 58. Report of Special Agent Day, March 5, 1866, suffering of Indians .....	2	1	164
No. 59. Report of Governor Edmunds, March 7, 1866, suffering of Indians .....	2	1	165
No. 60. Report of Agent Hanson, traffic in liquor .....	2	1	166
No. 61. Office reply to Agent Hanson .....	2	1	166
No. 62. Report of Governor Edmunds relative to settlement of Sioux and Crow Creek.....	2	1	166
No. 63. Letter of General Curtis, May 30, 1866, relative to conduct of Indians .....	2	1	167
No. 64. Report of northwestern treaty commissioner to Upper Mis- souri Indians.....	2	1	168
No. 65. Annual report of Governor Edmunds, superintendent <i>ex</i> <i>officio</i> .....	2	1	176
No. 66. Resolution of House of Representatives relative to Dakota agencies .....	2	1	180
No. 67. Report of Special Agent Johnston relative to Yancton agency.	2	1	180
No. 68. Report of Special Agent Graves relative to Yancton agency..	2	1	185
No. 69. Request of Agent Conger for medals for Yancton chiefs.....	2	1	186
No. 70. Annual report of Agent Potter, Poncas .....	2	1	186

Title.	Vol.	No.	Page.
<b>IDAHO SUPERINTENDENCY.</b>			
No. 71. Report of Governor Lyon, March 1, 1866.....	2	1	187
No. 72. Report of Special Agent Hough.....	2	1	188
No. 73. Annual report of Governor Ballard, superintendent <i>ex officio</i> .....	2	1	190
No. 74. Letters relative to proposed reservation for Spokanes.....	2	1	192
No. 75. Agent O'Neill's annual report, Nez Percés agency.....	2	1	193
No. 76. Report of farmer at Nez Percés agency.....	1	2	195
<b>MONTANA SUPERINTENDENCY.</b>			
No. 77. Report of Acting Governor Meagher, December 14, 1865.....	2	1	196
No. 77½. Correspondence showing hostilities of Blackfeet.....	2	1	197
No. 78. Letter of Acting Governor Meagher relative to Bannocks and Shoshones.....	2	1	199
No. 79. Letter of Agent Chapman relative to removal of Flathead agency.....	2	1	200
No. 80. Letter of Agent Chapman relative to Hudson Bay Company trade.....	2	1	201
No. 80 A. Office reply to Agent Chapman.....	2	1	201
No. 81. Report of H. D. Upham, in charge of Blackfeet agency.....	2	1	202
No. 82. Report of Agent Wright, August 30, 1866. Blackfeet agency.....	2	1	204
<b>NORTHERN SUPERINTENDENCY.</b>			
No. 83. Letter of Colonel Maynadier, January 25, 1866, Fort Laramie.....	2	1	204
No. 84. Major General Pope to Secretary of Interior, February 12, 1866.....	2	1	206
No. 85. Major General Dodge to General Pope, March 12, 1866.....	2	1	206
No. 86. Colonel Maynadier's letter, burial of a daughter of a Sioux chief.....	2	1	207
No. 87. Report of treaty commission at Fort Laramie.....	2	1	208
No. 88. Agent Patrick's report, Upper Platte agency.....	2	1	209
No. 89. Superintendent Taylor's annual report.....	2	1	210
No. 90. Agent Mathewson's report, Winnebago agency.....	2	1	213
No. 91. Agent Furnas's report, Omaha agency.....	2	1	214
No. 92. Report of teacher, Omaha agency.....	2	1	216
No. 93. Report of Superintendent Taylor, allotments at Omaha agency.....	2	1	217
No. 94. Agent Smith's report, Ottoe and Missouri agency.....	2	1	218
No. 95. Agent Norris's report, Great Nemaha agency.....	2	1	219
No. 96. Report of Agent Wheeler. Attack by Sioux upon Pawnees.....	2	1	220
No. 97. Letter of Superintendent Taylor relative to reported Indian hostilities.....	2	1	222
No. 98. Letter of General Cloud to the superintendent, charging hostilities upon Pawnees and other tribes, and reply papers relating to the Santee Sioux.....	2	1	222
No. 99. Recommendations of Superintendent Taylor, February 20, 1866.....	2	1	223
No. 100. Withdrawal from sale of lands at Niobrara.....	2	1	224
No. 101. Letter of Rev. H. W. Reed relative to removal of Indians.....	2	1	224
No. 102. Office report, April 20, 1866 relative to disposition, Santee Sioux matters and funds.....	2	1	225
No. 102 A. Draught of proposed bill.....	2	1	228
No. 103. Letter of Hon. W. A. Burleigh to President, protesting against removal of Indians.....	2	1	229
No. 104. Office report on same.....	2	1	229
No. 105. Report of Rev. H. W. Reed relative to Indians at Crow creek.....	2	1	231
No. 106. Office report relative to Sioux, in answer to resolution of House of Representatives.....	2	1	232
No. 107. Instruction to Special Agent Kilpatrick to take charge of Sioux released at Davenport.....	2	1	233
No. 108. Report of Special Agent Kilpatrick.....	2	1	234
No. 109. Letter of Commissioner of Land Office relative to Niobrara reservation.....	2	1	235
No. 110. Report of special Agent Adams relative to friendly Sioux of Minnesota.....	2	1	235
No. 111. Report of same, June 26, 1866.....	2	1	236
No. 111 A. Letter of Right Rev. A. B. Whipple; claims of friendly Sioux.....	2	1	237
No. 112. Letter of northwestern treaty commissioners relative to J. R. Browne.....	2	1	240

Title.	Vol.	No.	Page.
No. 113. Annual report of Agent Stone, Santee Sioux agency.....	2	1	240
No. 114. Report of teacher, Santee Sioux agency.....	2	1	242
No. 115. Report of farmer, Santee Sioux agency.....	2	1	243
No. 116. Report of Superintendent Taylor. Preparations for winter, Santee Sioux agency.....	2	1	244
<b>CENTRAL SUPERINTENDENCY.</b>			
No. 117. Superintendent Murphy's annual report.....	2	1	244
No. 118. Agent Pratt's annual report, Delaware agency.....	2	1	247
No. 119. Delaware code of laws.....	2	1	248
No. 120. Report of teacher, Delaware agency.....	2	1	252
No. 121. Correspondence relative to Wyandott affairs.....	2	1	252
No. 122. Report of special agent relative to Wyandotts.....	2	1	253
No. 123. Agent Adams's annual report.....	2	1	256
No. 124. Report of special agent. Efforts to make treaty with Kick- apooos.....	2	1	257
No. 125. Agent Abbott's annual report.....	2	1	258
No. 126. Official report, Ottawa University.....	2	1	261
No. 127. Communication from Ottawa Indians.....	2	1	261
No. 128. Agent Palmer's annual report, Pottawatomes.....	2	1	263
No. 129. Report of teacher, Pottawatomes.....	2	1	265
No. 130. Letter of H. C. Henderson.....	2	1	266
No. 131. Agent Martin's annual report, Sac and Fox agency.....	2	1	266
No. 132. Report of Special Agent Irwin, investigation at Sac and Fox agency.....	2	1	269
No. 133. Letter of Agent Martin, Sac and Foxes at Iowa.....	2	1	271
No. 134. Queries by Chippewas of Kansas as to their status.....	2	1	271
No. 135. Office reply to above.....	2	1	272
No. 136. Report of Superintendent Murphy, annuity payment to Sacs and Foxes.....	2	1	273
No. 137. Agent Farnsworth's annual report, Kansas agency.....	2	1	274
No. 137 A B. Reports of school at Kansas agency.....	2	1	275
No. 138. Report of agent relative to Kansas agency school.....	2	1	276
No. 139. Report of Captain Gordon, U. S. A., March 5, 1866, escort with goods for Arapahoos, &c.....	2	1	277
No. 140. Report of Major Wynkoop, April 8, 1866, conference with Arapahoos.....	2	1	278
No. 141. Instructions to Major Wynkoop, July 25, 1866.....	2	1	278
No. 142. Report of Major Wynkoop, August 11, 1866.....	2	1	279
No. 143. Report of Agent Taylor, Arapahoos, Cheyennes, &c.....	2	1	280
No. 144. Superintendent Murphy sends letter of Agent Taylor, October 6, 1866.....	2	1	281
<b>SOUTHERN SUPERINTENDENCY.</b>			
No. 145. Letter from Superintendent Sells, September 30, 1866. No annual report.....	2	1	282
No. 146. Office report relative to disposition of Indians for territorial government.....	2	1	283
No. 147. First report of Major General Sanborn, in charge of freed- men.....	2	1	283
No. 148. Report of Major General Sanborn.....	2	1	286
No. 149. Final report of Major General Sanborn. Asks to be relieved	2	1	287
<b>GREEN BAY AGENCY.</b>			
No. 150. Agent Martin's annual report.....	2	1	287
No. 150 A. Report of teachers of Oneida mission school, Episcopal....	2	1	289
No. 150 B. Report of teachers of Oneida mission school, Methodist....	2	1	289
No. 150 C. Report of teachers of Stockbridge mission school.....	2	1	290
No. 150 D E F. Report of teachers of Menomonee schools.....	2	1	290
No. 150 G H I. Report of farmer, miller, and smith, Menomonee agency.....	2	1	291
No. 151. Office letter to agent, relief of Stockbridges.....	2	1	292
No. 152. Department letter, claim of Wisconsin to certain lands.....	2	1	292

Title.	Vol.	No.	Page.
<b>CHIPPEWAS OF THE MISSISSIPPI.</b>			
No. 153. Agent Clark's annual report .....	2	1	293
No. 153 $\frac{1}{2}$ . Report on location of new agency .....	2	1	296
No. 154. Agent's report relative to prosecution for sale of liquor.....	2	1	296
No. 155. Agent's report relative to the threatened disturbance at Leech lake.....	2	1	297
No. 156. Agent's report relative to same subject.....	2	1	297
<b>CHIPPEWAS OF LAKE SUPERIOR.</b>			
No. 157. Agent Webb's report relative to church at Bad river.....	2	1	298
<b>WNNEBAGOES AND POTTAWATOMIES OF WISCONSIN.</b>			
No. 158. Agent Lamoreux's annual report.....	2	1	298
<b>MACKINAC AGENCY.</b>			
No. 159. Agent Smith's annual report.....	2	1	300
No. 160. Memorial of citizens for restoration to market of Indian lands	2	1	302
<b>NEW YORK AGENCY.</b>			
No. 161. Agent Rich's annual report .....	2	1	302
<b>MISCELLANEOUS PAPERS.</b>			
No. 162. Correspondence relative to taxation of Indian lands.....	2	1	304
No. 163. Decision of United States Supreme Court in Michigan liquor cases .....	2	1	307
No. 164. Office report relative to licenses .....	2	1	310
No. 165. Report relative to Kindergarten schools .....	2	1	311
No. 166. Enactment of July, 1866 relative to licenses, statistics.....	2	1	312
No. 167. Indian trust land sales .....	2	1	323
No. 168. Indian trust funds, 1, 2, 3.....	2	1	325
No. 169. Liabilities of the United States to Indian tribes.....	2	1	330
No. 170. Population, schools, individual property, &c.....	2	1	346
No. 171. Farming statistics, products of industry, &c.....	2	1	351
No. 172. Recapitulation of statistics of 1866, compared with 1865 and 1864 .....	2	1	359
No. 173. Census for Indian tribes corrected for 1866 .....	2	1	360
<b>INDEX TO APPENDIX, WASHINGTON AGENCY.</b>			
No. 1. Report of Rev. E. C. Chirouse, teacher of Tulalip school .....	2	1	313
<b>NEW MEXICO.</b>			
No. 2. Report of Agent Romero, Pueblos.....	2	1	314
<b>MONTANA.</b>			
No. 3. Report of Agent Chapman, Flathead agency .....	2	1	315
<b>NORTHERN SUPERINTENDENCY.</b>			
No. 4. Annual report of D. H. Wheeler, late agent, Pawnees .....	2	1	316
No. 5. Annual report of J. B. Maxfield, teacher of Pawnee school.....	2	1	318
<b>SOUTHERN SUPERINTENDENCY.</b>			
No. 6. Annual report of J. W. Dunn, Creek agent.....	2	1	318
No. 7. Statistics of Creek agency .....	2	1	320
No. 8. Annual report of George A. Reynolds, Seminole agency .....	2	1	320
No. 9. Statistics of Seminole agency .....	2	1	322
No. 10. Annual report of H. Shanklin, Wichita agency.....	2	1	322

Title.	Vol.	No.	Page.
Indian hostilities. Letter from the Secretary of War relative to accounts for the suppression of .....	5	5	
Ingalls, Rufus, General. Letter from the Secretary of War, transmitting a report of inspection by .....	10	111	
Insane hospital. Report of the boards of visitors of the .....	2	1	569
Internal Revenue. Annual report of the Commissioner of .....	9	55	
Internal Revenue. Letter from the Secretary of the Treasury relative to collections of, in the first district of Illinois for penalties .....	7	36	
Interior, annual report of the Secretary of the .....	2	1	1
<i>Papers accompanying the same.</i>			
Annual report of the Commissioner of Indian Affairs .....	2	1	1
Annual report of the Commissioner of the General Land Office .....	2	1	363
Annual report of the Commissioner of Pensions .....	2	1	513
Annual report of the Commissioner of Public Buildings .....	2	1	544
Annual report of the architect of the Capitol extension .....	2	1	557
Annual report of the engineer of the Washington aqueduct .....	2	1	562
Annual report of the board of visitors of the government hospital for the insane .....	2	1	569
Annual report of the Columbian Institution for the Deaf and Dumb .....	2	1	587
Annual report of the Board of Metropolitan Police .....	2	1	597
Annual report of the warden of the jail in the District of Columbia .....	2	1	609
Annual report of the board of trustees of the house of correction .....	2	1	613
Interior, relative to the massacre of troops at Fort Phil. Kearney. Letter of the Secretary of the .....	11	71	
Interior, relative to sending commissioners to all the Indian tribes. Letter of the Secretary of the .....	11	88	
Interior, relative to establishing the beginning point of the Union Pacific and Central Pacific railways. Letter of the Secretary of the .....	11	95	
Interior. Message from the President of the United States relative to removals and appointments in the Department of the .....	11	113	
Iowa. Message of the President of the United States relative to claims of the State of .....	10	66	
Island of San Juan. Message of the President of the United States relative to the .....	6	24	
K.			
Kennebec and Penobscot rivers. Letter from the Secretary of War relative to the survey of the .....	11	91	
L.			
Lake Michigan. Letter from the Secretary of War relative to harbor improvements on .....	10	70	
Land Office, General. Annual report of the Commissioner of the .....	2	1	263
<i>Papers accompanying the above.</i>			
No. 1. Tabular statement showing the number of acres of public lands surveyed up to June 30, 1865, during the last fiscal year, and the total of the public lands surveyed up to June 30, 1866, and also the total area of the public domain, &c. ....	2	1	413
No. 2 A. Statement of the public lands sold, of cash and bounty-land scrip received therefor; number of acres entered under the homestead law of May 20, 1862; of commissions received under sixth section of said act, &c. ....	2	1	414
No. 2 B. Statement of public lands sold, of cash and bounty-land scrip received therefor; number of acres entered under the homestead law of May 20, 1862; of commissions received under the sixth section of said act; also, of land located with scrip under the agricultural college and mechanic act of July 2, 1862, and commissions received by registers and receivers on the value thereof; and statement of incidental expenses thereon, in the second half of the fiscal year commencing July 1, 1865, and ending June 30, 1866 .....	2	1	420

Title.	Vol.	No.	Page.
No. 3. Summary for the fiscal year ending June 30, 1866, showing the number of acres disposed of for cash, with bounty land scrip, by entry under the homestead laws of May 20, 1862, and March 21, 1864, with aggregate of \$10 homestead payments, homestead commissions; also, locations with agricultural college and mechanic scrip under act of July 2, 1862.....	2	1	426
No. 4. Statement showing the quantity of swamp land selected for the several States under the acts of Congress of March 2, 1849, and September 28, 1850, and March 12, 1860, up to and ending September 30, 1866.....	2	1	428
No. 5. Statement exhibiting the quantity of swamp land approved to the several States under the acts of Congress of March 2, 1849, September 28, 1850, and March 12, 1860, up to and ending September 30, 1866.....	2	1	428
No. 6. Statement exhibiting the quantity of swamp land patented to the several States under the acts of Congress of September 28, 1850, and March 12, 1860, and also the quantity certified to the State of Louisiana under act of March 2, 1849.....	2	1	429
No. 7. Exhibit of bounty land business under acts of 1847, 1850, 1852, and 1855, showing the issue and locations from the commencement of the operations under said acts to June 30, 1866.....	2	1	429
No. 8. Estimates of appropriations required for the office of the Commissioner of the General Land Office for the fiscal year ending June 30, 1868.....	2	1	430
No. 9. Estimates of appropriations for the surveying department for the fiscal year ending June 30, 1868.....	2	1	434
No. 10. Estimates of appropriations required for surveying the public lands for the fiscal year ending June 30, 1868.....	2	1	436
No. 11. Reports of surveyor general, A to I, inclusive.....	2	1	438
No. 12. Agricultural selections within certain States, and also scrip locations under agricultural and mechanic act of July 2, 1862.....	2	1	505
No. 13. Statement exhibiting land concessions by acts of Congress to States and corporations for railroad and military wagon road purposes for the year 1850 to August 1, 1866.....	2	1	507
No. 14. Statement exhibiting land concessions by acts of Congress to States for canal purposes from the year 1827 to August 1, 1866.....	2	1	511
No. 15. Set of twenty-two maps of all the public land States and Territories, to wit: Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Dakota, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Florida, Kansas and Nebraska, Colorado, New Mexico and Arizona, Utah, Nevada, California, Oregon, and Washington Territory.....	2	1	
No. 16. Connected map of the United States from ocean to ocean, exhibiting the extent of the public surveys, localities, land districts, seats of surveyors general's offices and district officers; also, localities of railroads of general interest, and mineral deposits.....	2	1	
<b>M.</b>			
Mail contracts in Tennessee. Letter from the Postmaster General relative to certain.....	11		83
Marine hospital, at Chicago. Letter from the Secretary of the Treasury in relation to a site for a.....	6		18
McCann, Michael. Letter from the Secretary of War transmitting papers relating to the claim of.....	10		60
Metropolitan Police. Annual report of the Board of.....	2		1 596
Mexico, occupation of, by American troops. Message from the President of the United States, relative to.....	5		8
Mexico. Message of the President of the United States relative to the attempt of Santa Anna and Ortega to raise armed expeditions against.....	6		17
Mexican affairs. Message from the President of the United States relating to.....	12		76
Military posts. Letter from the Secretary of War transmitting a report of inspection of.....	6		20

Title.	Vol.	No.	Page.
Mineral resources west of the Rocky mountains. Letter from the Secretary of the Treasury transmitting the report of J. Ross Browne, relative to .....	7	29	
Mississippi river. Letter from the Secretary of War transmitting a report of the Chief of Engineers, relative to the survey of the rapids of the .....	11	79	
Mississippi river, Upper, and its tributaries. Letter from the Secretary of War transmitting the report of the Chief of Engineers, relative to the survey of the .....	10	58	
Morey, A. B. Letter from the Attorney General of the United States transmitting papers relative to the case of .....	7	40	
N.			
Navy, annual report of the Secretary of the .....	4	1	9
<i>Papers accompanying the same.</i>			
Index to reports .....	4	1	3
Report of the Superintendent of the Naval Academy .....	4	1	75
Estimate of appropriations required for the office of the Secretary of the Navy for the fiscal year ending June 30, 1868 .....	4	1	91
Estimate of appropriations for the southwest executive building for the fiscal year ending June 30, 1868 .....	4	1	91
Report of the chief of Bureau of Yards and Docks, with estimates, &c. ....	4	1	94
Report of the chief of Bureau of Navigation, with estimates, &c .....	4	1	130
Report of the chief of Bureau of Ordnance .....	4	1	148
Report of the chief of Bureau of Equipment and Recruiting, estimates, &c .....	4	1	151
Report of the chief of Bureau of Construction and Repairs, estimates, &c .....	4	1	159
Report of the chief of Bureau of Steam Engineering, estimates, &c .....	4	1	176
Report of the chief of Bureau of Provisions and Clothing, estimates, &c. ....	4	1	188
Report of the chief of Bureau of Medicine and Surgery, with estimates, &c .....	4	1	194
Report of the colonel commandant of the marine corps, with estimates, &c .....	4	1	220
Navy. Letter from the Secretary of the, relative to the navigation of Newark bay and Passaic and Hackensack rivers .....	6	10	
Navy. Letter from the Secretary of the, transmitting statement of all ordnance and ordnance stores on hand .....	6	16	
Navy. Message from the President of the United States transmitting a letter from the Secretary of the, relative to amounts charged the State Department for services of vessels belonging to the .....	7	34	
Navy, transmitting statement of the disbursement of the contingent fund. Letter from the Secretary of the .....	10	64	
New Mexico. Message from the President of the United States in relation to certain appropriations for the Territory of .....	11	101	
New Orleans riots. Letter from the Secretary of War relative to the .....	7	46	
New Orleans riots. Message from the President of the United States transmitting all papers relative to the .....	10	68	
Norfolk riots. Letter from the Secretary of War relative to .....	11	72	
O.			
Ocean mail service. Letter from the Postmaster General relative to service by Brazilian steamers of .....	7	33	
Ontonagon harbor. Letter from the Secretary of War relative to .....	11	80	
Ordnance and ordnance stores. Letter from the Secretary of the Navy relative to purchases of .....	6	16	
Ordnance. Letter from the Secretary of War relative to purchases of .....	7	27	
Ortega and Santa Anna. Message of the President of the United States relative to the attempt to organize armed expeditions within the United States against Mexico by .....	6	17	

Title.	Vol.	No.	Page.
P.			
Pacific railroads. Letter from the Secretary of the Treasury relative to the amount of bonds issued to the Central and to the Union .....	2	85	
Pardons by the President. Message from the President of the United States transmitting list of .....	7	31	
Pardons by the President. Message from the President of the United States transmitting further list of .....	11	116	
Paris Exposition. Message from the President of the United States transmitting a memorial of the Wisconsin legislature relative to the .....	11	105	
Patapsco river. Letter from the Secretary of War transmitting the report of the Chief of Engineers relative to the ship channel of the ..	7	44	
Patents, transmitting the mechanical part of the Patent Office report for the year 1866. Letter from the Commissioner of .....	16	109	
Pensions. Annual report of the Commissioner of .....	2	1	512
<i>Papers accompanying the same.</i>			
List of names of examining surgeons, arranged by States .....	2	1	516
A.—Statement of number and yearly amount of original applications and for increase of army pensions admitted in each State and Territory for the year ending June 30, 1866 .....	2	1	539
B.—Statement of the amount paid for army pensions at the agencies in the several States and Territories for the year ending June 30, 1866 .....	2	1	540
C.—Statement of the amount of funds in the hands of agents for paying army pensions on the 30th day of June, 1866 .....	2	1	540
D.—Statement of the number and yearly amount of army pensions on the rolls in the several States and Territories on the 30th day of June, 1866 .....	2	1	541
E.—Statement of the number and yearly amount of original applications and for increase of navy pensions admitted in each State and Territory for the year ending June 30, 1866 .....	2	1	542
F.—Statement of the amount paid for navy pensions at the agencies in the several States and Territories for the year ending June 30, 1866 .....	2	1	542
G.—Statement of the amount of funds in the hands of agents for paying navy pensions on the 30th day of June, 1866 .....	2	1	543
H.—Statement of the number and yearly amount of navy pensions on the rolls of each State and Territory on the 30th day of June, 1866 .....	2	1	543
Pickett. Message from the President of the United States relative to the rebel general .....	6	11	
Plattsburg harbor. Letter from the Secretary of War relative to the survey of .....	11	89	
Police. Annual report of the Board of Metropolitan .....	2	1	596
Postmasters. Letter from the Postmaster General relative to the removal of .....	11	96	
Postmaster General, of the operations of his department during the year 1866. Report of the .....	4	1	1
<i>Papers accompanying the same.</i>			
Estimates of or expenditures for the fiscal year ending June 30, 1868. Statement showing the operations of the free delivery system for the year 1866 .....	4	1	17
Total operations of the appointment office for the year ending June 30, 1866 .....	4	1	17
Table showing the increase and decrease of post offices in the several States and Territories; also the number at which appointments are made by the President and by the Postmaster General .....	4	1	19
Post offices at which letter-carriers are employed, with the number and aggregate compensation of the latter at each office .....	4	1	20
Postage stamps, stamped envelopes, and newspaper wrappers issued during the fiscal year 1865-'66 .....	4	1	21



Title.	Vol.	No.	Page.
A.—Table of mail service for the year ending June 30, 1866, as exhibited by the state of arrangements at the close of the year.....	4	1	24
B.—Railroad service as in operation June 30, 1866.....	4	1	26
C.—Steamboat service as in operation September 30, 1866.....	4	1	46
D.—Table showing the increase and decrease in mail transportation and cost during the year ending June 30, 1866.....	4	1	50
E.—Table showing the rate of pay per annum for mail transportation in operation in the southern States on the 30th June, 1866, &c.....	4	1	52
F.—Mail service in operation in southern States September 30, 1866, compared with the condition of the service in the same States November 1, 1865.....	4	1	52
G.—Southern railroad routes in operation September 30, 1866.....	4	1	54
Statement of number, kinds, sizes, and cost of mail bags purchased under contracts agreeably to law, and put into service, during the fiscal year ending June 30, 1866.....	4	1	54
Statement showing operations and results of foreign mail service for the fiscal year ending June 30, 1866.....	4	1	55
Postal convention between the United States of America and Italy.....	4	1	57
Postal convention between the United States of America and Venezuela.....	4	1	61
Statement showing the disposition of letters received containing money during the fiscal year ending June 30, 1866.....	4	1	71
Statement showing the comparative amounts of money contained in dead letters received at and sent out from the dead letter office for the fiscal year ending June 30, 1866.....	4	1	71
Statement showing the disposition of letters received containing postage stamps and money in sums less than one dollar during the fiscal year ending June 30, 1866.....	4	1	72
Statement of letters containing miscellaneous articles received during the fiscal year ending June 30, 1866.....	4	1	72
Statement of dead letters returned to foreign countries and received from them during the fiscal year ending June 30, 1866.....	4	1	73
Statement of dead letters other than those above enumerated, sent out for delivery to the writers or owners thereof during the fiscal year ending June 30, 1866.....	4	1	73
Report of the Auditor of the Treasury for the Post Office Department.....	4	1	74
<i>Papers accompanying the above.</i>			
No. 1. Statement exhibiting the receipts of the Post Office Department for the fiscal year ending June 30, 1866.....	4	1	84
No. 2. Statement exhibiting the expenditures of the Post Office Department for the fiscal year ending June 30, 1866.....	4	1	85
No. 3. Statement of the postal receipts and expenditures of the United States for the fiscal year ending June 30, 1866.....	4	1	86
No. 4. Statement of the operations of the free delivery system for the fiscal year ending June 30, 1866.....	4	1	88
No. 5. Miscellaneous payments.....	4	1	88
No. 6. Summary of principal labors.....	4	1	96
No. 7. Statement showing the balances due the United States from postmasters in the lately rebellious States, and the amount collected.	4	1	97
No. 8. Statement showing the increase of revenues and incidental expenses in the lately rebellious States.....	4	1	98
No. 8 A. Statement of the postal receipts and expenditures in the eleven States lately in rebellion, for the fiscal year ending June 30, 1866.....	4	1	98
No. 9. Amount of letter postage on British mails received in and sent from the United States during the fiscal year ending June 30, 1866.....	4	1	99
No. 10. Amount of letter postage on Prussian mails received in and sent from the United States during the fiscal year ending June 30, 1866.....	4	1	100
No. 11. Amount of letter postage on French mails received in and sent from the United States during the fiscal year ending June 30, 1866.....	4	1	101

Title.	Vol.	No.	Page.
No. 12. Amount of letter postage on Belgian mails received in and sent from the United States during the fiscal year ending June 30, 1866 .....	4	1	102
No. 13. Amount of letter postage on Bremen mails received in and sent from the United States during the fiscal year ending June 30, 1866 .....	4	1	103
No. 14. Amount of letter postage on Hamburg mails received in and sent from the United States during the fiscal year ending June 30, 1866 .....	4	1	104
No. 15. Number of letters and newspapers exchanged between the United States and the United Kingdom in British mails during the fiscal year ending June 30, 1866 .....	4	1	105
No. 16. Number of letters and newspapers exchanged between the United States and the kingdom of Prussia, in closed mails, during the fiscal year ending June 30, 1866 .....	4	1	105
No. 17. Number of letters and newspapers exchanged between the United States and France during the fiscal year ending June 30, 1866 .....	4	1	106
No. 18. Number of letters and newspapers exchanged between the United States and Belgium during the fiscal year ending June 30, 1866 .....	4	1	106
No. 19. Number of letters and newspapers exchanged between the United States and Bremen during the fiscal year ending June 30, 1866 .....	4	1	107
No. 20. Number of letters and newspapers exchanged between the United States and Hamburg during the fiscal year ending June 30, 1866 .....	4	1	107
No. 21. Statement of letters and newspapers, with the several postages, received in and sent from the United States to the West India islands during the fiscal year ending June 30, 1866 .....	4	1	107
No. 22. Statement of letters and newspapers, with the several postages, received in and sent from the United States to Panama during the fiscal year ending June 30, 1866 .....	4	1	108
No. 23. Statement of letters and newspapers, with the several postages, received in and sent from the United States to Mexico during the fiscal year ending June 30, 1866 .....	4	1	109
No. 24. Statement of letters and newspapers, with the several postages, received in and sent from the United States to Brazil during the fiscal year ending June 30, 1866 .....	4	1	109
No. 25. Statement of the amount of letter postage on the Nova Scotia and Prince Edward Island mails, received in and sent from the United States during the fiscal year ending June 30, 1866 .....	4	1	109
No. 26. Number of letters and newspapers exchanged between the United States and foreign countries during the fiscal year ending June 30, 1866 .....	4	1	110
No. 27. Amount of postages on mails exchanged between the United States and the British provinces during the fiscal year ending June 30, 1866 .....	4	1	110
No. 28. Amount of postage on foreign dead letters sent from and returned to the United States .....	4	1	110
No. 29. Balances due the United States on the adjustment of accounts between the United States and Belgium during the fiscal year ending June 30, 1866 .....	4	1	110
No. 30. Prussian closed mail account for the year ending December 31, 1865 .....	4	1	112
No. 31. Canadian closed mail account for the year ending December 31, 1865 .....	4	1	113
No. 32. Honolulu and Vancouver's island closed mail account for the year ending June 30, 1865 .....	4	1	113
No. 33. Belgian closed mail account for the year ending December 31, 1865 .....	4	1	114
No. 34. Havana closed mail account for the year ending December 31, 1865 .....	4	1	114
No. 35. Amounts reported as due the steamers of the Canadian line, for services rendered during the fiscal year ending June 30, 1866 ..	4	1	115

Title.	Vol.	No.	Page.
No. 36. Statement showing the transactions of the money order office of the United States, from July 1, 1865, to June 30, 1866.....	4	1	116
No. 37. Statement showing the condition of the money order fund at the close of the fiscal year ending June 30, 1866.....	4	1	117
President of the United States on the state of the Union, with accompanying documents and reports. Annual message of the.....	1	1	
President of the United States relative to the occupancy of Mexican territory by United States troops. Message of the.....	5	8	
President of the United States, transmitting a report of the Secretary of State relating to the discovery and arrest of John H. Surratt. Message of the.....	6	9	
President of the United States relative to rebel General Pickett. Message of the.....	6	11	
President of the United States relative to the Atchison and Pike's Peak Railroad Company. Message of the.....	6	13	
President of the United States relative to the attempt of Santa Anna and Ortega to organize armed expeditions within the United States against Mexico. Message of the.....	6	17	
President of the United States relative to the island of San Juan, in Washington Territory. Message of the.....	6	24	
President of the United States, transmitting further copies of papers relative to the arrest of John H. Surratt. Message of the.....	7	25	
President of the United States, transmitting names of persons pardoned, who have been engaged in rebellion. Message of the.....	7	31	
President of the United States relative to amounts charged to the State Department for services of naval vessels. Message of the.....	7	34	
President of the United States relative to the occupation of Mexico by the American forces. Message of the.....	7	37	
President of the United States relative to the revolution in Candia. Message of the.....	7	38	
President of the United States relative to the clerks of the federal courts and the marshal of the district of North Carolina. Message of the.....	7	48	
President of the United States relative to the case of George St. Leger Grenfel. Message of the.....	7	50	
President of the United States relative to the removal of the Protestant church at the American embassy, Rome, Italy, from the city, by order of the government. Message of the.....	10	57	
President of the United States relative to suits in the English courts, against Fraser, Trenholm & Co. Message of the.....	10	63	
President of the United States relative to the appointment of a commission relative to claims of the State of Iowa. Message of the.....	10	66	
President of the United States, transmitting a statement from the heads of departments, giving the names of all persons appointed to office, &c. Message of the.....	10	67	
President of the United States, transmitting all papers relative to the New Orleans riots.....	10	68	
President of the United States, transmitting list of States which have ratified the constitutional amendment. Message of the.....	11	74	
President of the United States relative to Mexican affairs. Message of the.....	12	76	
President of the United States relative to the Hot Springs reserve in Arkansas. Message of the.....	11	82	
President of the United States relative to the visit of Professor Agassiz to Brazil. Message of the.....	11	86	
President of the United States relative to the States which have ratified the constitutional amendment. Message of the.....	11	94	
President of the United States relative to captured and abandoned cotton. Message of the.....	11	97	
President of the United States in relation to certain appropriations for the Territory of New Mexico. Message of the.....	11	101	
President of the United States relative to the importation of wines from Cadiz, Spain, &c. Message of the.....	11	103	
President of the United States, transmitting memorial from the legislature of Wisconsin relative to the Paris Exposition. Message of the.....	11	105	

Title.	Vol.	No.	Page.
President of the United States relative to the attempted assassination of the Emperor of Russia. Message of the.....	11	112	
President of the United States relative to removals and appointments in the Interior Department. Message of the.....	11	113	
President of the United States relative to the removal of the American Protestant Church from the city of Rome. Message of the.....	11	115	
President of the United States relative to persons pardoned by the President. Message of the.....	11	116	
Printing, Public. Annual report of the Superintendent of.....	6	14	
Protection across the continent. Letter from the Secretary of War relative to.....	6	23	
Public Buildings. Annual report of the Commissioner of.....	2	1	544
Purchase of government securities. Letter from the Secretary of the Treasury, transmitting information required by the act of April 12, 1861, relative to the.....	8	52	
Q.			
Quartermaster General of the United States. Annual report of the...	3	1	46
Quartermaster General. Letter from the Secretary of War relative to contracts by the.....	7	28	
R.			
Railroad Company, Atchison and Pike's Peak. Message of the President of the United States relative to the.....	6	13	
Railroad Companies, Central Pacific and Union Pacific. Letter from the Secretary of the Treasury relative to the amount of bonds issued to the.....	11	85	
Railroad, Union Pacific. Letter from the Secretary of the Treasury relative to the ultimate cost of the.....	11	93	
Railroads, Union Pacific and Central Pacific. Letter from the Secretary of the Interior relative to the establishment of the beginning point of the.....	11	95	
Railroad, Augusta and Summerville. Letter from the Secretary of War relative to the.....	11	102	
Rations to persons not belonging to the army. Letter from the Secretary of War relative to the issue of.....	11	106	
Revenue. Letter from the Secretary of the Treasury relative to the collection in the first district of Illinois of internal.....	7	36	
Riots, New Orleans. Letter from the Secretary of War relative to the.....	7	46	
Riots, New Orleans. Message of the President of the United States, transmitting papers relative to the.....	10	68	
Riot at Norfolk. Letter from the Secretary of War relative to the.....	11	72	
River and harbor improvements. Letter from the Secretary of War, transmitting a report by the Chief of Engineers relative to.....	9	56	
Rivers, Rock and Illinois. Letter from the Secretary of War relative to the survey of the.....	7	26	
Rivers, Kennebec and Penobscot. Letter from the Secretary of War relative to the survey of the.....	11	91	
River, Mississippi. Letter from the Secretary of War relative to the survey of the.....	11	79	
Rome, American Protestant Church at. Message from the President of the United States relative to.....	10	57	
Rome, American Protestant Church at. Message from the President of the United States relative to.....	11	115	
Rusling, General, and General Hazen. Letter from the Secretary of War, transmitting reports of inspection made by.....	7	45	
Russia. Message from the President of the United States relative to the attempted assassination of the Emperor of.....	11	112	
S.			
Sandy Hook light-house. Letter from the Secretary of War relative to a sunken wreck near the.....	11	77	

Title.	Vol.	No.	Page.
Santa Anna and Ortega. Message from the President of the United States relative to their attempt to organize armed expeditions against Mexico .....	6	17	
San Juan. Message from the President of the United States relative to the island of .....	6	24	
Seamen, American. Letter from the Secretary of State relative to relief and protection of .....	5	6	
Sewer through Botanic garden. Letter from the Commissioner of Public Buildings and Grounds relative to .....	7	49	
Signal officer of the army of the operations of his corps for the year ending October 20, 1866 .....	3	702	
Springfield armory. Letter from the Secretary of War, transmitting statement of arms manufactured and repaired and expenditures made at the .....	7	47	
Springfield armory. Letter from the Secretary of War respecting small-arms manufactured at the .....	8	54	
State, Secretary of, relative to the protection of American seamen. Letter from the .....	5	6	
State, Secretary of, relative to the disbursement of contingent fund. Letter from the .....	10	59	
State, Secretary of, transmitting report of the commercial relations of the United States with foreign countries for the year 1866. Letter from the .....	13	81	
State, Secretary of, relative to bills allowed to become laws. Letter from the .....	10	69	
State, Secretary of, relative to same subject as above. Letter from the State of Iowa. Message from the President of the United States relative to claims of the .....	11	104	
States ratifying the constitutional amendment. Message from the President of the United States relative to .....	10	66	
States ratifying the constitutional amendment. Message of the President of the United States relative to .....	11	74	
State of Texas. Letter from the Secretary of War relative to the condition of affairs in the .....	11	94	
State of Texas. Letter from the Secretary of the Treasury relative to the accounts of the .....	10	61	
St. Clair flats. Letter from the Secretary of War, enclosing General Cram's report relative to the .....	11	75	
Steamer Scotland. Letter from the Secretary of War relative to the wreck of the .....	10	62	
Steamer Evening Star. Letter from the Secretary of the Treasury relative to the loss of the .....	7	35	
Steamship Illinois. Letter from the Secretary of War relative to the purchase of the .....	8	51	
Sunken wreck near Sandy Hook light-house. Letter from the Secretary of War relative to a .....	10	65	
Surratt, John H. Message from the President of the United States relating to the discovery and arrest of .....	11	77	
Surratt, John H. Message from the President of the United States of same import as above .....	6	9	
	7	25	
T.			
Tax upon salaries of clerks of postmasters. Letter from the Secretary of the Treasury relative to .....	11	99	
Taxes paid by banking associations. Letter from the Secretary of the Treasury relative to .....	11	98	
Taxes paid by banking associations. Letter from the Secretary of the Treasury relative to .....	11	73	
Taylor, James W., relative to gold mines east of the Rocky mountains. Letter from the Secretary of the Treasury, transmitting the report of .....	11	92	
Tennessee. Letter from the Postmaster General relative to certain mail contractors in the State of .....	11	83	

Title.	Vol.	No.	Page.
Texas. Letter from the Secretary of War relative to the condition of affairs in the State of.....	10	61	
Texas. Letter from the Secretary of the Treasury relative to the accounts of the.....	11	75	
Treasury, transmitting estimates of additional appropriations for the fiscal year ending June 30, 1867. Letter from the Secretary of the.....	4	2	
Treasury, transmitting estimates of appropriations required for the service of the fiscal year ending June 30, 1868. Letter from the Secretary of the.....	4	2	259
(See general index of this document).....	4	2	
Treasury, receipts and expenditures of the, for the fiscal year ending June 30, 1866. Letter from the Secretary of the.....	6	12	
Treasury, transmitting statement of the names of persons employed in, and expenditures of the Coast Survey. Letter from the Secretary of the.....	6	15	
Treasury, in relation to a site for a marine hospital at Chicago. Letter from the Secretary of the.....	6	18	
Treasury, relative to the disbursement of the fund appropriated to clerks in Treasury Department. Letter from the Secretary of the.....	6	22	
Treasury, transmitting a report upon the mineral resources of the States and Territories west of the Rocky mountains. Letter from the Secretary of the.....	7	29	3
<i>Papers accompanying the same.</i>			
Letter from J. Ross Browne, special commissioner for the collection of mining statistics.....	7	29	7
Sec. 1. Historical sketch of gold and silver mining on the Pacific slope.....	7	29	13
Sec. 2. Geological formation, &c., of the Pacific slope.....	7	29	37
Sec. 3. Condition of gold and silver mining on the Pacific slope.....	7	29	49
Sec. 4. Resources of Nevada, Oregon, Washington Territory, Utah, Montana, and Idaho.....	7	29	85
Sec. 5. General view of the mines of Nevada, Washington Territory, Utah, Montana, and Idaho.....	7	29	123
Sec. 5 A. The copper resources of the Pacific coast.....	7	29	138
Sec. 6. Quicksilver mines of California.....	7	29	170
Sec. 7. Borax, sulphur, tin, and coal.....	7	29	178
Sec. 8. Mining region, population, altitude, &c.....	7	29	193
Sec. 9. Annotated catalogue of the principal mineral species hitherto recognized in California, and the adjoining States and Territories, by William P. Blake, March, 1866.....	7	29	200
Sec. 10. Laws and customs of foreign governments in relation to the occupancy of mineral lands and the working of mines.....	7	29	216
Sec. 11. Mining laws.....	7	29	226
Sec. 12. Books on California mines.....	7	29	264
Address on the history of California.....	7	29	268
Treasury, transmitting a report of the Commissioner of Internal Revenue relative to collections in the first district of Illinois for penalties assessed therein during 1866. Letter from the Secretary of the.....	7	36	
Treasury, transmitting copies of all drawback regulations prescribed under the internal revenue law. Letter from the Secretary of the.....	7	41	
Treasury, relative to the disbursement of the contingent fund. Letter from the Secretary of the.....	7	42	
Treasury, transmitting reports relative to the loss of the steamer Evening Star. Letter from the Secretary of the.....	8	51	
Treasury, transmitting statement relative to purchase of government securities. Letter from the Secretary of the.....	8	52	
Treasury, relative to the amount of taxes paid annually by national banking associations. Letter from the Secretary of the.....	1	73	
Treasury, relative to the accounts of the State of Texas. Letter from the Secretary of the.....	1	75	
Treasury, relative to revenue, trade, and commerce with the British provinces. Letter from the Secretary of the.....	11	78	
Treasury, relative to the amount of bonds issued to the Central Pacific, and also to the Union Pacific, Railroad Company. Letter from the Secretary of the.....	11	85	

Title.	Vol.	No.	Page.
Treasury, transmitting report of James W. Taylor, special commissioner for the collection of statistics upon gold and silver mining east of the Rocky mountains. Letter from the Secretary of the....	11	92	
Treasury, relative to the cost of the Union Pacific railroad. Letter of the Secretary of the.....	11	93	
Treasury, relative to taxes paid by banking associations. Letter from the Secretary of the.....	11	98	
Treasury, relative to salary tax upon clerks to postmasters. Letter from the Secretary of the.....	11	99	
Treasury, transmitting list of clerks employed in the department. Letter from the Secretary of the.....	11	100	
Treasury, relative to cotton claims. Letter from the Secretary of the..	11	114	
Treasury, relative to the disbursement of the funds appropriated as extra compensation to clerks in that department. Letter from the Secretary of the.....	7	30	
Treasury, on the condition of the finances of the government for the year 1866. Annual report of the Secretary of the.....	5	4	1
<i>Reports and documents accompanying the same.</i>			
Secretary's report.....	5	4	1
Statement No. 1. Duties, revenues, and public expenditures during the fiscal year ending June 30, 1866.....	5	4	31
Statement No. 2. Receipts and expenditures for the quarter ending September 30, 1866.....	5	4	36
Statement No. 3. The indebtedness of the United States.....	5	4	38
Report of the Commissioner of Internal Revenue.....	5	4	44
Report of the Comptroller of the Currency.....	5	4	65
Report of the First Comptroller.....	5	4	77
Report of the Second Comptroller.....	5	4	79
Report of the Commissioner of Customs.....	5	4	82
Report of the First Auditor.....	5	4	94
Report of the Second Auditor.....	5	4	95
Report of the Third Auditor.....	5	4	98
Report of the Fourth Auditor.....	5	4	121
Report of the Fifth Auditor.....	5	4	127
Report of the Auditor for the Post Office Department.....	5	4	158
Report of the Treasurer.....	5	4	160
Report of the Register.....	5	4	177
Report of the Solicitor.....	5	4	181
Report of the Supervising Architect.....	5	4	188
Report of the Light-house Board.....	5	4	211
Report of the Superintendent of the Coast Survey.....	5	4	229
Report of the Director of the Mint.....	5	4	234
Special report upon the United States branch mint, San Francisco, and matters connected therewith.....	5	4	255
Statement No. 4. Gold, silver, and copper coinage at the mint of the United States in the several years from its establishment in 1792, and the coinage at the branch mints and the New York assay office, from their organization to June 30, 1866.....	5	4	270
Statement No. 5. Exports and imports of coin and bullion from 1821 to 1866, inclusive; also the excess of imports and exports during the same year.....	5	4	273
Instructions to special commissioners to collect mining statistics in the States and Territories west and east of the Rocky mountains..	5	4	274
Report of the Supervising Inspector of Steamboats.....	5	4	276
Special report upon the cause of the loss of the steamer Evening Star.....	5	4	295
Report of the Director of the Bureau of Statistics.....	5	4	300
Statement No. 6. Amount of the public debt on the first day of January in each of the years from 1791 to 1842, inclusive, and at various dates in subsequent years, to July 1, 1866.....	5	4	304
Statement No. 7. Revenue collected from the beginning of the government to June 30, 1866, under the several heads of customs, internal revenue, direct tax, postage, public lands, and miscellaneous sources, with the receipts from loans and treasury notes, and the total receipts.....	5	4	306

Title.	Vol.	No.	Page.
Statement No. 8. Expenditures from the beginning of the government to June 30, 1866, under the several heads of civil lists, foreign intercourse, Navy department, War Department, pensions, Indian department, and miscellaneous, with the interest and principal of the public debt, and total expenditures .....	5	4	308
Statement No. 9. Domestic exports for the fiscal year ending June 30, 1866 .....	5	4	310
Statement No. 10. Foreign exports for the fiscal year ending June 30, 1866 .....	5	4	314
Statement No. 11. Imports for the fiscal year ending June 30, 1866 ..	5	4	322
Statement No. 12. Foreign tonnage, entrances, and clearances, by districts, for fiscal year ending June 30, 1866 .....	5	4	339
Statement No. 13. Foreign tonnage, entrances and clearances, by countries, for the fiscal year ending June 30, 1866 .....	5	4	340
Statement No. 14. Domestic tonnage, old admeasurement, by districts, for the year 1866 .....	5	4	342
Statement No. 15. Domestic tonnage, new admeasurement, by districts, for the year 1866 .....	5	4	344
Statement No. 16. Gross value of the exports and imports from the beginning of the government to June 30, 1866 .....	5	4	346
Statement No. 17. Foreign merchandise imported, exported, and consumed annually from 1821 to 1866, with the population and rate of consumption <i>per capita</i> calculated for each year .....	5	4	347
Statement No. 18. Value of domestic produce and foreign merchandise, exclusive of specie, exported annually from 1821 to 1866 .....	5	4	348
Statement No. 19. Export of staple products, breadstuffs, provisions, oils, and animal products for seven years .....	5	4	349
Statement No. 20. Value of leading articles of manufacture exported from 1847 to 1866 .....	5	4	351
Statement No. 21. Amount of tonnage of the United States annually from 1789 to 1866, inclusive; also, the registered and enrolled and licensed tonnage employed in steam navigation each year .....	5	4	355
Statement No. 22. Amount expended at each custom-house in the United States during the fiscal year ending June 30, 1866 .....	5	4	356
Statement No. 23. Number of persons employed in each district of the United States for the collection of customs during the fiscal year ending June 30, 1866, with their occupation and compensation .....	5	4	359
Statement No. 24. General results of all receipts and disposal of merchandise within the United States during the fiscal year ending June 30, 1866 .....	5	4	375
Statement No. 25. Liabilities of the United States to various Indian tribes under stipulations of treaties, &c .....	5	4	377
Statement No. 26. Stocks held in trust by the United States for the Chickasaw national fund and the Smithsonian Institution .....	5	4	394
V.			
Vessels. Message from the President of the United States relative to amounts charged to the State Department for services of naval .....	7	34	
W.			
War. Annual report of the Secretary of .....	3	1	1
<i>Papers accompanying the above.</i>			
Report of General U. S. Grant, commanding army .....	3	1	17
Report of the Adjutant General .....	3	1	1
Report of the Inspector General .....	3	1	32
Report of the Bureau of Military Justice .....	3	1	45
Report of the Quartermaster General .....	3	1	46
<i>Papers accompanying the above report.</i>			
No. 1. Financial statement .....	3	1	66

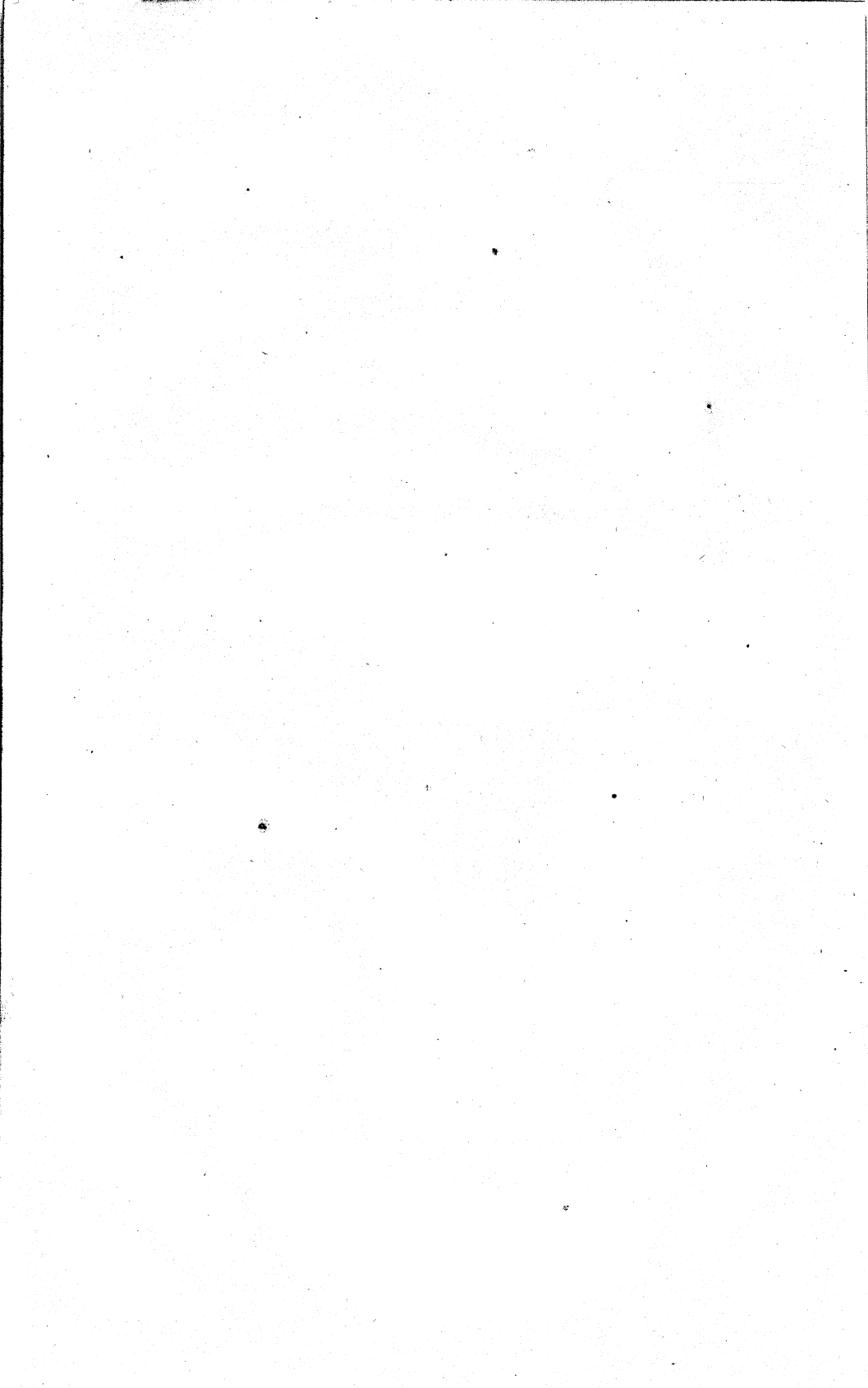


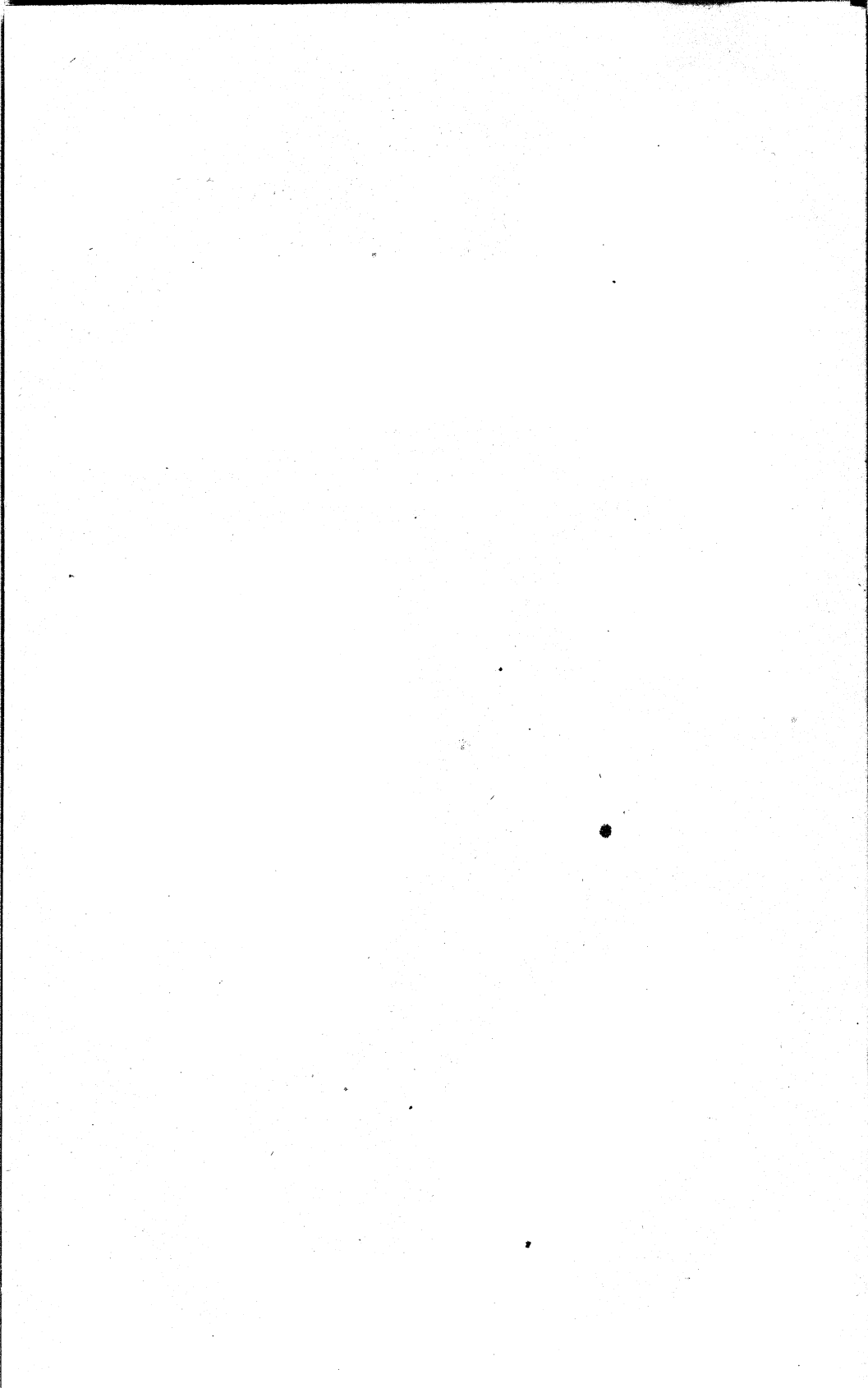
Title.	Vol.	No.	Page.
No. 2. Report of Brevet Brigadier General James A. Ekin, first division, supply of public animals.....	3	1	69
No. 3. Report of Brevet Brigadier General James A. Ekin, cavalry bureau.....	3	1	91
No. 4. Second division, (clothing and equipage,) report of Brevet Brigadier General A. J. Perry.....	3	1	98
<i>Papers accompanying the same.</i>			
Statement of uniform clothing, camp and garrison equipage not used in depot, June 30, 1866.....	3	1	108
Statement of damaged and unserviceable articles sold during the fiscal year.....	3	1	116
Statement of expense on account of clothing, camp and garrison equipage at principal depots during the fiscal year.....	3	1	119
Statement of articles issued to the Bureau of Refugees, Freedmen, and Abandoned Lands.....	3	1	119
Statement showing the number of returns of accounts of officers examined and sent to the treasury for final settlement.....	3	1	120
Statement of claims received.....	3	1	120
No. 5. Third division, (ocean and lake transportation,) report of Brevet Brigadier General George D. Wise.....	3	1	121
<i>Papers accompanying the same.</i>			
List of vessels owned.....	3	1	131
List of vessels chartered.....	3	1	133
Statement of property sold.....	3	1	138
Statement of captured vessels during the war.....	3	1	143
Statement of vessels lost or destroyed during the war.....	3	1	146
Statement of claims presented, audited, and rejected.....	3	1	152
No. 6. Fourth division, (rail and river transportation,) report of Colonel Alexander Bliss.....	3	1	152
<i>Papers accompanying the same.</i>			
Statement showing the number of troops and others and quantities of supplies transported during the fiscal year.....	3	1	162
Table of payments made during the fiscal year for this transportation.....	3	1	164
Statement showing names, lengths, &c., and railroads operated by the United States during the war.....	3	1	165
Statement of number of engines and cars purchased, built, and captured, and disposition made of them.....	3	1	168
Statement of cost of operating military railroads during the war.....	3	1	169
Statement of sales of military railroad property for cash and on credit during the fiscal year.....	3	1	169
Statement of indebtedness of the several railroads for railroad material sold to them by the United States.....	3	1	170
Statement of cost of materials and labor performed for the construction and maintenance of way on the United States military railroads in the military division of the Mississippi.....	3	1	172
Statement showing the steamboats, barges, &c., belonging to the United States at the beginning of the fiscal year, their disposition and proceeds of sale.....	3	1	173
Statement of sales of coal belonging to transportation department on the western waters during the fiscal year.....	3	1	194
List of boats destroyed on the Mississippi river and its tributaries from May, 1861, to the surrender of General Kirby Smith and cessation of hostilities.....	3	1	195
List of vessels chartered, impressed, and employed during the fiscal year.....	3	1	210
Statement exhibiting in detail the number and character of claims received in the fourth division in the fiscal year, and action thereon.....	3	1	260

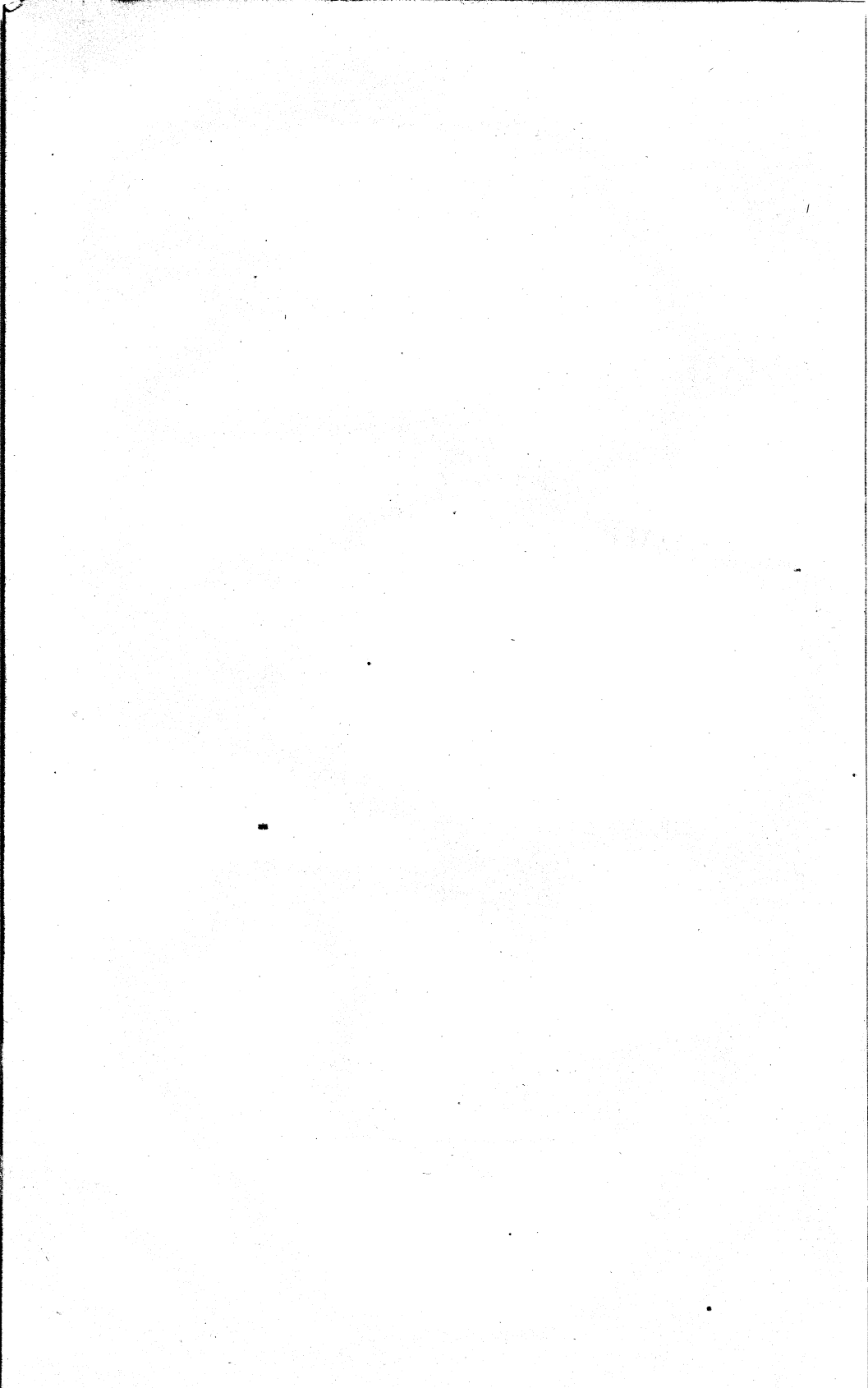
Title.	Vol.	No.	Page.
No. 7. Report of Brigadier General D. C. McCallum, director and chief manager of military railroads of the United States during the war.....	3	1	261
No. 8. Report of Colonel Anson Stager, United States military telegraph.....	3	1	298
No. 9. Fifth division, (regular supplies quartermaster's department,) report of Brigadier General S. L. Brown.....	3	1	301
No. 10. Sixth division, (barracks and quarters and cemeteries,) report of Brevet Brigadier General J. J. Dana.....	3	1	304
<i>Papers accompanying the same.</i>			
Report in relation to cemeteries during the fiscal year.....	3	1	326
Schedule of actual or contracted or estimated cost of the various items connected with the disinterment and remains of deceased soldiers in various sections of the United States.....	3	1	330
Circular to chief quartermasters on the subject of burial of soldiers throughout the United States.....	3	1	331
List of national cemeteries in the neighborhood of Washington and in Virginia under the charge of Lieutenant Colonel James M. Moore, A. Q. M.....	3	1	332
Extract from report of Captain E. B. Whitman on cemeteries of Middle Tennessee, September 1, 1865.....	3	1	333
No. 11. Seventh and ninth divisions, (military trains and incidental allowances, records, and correspondence,) report of Brevet Brigadier General B. C. Card.....	3	1	333
<i>Papers accompanying the same.</i>			
Statement of number and amount of claims received, paid, and remaining on hand in seventh division during the fiscal year ..	3	1	334
The same from July 1 to September 30, 1866.....	3	1	334
No. 12. Statement, with tables, of number of wagons, ambulances, carts, harness, &c., purchased, fabricated, captured, sold, and expended during the fiscal year, as shown by reports of officers in the office on the 8th instant.....	3	1	335
No. 13. Eighth division, (inspection,) report of Brevet Brigadier General G. V. Rutherford.....	3	1	336
<i>Papers accompanying the same.</i>			
List of principal depots, with names of officers in charge during the fiscal year.....	3	1	365
List of inspectors of the quartermaster's department during the fiscal year.....	3	1	366
List of officers who have served as chief quartermasters of armies.....	3	1	366
List of officers in charge of divisions in the Quartermaster General's office.....	3	1	366
List of officers who have served as senior and supervising quartermasters of military divisions.....	3	1	366
List of officers who have served as chief quartermasters of corps.....	3	1	367
List of officers who have served as chief quartermasters of divisions.....	3	1	367
List of officers of the quartermaster's department who have been promoted by brevet.....	3	1	368
Report of the Commissary General of Subsistence.....	3	1	374
Report of the Surgeon General.....	3	1	379
Report of the Paymaster General.....	3	1	390
Report of the Chief of Engineers.....	3	1	416
Report of the Chief of Ordnance.....	3	1	653
Report of the Signal Officer.....	3	1	702
Report of the Commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands.....	3	1	705
War, transmitting reports of Quartermaster General, Commissary General, and Paymaster General, as to amounts expended in suppressing Indian hostilities during 1864-'65. Letter from the Secretary of....	5	5	

Title.	Vol.	No.	Page.
War, transmitting a report of inspection of military posts. Letter from the Secretary of .....	6	20	
War, transmitting a report of the Chief of Engineers relative to the improvement of the harbor at Chicago. Letter from the Secretary of .....	6	21	
War, transmitting information respecting the protection of the routes across the continent to the Pacific from molestation by hostile Indians. Letter from the Secretary of .....	6	23	
War, transmitting a report on the subject of the surveys of the Rock and Illinois rivers .....	7	26	
War, relative to purchases by the Ordnance department. Letter from the Secretary of .....	7	27	
War, relative to contracts by the Quartermaster General's department. Letter from the Secretary of .....	7	28	
War, relative to claims for horses seized in Indiana by United States authorities. Letter from the Secretary of .....	7	32	
War, relative to the wreck of the steamer Scotland. Letter from the Secretary of .....	7	35	
War, relative to contracts by the Engineer department. Letter from the Secretary of .....	7	43	
War, relative to the ship channel of the Patapsco river. Letter from the Secretary of .....	7	44	
War, transmitting reports of inspection by Generals Rusling and Hazen. Letter from the Secretary of .....	7	45	
War, relative to the New Orleans riots. Letter from the Secretary of .....	7	46	
War, transmitting statement of arms manufactured and repaired, and expenditures made at the Springfield armory. Letter from the Secretary of .....	7	47	
War, relative to contracts for fire-arms made since April, 1864. Letter from the Secretary of .....	8	53	
War, relative to small-arms manufactured at the Springfield armory, and purchased elsewhere. Letter from the Secretary of .....	8	54	
War, transmitting a report by the Chief of Engineers respecting certain public works. Letter from the Secretary of .....	9	56	
War, transmitting report of the Chief of Engineers, with General Warren's report of the surveys of the Upper Mississippi river and its tributaries. Letter from the Secretary of .....	10	58	
War, relative to the case of Michael McCann's claim for services of the barge Charles Warner. Letter from the Secretary of .....	10	60	
War, relative to the condition of affairs in Texas. Letter from the Secretary of .....	10	61	
War, transmitting General Cram's report on the St. Clair flats. Letter from the Secretary of .....	10	62	
War, transmitting papers relative to the purchase of the steamship Illinois. Letter from the Secretary of .....	10	65	
War, transmitting reports relative to harbor improvements on Lake Michigan. Letter from the Secretary of .....	10	70	
War, transmitting information relative to the riot at Norfolk. Letter from the Secretary of .....	11	72	
War, transmitting a report of the Chief of Engineers relative to a sunken wreck near Sandy Hook light-house. Letter from the Secretary of .....	11	77	
War, transmitting a report of the Chief of Engineers of the survey and improvement of the rapids of the Mississippi river. Letter from the Secretary of .....	11	79	
War, relative to the harbor of Ontonagon. Letter from the Secretary of .....	11	80	
War, relative to the survey of Plattsburg harbor. Letter from the Secretary of .....	11	89	
War, transmitting a report of the Chief of Engineers relative to the survey of Hell Gate, New York. Letter from the Secretary of .....	11	90	
War, transmitting report of the survey and improvement of the Kennebec and Penobscot rivers. Letter from the Secretary of .....	11	91	
War, transmitting a correspondence between the commandant of the Augusta arsenal and the president of the Augusta and Summerville railroad. Letter from the Secretary of .....	11	102	
War, relative to the issue of rations to persons not belonging to the army. Letter from the Secretary of .....	11	106	

Title.	Vol.	No.	Page.
War, transmitting report of General Ingalls's inspection made in 1866.			
Letter from the Secretary of.....	11	111	
Warren, Major General G. K., relative to the surveys of the Upper Mississippi river and its tributaries. Report of.....	10	58	
Wines from Cadiz, Spain. Message from the President of the United States relative to the importation of.....	11	103	
Y.			
Yards and Docks, of the operations of his bureau during the year ending June 30, 1866. Report of the chief of the Bureau of.....	4	1	94
<i>Papers accompanying the above report.</i>			
A.—General estimates for yards and docks.....	4	1	108
No. 1. Estimate for the support of the bureau.....	4	1	108
No. 2. Estimate for officers and others at yards and stations.....	4	1	109
No. 3. Statement showing the sums which make up the first item of Yards and Docks A.....	4	1	111
No. 4. Estimate for improvement and repairs at yards and stations..	4	1	112
No. 5. Estimate for repairs of all kinds, showing the sums which make up the amounts under this head in Yards and Docks No. 4..	4	1	115
No. 6. Statement of expenditures under the head of contingent during the past fiscal year, and estimates for the same for the fiscal year ending June 30, 1868.....	4	1	116
No. 7. Estimates of appropriations under the cognizance of the Bureau of Yards and Docks, required for the service of the fiscal year ending June 30, 1868.....	4	1	118
No. 8. Abstract of offers for supplies for the fiscal year ending June 30, 1867.....	4	1	119







M E S S A G E

OF THE

PRESIDENT OF THE UNITED STATES,

AND

ACCOMPANYING DOCUMENTS,

TO THE

TWO HOUSES OF CONGRESS,

AT

THE COMMENCEMENT OF THE SECOND SESSION

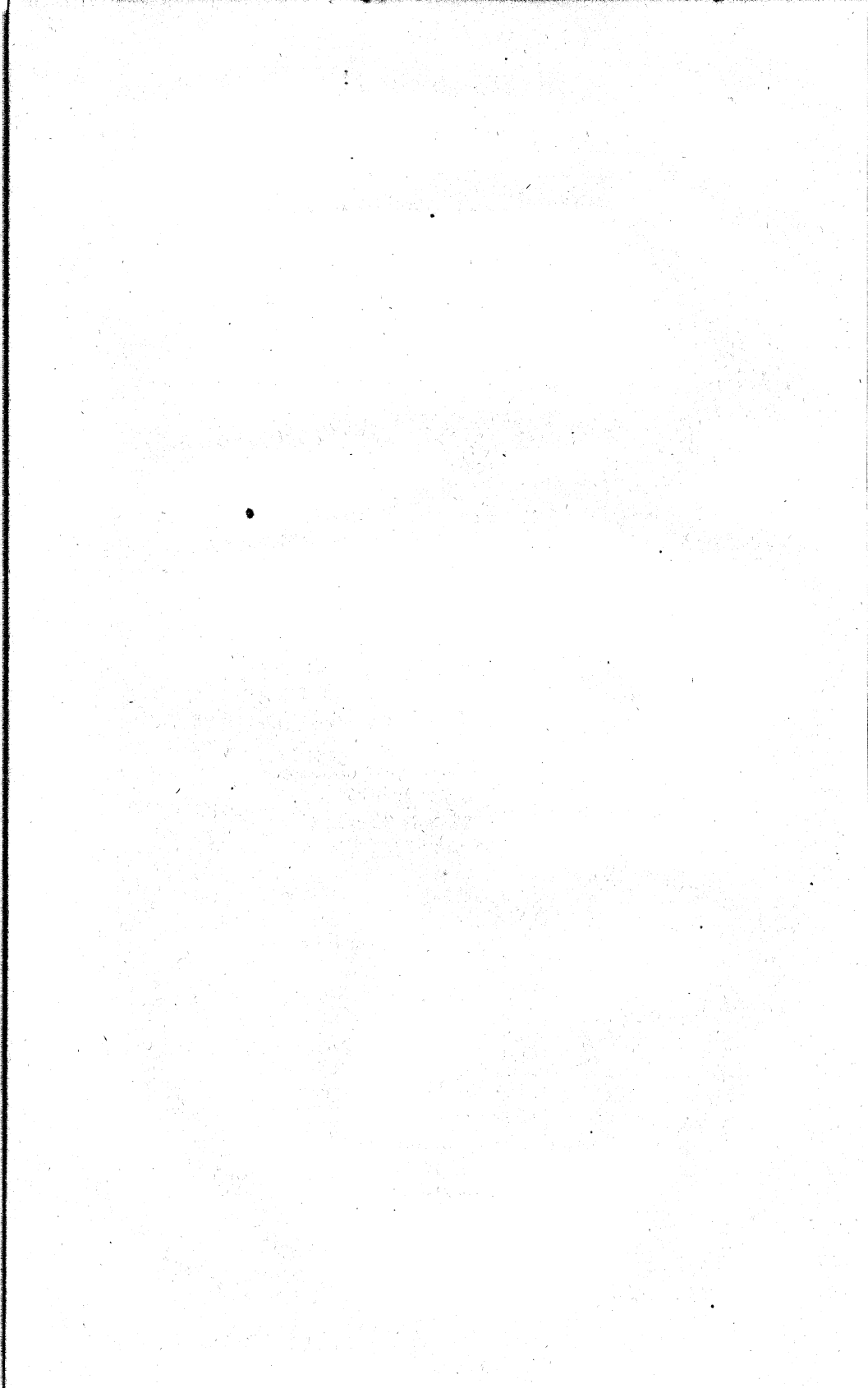
OF

THE THIRTY-NINTH CONGRESS.

P A R T I I .

WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1867.





P A P E R S  
RELATING TO  
F O R E I G N A F F A I R S .

P R U S S I A .

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
11	Mr. Wright to Mr. Seward.	Dec. 13	Criminals sent to the United States . . . . .	1
12	.....do.....	Dec. 16	Extradition treaty. Its revision.....	1
		1866.		
18	.....do.....	Jan. 20	Opening of Prussian Chambers. Address of Count Bismarck, &c.	2
19	.....do.....	Jan. 25	Case of Jacob Carl Brieger . . . . .	4
20	.....do.....	Feb. 7	The situation in Prussia. Political changes..	5
21	Mr. Seward to Mr. Wright.	Feb. 16	Naturalized citizens held to military service. Messrs. Striebg and Erk.	6
21	Mr. Wright to Mr. Seward.	Feb. 24	Dissolution of the Prussian Landtag. The situation. France and Austria. Russia. Mexico and Maximilian.	7
22	.....do.....	Mar. 7	Same subject. New line of steamers. Hamburg.	9
23	.....do.....	Mar. 14	The congress at Paris. The Danubian principalities. The Schleswig-Holstein question.	9
24	.....do.....	Mar. 21	Naturalized citizens of the United States held to military duty in Prussia. Commercial and extradition treaties. Warlike demonstrations between Prussia and Austria.	10
25	.....do.....	Mar. 31	Schleswig-Holstein question . . . . .	12
28	Mr. Seward to Mr. Wright.	April 9	Naturalized citizens of the United States held to military service in Prussia.	12
26	Mr. Wright to Mr. Seward.	April 11	The Austro-Prussian difficulty. The German confederacy. Its dissolution probable.	13
28	.....do.....	April 15	Naturalized citizens of the United States held to military service in Prussia. Case of Simon Israel. The Austro-Prussian difficulty.	15

## PRUSSIA—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
29	Mr. Seward to Mr. Wright.	April 25	Claim of Henry Schoenfeld against government of Hesse-Cassel.	17
29	Mr. Wright to Mr. Seward.	April 26	Case of Frederick Boettcher, held to military duty. Simon Israel. Emigration from Germany.	18
30	.....do.....	May 3	The Austro-Prussian difficulty. France and Italy. The situation.	18
32	Mr. Seward to Mr. Wright.	May 8	Case of Simon Israel, held to military duty in Prussia.	20
31	Mr. Wright to Mr. Seward.	May 9	The Austro-Prussian difficulty. Dissolution of the Landtag. Attack upon Count Bismarck.	21
32	.....do.....	May 17	The Austro-Prussian difficulty. Financial and political situation.	22
33	.....do.....	May 24	Same subject.....	24
34	Mr. Seward to Mr. Wright.	May 29	The Austro-Prussian difficulty. Attack on Count Bismarck.	24
34	Mr. Wright to Mr. Seward.	May 31	The same subject.....	25
35	.....do.....	June 7	Baron Von Der Heydt, minister of finance. Cases of Otto Erk, Carl Brieger, and Philip Jacobson. Captain Semmes. Elections. The situation of Austria and Prussia.	25
36	Mr. Wright to Mr. Seward.	June 14	Hostilities between Austria and Prussia.....	28
38	.....do.....	June 21	Attack upon Count Bismarck. Cases of Simon Israel and Henry Rust. The war between Prussia and Austria.	30
39	.....do.....	June 28	Cases of Matthias Weiner, Schoenfeld, and Francis Benndorf. The war between Prussia and Austria.	30
40	.....do.....	July 2	Same subject.....	32
41	.....do.....	July 5	Cession of Venetia by Austria to France. The war. Royal decree relative to merchant vessels.	32
40	Mr. Seward to Mr. Wright.	July 5	Frederick Klein held to military duty in Prussia.	33
42	Mr. Wright to Mr. Seward.	July 9	Defeat of Austrian army at Sadowa. The King of Prussia's telegram to the Queen.	34
43	.....do.....	July 12	The war between Prussia and Austria.....	35

## LIST OF DOCUMENTS.

III

## PRUSSIA—Continued.

No	From whom and to whom.	Date.	Subject.	Page.
		1866.		
44	Mr. Wright to Mr. Seward.	July 21	The war between Prussia and Austria. Armistice.	36
41	Mr. Seward to Mr. Wright.	July 25	John Henry Olfers held to military service in Prussia.	36
45	Mr. Wright to Mr. Seward.	July 26	Terms for settlement of difficulties between Prussia and Austria.	37
46	.....do.....	Aug. 2	Armistice extended for thirty days .....	38
47	.....do.....	Aug. 6	Simon Israel pardoned. The King's address to the Chambers. German confederacy and situation.	38
48	.....do.....	Aug. 9	The situation in Prussia .....	39
1	Mr. J. C. Wright to Mr. Seward.	Aug. 15	Same subject. Election of Herr Von Forekenbeek as president of the lower house of Parliament. Death of Prince Anton Von Hohenzollern from wounds at the battle of Sadowa.	40
2	.....do.....	Aug. 20	Annexation of Hanover, Hesse-Cassel, Nassau, and Frankfort-on-the-Main to Prussia. The situation generally.	40
3	.....do.....	Aug. 27	The treaty of peace between Prussia and Austria. Its terms.	41
50	Mr. Wright to Mr. Seward.	Sept. 3	The political situation in Prussia. Arrest of Bergen and Müller.	41
51	.....do.....	Sept. 6	Treaty of peace between Prussia and Austria. Parliament.	43
52	.....do.....	Sept. 17	Relations of Prussia and Russia. Legislation. Reception of Prussian army in Berlin.	45
45	Mr. F. W. Seward to Mr. Wright.	Sept. 22	Case of S. Phillips, held to military service in the Prussian army.	45
47	Mr. Seward to Mr. Wright.	Sept. 24	The situation in Prussia. Treaty of peace between Prussia and Austria. Arrest of Bergen and Müller. Compulsory military service question.	46
53	Mr. Wright to Mr. Seward.	Sept. 24	Reception of the army in Berlin. Amnesty proclaimed. Count Bismarck's promotion as general. German Parliament. Mr. G. V. Fox's visit to Kiel.	47
54	.....do.....	Oct. 4	Mr. G. V. Fox's visit to Kiel. Admiral Prince Adalbert visits the "Miantonomoh." Political events.	48

## PRUSSIA—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
56	Mr. Wright to Mr. Seward.	Oct. 22	The case of Bergen and Müller.....	49
49	Mr. Hunter to Mr. Wright.	Oct. 29	Frederick Boettener held to military service in Prussia.	50
57	Mr. Wright to Mr. Seward.	Nov. 1	The treaty of peace between Prussia and Saxony. The growth of Prussia, &c.	51
60	.....do.....	Nov. 26	The proposed new Parliament. The financial question.	52

## BELGIUM.

		1865.		
321	Mr. Sanford to Mr. Seward.	Dec. 11	Death of King Leopold I.....	53
322	.....do.....	Dec. 11	Same subject.....	55
323	.....do.....	Dec. 14	Same subject.....	56
323½	.....do.....	Dec. 19	Same subject.....	56
324	.....do.....	Dec. 19	Inauguration of King Leopold II.....	57
325	.....do.....	Dec. 21	Same subject. Festivities.....	58
326	.....do.....	Dec. 23	Financial measures adopted. Political questions in Belgium.	59
		1866.		
191	Mr. Hunter to Mr. Sanford.	Jan. 9	Death of Leopold I and inauguration of his son King Leopold II.	60
337	Mr. Sanford to Mr. Seward.	Jan. 23	The cattle plague. Preventive measures adopted.	60
339	.....do.....	Feb. 5	Mission of Baron Beaulieu to Washington...	61
340	.....do.....	Feb. 5	The cattle plague. Preventive measures adopted.	61
341	.....do.....	Feb. 5	Treaty of friendship, commerce, and navigation between Belgium and China.	62
342	.....do.....	Feb. 12	Mission of Baron Beaulieu to Washington...	62
344	.....do.....	Feb. 12	The cattle plague. Preventive measures adopted.	63
348	.....do.....	Feb. 20	Mission of Baron Beaulieu to Washington...	64
357	.....do.....	May 3	Return of Baron Beaulieu from his mission to Washington. Special mission of General Forey to Mexico and return.	64

## BELGIUM—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
358	Mr. Sanford to Mr. Seward.	May 8	Legislation. The Chambers. Universal suffrage agitated. Elections. The King on a tour. He visits the principal cities.	65
359	.....do.....	May 8	The war between Prussia and Austria. Position of Belgium.	65
365	.....do.....	June —	The cattle plague. Sanitary measures.....	66
366	.....do.....	June 14	Result of the elections. Complexion of the cabinet.	67
367	.....do.....	June 14	The position of France relative to the pretensions of Italy and Prussia. Military preparations in Belgium.	67
370	.....do.....	July 7	Marriage of the Princess Helena. Relations of Belgium and Great Britain. Cession of Venetia by Austria to France. The war between Austria and Prussia. Armistice.	68
371	.....do.....	July 21	The King on a tour of his kingdom.....	69
373	.....do.....	July 31	The political situation of Europe.....	69
377	.....do.....	Aug. 21	Relations of France and Prussia. Question of annexing territory to the former.	70
383	.....do.....	Sept. 29	The President's letters of condolence on the death of Leopold I. Mr. Sanford presents his credentials to Leopold II as minister resident.	70
207	Mr. Hunter to Mr. Sanford.	Nov. 3.	Same subject.....	71
389	Mr. Sanford to Mr. Seward.	Nov. 15	Opening of Parliament by the King. Address of the King and reply of the senate.	71
390	.....do.....	Nov. 16	Count de Casabianca's comparison of the Belgian, French, and British revenue systems.	72
393	.....do.....	Dec. 3	Address of the house of representatives to the King. Critical condition of European politics. Organization of the army. Return of Belgian legion from Mexico.	89

## P O R T U G A L .

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
367	Mr. Harvey to Mr. Seward.	Dec. 8	Law relative to exportation of wines.....	90
371	.....do.....	Dec. 28	Disappearance of the cholera.....	90
		1866.		
374	.....do.....	Jan. 13	Military revolt in Spain.....	91
375	.....do.....	Jan. 20	Same subject.....	91
376	.....do.....	Jan. 27	Same subject. Surrender of General Prim to Portugal.	93
377	.....do.....	Jan. 31	Arrival of General Prim at Lisbon. Political condition of Spain. The revolt.	93
382	.....do.....	Feb. 22	Manifesto of General Prim, and its effect in Portugal.	94
382½	.....do.....	Feb. 22	Celebration of the 22d February at Lisbon...	95
387	.....do.....	March 30	Reception of a minister from Maximilian, of Mexico. The diplomatic corps.	95
389	.....do.....	April 11	The African fever on board the United States steamer Kearsarge.	97
391	.....do.....	April 21	Same subject.....	98
392	.....do.....	April 26	Restrictions placed on the Kearsarge.....	99
400	.....do.....	June 24	Disturbed condition of Europe. Military precautions.	102
401	.....do.....	July 9	Neutrality of Portugal in the European complications.	104
405	.....do.....	Oct. 8	The situation in Europe. The eastern question.	105
414	.....do.....	Nov. 17	Pursuit of John H. Surratt.....	106
418	.....do.....	Nov. 24	Railroad between Lisbon and Madrid.....	107

## I T A L Y .

131	Mr. Marsh to Mr. Seward.	Mar. 18	Death of Prince Otho, youngest son of the King.	108
137	.....do.....	April 30	Relations of Prussia, Italy, and Austria. Preparations for war.	108
138	.....do.....	May 7	Same subject.....	109
139	.....do.....	May 15	Same subject.....	109
140	.....do.....	May 21	Same subject.....	110
141	.....do.....	May 28	Same subject.....	111
143	.....do.....	June 20	The ministry. Declaration of war against Austria. Finances.	112

## LIST OF DOCUMENTS.

VII

## ITALY—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
144	Mr. Marsh to Mr. Seward.	July 2	The war with Austria.....	113
153	Mr. Clay to Mr. Seward.	Aug. 13	Relations of Italy and Austria. An armistice and its conditions. The French mediation.	113
154	.....do.....	Aug. 18	The Austro-Prussian peace and Italy. Cession of Venetia by Austria.	114
156	.....do.....	Aug. 25	Reports of the battles of Custorra and Lissa. Strength of the Italian and Austrian squadrons compared.	116
157	.....do.....	Aug. 27	Treaty of peace between Prussia and Austria. Its conditions. Venetia ceded to Italy. Its reorganization.	118
166	Mr. Marsh to Mr. Seward.	Oct. 6	Forced loans levied on United States citizens.	119
158	Mr. Seward to Mr. Marsh.	Oct. 27	Same subject.....	120
167	Mr. Marsh to Mr. Seward.	Nov. 13	Entry of the King in Venice, and his reception. The Roman question. Financial condition of Italy.	120
168	.....do.....	Nov. 18	Pursuit of John H. Surratt.....	121
169	.....do.....	Nov. 24	Same subject.....	125

## R O M E.

		1865.		
30	Mr. Seward to Mr. King.	Dec. 18	Interviews with his Holiness the Pope. Friendly feeling towards the United States.	127
		1866.		
47	Mr. King to Mr. Seward.	Jan. 4	Assassination of President Lincoln. Christmas ceremonies in Rome. Opinions of the Pope relative to the situation in the United States. Disappearance of the cholera. Arrival of new ministers at Rome. Condition of the Papal States.	127
52	.....do.....	April 4	Ceremonies of the Holy Week. The finances. Rupture between Prussia and Austria. Position of the papal government. Views respecting the United States.	128
53	.....do.....	April 23	H. B. St. Marie and the pursuit of John H. Surratt.	129
54	.....do.....	May 11	Same subject.....	129



## ROME—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
35	Mr. F. W. Seward to Mr. King.	May 21	H. B. St. Marie and the pursuit of John H. Surratt.	130
36	.....do.....	May 24	Same subject.....	131
55	Mr. King to Mr. Seward.	June 4	The questions at issue between Austria, Prussia, and Italy. Three new cardinals to be created. Celebration of Corpus Christi.	132
56	.....do.....	June 19	H. B. St. Marie and the pursuit of John H. Surratt.	133
57	.....do.....	June 23	Relations of Prussia, Austria, and Italy. Friendly feeling towards the United States. Anniversary of the coronation of the Pope. St. Marie, Surratt, and Weichmann.	133
Prvt	.....do.....	June 30	Relative to St. Marie.....	135
59	.....do.....	July 14	Sworn statement of St. Marie relative to John H. Surratt.	135
Prvt	.....do.....	July 14	Relative to St. Marie.....	136
40	Mr. Seward to Mr. King.	July 16	Same subject.....	137
60	Mr. King to Mr. Seward.	July 24	The Austro-Prussian war and its results. The situation of the Papal States and status of Rome. European complications. Views and opinions of his Holiness the Pope and the cardinal secretary of state.	137
62	.....do.....	Aug. 8	H. B. St. Marie and the pursuit of John H. Surratt.	139
41	Mr. Seward to Mr. King.	Aug. 15	Same subject.....	139
43	.....do.....	Oct. 16	Same subject.....	139
65	Mr. King to Mr. Seward.	Nov. 2	Same subject.....	140
Prvt	.....do.....	Nov. 3	Same subject.....	141
66	.....do.....	Nov. 10	Same subject.....	141
67	.....do.....	Nov. 19	Same subject.....	143
68	.....do.....	Nov. 20	Same subject.....	145
68 bis	.....do.....	Nov. 26	Same subject.....	145
44	Mr. Seward to Mr. King.	Nov. 26	Same subject.....	147
47	.....do.....	Nov. 30	Same subject.....	147
48	.....do.....	Nov. 30	Regulations of the department.....	143

## LIST OF DOCUMENTS.

IX

## ROME—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
70	Mr. King to Mr. Seward.	Dec. 2	Arrest of John H. Surratt at Alexandria, Egypt.	148
49	Mr. Seward to Mr. King.	Dec. 4	Arrest of John H. Surratt at Alexandria, Egypt.	149

## DENMARK.

		1865.		
5	Mr. Yeaman to Mr. Seward.	Dec. 22	Proposed change in the constitution. Effect of the President's message in Europe.	150
		1866.		
7	.....do.....	Jan. 19	Abolition of slavery in the United States. Restoration of civil authority and peace in the United States—how viewed in Europe.	151
10	.....do.....	Mar. 3	The piratical cruiser Stonewall .....	151
11	Mr. Seward to Mr. Yeaman.	Mar. 26	Same subject .....	153
13	Mr. Yeaman to Mr. Seward.	April 23	Same subject. The war between Prussia and Austria.	153
14	Mr. F. W. Seward to Mr. Yeaman.	May 18	The piratical cruiser Stonewall. Political affairs in Denmark.	155
19	Mr. Yeaman to Mr. Seward.	June 9	The threatening war complications. Position of Denmark. The grand duke of Russia visits the court.	155
20	.....do.....	June 19	The war between Prussia and Austria.....	156
21	.....do.....	June 22	Same subject. Military preparations. Ratification and adoption of the new constitution.	157
23	.....do.....	July 3	The situation in Europe.....	158
25	.....do.....	July 20	Policy of Denmark with respect to freedmen in the West India islands.	159
26	.....do.....	July 27	Propositions for peace by Napoleon.....	165
28	.....do.....	Aug. 1	The Miantoumoh at Copenhagen. Attention paid to Mr. G. V. Fox.	166
32	.....do.....	Aug. 16	The new constitution of Denmark. Complications between France and Prussia.	168
34	.....do.....	Sept. 5	Treaty of peace between Austria and Prussia, and its conditions.	170

## LIST OF DOCUMENTS.

## DENMARK—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
35	Mr. Yeaman to Mr. Seward.	1866. Sept. 22	Marriage of the Princess Dagmar to the grand duke of Russia. Schleswig question. Reorganization of the Danish army.	170
39	.....do.....	Oct. 22	Schleswig question. France and Russia—their schemes.	171
40	.....do.....	Nov. 1	Relations of Prussia and Sweden. Complications in Europe. The intervention in Mexico.	172
41	.....do.....	Nov. 13	Opening of the Danish Congress. The King's speech.	173

## SWEDEN AND NORWAY.

35	Mr. Campbell to Mr. Seward.	1865. Dec. 13	Adoption of the reform bill.....	176
37	.....do.....	1866. Jan. 15	Reported negotiations between Russia and Sweden and Norway for cession of territory. The fishery question.	177
45	.....do.....	July 18	Industrial exhibition at Stockholm.....	178
48	.....do.....	Oct. 1	The Miantonomoh at Stockholm. Attentions paid to Mr. G. V. Fox.	179
35	Mr. Seward to Mr. Campbell.	Oct. 23	Same subject.....	181

## SWITZERLAND.

7	Mr. Harrington to Mr. Seward.	1866. Feb. 17	Emigration to the United States.....	182
9	.....do.....	May 23	Invitation to the United States to become a party to the convention for the amelioration of sufferings of wounded soldiers.	184
16	.....do.....	Nov. 3	The cattle plague. Sanitary measures adopted.	185

## JAPAN.

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
67	Mr. Portman to Mr. Seward.	Dec. 5	Relations of the United States and Japan. The sanctions to the treaties of the Mikado. The opening of Hiogo and the city of Osacca within a period to be fixed by agreement. The regularization of import duties on a uniform basis.	189
68	.....do.....	Dec. 6	Publication of the ratification of the treaties by the Mikado.	193
69	.....do.....	Dec. 7	Same subject .....	194
70	.....do.....	Dec. 16	Same subject .....	195
71	.....do.....	Dec. 29	Same subject .....	196
		1866.		
2	.....do.....	Jan. 8	Assassination of President Lincoln. Condolences.	197
11	Mr. Seward to Mr. Portman.	Feb. 10	Japanese indemnity. Co-operation of Great Britain with the United States in its settlement, &c.	193
7	Mr. Portman to Mr. Seward.	Feb. 15	The Simonoseki indemnity. The rebellion in Japan. Condition of affairs.	198
13	Mr. Seward to Mr. Portman.	Feb. 20	The Simonoseki indemnity.....	199
10	Mr. Portman to Mr. Seward.	Mar. 20	Revision of the tariff. Necessity for a marine hospital at Yokohama.	200
13	.....do.....	April 11	The Simonoseki indemnity.....	201
14 bis	.....do.....	April 14	Same subject .....	202
15	.....do.....	April 16	Same subject .....	203
19	.....do.....	April 22	Same subject .....	204
23	.....do.....	May 29	Same subject.....	205
28	.....do.....	June 1	Japanese permitted to visit foreign countries. Passport system established.	208
20	Mr. Seward to Mr. Portman.	July 14	The Simonoseki indemnity.....	209
20 bis	.....do.....	July 18	Same subject.....	210
21	.....do.....	July 18	Same subject.....	210
4	Mr. Seward to Mr. Van Valkenburgh.	July 27	Italian scientific exploration of the Indian, Chinese, and Japanese seas.	210
38	Mr. Van Valkenburgh to Mr. Seward.	Sept. 18	The rebellion in Japan. Interview of British minister with the Prince Choshu.	21

## JAPAN—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
39	Mr. Van Valkenburgh to Mr. Seward.	Sept. 20	The rebellion in Japan.....	214
41	.....do.....	Sept. 27	Illness and reported death of the Tycoon. The rebellion.	219
42	.....do.....	Sept. 28	Italian scientific exploration. Intercourse between Japan and foreign powers.	220
46	.....do.....	Oct. 6	Death of the Tycoon—September 28, 1866. Prince Hitotsbasi, his successor.	222
50	.....do.....	Oct. 15	The rebellion. Death of the Tycoon.....	223
53	.....do.....	Oct. 26	The Simonoseki indemnity.....	223
54	.....do.....	Nov. 5	An armistice between the contending forces for fifty days. Riots at Yedo. People suffering for want of provisions.	226
56	.....do.....	Nov. 10	The passport system.....	227

NOTE.—For remainder of Index of Japan see page XXXIII.

## T U R K E Y .

		1865.		
135	Mr. Morris to Mr. Seward.	Dec. 15	Regulations relative to tobacco in the Ottoman empire.	228
100	Mr. Seward to Mr. Morris.	Dec. 18	Re-enforcements for Mexico.....	230
136	Mr. Morris to Mr. Seward.	Dec. 23	The cholera. Sanitary measures.....	230
		1866.		
137	.....do.....	Jan. 5	Condition of the Turkish navy.....	231
138	.....do.....	Jan. 10	Outrage upon two American missionaries in Syria. Punishment of the murderers of Rev. Mr. Coffing.	232
142	.....do.....	Feb. 1	Re-enforcements for Mexico.....	234
144	.....do.....	Feb. 17	The cholera. Insurrection in Syria.....	235
145	.....do.....	Feb. 28	Commerce of the United States in the Black sea. Shipwrecked seamen and their protection.	236
146	.....do.....	Feb. 28	Deposition of Prince Couza in the Danubian principalities. Population and productions of the same. The war in Syria. The finances of Turkey.	237
148	.....do.....	Mar. 9	Abolition of slavery in the United States.....	238

## TURKEY—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
149	Mr. Morris to Mr. Seward.	Mar. 17	The cholera. International conference. Its sessions and results.	239
109	Mr. Seward to Mr. Morris.	Mar. 31	Protection of commerce in the Black sea. Internal administration of Turkey.	239
150	Mr. Morris to Mr. Seward.	April 11	Condition of the Danubian principalities. The Schleswig-Holstein question. The war between Prussia and Austria. Russia and Turkey. Finances.	240
151	.....do.....	April 25	Questions of religious controversy.....	241
152	.....do.....	May 17	War in central Europe. The Danubian principalities and their complications. The Ottoman navy. Internal affairs in Turkey.	241
153	.....do.....	May 22	The succession to the throne of Egypt. The tribute of Egypt to the Porte.	242
154	.....do.....	May 22	The Danubian principalities. Movements of the Turkish army.	244
156	.....do.....	May 25	Same subject. Views of Russia, France, and Great Britain.	244
157	.....do.....	June 8	Changes in the Cabinet of Turkey. Question of the Danubian principalities. Critical state of the Turkish empire.	245
158bis	.....do.....	June 27	The succession to the throne of Egypt.....	246
160	.....do.....	July 4	Reception of the diplomatic corps. Interview with the Sultan.	247
161	.....do.....	July 9	The Danubian principalities and their complications. French, Prussian, and Italian instigations. Public feeling in Greece. Position of the province of Montenegro. Religious questions. Troubles in Syria. The war in Europe and its results.	248
162	.....do.....	July 13	The finances of the Turkish empire. Prince Hohenzollern as hospodar of Moldavia and Wallachia. His recognition of the Sultan.	250
164	.....do.....	Aug. 3	The new constitution of the Danubian principalities.	250
169	.....do.....	Sept. 20	Visit of the United States ship Ticonderoga. Attentions paid to her officers, &c.	252
119	Mr. Seward to Mr. Morris.	Sept. 25	Condition of the inhabitants of Crete.....	253
170	Mr. Morris to Mr. Seward.	Sept. 29	Same subject. Relations of the Hellenic government and that of Turkey.	253

## TURKEY—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
173	Mr. Morris to Mr. Seward.	Nov. 2	Recognition of Prince Hohenzollern as hospodar of the Danubian principalities. His friendly disposition to the United States. The Russian and Turkish question.	254
174	.....do.....	Nov. 2	Condition of affairs in Crete.....	255
177	.....do.....	Nov. 15	Reappearance of the cholera.....	256
179	.....do.....	Nov. 22	Affairs in Candia and Crete. Sufferings of the Cretans.	256
181	.....do.....	Nov. 30	American emigrants in Palestine.....	257

## E G Y P T .

		1865.		
17	Mr. Seward to Mr. Hale.	Dec. 14	Re-enforcements for Mexico. Position of France on the question.	259
49	Mr. Hale to Mr. Seward.	Dec. 25	The cholera in Egypt. Deaths.....	260
		1866.		
52	.....do.....	Jan. 18	Re-enforcements for Mexico. No more troops to be sent.	264
53	.....do.....	Feb. 24	Celebration of the 22d of February.....	265
55	.....do.....	April 30	The festival of Courvan Beiram. Construction of the Suez canal. Its complications and difficulties.	266
56	.....do.....	May 4	Violence in the public streets of Alexandria. Preventive measures.	269
57	.....do.....	June 2	Succession to the throne of Egypt. Construction of the Suez canal.	272
59	.....do.....	June 25	Return of the Pacha to Alexandria. Festivities. Panic in England and its effects. The Pacha's reply to the consular corps.	273
63	.....do.....	Oct. 17	Visit of the United States ship Ticonderoga to Alexandria. Festivities.	274
66	.....do.....	Nov. 27	Pursuit and arrest of John H. Surratt.....	275
	Do.....	Dec. 2	(Telegram.) Same subject.....	276
	Mr. Seward to Mr. Hale.	Dec. 3	(Telegram.) Same subject.....	276
25	.....do.....	Dec. 4	Same subject.....	276
68	Mr. Hale to Mr. Seward.	Dec. 4	Same subject.....	277

## ARGENTINE REPUBLIC.

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
145	Mr. Kirk to Mr. Seward.	Dec. 27	The war against Paraguay. The war between Chili and Spain.	278
		1866.		
152	.....do.....	Feb. 24	Same subject. Battle of Paso de la Patria...	278
155	.....do.....	Mar. 12	The war against Paraguay. Mr. Washburn leaves for Corrientes.	279
156	.....do.....	April 11	Same subject.....	280
104	Mr. Seward to Mr. Kirk.	April 21	Mr. Washburn detained at Corrientes by the allied armies.	280
158	Mr. Kirk to Mr. Seward.	April 25	The war against Paraguay. Detention of Mr. Washburn at Corrientes.	281
159	.....do.....	May 5	Bombardment of Valparaiso.....	281
161	.....do.....	May 12	Opening of the Congress of the republic. The Vice President's message. Relations with the United States.	282
165	.....do.....	May 29	Celebration of Independence Day. Resignation of Vice President Paz not accepted by Congress. The war against Paraguay.	283
3	Mr. Seward to Mr. Asboth.	June 27	Mr. Washburn detained and prevented from reaching Asuncion by the allied army. Instructions.	284
166	Mr. Kirk to Mr. Seward.	July 7	Celebration of the fourth of July. Friendly feelings of the Argentine Republic toward the United States.	285
10	Mr. Seward to Mr. Asboth.	Sept. 24	Mr. Washburn detained and prevented from reaching Asuncion by the allied army. Instructions enclosed.	285
12	.....do.....	Oct. 15	Tender of good offices by the United States to put an end to the war in Paraguay.	286
8	Mr. Asboth to Mr. Seward.	Oct. 21	Presentation and acceptance of his credentials as United States minister.	286
13	Mr. Seward to Mr. Asboth.	Oct. 22	Detention and delay of Mr. Washburn by the allied army.	288
9	Mr. Asboth to Mr. Seward.	Oct. 24	His recognition as minister of the United States to Argentine Republic. Detention and delay of Mr. Washburn by the allied army. His letter of the 22d October to the minister for foreign affairs on same subject.	288
10	.....do.....	Oct. 25	Detention and delay of Mr. Washburn by the allied army.	295
11	.....do.....	Oct. 27	Same subject.....	297
14	.....do.....	Nov. 19	Same subject.....	298



## BRAZIL.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
5	Mr. Lidgerwood to Mr. Seward.	Jan. 2	Immigration to Brazil from the southern States.	300
7	.....do.....	Mar. 3	The Florida affair settled.....	301
169	Mr. Seward to Mr. Lidgerwood.	April 18	Same subject.....	302
10	Mr. Lidgerwood to Mr. Seward.	May 4	Birth of a son to the Duke and Duchess of Saxe. Capture of the Peruvian iron-clad Huascar by the Spanish polacca Dorothea. Coast trade of Brazil. The war with Paraguay. Address of the Emperor Don Pedro II to the Chambers.	302
11	.....do.....	June 2	The Florida affair. Coast telegraphic line of Brazil. Commercial relations. Immigration to Brazil. War with Paraguay. Steamship line from New York to Rio de Janeiro.	305
171	Mr. Seward to Mr. Webb.	June 27	Detention and delay of Mr. Washburn by the allied army. Instructions.	306
12	Mr. Lidgerwood to Mr. Seward.	July 2	The Florida affair. Detention and delay of Mr. Washburn by the allied army.	307
14	.....do.....	July 5	Exploration of the Amazon river by Professor Louis F. Agassiz.	309
15	.....do.....	July 8	Detention and delay of Mr. Washburn by the allied army.	312
16	.....do.....	July 9	Same subject.....	312
174	Mr. Seward to Mr. Webb.	July 28	Same subject.....	313
17	Mr. Lidgerwood to Mr. Seward.	July 31	Same subject.....	313
18	.....do.....	Aug. 1	The Florida affair.....	317
19	.....do.....	Aug. 1	The war with Paraguay. The cabinet.....	318
13	Mr. Webb to Mr. Seward.	Aug. 7	Same subject. The Monroe doctrine. Mediation recommended.	320
14	.....do.....	Aug. 24	Detention and delay of Mr. Washburn by the allied army. Relations with Brazil.	321
	Do.....	Sept. 19	(Telegram.) Detention of Mr. Washburn...	323
180	Mr. Seward to Mr. Webb.	Sept. 23	Same subject.....	324
16	Mr. Webb to Mr. Seward.	Sept. 24	The Nebo claim. The war with Paraguay. High price of labor in Brazil. Relations of Peru and Brazil.	324

## LIST OF DOCUMENTS.

XVII

## BRAZIL—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
187	Mr. F. W. Seward to Mr. Webb.	Oct. 4	Exploration of the Amazon river by Professor Louis F. Agassiz.	325
	Mr. Seward to the minister for foreign affairs.	Oct. 4	Same subject.....	325
189	Mr. Seward to Mr. Webb.	Oct. 10	The war of the allies against Paraguay. The United States desires the war brought to an end, as it is unnecessary.	326
190	.....do.....	Oct. 22	Same subject. Detention and delay of Mr. Washburn by the allied army.	326

## BOLIVIA.

		1865.		
50	Mr. Hall to Mr. Seward.	Oct. 13	The revolution in Bolivia.....	327
52	.....do.....	Oct. 13	Introduction of American stage-coaches and wagons into Bolivia. Proposed railroad.	327
53	.....do.....	Nov. 1	The revolution in Bolivia.....	328
54	.....do.....	Nov. 25	Same subject.....	328
		1866.		
55	.....do.....	Feb. 26	Same subject. Battle of Viacha.....	329
56	.....do.....	April 16	The revolution at an end. Amnesty. Bolivia joins Peru and Chili against Spain. Political situation. Recognition of the government by the United States recommended.	329
40	Mr. Seward to Mr. Hall.	April 21	Same subject.....	330
57 bis	Mr. Hall to Mr. Seward.	May 31	The political situation in Bolivia. Recommends the recognition of the actual government of General Melgarejo.	331
42	Mr. Seward to Mr. Hall.	July 10	Same subject. Instructions.....	331
59	Mr. Hall to Mr. Seward.	Aug. 7	Same subject.....	332

CHILI.

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
229	Mr. Nelson to Mr. Seward.	Oct. 31	Relations of Chili with Spain. Interviews with the minister for foreign affairs of Chili and the Spanish admiral. Tender of good offices of the United States to adjust the pending difficulties.	334
231	.....do.....	Oct. 31	Relations of Chili with Spain. Counter manifesto of Chili.	349
235	.....do.....	Nov. 16	The war between Chili and Spain.....	362
236	.....do.....	Dec. 1	Same subject. Naval combat. Capture of the Spanish gunboat Covadonga by the Chilian corvette Esmeralda.	362
237	.....do.....	Dec. 2	The war between Chili and Spain. Movements of the Spanish squadron. Hostilities against Peru.	363
117	Mr. Seward to Mr. Nelson.	Dec. 5	Relations of Chili and Spain. Tender of good offices of the United States.	364
239	Mr. Nelson to Mr. Seward.	Dec. 16	The rebellion in the United States. The wars of Spain with Chili and Peru. Movements of the Spanish squadron.	364
240	.....do.....	Dec. 31	Suicide of Admiral Pareja. The war of Spain with Chili and Peru. New ports of entry in Chili. Movements of the squadrons.	366
		1866.		
245	.....do.....	Jan. 16	Relations of Chili and Spain. Tender of good offices of the United States. Political matters in Chili and Peru.	368
246	.....do.....	Jan. 31	Relations of Spain with Chili and Peru. Treaty of alliance between Chili and Peru. Chilian coal contraband of war.	370
248	.....do.....	Feb. 15	Relations of Spain with Chili. Interviews with Admiral Mendez and minister for foreign affairs of Chili. Mediation of the United States.	372
4	Mr. Seward to Mr. Kilpatrick.	Feb. 19	Revocation of exequatur of Don Estevan Rogers, Chilian consul at New York.	375
250	Mr. Nelson to Mr. Seward.	Feb. 26	Mediation of the United States between Chili and Spain. Naval combat at Abtao, and its result. Protest respecting coal trade.	375
252	.....do.....	March 1	Mediation of the United States between Chili and Spain.	382

## CHILI—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
254	Mr. Nelson to Mr. Seward.	March 12	Retirement of Mr. Nelson from Chili. General Kilpatrick presents his credentials as United States minister.	383
255	.....do.....	March 16	Engagement between the Spanish squadron and the Chilian forces on the island of Chiloe. The coal question. Seizure of American vessels. Interview with Commodore Rodgers. The United States squadron to remain at Valparaiso.	386
	Mr. Kilpatrick to Mr. Seward.	April 2	Attempt to bring about a pacific solution of the questions between Chili and Spain, and its failure. Bombardment of Valparaiso by the Spanish squadron and its results. The loss of property.	386
6	.....do.....	April 16	Revocation of exequatur of Estevan Rogers, Chilian consul at New York. Fears of another bombardment. Estimate of losses suffered. Disappointment of the Chilian people at not being supported by the United States.	407
7	.....do.....	May 2	Movements of the Spanish, American, and Peruvian squadrons. The feeling between Chili and the United States not cordial. Naval re-enforcements for Peru.	410
6	Mr. Seward to Mr. Kilpatrick.	May 5	The bombardment of Valparaiso. Position of the United States towards other republics. Proposal for a settlement of the difficulties.	411
9	Mr. Kilpatrick to Mr. Seward.	May 16	Bombardment of Callao and repulse of the Spanish squadron.	412
8	Mr. Seward to Mr. Kilpatrick.	May 30	Revocation of the exequatur of the Chilian consul at New York. The losses at Valparaiso, and the duty of our consuls abroad.	412
9	.....do.....	June 2	Policy of the United States towards the Spanish-American States. Its relations with Spain and Chili. Instructions.	413
11	Mr. Kilpatrick to Mr. Seward.	June 15	Bombardment of Valparaiso. Personal explanations. Feeling in Chili towards the United States. Withdrawal of the French from Mexico—its effect.	414
12	.....do.....	July 2	Report of the Spanish admiral of the bombardment of Valparaiso. Views of General Kilpatrick thereon.	415

## CHILI—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
15	Mr. Kilpatrick to Mr. Seward.	July 16	The bombardment of Valparaiso* and his course in the matter. Relations of the United States and Chili.	417
14	Mr. Seward to Mr. Kilpatrick.	July 21	Approval of his course. Position of the United States in the war between South American republics and Spain.	418
15	.....do.....	Aug. 1	The bombardment of Valparaiso. His communication to the Chilian minister of state.	418
	CHILIAN LEGATION.			
	Mr. Asta Buruaga to Mr. Seward.	Feb. 15	Revocation of the exequatour of Don Estevan Rogers, Chilian consul at New York.	419
	Do.....	Feb. 16	Neutrality of the United States in the war between Chili and Spain.	420
	Mr. Seward to Mr. Asta Buruaga.	Feb. 16	Revocation of the exequatour of Don Estevan Rogers, Chilian consul at New York.	420
	Do.....	Feb. 17	Neutrality of the United States in the war between Chili and Spain.	421
	Mr. Covarrubias to Mr. Asta Buruaga.	April 1	Bombardment of Valparaiso. The details and history of same.	421
	Do.....	April 2	Revocation of the exequatour of Don Estevan Rogers, Chilian consul at New York.	425
	Mr. Seward to Mr. Asta Buruaga.	April 19	Tender of good offices for the termination of the war pending between Spain on the one side, and Peru, Chili, and Bolivia on the other.	426
	Mr. Asta Buruaga to Mr. Seward.	April 23	Same subject, in reply.....	427
	Mr. Seward to Mr. Asta Buruaga.	May 29	Revocation of the exequatour of Don Estevan Rogers, Chilian consul at New York.	428
	Mr. Asta Buruaga to Mr. Seward.	July 5	Tender of good offices of the United States for termination of the war between Spain and the allied republics of Chili, Peru, and Bolivia. The bombardment of Valparaiso.	428
	Mr. Seward to Mr. Asta Buruaga.	July 10	Same subject.....	429
	Mr. Atsa Buruaga to Mr. Seward.	July 14	Same subject.....	429

## COSTA RICA.

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
138	Mr. Riotte to Mr. Seward.	Dec. 10	Naturalization of citizens of Costa Rica in the United States. The income tax abroad.	430
		1866.		
140	.....do.....	Jan. 10	The Central American Transit Company. Railroad from the port of Limon to that of Herradura. Finances.	434
112	Mr. Seward to Mr. Riotte.	Feb. 16	Claim of Francisco and Juan Quezada to citizenship in the United States.	435
142	Mr. Riotte to Mr. Seward.	Mar. 10	Proposition of Peru to Costa Rica to join the South American alliance against Spain. Views of Mr. Riotte.	435
114	Mr. Seward to Mr. Riotte.	April 7	Same subject .....	437
147	Mr. Riotte to Mr. Seward.	May 10	Opening of the session of Congress for 1866. Ceremonies attending same.	437
148	.....do.....	May 25	The Central American Transit Company. Question of boundary between Costa Rica and Nicaragua.	441
152	.....do.....	June 23	Same subject .....	443
154	.....do.....	Aug. 25	Measures to prevent the introduction of cholera adopted.	443
155	.....do.....	Sept. 8	Delivery of an autograph letter from President Johnson to President Castro. Railroad contract in Costa Rica.	444
156	.....do.....	Sept. 9	Financial condition of Costa Rica.....	445

## ECUADOR.

		1865.		
195	Mr. Hassaurek to Mr. Seward.	Nov. 7	The political condition of Ecuador.....	447
196	.....do.....	Nov. 12	Case of the steamer Washington .....	447
114	Mr. Seward to Mr. Hassaurek.	Dec. 28	Same subject .....	454
		1866.		
2	Mr. Prevost to Mr. Seward.	Jan. 27	Case of steamer Washington. Ecuador to join Peru, Chili, and Bolivia in the war against Spain.	456
3	.....do.....	Feb. 12	Same subject .....	457

## ECUADOR—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
4	Mr. Prevost to Mr. Mr. Seward.	Feb. 22	Failure of Ecuador to pay awards under convention of November 25, 1862.	457
5	.....do.....	Feb. 22	Offensive and defensive alliance between Ecuador, Chili, and Peru, January 30, 1866.	458
6	.....do.....	Mar. 1	Failure of Ecuador to pay awards under convention of November 25, 1862.	459
	Mr. Seward to Mr. Prevost.	Mar. 8	Same subject. Instructions.....	460
7	Mr. Prevost to Mr. Seward.	Mar. 21	War declared against Spain by Ecuador. Military preparations.	461
	Mr. Seward to Mr. Prevost.	April 7	Failure of Ecuador to pay awards under convention of November 25, 1862.	463
8	Mr. Prevost to Mr. Seward.	April 10	Same subject.....	463
9	.....do.....	April 20	Same subject.....	464
	Mr. Seward to Mr. Prevost.	April 21	Tender of good offices of the United States to end the war between Spain and the South American republics.	465
10	Mr. Prevost to Mr. Seward.	April 26	Failure of Ecuador to pay the awards under convention of November 25, 1862. Bombardment of Valparaiso and its effect in Ecuador. Violent proceedings at Guayaquil.	465
	Mr. Seward to Mr. Prevost.	May 4	Failure of Ecuador to pay the awards under convention of November 25, 1862.	467
11	Mr. Prevost to Mr. Seward.	May 13	Same subject.....	467
12	.....do.....	May 13	The war with Spain. The Spanish squadron at Callao. Preparations.	468
13	.....do.....	May 22	Tender of good offices of the United States to end the war.	469
14	.....do.....	May 22	The war with Spain. Preparations.....	470
	Mr. Seward to Mr. Prevost.	June 5	Failure of Ecuador to pay the awards under the convention of November 25, 1862.	470
15	Mr. Prevost to Mr. Seward.	June 10	Tender of good offices of United States to end the war.	471
16	.....do.....	June 10	Failure of Ecuador to pay awards under convention of November 25, 1862.	471
17	.....do.....	June 13	Same subject.....	472
	Mr. Seward to Mr. Prevost.	July 3	Same subject.....	472

## ECUADOR—Continued.

No.	From whom and to whom.	Date.	Subject.	Date.
		1866.		
19	Mr. Prevost to Mr. Seward.	July 5	Failure of Ecuador to pay the awards under the convention of November 25, 1862. The Mohongo at Guayaquil. Fourth of July.	473
20	.....do.....	July 11	Same subject. Payment of first instalment under convention November 25, 1862.	473
21	.....do.....	July 20	Tender of good offices of United States to end the war.	474
23	.....do.....	Aug. 4	Payment of first instalment under convention November 25, 1862.	475
4	Mr. Seward to Mr. Coggeshall.	Aug. 20	Tender of good offices of the United States to end the war with Spain.	476
2	Mr. Coggeshall to Mr. Seward.	Sept. 18	Same subject, and recognition of Mr. Coggeshall as minister by Ecuador.	476
3	.....do.....	Sept. 24	His recognition as minister.....	478
5	.....do.....	Sept. 30	Anniversary of the independence of Chili. The alliance against Spain.	479
7	.....do.....	Oct. 16	Mediation of the United States between the allied republics and Spain.	479
12	.....do.....	Oct. 28	Transfer of Gallapagos islands to British bondholders.	480
13	.....do.....	Oct. 30	War between Spain and the allied republics..	480
14	.....do.....	Nov. 3	Relations of Ecuador with New Grenada, Chili, Peru, Bolivia, and Brazil. Navigation of the Amazon.	481
15	.....do.....	Nov. 21	The war with Spain. Reception of the Colombian minister. A minister sent to England by Ecuador.	481
11	Mr. Seward to Mr. Coggeshall.	Dec. 5	Transfer of Gallapagos islands to British bondholders.	483
12	.....do.....	Dec. 5	Relations of Ecuador and Colombia. Navigation of the Amazon.	483

## G U A T E M A L A .

		1866.		
1	Mr. Warren to Mr. Seward.	June 21	His arrival in Guatemala. Political and commercial condition of the republic. Friendly disposition towards the United States.	484
2	.....do.....	June 27	Presentation of his credentials. Speeches on the occasion.	484



## HAWAIIAN ISLANDS.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
61	Mr. McBride to Mr. Seward.	Jan. 19	The contract with the Pacific Mail Steamship Company to China and Japan.	486
67	.....do.....	July 2	Death of Princess Victoria Kamehameha Kahumanu.	487
3	Mr. Seward to Mr. McCook.	July 3	Discharge of American seamen from the ships Josephine and Blue Jacket.	488
4	Mr. McCook to Mr. Seward.	Aug. 1	Visit of Queen Emma to the United States...	490
6	Mr. Seward to Mr. McCook.	Sept. 24	Same subject.....	490
9	Mr. McCook to Mr. Seward.	Oct. 4	Subscription for a monument to General James B. McPherson.	491
12	.....do.....	Oct. 29	Return of Queen Emma to Honolulu.....	491
13	.....do.....	Nov. 21	Discharge of American seamen from the Blue Jacket. Case of George Reed, an American seaman, charged with murder in the Russian possessions.	492
14	.....do.....	Nov. 21	Return of Queen Emma to Honolulu. Effect of the Vanderbilt's visit to the Hawaiian islands.	494
15	.....do.....	Nov. 21	Contract of the Pacific Mail Steamship Company to China and Japan. American interests on the Pacific coast.	495
13	Mr. Seward to Mr. McCook.	Dec. 1	Subscription for a monument to General James B. McPherson.	496
	HAWAIIAN LEGATION.			
	Mr. Odell to Mr. Seward.	June 7	Meeting of the Hawaiian Legislature. The King's speech.	497
	Do.....	Dec. 31	Visit of Queen Emma to the United States...	498

## HAYTI.

		1865.		
18	Mr. Peck to Mr. Seward.	Nov. 18	The revolutions in Hayti and St. Domingo. Fight between H. B. M. steamer Bulldog and the insurgents at Cape Haytien. Rebellion in Jamaica. Rumored protectorate of the United States.	499
19	.....do.....	Nov. 26	The revolution in Hayti. The situation. Blockade of Cape Haytien.	501
20	do.....	Dec. 2	Same subject. The situation.....	501

## HAYTI—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
22	Mr. Peck to Mr. Seward.	Dec. 11	The Bulldog affair at Cape Haytien.....	502
		1866.		
24	.....do.....	Feb. 17	Claim of Mrs. Myers on Hayti.....	509
25	.....do.....	Feb. 23	Relations of Hayti and St. Domingo.....	510
26	.....do.....	Mar. 26	Trial of the revolutionists. Conflagration at Port au Prince; the loss five millions of dollars. Insurrection in Dominica. The situation of the two republics of Hayti and Dominica.	511
27	.....do.....	April 4	The situation in Hayti.....	513
12	Mr. Seward to Mr. Peck.	April 16	Claim of Mrs. Myers. United States legation in the Dominican republic. Naval force in the West Indies.	513
28	Mr. Peck to Mr. Seward.	April 20	The situation in Hayti. Its relations with St. Domingo. The French indemnity.	513
29	.....do.....	April 21	Suggestions as to the rank of the representatives of the United States in Hayti and Dominica.	516
13	Mr. Seward to Mr. Peck.	May 11	Condition of Hayti. Its relations to Dominica. Rank of the missions to Hayti and St. Domingo. Policy of the United States respecting other American governments. Mediation.	517
30	Mr. Peck to Mr. Seward.	June 10	Revolution in Santo Domingo. The situation in Hayti.	518
32	.....do.....	July 9	Abolition of slavery in the United States and its effect in the Antilles.	519
33	.....do.....	July 9	Insurrection in Hayti. The situation. Protection needed.	520
34	.....do.....	July 14	Relations of Hayti and Dominica. The insurrection in Hayti ended.	521
36	.....do.....	Aug. 13	The situation in Hayti. Protection of American interests.	522
3	.....do.....	Oct. 22	Leading political events in Hayti. Revolution attempted. Visit of the United States squadron to Port au Prince and its salutary effects.	525
9	.....do.....	Nov. 21	Quietude restored to Hayti. The mission to Dominica urged.	526

## HONDURAS.

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
52	Mr. Clay to Mr. Seward.	Oct. 25	The recognition of the provisional President of Honduras. Instructions.	527
54	.....do.....	Nov. 26	Same subject.....	527
		1866.		
59	.....do.....	Feb. 15	The new constitution. Election of General José Maria Medina as President.	528
42	Mr. Seward to Mr. Clay.	Mar. 19	Instructed to recognize the government of General Medina.	529
60	Mr. Clay to Mr. Seward.	Mar. 23	Inauguration of General Medina as President of Honduras.	529
62	.....do.....	April 25	Recognition of the provisional government of Honduras.	530
63	.....do.....	May 25	Delivery of an autograph letter. Recognition of the provisional government of President Medina.	530
64	.....do.....	June 9	The rebellion in the United States ended.....	531
68	.....do.....	July 10	Claim on Honduras in the case of the sloop Muhlenberg.	532
7	Mr. Seward to Mr. Rousseau.	Aug. 22	Same subject.....	535
5	Mr. Rousseau to Mr. Seward.	Aug. 22	Same subject.....	535
7	.....do.....	Sept. 12	A supposed filibustering expedition.....	536
11	Mr. Seward to Mr. Rousseau.	Oct. 10	Case of the sloop Muhlenberg.....	537
12	.....do.....	Oct. 15	A supposed filibustering expedition. Presentation of his credentials.	538
71	Mr. Clay to Mr. Seward.	Nov. 4	Autograph letter from President Medina. His withdrawal from Honduras.	538
8	Mr. Rousseau to Mr. Seward.	Nov. 16	Presentation of his credentials as minister resident of the United States, and recognition.	540

## NICARAGUA.

		1866.		
116	Mr. Dickinson to Mr. Seward.	June 24	The Central American Transit Company. Question of boundary between Costa Rica and Nicaragua.	541
119	.....do.....	Aug. 9	Same subject.....	543
120	.....do.....	Sept. 7	A supposed filibustering expedition.....	543

## NICARAGUA—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
81	Mr. Seward to Mr. Dickinson.	Oct. 3	A supposed filibustering expedition. ....	545
121	Mr. Dickinson to Mr. Seward.	Nov. 23	Same subject.....	545
82	Mr. Seward to Mr. Dickinson.	Nov. 27	The Central American Transit Company and the projected British railroad across Nicaragua.	545
	NICARAGUAN LEGATION.			
	Mr. Seward to Mr. Molina.	Nov. 26	Transportation of United States troops by the Nicaragua route.	546
	Mr. Molina to Mr. Seward.	Nov. 30	Same subject. Relations of the United States and Nicaragua.	547

## PARAGUAY.

		1865.		
	Mr. Washburn to Mr. Seward.	Nov. 9	The war of Brazil, Uruguay, and the Argentine republic against Paraguay. Its objects. Difficulty of his returning to his post. Political matters.	548
	Do.....	Dec. 15	The war with Paraguay and its complications. Impossibility of his reaching his post of duty.	551
		1866.		
49	.....do.....	Jan. 16	Difficulty of his reaching his post. The situation in Paraguay.	554
	Do.....	Feb. 1	Same subject.....	558
	Do.....	Feb. 8	Visit to the camp of the allies. Interview with General Mitre. His views and policy. The war. Mr. Washburn's return to his post.	560
	Do.....	Mar. 16	Mr. Washburn's return to his post. Political and financial situation.	564
43	Mr. Seward to Mr. Mr. Washburn.	April 16	The war against Paraguay. The delay in returning to his post. Instructions relative thereto.	565
45	.....do.....	April 21	Same subject.....	567
	Mr. Washburn to Mr. Seward.	April 27	The delay in returning to his post. Interview with General Mitre. The political and military situation.	567

## PARAGUAY—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
	Mr. Washburn to Mr. Seward.	April 27	The war in Paraguay. Fight at Paso de la Patria.	572
	Do.....	May 4	Same subject.....	573
	Do.....	May 24	Same subject. The triple alliance of Brazil, Uruguay, and the Argentine Republic.	574
	Do.....	May 25	War against Paraguay. Great battle fought and its results. Delay in reaching his post.	579
46	Mr. Seward to Mr. Washburn.	May 25	Same subject.....	579
	Mr. Washburn to Mr. Seward.	May 28	Same subject.....	580
	Do.....	June 8	Same subject.....	581
	Do.....	June 15	Same subject.....	583
47	Mr. Seward to Mr. Washburn.	June 27	Delay in reaching his post of duty. Instructions relative thereto.	584
	Mr. Washburn to Mr. Seward.	July 9	The war in Paraguay. Delay in reaching his post of duty.	585
62	.....do.....	July 23	Same subject. Death of General Netto. Distinguished officers. The duration of the war.	586
63	.....do.....	July 26	Delay in reaching his post of duty.....	588
64	.....do.....	July 27	Same subject.....	591
65	.....do.....	Aug. 10	Same subject.....	593
66	.....do.....	Aug. 14	The war against Paraguay and the views and objects of Brazil.	595
67	.....do.....	Aug. 17	Delay in reaching his post of duty.....	596
68	.....do.....	Aug. 20	Same subject.....	597
69	.....do.....	Sept. 12	Same subject.....	601
70	.....do.....	Sept. 20	Same subject. Uncertainty of mail communications.	602
51	Mr. Seward to Mr. Washburn.	Sept. 24	Same subject.....	603
71	Mr. Washburn to Mr. Seward.	Oct. 3	Delay in reaching his post of duty. Controversy with Admiral Godon.	604
72	.....do.....	Oct. 8.	Detention of the French gunboat <i>Décidée</i> by the Brazilian admiral. Attack on Curuzu and Curupaiti. The situation.	609
73	.....do.....	Oct. 13	Arrival of Minister Asboth at Montevideo. Detention of the French gunboat <i>Décidée</i> . News from the seat of war.	610

## PARAGUAY—Continued.

No	From whom and to whom.	Date.	Subject.	Page.
		1866.		
54	Mr. Seward to Mr. Washburn.	Oct. 17	Tender of good offices of the United States to terminate the war.	611
74	Mr. Washburn to Mr. Seward.	Oct. 22	Arrival of General Asboth. The delay in reaching his post of duty. President Lopez's situation.	611
56	Mr. Seward to Mr. Washburn.	Oct. 23	The delay in reaching his post of duty. His controversy with Admiral Godon.	612
75	Mr. Washburn to Mr. Seward.	Nov. 6	Departure for his post in the United States steamer Shamokin.	613
57	Mr. Seward to Mr. Washburn.	Nov. 21	The war against Paraguay. His controversy with Admiral Godon.	616

## PERU.

		1865.		
1	Mr. Hunter to Mr. Hovey.	Oct. 10	Revolution in Peru. Recognition of the constitutional government.	617
351	Mr. Robinson to Mr. Seward.	Nov. 9	Revolution in Peru. President Pezet is deposed. The government in the hands of General Causeco. Disturbances at Callao.	617
352	.....do.....	Nov. 13	General Causeco recognized as president by the diplomatic corps.	619
353	.....do.....	Nov. 17	Formation of a new cabinet. Political and financial situation.	620
1	Mr. Hovey to Mr. Seward.	Nov. 20	President Pezet abandoning the country. General Causeco assumes the control and is recognized as president.	620
2	.....do.....	Nov. 28	Causeco overthrown and Prado proclaimed dictator. His cabinet. Recognition by the United States, &c.	621
3	.....do.....	Dec. 13	The situation of affairs. Administration of General Prado.	622
	Mr. Robinson to Mr. Seward.	Dec. 19	Withdrawal from the mission to Peru. Government of General Prado.	623
4	Mr. Hovey to Mr. Seward.	Dec. 20	Refusal to grant asylum to Peruvians charged with crime.	624
3	Mr. Seward to Mr. Hovey.	Dec. 20	Political changes in Peru. Recognition of that government.	624
5	Mr. Hovey to Mr. Seward.	Dec. 21	Recognition of the government of General Prado by the United States.	625

## PERU—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1865.		
4	Mr. Seward to Mr. Hovey.	Dec. 28	Political changes in Peru. Recognition of the government of General Prado by the United States.	628
		1866.		
7	Mr. Hovey to Mr. Seward.	Jan. 20	Alliance of Peru with Chili. War declared against Spain. Protection of American interests. Situation.	628
8	.....do.....	Feb. 14	Political situation of Peru. Its recognition by the United States. Government of General Prado.	628
6	Mr. Seward to Mr. Hovey.	Feb. 20	Naval forces on the Pacific coast. Political situation.	629
8	.....do.....	March 8	Government of General Prado. Its recognition by the United States to be delayed.	630
10	Mr. Hovey to Mr. Seward.	March 12	The situation in Peru. Interview with General Prado.	630
9	Mr. Seward to Mr. Hovey.	April 7	Same subject.....	631
13	Mr. Hovey to Mr. Seward.	April 13	Policy of the United States in relation to revolutions in republican states. The recognition of Peru. The situation of that republic.	631
15	.....do.....	April 13	Bombardment of Valparaiso.....	633
16	.....do.....	April 21	Capture of the American ship Odessa. Violation of neutrality.	633
10	Mr. Seward to Mr. Hovey.	April 21	He is authorized to recognize the government of General Prado. Mediation of the United States in the war between Spain and the allied republics.	634
17	Mr. Hovey to Mr. Seward.	April 27	The Spanish squadron off Callao. The town to be bombarded on the 1st May. Manifesto of the Spanish admiral.	635
12	Mr. Seward to Mr. Hovey.	May 7	The situation in Peru and other American states. Policy of the United States towards them.	638
18	Mr. Hovey to Mr. Seward.	May 13	Bombardment of Callao by the Spanish squadron. It is driven off by the shore batteries.	638
15	Mr. F. W. Seward to Mr. Hovey.	May 14	Capture of the American ship Odessa for a violation of neutrality.	641

## PERU—Continued.

No.	From whom and to whom.	Date.	Subject.	Page.
		1866.		
21	Mr. Hovey to Mr. Seward.	May 29	Mediation of the United States in the war between Spain and the allied republics. Presentation of his credentials and reception.	642
22	.....do.....	May 29	Speech of General Prado after the battle of Callao. The character of the general.	644
24	.....do.....	May 31	Mediation of the United States in the war between Spain and the allied republics.	646
20	Mr. Seward to Mr. Hovey.	July 9	Same subject. His proceedings approved...	648
27	Mr. Hovey to Mr. Seward.	July 12	Failure of Ecuador to pay awards under the convention of November 25, 1862.	648
23	Mr. Seward to Mr. Hovey.	Aug. 2	Same subject. Case of the ship George Howland.	650
29	Mr. Hovey to Mr. Seward.	Aug. 13	Mediation of the United States in the war between Spain and the allied republics.	650
27	Mr. Seward to Mr. Hovey.	Oct. 3	Same subject. Policy of the United States. Its neutral obligations.	651
35	Mr. Hovey to Mr. Seward.	Oct. 22	The presidential election in Peru. General Prado has no opponent.	651
37	.....do.....	Nov. 14	Failure of revolution incited by General Castilla.	652
39	.....do.....	Nov. 14	Interview with President Prado. Relations of Spain and the allied republics. Mediation of France and England. The position taken by President Prado.	652
40	.....do.....	Nov. 28	Immigration of negroes to Peru .....	653
41	.....do.....	Nov. 28	The coolie trade of Peru .....	653
32	Mr. Seward to Mr. Hovey.	Dec. 6	Mediation of France and England in the war between Spain and the allied republics. Position of the United States on the question.	655
	<b>PERUVIAN LEGATION.</b>			
		1865.		
	Mr. Garcia to Mr. Seward.	Dec. 4	Elevation of General Causeco to the presidency of Peru. The situation.	656
	Mr. Pacheco to Mr. Seward.	Dec. 5	Elevation of Colonel Mariano Ignacio Prado to the position of supreme chief of the republic of Peru.	656

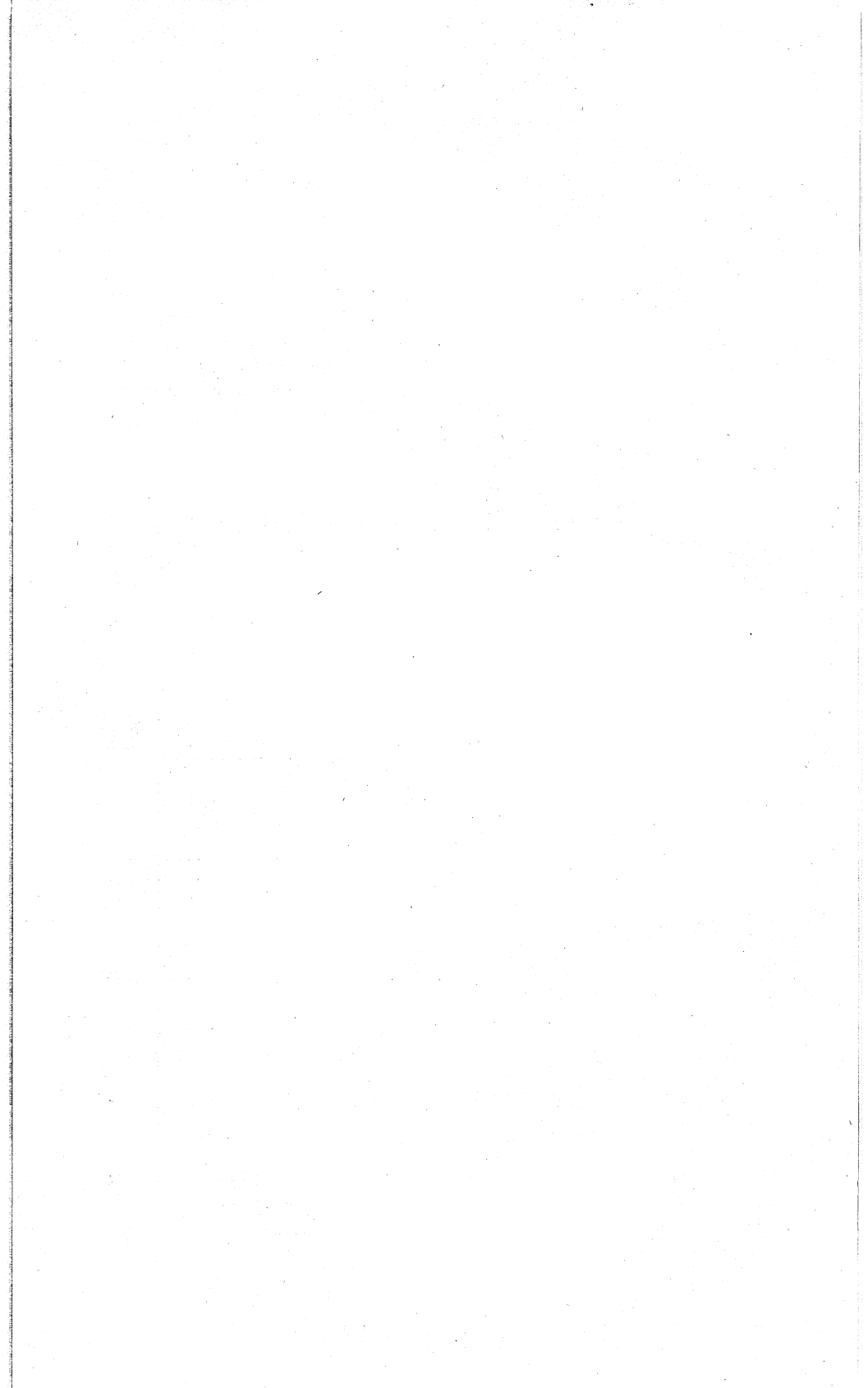


## PERU—Continued.

No.	From whom and to whom.	Date.	Subject.	Page
		1866.		
	Mr. Pacheco to Mr. Seward.	Jan. 20	Peru invites the United States to join the allied republics against Spain.	657
	Do .....	Jan. 20	Declaration of war against Spain.....	661
	Mr. Garcia to Mr. Seward.	Feb. 23	The disposition of prizes in the waters of the United States.	662
	Mr. Seward to Mr. Garcia.	Feb. 26	Same subject.....	662
	Mr. Garcia to Mr. Seward.	March 12	Termination of his mission. Recalled by his government.	663
	Mr. Seward to Mr. Garcia.	March 16	Same subject.....	663
	Mr. Barreda to Mr. Seward.	May 22	His appointment as envoy extraordinary and minister plenipotentiary of Peru.	664
	Mr. Seward to Mr. Barreda.	May 28	Same subject.....	665
	Mr. Barreda and Mr. Asta Buruaga to Mr. Seward.	May 30	Mediation between the United States and Ecuador.	665
	Mr. Seward to Mr. Barreda and Mr. Asta Buruaga.	June 2	Same subject. The good offices of Chili and Peru accepted.	666
	Do .....	June 2	Same subject.....	667
	Mr. Barreda and Mr. Asta Buruaga to Mr. Seward.	June 7	Same subject.....	667
	Do .....	June 7	Same subject.....	668
	Memorandum conversation — Mr. Seward and Mr. Barreda.	Oct. 8	Continental alliance of the American republics. Manner of putting an end to the war between Spain and the allied republics and to that against Paraguay.	668
	Mr. Seward to Mr. Barreda.	Oct. 8	Emigration of freedmen from the United States to Peru.	669
	Mr. Barreda to Mr. Seward.	Oct. 9	Same subject.....	670
	Mr. Seward to Mr. Barreda.	Oct. 11	Same subject.....	670

## APPENDIX—JAPAN.

No.	From whom and to whom.	Date.	Subject.	Page.
		1862.		
58	Mr. Pruyn to Mr. Seward.	Oct. 29	Application of the Japanese government for the construction of three war vessels in the United States; also a rifling machine and a field battery of six guns. Selection of agents by Mr. Pruyn. Amount paid to Mr. Pruyn.	671
		1863.		
34	Mr. Seward to Mr. Pruyn.	Jan. 29	Same subject. Vessels can be built but not armed.	673
36	.....do.....	Feb. 9	Same subject .....	674
19	Mr. Pruyn to Mr. Seward.	May 1	Same subject .....	674
		1864.		
81	Mr. Seward to Mr. Pruyn.	Oct. 14	Ill treatment of the steamer Monitor by the Japanese authorities. Detention of the gunboat Fusiya.	674
85	.....do.....	Dec. 6	Same subject.....	675
		1865.		
	Mr. Pruyn to Mr. Seward.	Jan. 20	The case of the steamer Monitor. Detention of the gunboat Fusiya. Purchase of British steamers, and of Belgian, Prussian, and British rifles.	675
5	.....do.....	Jan. 21	Detention of the Fusiya.....	676
11	.....do.....	Mar. 9	Same subject.....	676
	Mr. Pruyn to Mr. Weed and Mr. Lansing.	Mar. 15	Same subject. Building of war vessels for the Japanese in Holland and France; they are purchasing arms in Europe.	677
26	Mr. Portman to Mr. Seward.	May 10	Construction of three war vessels for the Japanese in the United States. Case of the steamer Monitor; her transfer to the Japanese government. The rebellion in Japan.	678
	Executive order...	June 6	Permitting the departure of the Fusiya from the United States.	679
		1866.		
6	Mr. Portman to Mr. Seward.	Feb. 6	Arrival of the Fusiya at Yokohama. The Japanese well pleased with her.	679



# CORRESPONDENCE.

## PRUSSIA.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 11.]

LEGATION OF THE UNITED STATES,  
*Berlin, December 13, 1865.*

SIR: Enclosed you will find the second note of Baron Thile, written under Count Bismarck's direction, in reference to the sending of two criminals from Erfurt to the United States. You will find it more satisfactory than the first.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Baron Thile to Mr. Wright.*

[Translation.]

BERLIN, *December 5, 1865.*

MINISTER WRIGHT: In your letter of the 22d of November last, concerning the two criminals who had been shipped from Bremen to the United States, you expressed the wish that measures should be taken to prevent the repetition of similar acts. I have already had the honor to inform you, in my letter of November 1st, that it was not the authorities of Erfurt or of Wandersleben who sent these two individuals to America.

Our legislation does not recognize the penalty of transportation or banishment. No Prussian official is authorized to send convicts out of the country.

The before-mentioned Kreunholz and Rödiger had themselves declared their intention of emigrating to America. To assist them in this design a manufacturer, living in the neighborhood, had given a sum of money, and the community of Wandersleben had done the same. It was only to see that the money was used for the purpose intended that a member of the police of Wandersleben accompanied the two individuals as far as Bremen, after they had obtained permission to emigrate. In acting thus it was not intended to show any disrespect to a friendly power of Prussia.

I regret exceedingly that the government of the United States should have given any other interpretation of these acts, and you can rest assured that in future our authorities will take care to prevent any procedures which could give umbrage to your government.

Accept on this occasion, Minister Wright, the warmest assurances of my highest consideration.

THILE,

*Minister for Foreign Affairs for the Ministry.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 12.]

LEGATION OF THE UNITED STATES,  
*Berlin, December 16, 1865.*

SIR: \* \* \* Baron Thile informed me yesterday he was preparing a communication for our government, referred to in my last despatch. Desiring to procure all the information I could, at my suggestion the baron sent me, in his own

handwriting, a rough draft of some of the points intended to be presented, which is herewith enclosed to you. The baron also remarked that reference would also be made in the communication to the treaty of 1828, and certain modifications asked for in its revision. \* \* \* \* \*

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD.

*Secretary of State, Washington, D. C.*

*The baron's memorandum.*

"His Majesty's government has reason to wish for a revision of the treaty of extradition between Prussia and the United States of June 16, 1852, and also of the treaty of 1828.

"The principal modifications which are desired would bear on the following points:

"1. The category of criminal actions justifying the extradition of the criminals ought to be extended to the crimes of theft and fraud, till now not provided for in the treaty.

"2. The assistance of the American authorities at the proceedings of extradition ought to be granted *ex officio*, and without causing expenses to the Prussian tribunals. Till now the American authorities do not interfere by themselves, and the expenses caused to Prussia by paying lawyers, policemen, &c., become exorbitant, besides the costs for proceedings of the American courts, which are also very expensive.

"3. The proceedings of the American courts of justice ought to be simplified. The American government has already begun a reform of the respective legislation, and the law of June 22, 1860, offers a proper basis for that purpose. The treaties concluded by Prussia with France, Belgium, the Netherlands, Russia, and Spain require for the extradition of a criminal a simple order of seizure, judicial sentence, or decree of accusation, issued by the home tribunal, (*mandat d'arrestation ou tout autre acte ayant au moins la même force que a mandat*,) and no further proceedings before the tribunal of the other country are required. A similar system adopted by the American government would be most benefactorial to both countries.

"Advantages respecting the legislation on the nationality of Prussian subjects which could eventually be conceded to Prussian subjects who are or wish to become citizens of America:

"1. It would be granted that, after an absence of ten years from Prussia, not only the rights but also the duties and obligations of a Prussian subject towards his native country cease to prevail. This is a principle which till now has been followed by Prussian authorities only in some isolated cases, but which has not been generalized nor is law of the country.

"2. The article 110 of the Prussian criminal code says: Whosoever leaves Prussia with a view to avoid his enlistment in the royal army will be punished, either by a fine of 50 or 1,000 thalers, or by imprisonment from one month to one year.

"An exemption from this general rule might be introduced in favor of such individuals who leave Prussia before the age of 17 years."

*Mr. Wright to Mr. Seward.*

No. 18.]

LEGATION OF THE UNITED STATES,

*January 20, 1866.*

SIR: I forward with this despatch Count Bismarck's address at the opening of the Prussian chambers. The number in both houses is about six hundred, but less than one hundred were present at the opening of the chambers. The liberal party were represented by very few, notwithstanding they were in the city ready to unite with their friends in their respective houses, thus affording some evidence of the correctness of my views as expressed in despatch No. 6, dated October 25, 1865. All is not quiet and secure. Much dissatisfaction exists in many portions of the country.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

"ILLUSTRIOUS, NOBLE AND HONORABLE GENTLEMEN OF BOTH HOUSES OF THE DIET: His Majesty the King has deigned to commission me to open the Diet of the monarchy in his name. During the last session, as in previous years, in default of the necessary agreement of both houses of the Diet, together with the Crown, the law upon the budget, as provided by article 99 of the constitution, has not come to pass. In the past year, also, the administration of the state had, therefore, to be carried on without such law. The statement of revenue and expenditure which has served as guide to the financial department during the year which had expired, has been officially published. The budget for the current year will be immediately laid before the Diet. You will convince yourselves therefrom that our finances continue to occupy a favorable position. In the majority of the branches of administration experience shows an increase of the estimates of revenue, which afforded the means of providing in the budget for numerous additions to the expenditure, and for setting aside a sufficient sum for the further improvement of the salaries of the lower classes of officials, without disturbing the balance between expenditure and revenue. In accordance with the reserve in section 8 of the land tax law of May 21, 1861, the draught of a bill settling the conditions of the definitive distribution and levy of the land tax in the six eastern provinces will be laid before the chambers of the Diet for constitutional deliberation. The preparations for putting in execution the law upon the land tax compensation are being zealously carried on, and it may be expected that the payment of the sums devoted to that purpose will take place in the course of the year. The condition of the finances permits of the gradual reduction of the additional tax upon legal procedure, with the object of discontinuing it altogether in a few years. A bill for the execution of this measure will be laid before you. The economical position of the country may be characterized as upon the whole satisfactory.

"It is true that the last harvest was in places below the average; but if certain necessities of life have risen in price, the free action of trade, combined with increased measures of communication, have sufficed to supply the deficiency of corn in some districts. The traffic upon the railways, the activity in mining operations, the briskness of commerce, and the facility of occupation generally pervading the laboring classes, all afford proof of steadily increasing development. In the interests of these your co-operation will be requested. Bills will be laid before you for the purpose of securing increased capability of performance in some departments of the state, by extraordinary appliances for extending the circle of operations of the Prussian Bank, and for removing the obstacles still impeding the free utilization of the power of labor. The customs and commercial treaties which formed an object of your deliberations in the recent sessions has since been supplemented by renewal of the treaties with Luxemburg, Anhalt and Bremen. A navigation treaty has been concluded with Great Britain, and a commercial treaty with Italy, the ratification of which by all the states of the Zollverein is confidently hoped for by the government. The aforesaid treaties will be laid before you. The royal order, from which the formation of the upper Chamber was to result, has been completed by the decree of the 10th of November in the preceding year, and firm foundations, corresponding to the importance of the position of that Chamber in the organism of the state, and incapable of alteration except by law, have now been given to it. After fruitless negotiations for many years, as to bills for alleviating and shortening the time of service in the militia, as well as for a juster distribution of the obligation of military service generally, his Majesty's government cannot now expect a satisfactory result from their reputation. It will, therefore, be obliged to leave the law upon the obligation to military service in its present position. While the government regrets that this determination is forced upon it, it remains convinced of the necessity of upholding the present organization of the army, calling into being with the co-operation of the former Diet, since that time brought to the test of practice, and admissible according to the existing laws, and of further requesting the necessary supplies for that purpose in future. As in the preceding year, his Majesty's government still adheres to the intention of promoting the rapid and powerful development of the Prussian navy. The application of extraordinary means remains indispensable to the creation of proper harbor establishments, the building of ships and their armament. A bill for this purpose will therefore again be laid before the Diet, especially as the chief objections raised to the bill last year have been met by the settlement of the relations of possession to Kiel, which have taken place in the mean time. The relations of Prussia to all foreign states are of peaceful and friendly character. After his Majesty the Emperor of Austria had ceded, by the treaty concluded at Gastein and Salzburg, his portion of rights of sovereignty to the duchy of Lauenburg to his Majesty the King, that duchy has been united to the Prussian crown, and it is his Majesty's desire to allow it to enjoy all advantages of protection and care afforded it by the union, while treating with consideration its peculiar state of affairs. The final decision as to the future of the two other Elbe duchies has been reserved for further agreement by the same treaty, but in the possession of Schleswig and the position acquired in Holstein, Prussia has obtained a sufficient guarantee that this decision can only follow in a manner corresponding to the national interest of Germany and the just claims of Prussia. Resting upon his own conviction, strengthened by the opinion of the legal advisers of the Crown, his Majesty is deter-

mined to hold fast this pledge under all circumstances until the attainment of the desired end, and knows himself supported in this resolution by the assent of his people. It is the intention of the government to invite by special bill the co-operation of the legislature in preparing to execute the canal which is to unite the Baltic and the German ocean. The importance of this work, and with it the development of the naval power of the country, to the position of Prussia, and its utilization in the general interests of Germany, assures his Majesty's government anew that, upon consideration of the respective bills, differences of opinion upon home questions and the position of parties will be subordinate to duty towards the common fatherland, and that both houses of the Diet will unanimously and early offer their assistance to the Crown in helping to promote the solution of those national problems, which is now in a higher degree incumbent upon Prussia on account of her relations with the Elbe duchies. Now that the harbor hitherto wanting to the future German fleet has been secured by the arrangement of the treaty with Gastein relating to the harbor of Kiel, it will be the task of the Prussian legislature to place the government in a position to open negotiations with its allies upon a basis worthy of Prussia. In the course of the past year his Majesty the King has received in four provinces the renewed homage of the inhabitants of those portions of the country which were newly united to or again acquired by the Prussian monarchy half a century ago. The spirit in which this jubilee was everywhere celebrated bears testimony to the elevating consciousness of our people what great things God had done for Prussia—how much progressive development, how much blessing and prosperity in all branches of the public welfare, had been granted within that period to our country. The population of these provinces enthusiastically evidenced their gratitude for the faithful and paternal rule of our prince, and again, upon their parts, promised to remain true to them. With thankfulness to God, and with the desire still to promote in future the happy conditions of all portions of the land, his Majesty expressed his renewed and thorough conviction that a bond of confidence will continue to embrace prince and people now and for all futurity, and that the beneficent hand of Providence will still be extended over Prussia. His Majesty's government is conscious of not being deficient in the will to serve its royal master in this sense. It is filled with the conviction that upon an unprejudicial, dispassionate, and purely technical examination of that it still strives after, with the assistance of the legislature, objects and points enough must be found in which all parties are agreed. If, gentlemen, you are guided by the desire of seeking and holding fast these points of union, blessing and result will not fail to attend your deliberations. In his Majesty's name I now declare the Diet of the monarchy opened."

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 19.]

LEGATION OF THE UNITED STATES,

*Berlin, January 25, 1866.*

SIR : \* \* \* \* \*

It affords me great pleasure to enclose a second reply of Count Bismarck by Baron Thile, in the application of Jacob Carl Brieger. This case was reported by Mr. Judd in his despatch No. 79, dated December 28, 1864, and referred to in my despatch No. 6. Mr. Brieger has been advised that his brother can return to Prussia without hindrance.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Baron Thile to Mr. Wright.*

[Translation.]

BERLIN, *January 15, 1866.*

The undersigned, in compliance with his note of the 21st of October, 1865, most respectfully informs Mr. Wright, envoy extraordinary and minister plenipotentiary of the United States of America, that his Majesty the King was pleased, on the 6th of this month, from reports of the case, to decide that the sentence pronounced by the court of Neustadt, 10th of February, 1858, against the former Prussian subject, Jacob Carl Brieger, shall remain unexecuted; and furthermore, the costs of the trial shall be annulled.

The undersigned takes this occasion to renew to Mr. Wright his most distinguished consideration.

*The Minister of Foreign Affairs,*  
(By authority,)

THILE.

Mr. WRIGHT, &c., &c., &c.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 20.]

LEGATION OF THE UNITED STATES,

*Berlin, February 7, 1866.*

SIR: I do not wish to trouble the department with speculations as to anticipated political changes occurring in this country, and only mention the following because they have created an immense sensation and are likely to lead to serious consequences. The intelligence by this despatch will serve to show that there is a want of stability in this government, and the country is fast drifting into a state of things which will either bring on shortly a change of cabinet or arouse the public mind to such a degree, where such a change, when occurring at last, may be attended with revolutionary events and result in a re-division of power among the constituted authorities of the kingdom. The supreme court of justice has just decided that members of Parliament can be held criminally responsible for opinions uttered in debate. This decision, which is to be immediately acted upon in the case of two deputies, has astonished the liberal party in this as well as in every other German state, and alarmed even the feudalists. It is not only unprecedented throughout the German confederacy and at variance with the spirit of the times, the letter of the law, and two prior decisions of the same court, but it has been passed by the supreme tribunal of a country in which the independence and integrity of the judges have been proverbial ever since the days of Frederick the Great. Another measure which has given great dissatisfaction refers to a change in the composition of the House of Lords. The Prussian charter enacts that a House of Lords shall be formed and its composition left to the King. Availing himself of the authority thus delegated to him, Frederick William IV issued a royal ordinance, in accordance with which the House of Lords was composed of hereditary members and members for life, both appointed by the Crown, members elected by the of landed proprietors of noble descent, and members elected by municipal and other corporations. Four years ago the present King, wishing to give the country a pledge of his liberal sentiments, by another royal ordinance reduced the number of the members elected by the landed nobility (who were all extreme conservatives) from ninety to forty-one. Quite recently, however, this latter ordinance has been revoked, his Majesty not only restoring the original number of ninety-one, but renouncing in his own name, as well as in that of his successor, the right to introduce any further alteration in the rules provided for the composition of the upper house, except with the concurrence of that house and the House of Deputies. After this, the only remaining possibility of modifying the reactionary character of the upper house is by the Crown creating a very large number of liberal peers. Until this step be taken the few liberals are even debarred from introducing a motion, the by-laws of that house requiring a motion to be supported by at least twenty members before it can be introduced, seventeen being the entire number of liberals in the house, the upper house being thus protected against the very contingency of a debate upon the liberal topics of the day. Among the many symptoms of prevailing dissatisfaction the following is, perhaps, the most significant. The Prussian charter provides that the king shall not be entitled to become the ruler of any foreign state except with the consent of Parliament. Now, the King holding that the term "foreign state" does not apply to a state embodied with the German confederacy, has recently declared himself Duke of Lauenburg without asking for the permission of Parliament or subjecting the newly acquired duchy to the laws and constitution of Prussia. Thereupon the second chamber of the Prussian Parliament, in its sitting of February 3, has passed a resolution, by a vote of two hundred and fifty-one to forty-four, to the effect that the King has no right to rule or to call himself



the sovereign of Lauenburg pending the consent of the Prussian Parliament. The reasons alleged for this vote are, the term foreign states in the above-mentioned proviso must be interpreted as heretofore, and applying indiscriminately to all states not embodied with Prussia, and that Lauenburg has been conquered by the Prussian army and the cost of war defrayed by the Prussian people. Therefore the motion passed by the second chamber concludes, "the assumption of the King of the ducal title of Lauenburg is null and void." The above will afford ample evidence that the condition of the country is far from satisfactory, and inspires no confidence in the stability of the cabinet and the solidity of existing constitutional arrangements. It is universally anticipated that the new Parliament, which must be elected in the course of this year, will be stronger in opposition than the present. \* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Wright.*

No. 21.]

DEPARTMENT OF STATE,

*Washington, February 16, 1866.*

SIR: Herewith I transmit a copy of two letters from persons of German birth, but now naturalized citizens of the United States, who desire to be relieved from the obligation to perform military service imposed upon them by the laws of their native countries. To both I have replied that you would be instructed to use your good offices towards obtaining the exemption which they desire. You are consequently directed to intimate in the proper quarter, and in an unofficial way, that a compliance with the wishes of Messrs. Striebg and Erk would be gratifying to this government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

---

*Mr. Striebg to Mr. Seward.*

WASHINGTON CITY, D. C., *February 1, 1866.*

RESPECTED SIR: With profound respect I address these few lines to you, hoping, honorable sir, the contents of which you will not disregard, as they are of vital importance to me. I emigrated from the kingdom of Bavaria, Germany, at the age of 14 years, and in April, 1861. Before reaching my 19th year, I entered the service of the United States army as a volunteer. I have served faithfully till July 27, 1865; I have now three honorable discharges from said service in my possession; I thereby claim, by an act of Congress, to be a citizen of the United States; I also claim a right to be protected as such. As you are well instructed as to the laws of European governments, or more particularly of the Pereiz of Germany, as to the service they require of each male when reaching the age of 21 years, as a soldier, enough will be to state that I was drafted as a soldier by the Bavarian government when I had reached my 21st year. My father (who still resides at the place of my birth) was notified of the fact and held responsible for my appearance whenever I should be called for. On my non-appearance, his (my father's) place of business was closed, and all property owned by him taken possession of by the Bavarian government, besides put to a great deal of other trouble. Through the kind assistance of Mr. Duncan, United States consul at Carlsruhe, and through documents being shown by him and by my father that I was serving in the United States army as a soldier, he was allowed to open his place of business and take possession of his property again.

Now, honorable sir, in the spring of 1864 my mother died, and leaving us (3) children considerable property. At the death of my mother the Bavarian government again made its appearance through its officials, and instantly laid claim on all property coming to me, and still holds me as a citizen, and Mr. Duncan, United States consul, has made every effort but

could not get my release from them, and there it so does stop. I have sent by request of Mr. Duncan document after document, one of which you had the kindness to sign; it was handed to you by Colonel James B. Swain, then my colonel; stated that I was serving in the United States army, and that I was a citizen of the United States, but all to no avail.

Mr. Duncan states he cannot do anything for me till he receives instructions from your department. Now, honorable sir, I do not know where I belong; the Bavarian government holds me as a citizen, holds my property, and probably would arrest me as a deserter should I ever set my foot in the place of my birth again, while I have served in the United States army long before they had any claim on me. Honorable sir, can anything be done in my case? If so, I hope you will give it your earliest attention, for this case has been going on since 1863, and has cost me and my father time, trouble, and money; always having known you to protect a citizen of the United States and his property wherever he be, I know you will not refuse me your kindness in this case, as the citizenship I hold was earned through four years' hard service, and by giving me your kind aid, honorable sir, you will put me under everlasting obligations to you.

Hoping, honorable sir, you will excuse me for the liberty I have taken in addressing you, I remain, with profound respect, your obedient servant,

GEO. F. W. STRIEBG.

Hon. Secretary SEWARD.

---

*Mr. Erk to Mr. Seward.*

707 BROADWAY, NEW YORK CITY,  
February 12, 1866.

RESPECTED SIR: Having left Prussia in the year 1856, (then being under the age of seventeen,) and having had permission from the Prussian government to remain away two years, but could not arrange to return in that time, and having become a naturalized citizen of the United States, I respectfully ask that you would use your influence with the Prussian government to obtain from them the right, unmolested, in my visiting my father and other relations in Prussia, and that I may get consent of emigration from the Prussian government that I may pass as an American citizen and not be forced in the Prussian army. By sending the necessary papers to me I can forward them to my father, in Berlin, who will use his influence and endeavors to have them properly noticed.

Being anxious to proceed to Berlin at as early a moment as possible, I would most respectfully ask that you would kindly notice the above.

With respect, I remain your obedient servant,

OTTO ERK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State.*

---

*Mr. Wright to Mr. Seward.*

No. 21.]

LEGATION OF THE UNITED STATES,  
Berlin, February 24, 1866.

SIR: You will not be surprised, from the facts communicated in my last despatch, at the information herewith enclosed, to wit, the dissolution of the Prussian Landtag. The struggle between his Majesty and the popular house has been increasing from the commencement of the session. The minister president of the cabinet, Count Bismarck, returned the two resolutions passed on the subject of the duchy of Lauenburg, (some five days since,) and supreme court to the chamber of deputies, saying, most modestly, "that they were unconstitutional, and could not be accepted by the government." The house has been sustained by the people in all parts of the kingdom by public meetings. Last Sabbath more than four thousand people assembled in the vicinity of Berlin, and unitedly agreed to sustain their representatives in this contest. They went so far as to hold up their hands and swear they would do so, when the police attempted to interfere, but without effect, as they were ejected from the crowd, and the meeting continued. We shall now have new elections. (It may not be until fall.) No one, however, doubts but that the majority will be largely increased on the side of the liberals. In the mean time appropriations will be made to the army,

in violation of the plain language of the constitution, which requires "all appropriations to be made by both houses of Parliament."

We hear many rumors in the diplomatic circle. It is believed here that France is endeavoring to form an alliance with Austria with the view of affecting Russia. The programme is said to be as follows: Venice is to fall to Italy. Austria is to extend her borders so as to embrace the Danubian principalities, in connection with which the whole eastern question is to be so settled and parcelled out that France may place her foot upon a portion of Egypt to supply her manufactories with cotton.

A paper published in Poland (Russia) stated last week that "Maximilian is to return from Mexico and be made emperor of Poland in this contest with Russia." Time will soon determine the truth of these rumors. But the following may be relied upon as facts: The Russian minister at Paris passed through Berlin in great haste to Petersburg. The Prussian minister at Paris has returned to Berlin, and is in frequent private consultation with the Prussian cabinet. The relations between Prussia and Austria on the Schleswig-Holstein question are not of the most friendly character. Russia has just sent large military re-enforcements to the borders of Austria in Poland-Russia, and what is most remarkable, has, by her order, caused a military order to be issued, authorizing the shooting of every person who shall attempt to cross the borders without a passport.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Speech of Count Bismarck on the dissolution of the Prussian Landtag, February 23, 1866.*

[Translation.]

ILLUSTRIOUS, NOBLE, AND HONORED GENTLEMEN OF BOTH HOUSES OF PARLIAMENT:

The government of his Majesty the King did not open the present parliament in the expectation of an immediate solution of the pending constitutional difficulties, but in the hope that the earnest desire of the Prussian people should find a response in the representatives of the country, in order to establish harmony between the different authorities, for the forming of useful laws, and, through a mutual activity in the service of the country, to allay the disputes between the two houses. It was with this expectation that the government opened the parliament, according to the will of the King, without giving new pretexts for discussion.

The first demonstration which followed the opening of the House of Commons was the speech of the president, in which he gave expression to the discontent of the majority in groundless reproaches against the government of his Majesty. This proceeding prevented any further action of the house; they did not desire peace, but war; did not wish to discuss the laws, but to attack the government on points which the constitution did not allow. Thus, they attacked the incorporation (annexation) of the duchy of Lauenburg, which was the wish of the whole Prussian people. They also assailed the decision of the supreme court of the 10th of February, contrary to article eighty-six, which guaranteed the independence of the judges, and endeavored to destroy the good opinion of the Prussian people for the judges, which they have merited for centuries, and merit still. In another case, the House of Commons violated article forty-five of the charter, and set aside the acknowledged authority of the executive power of his Majesty the King, by endeavoring to assume powers which belong only to the King.

In face of these encroachments, his Majesty asked whether the continuance of parliament would be conducive to the welfare and internal peace of the nation. His Majesty left the question unanswered until the majority had considered the propositions of the minority, which sought for a solution of the difficulties.

The government believes the course pursued by the chambers would lead to demoralization and render all unity impossible; to prevent this, his Majesty has ordered the closing of this session, opened on the 15th of January, and, in the name of his Majesty, I declare the Landtag closed.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 22.]

LEGATION OF THE UNITED STATES,  
*Berlin, March 7, 1866.*

SIR: The excitement caused by the dissolution of the Prussian chambers, mentioned in my last despatch, has been somewhat silenced by the unfriendly relations between Prussia and Austria, caused by the efforts to adjust and settle the Schleswig-Holstein question. One day we have meetings of the cabinet, and rumors of ultimata being sent from one to the other. Then we hear rumors of the movements of troops, &c. This most manifest unfriendly condition of affairs between Prussia and Austria is at the present moment suspended by the contemplated meeting of the five powers, which will most likely assemble at Paris in two or three weeks for the purpose of adjusting the Danubian question. Italy and Turkey will take part in this conference.

Prussia and Austria are watching with interest the conduct of the different powers, each anticipating alliances to be formed. The present state of things cannot long exist in Schleswig-Holstein. Some definite action must be taken.

The Hamburg Steamship Company commence running a weekly line of steamers on the 1st of April to New York. The Bremen line send an extra steamer every month this year, giving us seven steamers per month from these two ports. On the 1st of January, 1867, the Bremen company will also have a weekly line, so that from and after January next we shall have a semi-weekly line. Mr. Godefray, president of the Hamburg company, informs me that they were induced to despatch their steamers weekly from the reports of their agents over the country of the increase of emigration, and that already their vessels are fully engaged for steerage passengers up to the first of July. I estimate the German emigration this year at one hundred and fifty thousand. If the opinions and concessions, as they understand it, expressed by Count Bismarck in his confidential note of the 5th of January, 1866, respecting our returning adopted citizens, could be made public, with the assurance that they would be faithfully kept and carried out by the Prussian government, it would, in my opinion, increase the emigration twenty per cent. Can you make any suggestions calculated to bring about this desirable result?

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 23.]

LEGATION OF THE UNITED STATES,  
*Berlin, March 14, 1866.*

SIR: The meeting of the five powers which convened at Paris on Monday, the 12th instant, is the cause of the quietness now existing between Prussia and Austria. This conference will probably continue for months, as it is thought that many questions other than that of the Danubian principalities will have the attention of the plenipotentiaries.

Count Bismarck has endeavored to take some decisive steps in the Schleswig-Holstein question, but he has been restrained by the King and Crown Prince. He will doubtless go overboard if Prussia fails in acquiring this country; if successful, he may remain master of the situation. Count Bismarck was formerly Prussian minister at Paris, where he remained for several years, and is said to be most intimate with Napoleon.

It is believed in diplomatic circles that the count has written to Napoleon saying that if the Schleswig-Holstein question is brought before the conference, now in session at Paris, or if he should fail in carrying out his views in relation to the duchies, he would resign his position as premier. There is no telling what day the present calm will be changed into a storm.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Mr. Seward.*

No. 24.]

LEGATION OF THE UNITED STATES,  
*Berlin, March 21, 1866.*

SIR: In my interview with Count Bismarck on last Monday, I communicated to him the information conveyed in your despatch No. 22, dated February 19th, 1866. I stated that the government of the United States would not, in my opinion, enter into treaty stipulations qualifying the right of American citizens to the recognition of their nationality by foreign governments. I also added that the government of the United States did not think at this time there was any occasion or urgency for a revision of our commercial and extradition treaties. The count manifested more than ordinary interest in my communication, and, while expressing his disappointment, remarked upon the impossibility of Prussia changing her laws on the subject of military duty. To abolish these laws, he said, would be plainly impracticable for a country situated like Prussia, while to relax their stringency in favor of American emigrants beyond the concessions, (as he termed them, alluding to his protocol proposals,) would not only amount to the practical abrogation of said statutes in the case of all that had emigrated to the United States, or intended to do so in the future, but would be actually offering a sort of emigration premium to all able-bodied men who had attained the age when they might be called out for active service in the army. He manifested, as usual, a great desire to adjust this subject, and intimated that seven years' absence from Prussia should release the person from all military service, as applied to all who left their country after their seventeenth year. This, he intimated, would be a fair compromise; saying, as the government of the United States did not, and he ardently hoped would never undertake to enforce its own views upon the subject, why not, he repeated, accept these proposals, which would enable the government to dispense with the many remonstrances that had of late been addressed to him in so many individual cases, and which, he regretted to say, could not always be attended to by him. Why not accept these proposals, the count continued, as they would render it possible for the great majority of emigrated Prussians to come over and visit the country of their birth with impunity.

He spoke with much feeling of the great number of born Prussians, who, after being naturalized in America, return to this country with American passports, when their neighbors had scarcely missed them from their native village; many

of them talking loud, and many times saying things well calculated to arouse the national feelings of the good citizens of the fatherland. To check such practices and to obviate the impropriety of offering emigration premiums was, he urged, his only motive in insisting upon the maintenance of some slight provisos calculated to prevent Prussian subjects from evading the duty of military service in the country of their birth by a very brief residence in the United States.

Count Bismarck is decidedly of the opinion that the commercial and extradition treaties between the two countries are defective, and he will no doubt communicate with Baron Gerolt with the view of calling our government's attention to this subject more fully.

I gave my opinions in despatch No. 22, as to what would be the practical effect of Count Bismarck's proposals on emigration. If these concessions (as he calls them) were adopted—namely: 1st, exemption to all who leave before attaining the age of seventeen; 2d, exemption to all others who have been absent from Prussia seven years—they would release from military service nine out of ten of the returning Prussians, and include nearly every case that has come under my observation during a residence of five years at this post. If the same was made public and understood and believed in the United States, not one case in a hundred would, in my judgment, arise between the two countries in one year after it was known. Such being the case, would it not be possible to accept said proposal without renouncing or impairing the principles vindicated at all times by the United States? Are there no precedents on record where a nation, though not fully admitting a principle insisted upon by another nation, admits so much of it as to make it practicable for the other to accept the concession without derogating from its dignity?

Frederick Boettcher, an American citizen, aged twenty-two, emigrated to the United States when fourteen years of age. He served two years in the Union army. He returned to Prussia a short time since, was arrested for not having performed military duty, and forcibly taken to Frankfort on the Oder, and placed in the Prussian army. His passport and other papers were taken from him, and he was forbidden to communicate his arrest to this legation under penalty of being punished. A few days since he informed me, through a relative, of his arrest and being in the Prussian army. I at once called upon Count Bismarck and laid the case before him, and respectfully asked his prompt attention to the same. He replied, that as Boettcher had left Prussia when only fourteen, he should be discharged, and remarked that he thought my information as to his treatment was incorrect. I am in receipt of no further intelligence concerning the case of Simon Israel. Both of these cases (of Israel and Boettcher) come within the proposals of Count Bismarck, Israel having been out of the country nearly thirteen years, and Boettcher emigrated to the United States when only fourteen.

Since my last despatch, warlike demonstrations have marked the conduct of Prussia and Austria; generals have been appointed; military posts examined; campaigns discussed; and military councils held at their capitals.

The mobilization of the armies of the two countries has been the constant theme of conversation. Business of all kinds has been affected thereby. Austrian and Prussian securities have materially declined.

To-day it is stated and believed that the Gastein convention will be strictly adhered to, and the prospects of friendly relations are more probable.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 25.]

LEGATION OF THE UNITED STATES,  
*Berlin, March 31, 1866.*

SIR: There have been no indications, since my last despatch, favorable to the peaceable settlement of the Schleswig-Holstein question between the governments of Prussia and Austria. Austria has called into service more than one hundred thousand troops, which she has placed upon the border of Bohemia.

Prussia has made no increase of her army, nor has she made any warlike demonstrations, unless the purchasing of a few additional horses, and the forwarding of munitions of war to the province of Silesia, may be regarded as such. There will be no serious difficulty, in my opinion, unless Austria should attempt to interfere in the future governments of Schleswig or Holstein, or attempt to settle the question of the duchies by submitting it to the German confederation. This would be in violation of the Gastein convention, and such proceedings would compel Prussia to adopt strong measures.

\* \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Wright.*

No. 28.]

DEPARTMENT OF STATE,  
*Washington, April 9, 1866.*

SIR: I have had the honor to receive your despatch of the 21st of March, (No. 24,) which contains a relation of a conversation which, previous to that day, you had had with Count Bismarck concerning his protocol upon the subject of the recognition of Prussians who have become naturalized in the United States, and in which conversation a revision of the commercial and extradition treaties existing between the United States and Prussia was also discussed.

The President is favorably impressed with the good disposition which Count Bismarck manifested on that occasion. His remarks, as you have reported them to me, have not had the effect to change the views which have been expressed in regard to those subjects in the instructions which you have received from this department. It would give me pleasure, however, to reply on behalf of the United States to Count Bismarck's arguments, and I have some, though not very confident, grounds for believing that in such a reply, which would be made, of course, in a spirit altogether friendly, we might advance towards a solution of the difficulty.

You will perceive at once that it would be an unusual proceeding for this government to make a formal reply to the argument of the Prussian minister for foreign affairs, which argument is presented on his part to us, not in writing, but orally, and is made known to us only by the report of our representative in Berlin. You may give such an intimation as this to the count, and inform him that if he shall think it expedient to give his argument in the customary form it will be taken into deliberate and friendly consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 26.]

LEGATION OF THE UNITED STATES,  
*Berlin, April 11, 1866.*

SIR: \* \* \* \* \*

No great change has taken place in the relations between Prussia and Austria since my last despatch. I enclose you two notes which have passed between the two governments. Austria has been more fortunate than Prussia in the character and tone of her note. With the smaller German states, Austria has undoubtedly the advantage. The reply of the Austrian government to the Prussian note has not yet been made public. It is understood, however, to be moderate in its tone, but at the same time demands that the Prussian armaments should cease, and intimates if they do not, Austria will call upon the federal diet to interfere.

Count Bismarck's proposition to call a German parliament is not sustained by his own party, while the liberals ridicule the idea. It was well said by one of the members of the last Prussian chambers, at a meeting held last night in this city, when alluding to this subject, "It will be time enough to have a German parliament when Prussia has one of her own."

There is no disposition on the part of any of the other nations to interfere in the Austro-Prussian difficulty, and they will be left alone. There will be no fighting. The contest will likely continue for some time. An effort will, in all probability, be made, to dissolve the German confederation (*Deutsche-Bund*), now of some fifty years' standing. Should this take place, then the larger states, Austria, Prussia, and Bavaria, will attempt to exercise a kind of diplomatic oversight or provisional care of the smaller surrounding German states. This would lead to strife and war. The present contest will end, in my opinion, in the retirement of Count Bismarck. Large meetings are being held all over Prussia, manifesting decided opposition to war with Austria on this subject.

\* \* \* \* \*  
I have the honor to be, very respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Austrian note to the Prussian government.*

BERLIN, April 2, 1866.

On the 31st ultimo Count Karolyi, the Austrian minister in Berlin, delivered to Count von Bismarck a note, of which the following is said to be a correct copy:

"It has come to the knowledge of the imperial government that, in order not to assume the responsibility of having raised apprehensions for the preservation of peace, the Prussian government has accused the court of Vienna of harboring hostile intentions, and has even gone so far as to hint at the eventuality of an armed aggression on the part of Austria against Prussia. Although the unfounded nature of such an assertion is notorious and generally recognized throughout Europe, the Austrian government feels it incumbent upon it to protest against an inculpation in flagrant opposition to the evidence of facts.

"The undersigned, consequently, has been instructed to declare categorically to Count von Bismarck that nothing could be further removed from the intentions of his imperial Majesty than an offensive action directed against Prussia. Such an intention is formally precluded by the feelings of friendship towards the King, as well as the Prussian nation, of which the Emperor has so often given proof, both by word and deed; but the Emperor, moreover, does not forget the duties which Austria and Prussia solemnly accepted in signing the German federal pact. His imperial Majesty, for his part, is firmly determined not to place himself in contradiction with the stipulations of article eleven of the federal pact, which prohibits the members of the confederation from endeavoring to redress their grievances by force.



"The undersigned, while requesting the president of the council to submit the present note to his august sovereign, is instructed to express the desire that the Prussian cabinet may repel, without ambiguity, and as clearly as the undersigned has done himself, in the name of his government, all suspicion of a wish to violate the peace. By doing this the Prussian cabinet would restore that general confidence in the maintenance of the peace of Germany which ought never to have been shaken.

"KAROLYI."

*The Prussian reply to the Austrian note.*

Baron von Werther, the Prussian minister at Vienna, has delivered the following to Count Mensdorff, in reply to the Austrian note of the 31st ultimo:

"BERLIN, April 7, 1866.

"The undersigned is instructed by his government to notify to your excellency the reception of the communication which the imperial envoy in Berlin presented in a note dated the 31st ultimo to the president of the ministry for foreign affairs, Count Bismarck. The president of the ministry did not delay submitting that note, in accordance with the wish therein expressed, to his Majesty the King, his most gracious sovereign, and, with reference thereto, the undersigned is instructed to address to your excellency the following observations:

"The fears of danger to the preservation of peace have arisen from the fact that Austria, without any apparent cause, has begun, since the 30th of last month, to push forward considerable armed forces in a threatening manner towards the Prussian frontier. The imperial government has given no explanation respecting its movements for this strange proceeding; for the statement that the apprehension of the Jewish inhabitants had rendered those armaments necessary is as irreconcilable with the extent of the latter as it is with the locality at which the assembled re-enforcements are stationed, namely, on the Saxon and Prussian frontier, where the security of the Jews has never been endangered.

"Had Austria, like Prussia, believed herself to be threatened, it might certainly have been expected, after the sentiments expressed in Count Karolyi's note, that the cabinet of Vienna, while referring to article XI of the federal pact, would have made known to the federal Diet, or at least to the Prussian government, the facts which appear to Austria to be of a threatening nature. Instead of that, up to the present time there has been no endeavor to justify the pretended defensive character of the Austrian armaments by specifying any signs of a danger against which defensive measures should be directed. The secrecy with which the Austrian armaments have been surrounded, and the effort to make their well known extent appear in the eyes of the Prussian government less important than it actually is, has only strengthened the natural impression respecting them, namely, that the imperial troops on the northern frontier of Austria, which have been daily re-enforced during the last fortnight, are destined for an offensive undertaking against Prussia. Notwithstanding this, the Prussian government delayed for ten days, viz., till the 28th ultimo, the issue of orders to prepare measures of defence, because the King, the undersigned's most gracious sovereign, foresaw that the accumulation of military forces in front of one another would more seriously endanger peace than could have been the case until then through the exchange of diplomatic despatches. Only when, through the number and position of the Austrian troops on the Bohemian frontier, the safety of the Prussian territory threatened to become dependent upon the resolutions of the Austrian cabinet, did his Majesty order measures to be taken for the protection of the country, at the same time taking note of the fact that it was the Austrian government which, from motives up till now unexplained, had, by military menace, placed the Prussian frontier in a situation of danger for which no precedent is to be found in the politics or international intercourse of Europe, and for which the Prussian government must decidedly reject every responsibility. Unless the Austrian government really intended to attack Prussia, the Prussian government cannot understand why Austria should have adopted these military measures.

"The undersigned energetically repels the utterly groundless suspicion that Prussia has hitherto had any intention to violate the peace, and is at the same time instructed formally to declare to Count Mensdorff that nothing is further from the intention of his Majesty the King than an offensive war against Austria.

"The King of Prussia is the less able to doubt the Emperor's personal sentiments inasmuch as he entirely reciprocates them, and will preserve his own feelings of friendship towards his imperial Majesty undisturbed by political circumstances. The imperial government cannot fail to have opportunities for expressing by its acts its friendly sentiments towards the Prussian kingdom.

"WERTHER.

"His Excellency COUNT MENSENDORFF, &c., &c., &c."

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 28.]

LEGATION OF THE UNITED STATES,

*Berlin, April 18, 1866.*

SIR: Upon the receipt of your despatch, (No. 20,) dated January 31th, 1866, I promptly called Count Bismarck's attention to the case of Simon Israel. This case was reported to the department by Mr. Judd, in his despatch No. 64, dated May 4, 1864, and referred to by the undersigned in despatches Nos. 6 and 10. I was greatly disappointed on receiving Baron Thile's reply. Count Bismarck is unable to attend to business, and when he is able the present condition of affairs between Prussia and Austria require all his time and strength. I enclose herewith a copy of my first note and Baron Thile's reply, and also mine of yesterday. If this answer is not favorable I shall seek an interview with his Majesty. It is most infamous to treat an American citizen in this manner, and no efforts shall be spared to bring about his release. My faith, however, is strong that when Count Bismarck is in possession of the facts of the case, Israel will be at once discharged. \* \* \* \*

Time has confirmed my former expressed opinion on the subject of the difficulties between Prussia and Austria. Several notes have passed between the two countries, although not made public.

The general opinion in diplomatic circles, and the condition of the stock market, seem to indicate more pacific measures.

I have the honor to be, very respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Count Bismarck.*

UNITED STATES LEGATION,  
*Berlin, February 21, 1866.*

MONSIEUR LE COMTE: The undersigned has the honor to call the attention of your excellency to the case of Simon Israel, formerly a Prussian subject, but now an American citizen. The said Israel emigrated to America in 1853 and remained there over ten years; returned to Prussia in 1863, to the place of his birth, (Chadzzen, province of Posen,) where he was seized by the authorities, taken to Stettin, and placed in the fourth company, fourteenth regiment of the Prussian army. The said Israel is now unable to perform the duties of a soldier, as he has the hernia, and his eyesight has become impaired, both occasioned since he has been in the Prussian army.

The undersigned would most respectfully beg the intervention of your excellency's kind offices in order to obtain the release of the said Israel. He has already served about two years in the Prussian army, has relatives in America, and his business is suffering from his long absence.

The undersigned doubts not but that as soon as the attention of his Majesty's government is called to the case of Mr. Israel, he will be at once released.

I take this occasion to renew to your excellency the assurances of my high consideration.  
JOSEPH A. WRIGHT.

His Excellency Count BISMARCK,  
*Pres't of the Council, Minister for Foreign Affairs, &c.*

---

*Baron Thile to Mr. Wright.*

[Translation.]

BERLIN, *April 14, 1866.*

In his note of the 21st of February last Mr. Wright, envoy extraordinary and minister plenipotentiary of the United States, called the attention of the government of his Majesty to

the case of Simon Israel, a Prussian subject born at Chadzisen, province of Posen, who, after having gone to America in 1854, returned to Prussia in 1862, and was placed in the army the 17th of March, 1864.

The undersigned called the attention of the minister of war to the request of Mr. Wright to obtain the liberation of the said person. This minister regrets not being able to acquiesce in the desire of the American minister.

The said Israel has been absent about eight and a quarter years; that is, from the 7th of February, 1854, (the date of his passport,) till July, 1862, consequently he has not lost his Prussian nationality. It is true, he has a slight hernia, and has also been treated for the sore eyes, (mal aux yeux contagieux,) but his condition is not such as to render him unfit for military service. He has no relatives in America; he is a partner in a commercial house at San Francisco, which he estimates at \$4,000. His conduct in the regiment has not been, up to this time, sufficiently irreproachable to justify his release.

In bringing these facts to the knowledge of Mr. Wright, the undersigned profits by the occasion to offer the assurance of his high consideration.

*The Minister of Foreign Affairs,*  
(By authority,)

THILE.

Mr. JOSEPH A. WRIGHT, &c, &c., &c.

*Mr. Wright to Count Bismarck.*

UNITED STATES LEGATION,  
*Berlin, April 16, 1866.*

The United States minister, Mr. Wright, has the honor to acknowledge the receipt of Baron Thile's note of the 14th instant, in reference to the case of Simon Israel, an American citizen, at this time serving in the Prussian army at Stettin. He deems it his imperative duty to immediately call the attention of his Majesty's government to a reconsideration, as it is most manifest the real condition and facts, as applicable to Mr. Israel's case, are misapprehended.

The brother of said Israel and others have informed the undersigned that Simon Israel went to America in the spring of 1853, and did not return to Prussia in the year 1862, but in the fall of 1863, and consequently was absent from Prussia over ten years. The undersigned has received the following information in relation to the treatment, condition, and health of Mr. Israel from the United States consul at Stettin.

These are principally the statements of the said Israel, yet the consul has been acquainted with the individual from the time he entered the army till the present time.

I consider it to be my duty to give his Majesty's government the information thus communicated. The consul says: "Pitiful as was his first tale of how he had been dragged away from his relatives, to whom he was on a visit, after an absence of more than ten years in the United States, the treatment he received in the regiment nearly drove the tears into my eyes. It is now over two years that he has been held in compulsory service, and he has thereby been made a cripple perhaps for the whole of his life, having been compelled to exercise which his body could not endure. By some gymnastical evolutions and jumping feats both of his loins were dislodged in some way, and he now wears a truss or bandage all around his body to prevent their swelling. First, he says the jumping caused him pain in one side, when he complained, but was answered by the instructing officer that he must 'jump or go to hell.' Continuing to complain, however, he was examined by the surgeon and a truss applied to the side injured. Then he had to take up the evolutions again, and was kept at jumping until the other side got hurt in like way, and he now wears the bandages above stated. Being now pronounced unable to drill any longer, any other man, he says, would have been mustered out and allowed a pension, but when he asked for his release he was answered that he must serve the whole time (namely, three years) as a punishment for having gone to America to evade the military service. He was seventeen when he left for America. His situation was such he could not drill, and he was ordered to learn tailoring so as to mend the company's clothing. Unused to this kind of work, at which he was kept constantly for several months, his eyesight became impaired and he was placed in the hospital, where he was treated for nine weeks, the physicians expressing fears that he would lose the use of his eyes altogether. He has now been out of the hospital seven weeks, but says his eyes are so weak that he can scarcely read. Notwithstanding his limbs disable him from drilling and exercising, and his eyesight does not allow him to work at tailoring, he is still kept in a soldier's garb and his name is retained on the roll, and is subjected to all the rules of the military service and barracks, and the rest of the time he is permitted to run about the streets doing nothing. Such is the sad statement of his case, and which I have no reason to disbelieve. I looked at his limbs and eyes and saw plainly how they had been affected and weakened since he called on me in 1864."

From the above statement of his condition, in fact upon that stated as to his health by

the minister of war, it is most difficult to imagine what service this unfortunate man can render the Prussian army.

The undersigned cannot for a moment doubt that upon a reconsideration of this case his Majesty's government will at once restore him to his adopted country, friends, and business, thus giving additional evidence of the earnest desire of his Majesty's government to strengthen the long-cherished friendship and good will which have so happily existed between the government of Prussia and the United States.

In submitting this case I beg you, dear count, to receive the renewed assurance of my distinguished consideration.

JOSEPH A. WRIGHT.

His Excellency COUNT BISMARCK, &c., &c., &c.

---

*Mr. Seward to Mr. Wright.*

No. 29.]

DEPARTMENT OF STATE,

Washington, April 25, 1866.

SIR: Herewith I transmit a copy of a letter from Messrs. Lowe & Nauwerth, of Dayton, Ohio, presenting certain papers in support of an alleged claim of a client of theirs, Henry Schoenfeld, of Montgomery county, Ohio, for damages against the government of Hesse-Cassel. From these papers it appears that Schoenfeld's father emigrated when the son was seven years old, and was naturalized in this country. When the claimant was fifteen years old he was brought to this country by his father, and became naturalized by operation of law. Here he remained until June, 1865, when he went to his native country for medical treatment. In the mean time, when arrived at the age of twenty-one, and eight years after being taken from Hesse-Cassel, he was convicted in his absence, and on *ex parte* proceedings, of a default to render military service, was sentenced to the payment of a fine, and in the alternative of non-payment and no property on which to levy, to imprisonment. On the 26th of July, 1865, he was arrested and imprisoned under the sentence before mentioned, was detained sometimes in prison, sometimes in the charge of guards, whom he had to find and lodge at a hotel until the 8th of September, 1865, when he obtained a decision annulling the sentence of July 17th, 1849, on which he was imprisoned. This decision recites that the former judgment was based upon the supposition that the convicted Schoenfeld was at that time a subject of the electorate; that from late inquiries such was not the case, but that the accused had emigrated many years previous with his father, who had acquired for himself a new home in America. Therefore, the decision declares, "the said accused does not owe military service here, as there are wanting the requisite premises to constitute a misdemeanor, and therefore, at the direction of the state authorities, the judgment of July 17th, 1849, is hereby annulled, with remission of cost."

The case, upon the judgment of the authorities of Hesse-Cassel, is that of one who has been subjected to imprisonment, expense, and consequent damages, by the execution of a judicial order found to have been erroneous, and therefore reversed. He is, consequently, entitled to indemnity precisely as if he had not been born in Hesse-Cassel, and such indemnity, it is presumed, will not be withheld.

You are instructed to present the case properly to the government of Hesse-Cassel, and to request a proper consideration of it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 29.]

LEGATION OF THE UNITED STATES,  
*Berlin, April 26, 1866.*

SIR: The mystery surrounding the arrest of Frederick Boettcher is all explained. He \* \* ran away from his mother (when fourteen years of age) and fled to the United States. After serving two years in the Union army, he returned to Prussia when twenty-two years of age; having expended all the money he received for his services in the army, together with several hundred thalers obtained from his mother, and \* \* \* she had him arrested and placed in the Prussian army. The mother, hearing of the effort making for his discharge, called upon me, and protested most vehemently against his release. By the Prussian laws he does not attain to his majority until twenty-four. Most probably his mother's efforts will succeed in keeping him in the army, and unless instructed to the contrary, no further efforts will be made for his release. I am satisfied the statements of Simon Israel and also of his brother are not correct as to the time of Simon's departure and return to Prussia. The evidence discloses the fact that Simon left Prussia in February, 1854, with a passport authorizing him to be absent one year, and that he returned in July, 1862, having been absent seven years after the expiration of the time mentioned in the passport.

The military officers under whom he has been serving deny the alleged maltreatment. Believing the shortest method of procuring his discharge will be through the clemency of the King, I have requested his brother to send me a petition for that purpose, and Baron Thile informs me that, in his opinion, his Majesty will release him. If Count Bismarck's time and health will allow him to look into the case, he would immediately discharge Israel. I regret to say, however, the count is in feeble health, and for several weeks unable to see the diplomatic corps.

An intelligent American gentleman, residing at Hamburg for many years, writing on the subject of emigration, says: "The emigration promises to be on an enormous scale this year. In my opinion it will reach one hundred and fifty thousand from Germany. A fine class of emigrants are going this year from Holstein, all rich farmers, and about the best specimen of the agricultural classes in Germany; they mostly go to Iowa." Three hundred emigrants passed through Berlin last week from Silesia, Prussia, in one company, for the United States.

The movements of the past week are all favorable for a peaceable settlement of the difficulties between Prussia and Austria.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 30.]

LEGATION OF THE UNITED STATES,  
*Berlin, May 3, 1866.*

SIR: Since my last despatch we have had stirring notes and telegrams between Austria and Prussia on the subject of their present difficulties. The action of the Bourse, and general expression of the people, would indicate we

are on the eve of hostilities. I enclose copies of the notes of the Austrian minister of the 18th April, and the reply of the Prussian minister of the 21st. The Austrian minister answers this on the 26th, saying: "The Austrian troops will be withdrawn from Bohemia, near the Prussian line," alleging her armaments are made with the sole view of meeting the military demonstration in Italy. Count Bismarck's rejoinder to this is, "that Italy has made no formidable armaments," and intimates that this movement on the part of Austria is a feint made to draw off the attention of Prussia from threatening demonstrations on her frontier. Hence Prussia will not comply with her previous agreement of disbanding her army. Count Bismarck's project of the formation of a German parliament will prove a failure. The effort of Austria to submit the Schleswig-Holstein question to the present German Confederation will also fail. This state of things is well calculated to unite the smaller German states against Prussia. Bavaria will most probably unite her interest with Prussia, under the promise of being made the head of a southern German confederacy. I adhere, however, to my former expressed opinion, "the peace of Europe will not be disturbed by war at present." There is no alliance formed between Italy and Prussia. Prussia has not increased her army more than twenty thousand. Most of the armaments consist of telegrams and rumors of interested persons. Austria will not attack Prussia, nor will Italy attack Austria, nor *vice versa*. Count Bismarck, in order to succeed in securing the Schleswig-Holstein country to Prussia, desires war, believing it to be the only means by which this can be secured. It is a desperate effort on his part. If he fails in this acquisition of territory to Prussia, his premiership is at an end. If it was believed that the present difficulties between Prussia, Austria, and Italy would lead to war, the ruling powers of Europe would call a congress at once to adjust and settle the same. "The man of France," who holds the peace of Europe in his hands, is not yet ready for war. When war commences I shall look for a formation of a permanent alliance between France, Austria, and Italy. Austria will cede Venetia to Italy, with the prospect and promise of possessing the Danubian principalities, and no one can foresee when the contest shall end.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

The following is the text of the despatch addressed by Count Mensdorff to Count Karolyi at Berlin:

"VIENNA, April 18.

"By the direction of his government M. de Werther has handed me a note from the cabinet of Berlin, of the 15th instant, in reply to the despatch which I had the honor to address to you on the 7th of the present month.

"It has not escaped the Prussian government that the explanations contained in my despatch of the 7th instant have, after the mutual assurances of the two sovereigns, disposed of all aggressive intentions; that, in consequence, all reasons for military preparations fall to the ground at once, and that any explanations on the subject of the priority of the supposed armaments become superfluous. Nevertheless, the reply of M. de Bismarck continues to discuss that question. His Majesty the Emperor does not believe that that is the right way to arrive at the understanding which is so necessary in the present situation, and he has directed me to submit the following proposition to King William:

"By the repeated and direct communications which I have addressed to it, the cabinet of Berlin has been informed that there have been partial movements of troops in Austria, and that some corps have been sent to our northwestern frontiers. By the present communication his Majesty the Emperor declares himself willing, by an ordinance to be dated April 25, to retract these movements of troops which the cabinet of Berlin regards as military measures directed against Prussia, and also to take all other measures which would lead to that result, upon condition that on their part the Prussian government undertake to order, on the same

day, or on the next day, the return to a peace footing of the different *corps d'armée* which have been re-enforced since the 27th of March. In making this proposition the imperial and royal government believes it has done everything within its power to bring about a peaceful solution to the explanations which have been exchanged. Your excellency is requested, without delay, to express yourself in this case to the president of the council, and in leaving him a copy of this despatch to recommend to the most serious consideration of the cabinet of Berlin the above-mentioned proposition, which is another incontestable proof of our desire to maintain peace."

*The Prussian reply.*

The Prussian answer to the foregoing despatch was delivered through the ambassador at Vienna, M. de Werther, to Count Mensdorff, on the 23d instant. It runs as follows:

"BERLIN, April 21.

"Your excellency will have received the copy of a despatch from Count Mensdorff which Count Karolyi yesterday read to me and afterwards placed in my hands. The military measures ordered by his Majesty the King have, as your excellency has repeatedly informed the imperial cabinet, been adopted simply with a view to place us upon an equal footing with respect to preparedness for war, which, in the opinion of the King's government, had become necessary in consequence of the movement of the *corps d'armée* which were distributed among the different provinces of the empire in such a manner that in the event of war their approach to the Prussian frontiers would have been much accelerated. The Prussian preparations have been exclusively made upon that ground. I have to say that his Majesty the King is ready and willing to accept the proposition made to him, and to put an end to these measures of precaution as soon as the imperial government shall have recalled those measures which were the cause of our counter movements. In this sense I authorize your excellency, by command of his Majesty the King, to state to the imperial minister for foreign relations that the King's government agrees willingly to the proposal made in the despatch of Count Mensdorff of April 18. In accordance with that proposition as soon as the King's government shall receive authentic information that his Majesty the Emperor has countermanded the orders which have been given for placing the imperial troops in a position of preparedness for war against Prussia, his Majesty the King will, on his side, at once direct the reduction of those portions of the army which have been increased in strength since the 27th of March. His Majesty will have this order carried out in the same degree and within the same time as the corresponding reductions of the war preparations of the imperial army. With respect to the manner and to the time within which these reductions shall be effected, the King's government will await further communication from the imperial cabinet, in order that the mutual disarmament shall be equal in extent and progress. The King's government also expects that the military preparations made by other German powers will be in a like manner countermanded, and that no renewed necessity for military precautions on the part of Prussia will be caused by a continuance of these preparations. The King's government will declare itself in this sense to the various other German courts, and trusts that the imperial government, in the interest of peace, will exert its influence in a similar direction."

---

*Mr. Seward to Mr. Wright.*

No. 32.]

DEPARTMENT OF STATE,  
Washington, May 8, 1866.

SIR: Your despatch of the 18th ultimo, No. 28, has been received, and your proceedings in the case of Simon Israel are approved. You will urge his speedy release, or a prompt answer to your latest note in his behalf, addressed to Count Bismarck. Should Israel fail to be released the President will then determine as to what alternative is left for obtaining a proper consideration and settlement of the question.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 31.]

LEGATION OF THE UNITED STATES,  
*Berlin, May 9, 1866.*

SIR: Since my last despatch, Austria, in reply to the Prussian note, refuses to disarm unless Prussia does the same, and declines to discuss the question of her military operations any longer, asserting, at the same time, that her southern frontiers are menaced by Italy; promising to refrain from attacking Prussia, as announced in her former note.

If, however, Austria is desirous of bringing matters to a crisis, she will easily succeed in discovering a pretext for attacking Prussia without violating the above promise. She only has to refer the Schleswig-Holstein affair to the German confederation, encouraging that body to recognize the duke of Augustenborg as the sovereign of the duchies, and establish his authority against the opposition of the Prussian government. In fact, Austria has already threatened to establish the duke in his alleged inheritance, independent of the German confederation. Prussia, in her recent correspondence, refuses to acknowledge the title of the duke of Augustenborg upon the grounds of the legitimacy of his descent, and claims it cannot be sufficiently authenticated. In this connection, Prussia refuses to acknowledge the rights of the German confederation to take cognizance and jurisdiction of the Schleswig-Holstein question. The reasons urged for this view of the subject are the following: 1st. The duchies have been conquered by Prussia and Austria and not by the German confederation. 2d. By the treaty of Gastein, made a year ago, Prussia and Austria agreed to settle and adjust the Schleswig-Holstein question by and between themselves, without the interference of any third party. 3d. Prussia being a great power and having practically to defend the northern states of the confederacy against foreign aggression, cannot be expected to recognize that clause in the federal statutes which authorized the confederation to settle disputed questions of inheritance. The confederation, consisting of a majority of minor princes, would hand over the duchies to the duke of Augustenborg, were it for no other purpose than that of adding another secondary sovereign to the list. 4th. Prussia alleges, with much force, that the federal act providing "that all quarrels and controversies between members of the confederacy shall be referred to the federal Diet," has been practically disregarded by Austria, and often by the more powerful members of the confederacy, since the date of its organization in 1815. It is most probable, however, if Austria persists in introducing this question to the German confederation, and demands an expression from the members composing the Diet, she will be disappointed in receiving an answer the one way or the other. The past history of this organization presents many instances of the introduction of important questions that have been referred to committees, who never report thereon, thus passing over the whole subject. If such should be the action upon this subject, and a few days or weeks will determine the same, war, at least for the present, would be avoided. Prussia would retain Schleswig without aspiring after Holstein, and Austria would rule Holstein without handing it over to the duke of Augustenborg or trying to repel Prussia from Holstein. In this view of the question the Emperor of Austria, if desirous of going to war, would then be obliged to attack Prussia, and fight without the sanction and support of the German confederation. This he will not do.

During the past week the order of the King calling out five of the nine army corps, has been carried out, embracing two hundred thousand men. They are distributed over the central and southeastern provinces, Brandenburg, Saxony, Posen, and Silesia, and placed on a war footing. In addition thereto, the remaining four corps of Rhineland, Westphalia, Pomerania, and East Prussia are



also put on a war footing. To-day Prussia has at least four hundred thousand men under arms or in the process of organization. This number can be increased to six hundred thousand.

To-day his Majesty dissolved, by proclamation, the present Landtag, and we shall soon have a new election. His Majesty's ministers are under the impression, a new election (under the present condition of the country) will result in returning a body of men more favorable to the present policy of the government. This is not believed, the general impression being that the new elections will result in returning (if possible) a body of men more unfavorable and hostile to the present policy of the government than the past house. This may be true, yet such is the universal desire for a united Germany, among the fifty millions of people speaking the German language, that if, in the midst of the present excitement, with more than a million of men under arms, the King and his ministers should issue a proclamation looking distinctly to this object alone, we should soon have a united Prussian government, people, and Landtag. Whether this is to be accomplished by war or otherwise, time alone must determine.

The brutal attack made upon Count Bismarck caused great excitement. I called immediately upon him, congratulating him upon his providential deliverance. His presence of mind was very remarkable. He was not injured and has been in regular attendance upon all his duties ever since the attack. I forward a copy of an extra issued immediately after.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Extra.—Translation.]

BERLIN, *May 7, 1866.*

About 5 o'clock Monday afternoon, as Count Bismarck was returning on foot from a cabinet meeting at the King's palace, while passing through the middle walk of Unter den Linden, he was attacked by an unknown individual. Two shots were fired, both of which missed the count. Count Bismarck turned and seized the man, who, during the struggle, fired three more shots—the last with his left hand—one of them passing through the garments of the minister and producing a slight contusion on his person. The count held the man until assistance came, and handed him himself over to the police, and continued his walk home.

The would-be assassin committed suicide by cutting his throat at the police bureau.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 32.]

LEGATION OF THE UNITED STATES,  
*Berlin, May 17, 1866.*

SIR: \* \* \* \* \*

The war excitement during the past week absorbs every other subject; business of all kinds has felt its influence; manufacturers and traders seem to be seized with a panic; and, losing thousands, many of them will become bankrupt. The best Prussian stocks have depreciated from twenty to fifty per cent. Many large meetings are being held throughout the country and delegates appointed to visit the King, urging peace and protesting against war. Some two thousand workmen met a few days since in Berlin, and while resolving for the maintenance of the constitutional rights of the country, they strongly protested against giving a dollar of money, under the present ministry, for the war, until the national prerogatives of the Prussian Parliament, and the rights of the peo-

ple, are restored. There is nothing of importance in the further correspondence between Prussia and Austria. Prussia adheres strictly to the letter of the Gastein convention for the settlement of the Schleswig-Holstein question; Austria will present the subject to the German confederation. They will evade it, or most likely determine that they will not take the subject under consideration until both parties disarm. The policy of the smaller states (except Bavaria) is to remain neutral, decide nothing, as they are well aware, if the war becomes general, it will sweep their states and dynasties overboard. It is believed today that Austria will evacuate Holstein, place her troops in Hanover, and leave the duke of Augustenborg to take possession of Holstein. In that event, he would undoubtedly be driven out by the Prussian troops. There is to be a mass meeting next week at Frankfort, of the members of the various German parliaments. If they decide anything on the Schleswig-Holstein question, it will undoubtedly be favorable to the claims of the duke of Augustenborg. The question is often asked "What is Count Bismarck aiming at?" I answer, his grand object is to make a great northern German nation, including Frankfort, making the Main the southern line. To accomplish this, he is endeavoring to disconnect Prussia from the German confederation.

The evidence in support of this view is to be seen in his strong note to Saxony and his threatening letter to occupy the military roads of Hanover, in connection with the conduct of Prussia as a member of the German confederation. Prussia once free from the German confederation, Prussian troops will soon be found located in Hanover, Brunswick, Hesse-Cassel, and the other small northern states. This can be brought about without fighting, as none of these states would attack Prussia. It is conceded, if we have a general war in Europe, great efforts will be made to form one German nationality. But I doubt not Count Bismarck believes, if Prussia was disconnected from the German confederation, he could make such alliances with southern Germany as will bring about the formation of two German nationalities, one northern, the other southern, and accomplish it without hostilities.

There is no treaty of alliance yet concluded between Prussia and Italy. The diplomatic corps generally believe that war is inevitable. I still believe the five great powers will unite on some plan by which peace will be preserved; most likely, so far as the Schleswig-Holstein question is concerned, by submitting it to the people. If so, Count Bismarck will unquestionably lose his power. I send you an article from *The France*, published two days since in Paris.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

The *France* publishes an article in large type, so as to attract attention, entitled "La Guerre;" I notice the following sentences:

"In case of war breaking out between Germany and Italy, there is but one opinion in Paris as well as in the departments, and that is entirely in accordance with the neutrality which M. Rouher announced to the Corps Legislatif, in the name of the Emperor. The Emperor, who watches public opinion so attentively, is perfectly aware that if he yielded to impulse, and sacrificed the blood and gold of France for the mere sake of an ally, he would not be supported by the popular feeling. \* \* \* What France wishes for is that Francis Joseph should honorably renounce the domination of Venetia. Between the cabinet of Vienna and that of Austria [Italy?] there is but one obstacle, and that is Venice. Let Venice be free to-morrow, and Austria will then find in France, as well as in Italy, its most devoted supporter to aid her in maintaining her influence in Germany, as well as in the west.

"As to Prussia," adds *The France*, "it only excites the animosity of our national feelings. The conduct of the Prussians during the disastrous period of the invasion, is still remembered in the eastern department. At Waterloo it is remembered that Blucher claimed for his soldiers the privilege of harassing our flying troops. The present policy of Prussia is not

calculated to attenuate the bitterness which these *souvenirs* evoke. M. de Bismarck is not a statesman of our times, our traditions, or of our manners. Audacity does not constitute genius, and the spirit of adventure cannot be mistaken for true policy."

If, as has been asserted, Italy has entered into some secret engagement with Prussia, I can only recommend her to peruse this article of *The France*, which, to my idea, entirely responds to the general feelings of France. I will even add more. Were the Emperor to side with Prussia, and make *cause commune* with De Bismarck, I would not answer for the consequences.

---

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 33.]

LEGATION OF THE UNITED STATES,

*Berlin, May 24, 1866.*

\* \* \* \* \*

SIR:

The peace meetings held all over Prussia are having their effect upon the King. He said to the Breslau authorities, (in replying to a delegation on this subject,) in substance, "I pledge my royal word that no ambition of mine, not even the ambition which belongs to all Germans for a united fatherland, has prompted me to call my people to arms; my only intention is to preserve Prussian rights and possessions."

The tone of Prussia has greatly changed within the last two weeks; we now hear of many liberal propositions, for new parliaments, diets, and of contemplated changes in the ministry. In calling out the troops great opposition has been manifested among the people. There is not the least enthusiasm or spirit exhibited among the soldiers. Two hundred German deputies were present at the meeting at Frankfort on the 20th instant. The meeting strongly denounced the war, and condemned the nation as criminal that should commence it. The King of Prussia would doubtless surrender all the interest in the Schleswig-Holstein country rather than engage in war.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Wright.*

No. 34.]

DEPARTMENT OF STATE,

*Washington, May 29, 1866.*

SIR: I have received and read with interest your despatch of the 9th instant, No. 31. The progress of events is probably outrunning that of speculation upon the question of war in Europe.

Your proceedings in expressing your congratulations to Count Bismarck upon his escape from the assassin are heartily approved by the President. Magistrates and ministers are essential in every government. Such assassination is a crime, because whatever may be its excuses or pretents, it is purely an individual act, not a social effort for redress of errors or wrongs in administration. It is a private crime against all political society of whatever form or nature.

You are instructed to express these opinions, in the name of the United States, to the government of Prussia.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 34.]

LEGATION OF THE UNITED STATES,  
*Berlin, May 31, 1866.*

SIR:           \*           \*           \*           \*           \*

It is settled we are to have a peace conference at Paris next week. If this conference can agree upon the subjects to be considered, discussed, and deliberated upon, then we shall have a congress composed of ministers of foreign affairs of the different powers represented in the congress. Strange as it may seem, many are of opinion that Napoleon contemplates urging a meeting of the sovereigns of Europe in order to adjust and settle the many conflicting questions now agitating Europe, should the peace conference prove a failure. The King of Prussia is doing all he can to preserve peace. His response to the Breslau authorities (herewith enclosed) breathes a different spirit from that manifested three months since.

I have the honor to be yours, most respectfully,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

— — — — —  
SPEECH OF THE KING OF PRUSSIA.

I have been gratified in receiving the address the town council and municipal authorities of Breslau have forwarded to me. In the language of this address I recognize the spirit which in 1813 animated the fathers of the present citizens of Breslau, and I beg you to accept my thanks for your earnest and ardent expression of the same. No one can feel more painfully than I do the many and heavy sacrifices the war would entail on the country; and no one can more anxiously desire that our sufferings may be rendered more easy of endurance by the restoration of perfect harmony between the sovereigns and the people. I pledge my word to the city of Breslau, that no ambitious designs, not even such as in the interest of our common German fatherland might be considered as legitimate, but the duty to defend Prussia and all that is dear to her have alone caused me to summon my people to take up arms. The inhabitants of the city of Breslau may rest assured that to establish a better understanding between my government and the Parliament on the questions in dispute is the object of my wishes and most zealous endeavors. In the hope of attaining this end, in the hope, also, that now, when dangers menace Prussia, our common devotion to the country will mediate between antagonistic tendencies, and reconcile the various opinions entertained upon the purport of the constitutional law, I shall convene the Landtag of the monarchy. By the dissolution of the House of Deputies, the constituencies, as well as the representatives they will elect, have been furnished with an opportunity to dis sever themselves from the recollections of the past, and to give expression to those feelings which animate my people in the present threatened conditions of the country. I trust that the representatives of my loyal city of Breslau will, in the impending session, co-operate in bringing about so desirable a result.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 35.]

LEGATION OF THE UNITED STATES,  
*Berlin, June 7, 1866.*

SIR:           \*           \*           \*           \*           \*           \*

Baron Von Der Heydt, formerly minister of commerce, succeeds the present minister of finance, Baron Von Bodelschwingh, who has resigned on account of ill health.

Enclosed you will find the reply of Baron Thile to the application of Otto Erk.

It is difficult to reconcile this reply with the favorable answer in the cases of Jacob Carl Brieger and Philip Jacobson. It seems to me that Count Bismarck, in the present condition of affairs, gives neither his attention nor time to these questions. The minister of war, Baron Roon, is an austere, rugged radical, opposed to everything that interferes with or lessens his army. Count Bismarck, on the other hand, is a statesman of large and enlightened views, exhibiting at all times the greatest frankness and friendship in all matters connected with our country. In my last interview with the count he sought my opinion as to the propriety of employing Captain Semmes, late of the confederate navy, in the Prussian navy, (Captain Semmes having written to the Prussian government tendering his services.) I replied that "Captain Semmes was one of the most objectionable men in the whole south to the loyal men of the Union." The count quietly remarked, "We want the respect and good will of the United States at all times, and we will not employ him."

The primary elections for electors take place on the 25th of this month, and the election of members to the Prussian chambers by the electors on the 3d of July. There is no doubt but that the liberal party will increase their present unprecedented majority. One of my colleagues called Count Bismarck's attention yesterday to the great number and enthusiastic proceedings of the peace meetings held throughout Prussia, when the count remarked, "Events change public opinion, and a battle won, or even a battle lost, strangely alters men's minds." The news of to-day indicates we are to have no peace conference or congress. Austria is determined to make the German confederation decide the Schleswig-Holstein question. Prussia has sent four gunboats to Hamburg to prevent the Austrian troops from crossing over from Holstein to Hanover, yet I do not believe Prussia will commence hostilities, or even take forcible possession of Holstein. The present manœuvres on the part of Prussia and Austria are made with a view of conciliating the smaller states, and both being unwilling to give offence, well-knowing the first to commence hostilities will incur the ill-will of all.

You will find appended to this despatch a short and concise statement made by the representatives of Prussia and Austria to the German confederation, embracing a summary of the true position of both countries in the present contest.

\* \* \* \* \*

I have the honor to be yours, most respectfully,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Baron Thile to Mr. Wright.*

[Translation.]

BERLIN, June 1, 1866.

MONSIEUR LE MINISTRE: You were pleased to forward me the request of a certain Otto Erk, of New York, who left Prussia when seventeen years old, without having performed his military service, and who desires permission to visit his parents in Berlin without risking interference by the authorities. This request was reported to the ministers of war and the interior, who reply that they cannot consent to the wish of Mr. Erk.

According to the terms of section 23, No. 2, of the law of the 31st of December, 1842, no doubt exists that the said Erk is still a Prussian subject. A passport was issued to him on the 17th of June, 1856, for two years, to go to New York, and therefore he has been in a foreign country but eight years, viz., being but ten years since his passport for two years was issued. In the present state of affairs the said ministers declare that, considering the precise instructions of December 9, 1858, for recruiting the army, they cannot permit Mr. Erk to return temporarily to Berlin.

Receive, Mr. Wright, with my regrets, the assurances of my high consideration.

By authority:

*The Minister for Foreign Affairs, THILE.*

His Excellency Mr. WRIGHT,

*Envoy Extraordinary and Minister Plenipotentiary, &c.*

## THE GERMANIC DIET.

At the meeting of the federal Diet on Friday last, the representatives of the two great German powers made formal representations of the views of their respective governments.

The Austrian representative said :

"Austria is able to look back with a calm conscience upon her persevering efforts to arrive at an understanding with Prussia upon the question of the duchies. The Emperor has gone as far in concessions as the dignity of Austria and the German federal rights would permit him to go. Prussia has put forward demands not to be justified, and has manifested a continually increasing disposition to enforce her demands, without consideration, and even by force. Thus, after the conclusion of the peace of Vienna, she threatened to compel the federal troops to evacuate Holstein; and thus, in dealing with Austria, she has treated the question of the duchies as one of power, and to support her in that she has relied upon the assistance of foreign adversaries of the Austrian monarchy. Even at the time when the treaty of Gastein was concluded, this tendency made itself manifest. It showed itself again when Austria was unwilling to govern Holstein in such a manner as should suit the exigencies of an annexation policy. Threatened on two sides, Austria has placed herself in a state of defence. It is unnecessary in this place to refer to any military measures adopted with regard to Italy. But Austria is ready to withdraw her army from the position taken against Prussia as soon as she shall cease to have reason to apprehend attacks upon her own territories or upon those of her federal allies, and when guarantees shall be given to assure her against a recurrence of the danger of war. It is the interest of Germany, and not of Austria alone, that right and the faith of treaties should prevail in Germany, rather than mere force. It is their interest, also, that Prussia, although an European power, should show respect for peace and the federal resolutions; and, finally, that the Schleswig-Holstein question should receive its solution, not simply according to exclusive pretensions, but in accordance with the rights of the Diet and of the duchies themselves. Referring to the declarations of the 24th of August, 1865, (by which Austria and Prussia undertook to communicate with each other on the subject of the result of their deliberations,) the representative of Austria declares that the efforts made to co-operate with Prussia, in order to bring about a solution of the question of the duchies in accordance with federal law, have been fruitless, and that consequently the imperial government must leave the subject henceforth to the resolutions of the Diet, to which Austria will conform. The governor general of Holstein is already authorized to convoke the estates of Holstein, in order that they may declare the wishes and legal convictions of the country, as an element proper to be considered in the decision which has to be made."

The Prussian representative said :

"The government of the King has declared on different occasions that the mobilization of his military forces had been solely caused by the prior armaments of Austria and of Saxony. The prospect of her frontiers and her capital menaced, and the explanations exchanged with the federal states, could not but convince Prussia that she must rely for her defence upon her own forces. She has already made known the conditions upon which she is willing to return to a peace footing. The measures which she has adopted, solely for her own protection, may cease as soon as the cause which provoked them shall disappear. The royal government has already declared, in its despatch of the 21st of April, addressed to Vienna, that it was quite disposed to disarm on that condition, and it so far entertained the belief that it might rely upon a similar disposition on the side of Austria, that it suspended its armaments. But in that hope it was disappointed. The continually increasing armaments of Austria, and the declarations of the Saxon government on April 29, have compelled it to extend its own preparations. The defensive character of these preparations has been to that extent changed. The royal government declares itself now quite disposed to return to a peace footing if the Diet can induce the governments of Austria and Saxony to withdraw their armaments, which are so menacing to the cause of peace, and if it will give to the Prussian government guarantees against the recurrence of such attacks upon the federal unity. If the Diet be not in a condition to do so, and if the members of the confederation are opposed to reforms which might prevent the reappearance of such dangers, the royal government must conclude that the Diet, in its present form, is not equal to its task, and that it does not accomplish its chief object; and from that time it will take that legal conviction as the basis of its ulterior decisions. With respect to the declaration which Austria has just made, the Prussian government makes earnest and formal reservations against the statement of the Austro-Prussian negotiations, not only as to facts, but also as to the hypotheses which are based upon the facts. The Prussian government has up to the present time adhered to its original view of the Schleswig-Holstein question, and it has only sought to obtain the realization of the legitimate demands and interests of Prussia within the limits of the rights which it has acquired by treaties. It has never sought to procure by force the realization of its projects, and it emphatically repeats that the cause of the present complications is to be found, not in the Schleswig-Holstein question, but solely in the armament, so unjustifiable but so menacing, which Austria and Saxony have directed upon the Prussian frontiers."

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 36.]

LEGATION OF THE UNITED STATES,  
*Berlin, June 14, 1866.*

SIR :

Prussian troops are in possession of Holstein. This was accomplished without resistance from the Austrian troops. The moment Austria presented the question of Schleswig and Holstein to the consideration of the German confederation, (in violation of the treaty of Gastein,) Prussia claimed the right to hold Holstein jointly with Austria, admitting at the same time that Austria could also hold Schleswig in common with Prussia. The Prussian troops, in marching into Holstein, met the Austrian, yet no bad feeling was manifested. Two days since the Austrian troops left, leaving Prussia in possession of both Schleswig and Holstein. On receiving the news of the Prussian troops occupying Holstein, the Austrian minister demanded his passports, and yesterday the whole Austrian legation left for Vienna. The Prussian minister at Vienna, with all the members of the legation, returns from Vienna to-day.

The question presented by Austria to the German confederation is not, as to who is to govern and hold Schleswig-Holstein, but it contemplates the German confederation will authorize the mobilization of the entire federal army, place this army on a war footing with a view of reinstating Austria in Holstein and expelling the Prussian. Austria also expects the confederation will give some opinion on the subject of disarming of troops. A decision is expected to-day on these and other questions. The result and time of the decision are alike doubtful. Count Bismarck's despatch of the 8th instant to the Prussian representatives abroad, (herewith enclosed,) exhibits so much bitterness, that within the past week Prussia has lost ground with many of the smaller states. In addition to this, Count Bismarck's circular of the 11th instant recommends a new programme for the German confederation, namely, to leave Austria out of the new confederation. He also recommends that the federal army raised by the new confederation shall hereafter be under the command of Prussia in the north, and Bavaria in the south. This is also calculated to prejudice Prussia with the smaller states. It is not possible for things to remain many days in their present condition. The Prussian army is now estimated at six hundred and forty-seven thousand, including fifteen thousand officers. Her cannon numbers one thousand and eight, one-half of them rifled. One hundred and thirty-two thousand horses. The government is establishing hospitals in every part of the country; placards for organizations to provide for the support of wives and children of the soldiers are placed on walls all over the city, and money is being raised to take care of the sick, wounded, and dying, yet not a blow has been struck, many believing with the undersigned that war between Prussia and Austria will yet be avoided.

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

BERLIN, June 8.

The following despatch has been sent by Count Bismarck to the Prussian representatives abroad:

“BERLIN, June 4.

“I have already communicated to your excellency, at a former period, the despatch I addressed upon the 7th of last month to the King's ambassador at Vienna, in reference to Count Mensdorff's note of April 26, upon the question of the Elbe duchies. I purposely selected for that communication the form of a confidential statement, not intended to be conveyed in

copy, because experience had taught me that a real understanding is not promoted by the exchange of documents, which are wont immediately to obtain publicity, and because it was the first wish of the King's government still to offer or leave open to the Vienna cabinet the possibility of an approach. We had, also, at first, cause to assume that this step of ours would be appreciated at Vienna, and, judging from his remarks to Baron von Werther, Count Mensdorff seemed to have perceived in it such a possibility. Indeed, the tenor of our communication, wherever it transpired, was looked upon as a symptom of cordial feeling, increasing hopes in the preservation of peace.

"We have waited in vain for a reply, or even for a mere expression of the Emperor's ambassador upon the subject.

"We are forced, on the contrary, to consider the declaration delivered by the Austrian government at the federal Diet at Frankfort-on-the-Main, on June 1, as the answer to our conciliatory overtures. In that declaration, after a retrospective statement at variance with facts and offensive to Prussia, Austria hands over to the Diet the decision upon the Schleswig-Holstein question, and at the same time gives notice of an act of sovereignty in Holstein, viz., the convocation of the estates, which she is not entitled to undertake single-handed from the moment when she released herself from the Gastein treaty by reference to the Diet, and thereby substituted the old relation of the co-possession for the recent geographical division.

"We have already protested at Vienna against this unjustifiable and one-sided act, as against the equally unjustifiable disposal of our rights by handing them over to the Diet, and reserve to us to take further steps.

"But, first, I cannot refrain from declaring that in this proceeding of the Austrian government we are unable to perceive anything but the intention of a direct provocation and the desire forcibly to bring about a breach and war. All our information agrees that the determination to make war upon Prussia is firmly settled at Vienna.

"I may confidentially acquaint your excellency, by his Majesty's desire, that at the time when we addressed the conciliatory communication above mentioned to Vienna, the King, actuated by the duty of preserving peace as long as possible, readily listened to a proposal for direct understanding made from an impartial quarter at Vienna, and first communicated to his Majesty, without the participation of the ministry, in order to ascertain whether his Majesty the Emperor of Austria was still actuated by the wish of maintaining peace. The proposal was to treat the Schleswig-Holstein and the federal reform question in common, and by this connection to facilitate the solution of both. The negotiations, supported by the most conciliatory desires on the part of the mediators, have, as his Majesty informs me, only demonstrated that a corresponding feeling no longer exists at Vienna. They have shown, notwithstanding the Emperor's theoretical love of peace, the craving for war which dominates every other consideration throughout his entire council, even among those who, to our knowledge, formerly voted against the war, and even against the preparations and armaments, and that this craving has now also gained decisive influence over the Emperor himself. Not only was there manifested an entire absence of all and every readiness to enter even into confidential negotiations, and to discuss the possibilities of an agreement, but expressions of influential Austrian statesmen and councillors of the Emperor have been reported to the King from an authentic source, which leaves no doubt that the imperial ministers desire war at any price, partly in the hope of successes in the field, partly to tide over domestic difficulties, nay, even with the expressed intention of assisting the Austrian finances by Prussian contributions, or by an 'honorable' bankruptcy.

"The acts of the Austrian government coincide only too accurately with this intention.

"I have mentioned above that we are compelled to recognize a direct provocation in the declaration delivered at the Diet. It has only one meaning, if the Vienna cabinet intends to follow it up immediately with the expressed breach, for it cannot have expected that we should tamely submit to this attack upon our rights. In another question the forced loan ordered in Venetia, which impresses a sting of additional bitterness upon circumstances, shows that Austria will only make use of the extremest means towards Italy also. Corresponding with this are the reserves with which, according to the information received here, she accompanied her answer to the invitation to the conference, and which, as we hear, are understood by all the three powers as equivalent to a refusal.

"After the form of the invitation had, by negotiation between the inviting powers, been expressly so drawn up that Austria should be able to accept it without committing herself to anything in advance, and without being compelled to make reserves, it is precisely the Vienna cabinet that renders all these labors futile.

"Behind this we can only see the decided intention upon the part of Austria of forcing on war with Prussia, and of, at most, making use of negotiations as to the congress to gain time by procrastination for her own not entirely completed arrangements, but especially for those of her allies. The fact of war is a settled determination at Vienna; the only further point is to choose the favorable moment to begin.

"This conviction is forced upon us with imperative necessity by the most recent facts, and we consider that only an intentionally prejudiced view can come to an opposite conclusion. Facts now speak too loudly for gossip based solely upon conjectures, combinations, falsely interpreted statements, and empty rumors as to the warlike longings of Prussia, not to dwindle into nothingness in comparison. Perhaps we shall at last be believed when we solemnly



protest against any notion of wishing to make good our claims to the duchies by force and with disregard to the rights of the co-possessor. Now, too, probably it will not be difficult to understand the real motives of the armaments by which Austria has given rise to the present crisis, and whose removal by means of the congress she has further taken care to render impossible by the attitude she has assumed.

"We may appeal with a calm conscience to the judgment of all impartial statesmen as to which party has displayed conciliation and love of peace up to the latest moment.

"I respectfully request your excellency to express yourself in the sense of this despatch to the minister of foreign affairs at the court to which you are accredited.

"BISMARCK."

---

*Mr. Wright to Mr. Seward.*

No. 38.]

LEGATION OF THE UNITED STATES,  
*Berlin, June 21, 1866.*

SIR: Your despatch, No. 34, is just at hand. I have this moment returned from an audience with Count Bismarck. He seemed touched with the sentiments expressed by you on the subject of his attempted assassination, and with much feeling expressed his unfeigned gratitude to you, and the President of the United States, for the expression of sympathy contained in your despatch, assuring me he would immediately communicate the same to his Majesty the King.

Mr. Israel's case was presented some days since upon a petition from his sister, accompanied with a note from myself. The count promises to give it immediate attention, and I shall expect his answer, or the release of Mr. Israel, in a few days. Yet it is almost impossible, in the present condition of affairs, to get the attention of government on individual cases. I have just learned of the arrest of Henry Rust, an American citizen, of Illinois, by the authorities of Lippe Schaumburg, for military service. As there is no representative of that government at Berlin, I shall communicate directly with the minister of foreign affairs in his behalf. If this is not successful I shall visit the government and demand his release.

Mr. Rust has a family in Illinois. He is a thoroughly loyal man, serving in our army, and was at his brother's side when he fell in defence of our country.

I would suggest the propriety of sending a man-of-war to the mouth of the Elbe during these troublous times. Having a large number of American ships and vast amounts of property continually at the ports of Bremen and Hamburg, the two most important ports for American interests in Europe, the sight of such a vessel would do good. Other neutral nations send their vessels, which are continually cruising near these ports, protecting the interests of their several countries.

Nothing has transpired since my last despatch as to the movements of the Austrian army. The general impression is that an engagement will take place the last of the week, and this view was entertained and expressed in the interview I had with Count Bismarck to-day.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Mr. Seward.*

No. 39.]

LEGATION OF THE UNITED STATES,  
*Berlin, June 28, 1866.*

SIR: Your despatch No. 36, dated June 7th, is at hand, with the enclosed communication from Eliphalet Price, in behalf of Matthias Weiner, of Iowa. In

consequence of the hostile position of the two countries, there is no diplomatic relations whatever between Prussia and Baden. The case will be presented the first opportunity. Mr. Schoenfeld will have to wait some time before he hears from his case at Kurhessen. There is no government there except the military one of Prussia. The electorat is a prisoner at Stettin. Some days since I received the enclosed communication from Mr. Henkel, principal secretary in the state department, in relation to the delay in the case of Mr. Schoenfeld.

It will be seen from the enclosed correspondence that Prussia refuses to give up Francis Benndorf (to use their own language) "for the present." I am at a loss to know what course to pursue in this case. During the last two months more than one hundred adopted American citizens (born in Prussia) have called on me for advice and information; all of whom are liable (according to the Prussian laws) to be called upon to perform military service. Yet I do not know of another case but this one of Benndorf, and that of Simon Israel, that has been subjected to service. My opinion is that Simon Israel will soon be discharged, as I am sure the foreign office has recommended the King to pardon him.

The primary elections for electors, the past week, resulted in a large majority for the liberal party, as was anticipated. Bulletins are issued and posted every few hours throughout the city on the progress of the war. Up to this time there has been no general engagement between the Prussian and Austrian armies. The Prussians are in high spirits over their success in taking possession of the smaller states without serious opposition. To-day they are rejoicing at their reported victory in some small engagement with the Austrians, upon their own territory. Not a word is known of the movements of the great body of the Austrian army, although the Prussian army is now more than fifty miles inside of Austrian territory, and has taken possession of some important military positions and railroads. Many intelligent Prussians regard this silence as ominous of some energetic and decisive movement on the part of General Benedek, commanding the Austrian troops.

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Henkel to Mr. Wright.*

CASSEL, June 14, 1866.

Mr. Henkel presents his respects to his excellency the minister plenipotentiary of the United States at Berlin, and begs leave to inform Mr. Wright that the minister of the interior is not yet able to give his opinion on the case of Mr. Schoenfeld, the reports of several electoral authorities that were concerned in the matter not yet being arrived. The minister thinks that he will be able to return an answer in the course of next week or the week after.

Mr. Henkel avails himself of this opportunity of telling Mr. Wright how very sorry he is for this delay, which, as the minister said, could not be avoided.

*Mr. Wright to Count Bismarck*

LEGATION OF THE UNITED STATES,  
*Berlin, May 16, 1866.*

M. LE COUNT: I have the honor to call your excellency's attention to the case of Francis Benndorf, a native of Prussia, but now a citizen of the United States. Said Benndorf served one year in the Union army.

He came to Prussia to convey his sister and aged mother to America, and notwithstanding he had his military discharge furnished him by the United States at the expiration of his term of service, he was compelled by the Prussian authorities to enter the army, and is now in the fourth Thuringen regiment, stationed at Torgan.

I doubt not that your excellency will at once use your good offices in order to obtain his release and permission for him to return with his mother and sister to his adopted country.

I take this occasion, &c., &c.

JOSEPH A. WRIGHT.

His Excellency Count BISMARCK, &c., &c., &c.

*M. de Thile to Mr. Wright.*

[Translation.]

BERLIN, *June 23, 1866.*

SIR: Francis Benndorf, in whose favor you interceded in your communication under date of 16th May, 1866, received in the fall of 1862 a simple permit, valuable for eight days, to go to Leipsic. Instead of returning at the expiration of this document, he went to America, whence he returned during the present year. His unauthorized absence having lasted only 3½ years, he, according to the law of 31st December, 1842, retained his Prussian nationality. He should, therefore, fulfil his military obligations, and I regret exceedingly that I cannot obtain permission for him to leave the army.

I take this occasion to renew assurances, &c.

THILE.

His Excellency Mr. WRIGHT, &c., &c.

---

*Mr. Wright to Mr. Seward.*

No. 40.]

LEGATION OF THE UNITED STATES,

*Berlin, July 2, 1866.*

SIR: Since my last the two divisions of the Prussian army, one commanded by Prince Frederick Carl, the other by the Crown Prince, has formed a junction near Gitschin in Bohemia. In three engagements the Prussians have been successful; in one the Austrians.

The official despatches at Berlin estimate the number of Austrians *wounded, killed, and taken prisoners* at twenty thousand. The Prussians at five thousand. But thus far the *main body* of neither army have been engaged. The two grand armies, supposed to number two hundred and fifty thousand each, are now about twenty miles apart, and a general battle is hourly expected. The Prussians have achieved these victories thus far within the Austrian territory, and now are about sixty miles from the city of Prague. The Hanoverian army has surrendered, the troops disarmed returned to their homes. The Prussians are enthusiastic over their victories, and speak confidently of a united Germany as the inevitable result of this contest.

Count Bismarck, with his majesty the King and suite, have left for the army, their headquarters being at Richenberg, in Bohemia.

Baron von Werther (formerly Prussian minister at Vienna) is now the acting minister of foreign affairs.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Mr. Seward.*

No. 41.]

LEGATION OF THE UNITED STATES,

*Berlin, July 5, 1866.*

SIR: This moment we have the startling news by telegraph that Francis Joseph has ceded Venetia to the Emperor Napoleon; with this telegraph we also receive information that Napoleon had communicated this act of Francis Joseph to the Kings of Prussia and Italy, at the same time requesting what is equivalent to a suspension of hostilities.

It is believed by many that the great success of the Prussian army over the Austrians (since my last) will cause Prussia to decline the Emperor's proposition in the present position of affairs, but a contrary opinion is entertained by those best qualified to judge of the action of his Majesty's government.

The King with his confidential adviser, Count Bismarck, is still in Bohemia, near the army. The elections this week for members of the Prussian chambers by the electors chosen last week has resulted, as was anticipated, in a decided majority for the liberal party.

I regret, by some oversight, the enclosed copy of the royal decree of his Majesty relative to merchant vessels of enemies in time of war was not forwarded at the time; doubtless it has been received ere this, through the Prussian minister, Baron Gerolt.

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Royal decree of 19th May, 1866, relative to capture and confiscation of merchant vessels of enemies.*

On the propositions of the minister of state I declare that, in event of war, merchant vessels belonging to subjects of hostile states shall not be subjected to capture and confiscation by my ships of war so long as reciprocity be practiced by the hostile states.

The preceding decree has no application to such vessels as would be subject to capture and confiscation, even if they were neutral ships.

Let this, my decree, be published in the Law Register.

WILHELM.

BERLIN, May 19, 1866.

---

*Mr. Seward to Mr. Wright.*

No. 40.]

DEPARTMENT OF STATE,  
*Washington, July 5, 1866.*

SIR: I enclose a transcript of a letter dated the 26th ultimo, addressed to the President by Mrs. Caroline Klein, wife of Frederick Klein, a native of Wurtemberg, and a naturalized citizen of the United States, who is represented to be held for military service in the country of his birth. You are authorized to interpose your good offices in his behalf, and it is hoped that your intercession may result in his release.

I take this opportunity to acknowledge the receipt of your despatch of June 18th, No. 37.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, &c., &c., &c.

---

*Mrs. Klein to President Johnson.*

PHILADELPHIA, Pa., June 26, 1866.

The humble petition of the undersigned, Caroline Klein, most respectfully represents to your excellency the following:

I, Caroline Klein, residing No. 1819 South Second street, in the city of Philadelphia, State of Pennsylvania, am the lawful wife of Frederick Klein, a native of the kingdom of Wurtemberg, Germany, who became a citizen of the United States on the 4th of May, 1859, as certified to by his certificate of citizenship granted by the court of quarter sessions of Philadelphia, and recorded in the Department of State at Washington, D. C., under No. 24,654, upon which certificate a passport was granted to him, my said husband, Frederick Klein, on the 23d of March, 1866.

My husband went to Europe about the 7th of April last to visit his native country, Wurtemberg, which he had left about thirteen years ago to emigrate to the United States.

Upon his arrival in Wurtemberg my said husband was arrested by the authorities of that kingdom, upon the charge of being a fugitive from military service; and, as I am informed and believe, is still kept there in prison at some place at present unknown to me. My rela-

tives in Wurtemberg have informed me by letter that my husband was arrested on the second day after his arrival in Wurtemberg, and as I have received no information from my husband himself, I have no doubt that he is not permitted by said authorities to communicate or correspond with his family or with the consul of the United States at Stuttgard, Wurtemberg.

I therefore take the liberty to implore the good grace of your excellency to exert your good offices for the deliverance of my husband from prison. I pray you most sincerely to instruct the consul of the United States at Stuttgard, that he may, in the name of the President of the United States, ask the liberty of my husband from the King of Wurtemberg as a matter of grace and good will.

From the above candid statement, and from the records above referred to, you will perceive that my husband is a citizen of the United States, and I do hereby assure your excellency, upon my solemn oath, that my husband has never committed any wrong amenable to the laws of his native country, except being a fugitive from military service; and that my husband during all his lifetime, and especially while living in the United States, always behaved as a man of good moral character and integrity. These facts induce me to invoke the assistance of the diplomatic agents of the United States.

Hoping that your excellency will grant this, my fervent prayer, and favor me with an answer,

I am, most respectfully, your obedient servant,

CAROLINE KLEIN.

His Excellency ANDREW JOHNSON,

*President of the United States of America, Washington, D. C.*

UNITED STATES OF AMERICA,

*State of Pennsylvania, City and County of Philadelphia, ss :*

Before me, the undersigned, a notary public for the Commonwealth of Pennsylvania, residing in the city of Philadelphia, personally appeared on this 26th day of June, 1866, Caroline Klein, wife of Frederick Klein, baker, residing in said city of Philadelphia, and personally known to me as the identical person she represents to be in the foregoing petition, who, after being duly sworn according to law, did depose and say, that the contents of the foregoing petition are true and correct in every particular, which said petition she also signed in my presence.

Witness my official seal and signature this 26th day of June, 1866.

[SEAL.]

JULIUS WOLFF, *Notary Public.*

Signature and seal of Julius Wolf on file in the State Department, Washington, D. C.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 42.]

LEGATION OF THE UNITED STATES,

*Berlin, July 9, 1866.*

SIR: \* \* \* \* \*

Since the terrible defeat of the Austrians on the 3d of July at Sadowa, near Koniggratz, they have fallen back towards Olmutz and Bruenn, with the view of covering their capital, being followed by the Prussians.

Up to the present time there are no indications of the suspension of hostilities on the part of the Prussians. It is said his Majesty has written to the Queen, saying: "We have fought and gained Venetia for Italy in Bohemia; we shall not finish our work until Austria ceases to be connected with the German confederation, and the supremacy of Prussia is acknowledged by the German States."

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 43.]

LEGATION OF THE UNITED STATES,  
*Berlin, July 12, 1866.*

SIR: There has been no general engagement since the battle of Sadowa, on the 3d instant. At present the Prussian headquarters are at Zwickau, in Moravia, and the Prussian army are pushing forward toward Brünn, (en route to Vienna.) The Austrian army are falling back with a view of saving their capital. No armistice has yet been agreed upon; couriers and despatches are constantly passing between the headquarters of the Prussian army and Paris. It is understood that Prussia will not agree to suspend hostilities unless Austria agrees to the following: 1st. Prussia to have possession of all the fortifications lying between her army and her own people. 2d. Possession of all the railroad forming connection between her army and her people. 3d. Austria to support the Prussian troops during the armistice. 4th. The southern Austrian army shall remain south of Vienna, in their present position, until the conclusion of the armistice.

These being accepted, Prussia proposes to suspend hostilities preliminary to a congress for a final settlement, to discuss *additional* propositions. 1st. Austria is to be no longer a member of the German confederation. 2d. That Prussia shall have the control of the German confederated army and navy. 3d. Prussia to *represent* the German confederation, or whatever the organization hereafter may be called, of the German states, in all the diplomatic relations with other nations. 4th. Prussia shall hold and enjoy a portion of the territories beyond her own soil, now in possession and occupied by the Prussian army and navy. 5th. Prussia to hold and enjoy *absolutely* Schleswig-Holstein. No one believes that an armistice will be agreed to upon these propositions, or these preliminaries will be accepted by Austria. Napoleon is understood to be hostile to any proposition which shall not (upon final settlement) leave Austria the representative of her German population in any future German confederation or parliament.

The general opinion is we shall have a cessation of hostilities as soon as the Prussian army takes possession of Frankfort-on-Main. It is the seat of the German confederation; her citizens and press have been bitterly opposed to Prussia during this whole contest.

\* \* \* \* \*

Prussia regards the possession of Frankfort so important that she will avoid, if possible, the settlement of the armistice till she has it in her possession. This is daily looked for.

The great number of wounded and sick soldiers and prisoners found in every part of this country remind an American of the days of 1863 and '64 so forcibly, that he might almost fancy himself in his own country. I was gratified to receive a despatch last evening from James R. McDonald, on behalf of the Hamburg and American Steamship Company, informing me that the company desired to present, through me, to the Prussian war department fifty tons of American ice, for the wounded and sick soldiers. It was received with the greatest enthusiasm.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 44.]

LEGATION OF THE UNITED STATES,  
*Berlin, July 21, 1866.*

SIR: Your despatch No. 39 has been received. Official intelligence since my last communication announces the occupation of Brünn by that portion of the troops under Prince Frederick Carl, and the establishment at once of headquarters at that point. The distance from Vienna is about fifty-five English miles. The second army, under command of the Crown Prince, is moving by the way of Olmutz toward Vienna, and the "army of the Elbe," under General Herwarth von Bittenfeld, passes via Iglau and Zuaim in the same direction.

A portion of the Prussian forces operating in middle Germany, under command of General Falckenstein, entered Frankfort-on-the-Main on the 16th instant. A few days previous the German Diet had been removed to Augsburg in Bavaria.

On the 19th instant the headquarters of the Prussian army operating in Austria was removed to Lundenburg, half way between Brünn and Vienna. The Prussian troops have seized the railroad leading from Olmutz to Vienna, thus severing all communication with the former place.

M. Benedetti, the French ambassador to the court of Prussia, has been at headquarters of the King during the past week; he passed through the Austrian lines to Vienna, had an interview with the Emperor of Austria, and thence proceeded to Paris.

\* \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

P. S.—The latest official despatches announce an armistice for five (5) days between the belligerents. In the mean time Austria must determine whether she will accept the terms for peace proposed by Prussia, or whether she will continue the war.

J. A. WRIGHT.

---

*Mr. Seward to Mr. Wright.*

No. 41.]

DEPARTMENT OF STATE,  
*Washington, July 25, 1866.*

SIR: Herewith I transmit a copy of a letter of the 17th instant, addressed to this department by Mr. Montgomery Blair, together with a copy of its accompaniment, a letter addressed to him by Mr. John B. Olfers, a resident of Maryland, whose son, John Henry Olfers, a native-born citizen of the United States, as appears from the certificate of baptism enclosed with Mr. Olfers's communication, is now compulsorily performing service in the Hanoverian army.

As the facts set forth in the letter of Mr. Olfers, senior, would seem to be undeniable, you are instructed to make a representation of them in the proper quarter, and to request the immediate discharge of his son from the Hanoverian service, unless the government of the kingdom of Hanover should be able to give satisfactory reasons for his detention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

*Mr. Blair to Mr. Seward.*

WASHINGTON, D. C., July 17, 1866.

DEAR SIR: I beg to call your attention to the enclosed letter from John B. Olfers, a citizen of Maryland, and to ask the aid of your department in procuring the discharge of his son from the Hanoverian army. You will see by the papers enclosed that his son, John Henry Olfers, is a native-born citizen of the United States.

I am, sir, very respectfully, your obedient servant,

M. BLAIR.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington.*

*Mr. Olfers to Mr. Blair.*

BALTIMORE, July 16, 1866.

DEAR SIR: I take the liberty and have the honor to bring to your attention the under-mentioned facts:

I went with my wife and two children, in the year 1851, for the benefit of my health, to Germany, being a citizen of the United States, and my wife a native of Charleston, S. C., both those children, whereof one was a son, being born in that city, which is proved by my pass, at present in your hands, and enclosed certificate of baptism, approved by the Hanoverian consul at Charleston.

This son was drafted and taken into the army of the Hanoverian kingdom in April, 1865, notwithstanding my statement that he was born in the United States and son of a citizen of the said United States—keeping a certificate of birth and baptism in their possession, and refusing to give it up.

He was taken in the 7th company, garde regiment, kingdom of Hanover; the company was commanded by Captain Dreiherr Von Brandis, a son of the minister of war, which captain, after I had stated my case to him, told me I could go home, he being very sure that my son very soon would be restored to me.

I left Germany, being fully recovered of my sickness, in March, 1866, without being able to take my son back to his native land, being forced into the army of a foreign king, where he has no business with nor any obligation whatever, he being, on the contrary, very much wanted by me in my business, and my wife suffering and declining daily on account of his absence and safety.

In consequence of which I have the honor to beg you to take such measures as you deem proper, that he might be restored to us, for which the Almighty God will certainly bless you, and you will reap the heartfelt thanks of a sick, distressed mother, his young brothers, sisters, and your very humble servant,

JOHN B. OLFERS.

Hon. MONTGOMERY BLAIR, *Washington, D. C.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 45.]

LEGATION OF THE UNITED STATES,  
*Berlin, July 26, 1866.*

SIR: \* \* \* \*

It is understood that the preliminaries proposed by Prussia (and approved by France) for the settlement of the existing difficulties are as follows:

1st. Austria to recognize the dissolution of the former confederation and the organization of a new one from which she will be excluded.

2d. The north of Germany to form a union under the military and diplomatic direction of Prussia.

3d. The optional formation of a union of south Germany as an independent, international body.

4th. National bonds between these two unions.

5th. The annexation of the Elbe Duchies to Prussia, with the exception of the Danish portion of Schleswig.

6th. Part payment by Austria of the Prussian war expenses.



7th. The maintenance of the integrity of Austria with the exception of Venetia.

These propositions have been submitted by France to Austria, who has agreed, up to this time, to only the first proposition, "excluding her from the German confederation." No doubt the time of the existing armistice, which expires to day, will be extended, and the general impression is that through the influence of France the preliminaries for a peace will be agreed to between Prussia and Austria.

The Prussian Chambers will convene at Berlin on Monday next.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 46.]

LEGATION OF THE UNITED STATES,

*Berlin, August 2, 1866.*

SIR: As intimated in my last despatch, the armistice between Prussia and Austria has been continued for thirty days. The principal subjects insisted upon by Prussia as preliminary to the cessation of hostilities have received the assent of Austria. In addition to those named in my last despatch, Austria agrees to pay Prussia seventy million francs (about twenty million of Prussian thalers) for her war expenses, and stipulates that Prussia shall remain in possession of Bohemia and Moravia until said sum is paid. Prussia is to retain and control all the railroads leading from the present position of her army to her own country, the two armies remaining in the mean time *in statu quo*, neither to make advances. The King revoked the order for the meeting of the Prussian Chambers on the 30th of July, and has by royal proclamation ordered the Chambers to convene the Sabbath next, the 5th of August, at which time he will in person open the Parliament, at which time, no doubt, we shall have a summary of the triumphs of Prussia, and the fruits of the great contest.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Mr. Seward.*

No. 47.]

LEGATION OF THE UNITED STATES,

*Berlin, August 6, 1866.*

SIR: It gives me pleasure to state that one among the first acts of his Majesty, on his return to Berlin, was to pardon Simon Israel and give him his discharge.

Enclosed is a copy of his Majesty's address to the Chambers, accompanied with a brief English abstract of the contents.

The King's remarks on the past difficulties between the Crown and Parliament, relative to carrying on the government without the annual budget of appropriations, in connection with the implied admission that it was a violation of

law and requires some legislation by way of indemnification, is regarded as quite a concession from the Crown.

To-morrow, at Prague, the ministers on the part of both Prussia and Austria are to assemble, to commence the adjustment of all unsettled matters between the two countries. As the important questions have already been agreed upon before the armistice, there can be no doubt that the conference at Prague will be successful.

The question, arising relative to the formation of the southern German confederacy, what relation it is to hold to Prussia as the head of the northern, in connection with the military power, territorial rights, and sovereignty of the different states—all these (as well as those necessarily connected with them) are to be adjusted, settled, and agreed upon at Berlin.

This conference will soon assemble at Berlin, and will be composed of representatives from all the German states.

All hostilities between the armies have ceased, but we will doubtless have a war for months, and even years, of ink and paper.

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Abstract of the King's address to the Prussian Chambers, August 5, 1866.*

After returning thanks to Almighty God for great successes in the field, and congratulating the nation upon the military prowess of the Prussian army, the King ventured to hope that the fruits of the war will be matured by Crown and Parliament in mutual co-operation and in harmonious accord. He then proceeds to say that the excellent condition of the public finances (the result of many years' economy) has enabled him to carry on the war without applying for loans. He desires Parliament, however, to vote some extraordinary supplies in order to enable the government to pay for all articles furnished in accordance with law for the sustenance of the army by the different local communities. The King then recognizes that as no budget (or annual appropriation in accordance with the constitution) has been agreed upon between Crown and Parliament for some years past, intimating thereby the Crown had no legal authority to expend the public money. Notwithstanding this admission he says: "The Crown and Cabinet thought it their imperative duty to carry on the public administration, for to have acted differently would have imperilled the existence of the state itself," and, therefore, asks a bill of indemnity for the past illegal expenditures. His Majesty then briefly adds his hope that the conflict existing heretofore between the Crown and Parliament will be more easily settled in the future, inasmuch as the extension of Prussian territory and the embodiment of many of the minor state troops with the Prussian army, will alleviate the military burden of the Prussian people, which has been so long objected to by Parliament. Bills for the organization of a common representation of the states comprised in the new confederacy (which his Majesty intimates will be called a "United Confederacy") will be immediately submitted to your consideration. We are deeply conscious of the importance of the events that called us together at this time, and in which the *whole country* feels the deepest interest. May the blessing of Heaven be with us in the future, as it has been in the past.

---

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 48.]

LEGATION OF THE UNITED STATES,  
*Berlin, August 9, 1866.*

SIR: The Prussian Chambers are not yet fully organized. The lower house, called the Abgeordent, (or sent out house from the people,) have not elected their presiding officer. There is a decided majority against the Crown upon all the constitutional questions heretofore raised and discussed. The concessions made in the King's speech are making friends to the government, in the hands of the present cabinet. Doubtless measures of finance, and all others deemed necessary to carry forth the triumph attained by the Prussian

army, will be sustained almost unanimously. It is not improbable we shall have a new organization of parties. They will not be formed until the whole policy of the Crown and cabinet are clearly defined under the new order of things.

Count Schwerin (heretofore minister of the interior in the first liberal cabinet formed by the King in the commencement of his reign) will most probably be elected the presiding officer of the popular house. He now belongs to what is denominated the central party; if elected, it will be brought about by the uniting of one of the two extreme parties, with the fragment of others.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. J. C. Wright to Mr. Seward.*

[Extract.]

No. 1.]

LEGATION OF THE UNITED STATES,  
*Berlin, August 15, 1866.*

SIR:

\* \* \* \* \*

In the session of the lower house on the 10th instant, Herr Von Forekenbeek, progressionist, was chosen, on the second ballot, by a majority of four votes, president for the house for a period of one month, which is the rule on the opening of each new parliament. The election of Herr Von Forekenbeek is a liberal triumph. Herr Grabow, the former president, declined being a candidate for the position.

Several of the plenipotentiaries from the middle German states have reached Berlin, a few of them having already had interviews with Count Bismarck. It is supposed that negotiations will take place with each state separately.

Business between the plenipotentiaries of Prussia and Austria at Prague is progressing slowly.

The Prussian nation is called to mourn the loss of Prince Anton von Hohenzollern, brother both to the former Queen of Portugal and to the present Prince of Roumania. He was fatally wounded at the battle of Sadowa, near Koniggratz, on the 3d of July, and expired on the 5th of this month.

He is the first of the royal family of Prussia who has fallen in defence of the fatherland since 1806, when Prince Ludwig of Prussia fell mortally wounded at Saalfeld.

I am, sir, very respectfully, your obedient servant,  
JOHN C. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. J. C. Wright to Mr. Seward.*

[Extract.]

No. 2.]

LEGATION OF THE UNITED STATES,  
*Berlin, August 20, 1866.*

SIR:

\* \* \* \* \*

The government, through Count Bismarck, has announced to the Prussian Chambers the intended annexation of the kingdom of Hanover, the electorate of Hesse-Cassel, the duchy of Nassau, and the free city of Frankfort-on-the-Main.

Prussia will also annex the two Elbe duchies as soon as the treaty is signed between Austria and herself, which will probably be done before the end of this month.

Should the northern portion of Schleswig decide, by a vote of the people, to cast their fortune with Denmark, the King of Prussia will accede to their wish.

Wurtemberg and Baden have concluded treaties with Prussia. Bavaria is still, through her plenipotentiaries, negotiating for peace, and no doubt exists but that, in a very short time, affairs will be satisfactorily arranged between the two countries. \* \* \* \*

I am, sir, very respectfully, your obedient servant,

JOHN C. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. J. C. Wright to Mr. Seward.*

[Extract.]

No. 3.]

LEGATION OF THE UNITED STATES,

*Berlin, August 27, 1866.*

SIR: I have the honor to inform you that, since my last despatch, the treaty of peace has been signed between Prussia and Austria, and as soon as the instrument is ratified by the respective sovereigns, the Prussian troops will commence evacuating Bohemia and Moravia. Three weeks is the time accorded for the withdrawal of all the troops from Austrian territory. The terms of peace have been agreed upon between Prussia and Bavaria, the latter kingdom paying the sum of thirty million guildens to defray the expenses of the war. It has not been made public whether Bavaria will lose any of her territory or not, but the general impression is that that portion lying north of the river Main will be incorporated with the north German confederation, if not with Prussia itself. Wurtemberg, according to stipulations, pays, as war indemnity, eight million guildens, but remains integral.

Baden has already paid her portion into the Prussian exchequer, viz: six million guildens. Hesse-Darmstadt has accorded to Prussia the exclusive right of garrisoning the fortress of Mayence. \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,

JOHN C. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 50.]

LEGATION OF THE UNITED STATES,

*Berlin, September 3, 1866.*

SIR: \* \* \* \* Prussia is working rapidly to close up all matters by treaty with the smaller states. On Wednesday last, during the debate in the Prussian Chambers, providing that the Prussian constitution shall become operative and binding in Hanover, Nassau, Hesse-Cassel, and Frankfurt, on the 1st of October, 1867, Count Bismarck made some significant remarks. I enclose you the same. Prussia will compel the Saxon troops to take the usual military oath to the King of Prussia; she will hold

possession of all the military posts throughout Saxony, including Dresden, and the Saxon troops who have fought under Austrian colors will either be disbanded or placed on Prussian territory. Saxony may be ruled for a few years by King John, as a temporary governor without authority or power, soon to pass away, and the ancient Saxon will become a part of the Prussian empire.

Upon hearing of the arrest of Charles Bergen and Charles Müller, said to have been taken forcibly from the American steamship Baltic, in the harbor of Bremerhaven, by order of the captain of the Prussian man-of-war Nymph, I called Count Bismarck's attention to the subject, and I learn this morning that the Prussian captain asserts that the two men left the American ship voluntarily. I am as yet ignorant of the facts in the case, but will investigate, and advise the government immediately.

Count Bismarck forwarded me a note on the subject of the ice furnished the Prussian soldiers, (principally by Americans,) in July last; it is so expressive and kind I enclose you a copy of the same.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Extract of Count Bismarck's speech.*

It was just possible that Prussia would be called upon to vindicate the possession of what she has now acquired. The first Silesian war produced a second and a third, and there was no telling whether they might not have to go through a similar succession of campaigns in the present instance. He, therefore, wished to have the matter promptly settled, so as to give foreign powers no further opportunity for interference. To do a necessary thing at once was to gain a double advantage from it. The cabinet had difficulties to contend with in various quarters, and might well expect the house to second its action, considering what the circumstances of the times were. The right of Prussia to annex the states mentioned was a more sacred right than that of conquest. It was from the right of Germany to live, breathe, and exist that Prussia derived her commission to incorporate with her own body politic such *disjecta membra* of the nation as had been won in honest warfare. The interval between now and the extension of the Prussian constitution to the new provinces he would employ to proclaim the laws of military service in them, and establish the right of all subjects of the Crown to reside and carry on trade in any part of the United Kingdom. He had no doubt that before long all classes in the states annexed would unite in acknowledging the wisdom of this proceeding. This was a transition period, but its attendant difficulties could be easily overcome by the adoption of the proper means. He was not surprised to find that, when people in the minor states had so long enjoyed an existence undisturbed by great political cares, there should be some among them averse to the duties of a more responsible position. But the great majority took a more extended view even now, and the rest would come round soon enough. In point of fact, the only choice they had was to become the citizens of a great German state or be at the mercy of foreign powers.

---

*Count Bismarck to Mr. Wright.*

BERLIN, August 9, 1866.

DEAR SIR: From the enclosed letters you had been good enough to communicate to me, I see the contributors to that munificent donation of ice, which has been sent successively from Hamburg for our hospitals, include a considerable number of your countrymen.

The war office has already conveyed to the committee the thanks of his Majesty's government for the patriotic feeling which prompted the gift, and for the inestimable benefit conferred upon our wounded soldiers. It becomes my pleasant duty to add the expression of my sentiments of deep gratification at the active sympathy evinced by citizens of the United States with our struggle, which, undertaken for the defence of our homes, will, under God's blessing, secure the condition to Germany of national life, and to Europe of lasting peace.

Believe me, dear sir, yours, very sincerely,

V. BISMARCK.

JOSEPH A. WRIGHT, &c., &c., &c.

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 51.]

LEGATION OF THE UNITED STATES,

*Berlin, September 6, 1866.*

SIR: Enclosed will be found the late treaty between Prussia and Austria. As Prussia is making many new treaties, I hope soon to obtain a copy of them bound together for the use of our government.

The Prussian Chambers is expected to adjourn in two weeks. It is supposed the common Parliament of the new north German confederacy will convene in Berlin the last of November.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Prussia and Austria.—The treaty of peace.*

The following is a translation of this important document:

“In the name of the holy and indivisible Trinity, his Majesty the King of Prussia and his Majesty the Emperor of Austria, animated by a desire of restoring the blessings of peace to their dominions, have resolved to convert the preliminaries signed at Nikolsburg on the 26th of July, 1866, into a definitive treaty of peace. To this end their majesties have appointed their plenipotentiaries as follows:

“His Majesty the King of Prussia—his kammerherr, effective privy councillor, and plenipotentiary, Charles, Baron von Werther, grand cross of the royal Prussian order of the Red Eagle, with oak leaves, and of the imperial Austrian order of Leopold; and his Majesty the Emperor of Austria—his effective privy councillor and kammerherr, ambassador extraordinary and plenipotentiary, Adolph Marie, Baron von Brenner-Tilsach, of the imperial Austrian order of Leopold, and knight of the royal Prussian order of the Red Eagle, first class, &c.; who have met in conference at Prague, and, having exchanged their powers, drawn up in good and proper form, have agreed to the following articles:

“ARTICLE I.

“For the future there shall be lasting peace and friendship between his Majesty the King of Prussia and his Majesty the Emperor of Austria, as well as between their heirs and descendants, their states and subjects.

“ARTICLE II.

“That the sixth article of the preliminaries of peace signed at Nikolsburg on the 26th of July of this year may be carried out, and inasmuch as his Majesty the Emperor of the French, by his authorized emissary to his Majesty the King of Prussia, officially declared at Nikolsburg on the 29th of the same month of July, *qu'en ce qui concerne le gouvernement de l'Empereur la Venise est acquise à l'Italie pour lui être remise à la paix*, his Majesty the Emperor of Austria, on his part, conforms to this declaration, and gives his consent to the union of the Lombardo-Venetian kingdom with the kingdom of Italy, without imposing any other condition than the liquidation of those debts which have been acknowledged charges on the territories now resigned, in conformity with the treaty of Zurich.

“ARTICLE III.

“The prisoners of war shall be at once released on both sides.

“ARTICLE IV.

“His Majesty the Emperor of Austria recognizes the dissolution of the late German Bund, and gives his consent to a new formation of Germany, in which the imperial state of Austria shall take no part. Moreover, his Majesty promises to recognize the closer federal relations which his Majesty the King of Prussia is about to establish north of the line of the Main; and also agrees that the German states to the south of this line shall form an union, the national connection of which with the northern confederacy is reserved for a more defined agreement between both parties, and which is to maintain an international independent existence.

## "ARTICLE V.

"His Majesty the Emperor of Austria transfers to his Majesty the King of Prussia all the rights he acquired under the peace of Vienna, on the 30th of October, 1864, to the duchies of Holstein and Schleswig, with the understanding that the people of the northern district of Schleswig, if, by free vote, they express a wish to be united to Denmark, shall be ceded to Denmark accordingly.

## "ARTICLE VI.

"At the desire of his Majesty the Emperor of Austria, his Majesty the King of Prussia declares himself willing, on the approaching changes in Germany, to allow the territory of the kingdom of Saxony to remain within its present limits, reserving to himself the right of settling in a separate treaty of peace with the King of Saxony the share to be contributed by Saxony towards the expenses of the war and the position henceforth to be held by the kingdom of Saxony within the North German Confederation. On the other hand, his Majesty the Emperor of Austria promises to recognize the changes about to be made in north Germany by his Majesty the King of Prussia, territorial changes included.

## "ARTICLE VII.

"In order to settle the property of the late Bund, a commission shall meet at Frankfort-on-the-Main within, at most, six weeks after the ratification of the present treaty, at which all formal claims and demands upon the German Bund are to be made, and to be liquidated within six months. Prussia and Austria will be represented in this commission, and all the states belonging to the late Bund are allowed the same privilege.

## "ARTICLE VIII.

"Austria is at liberty to take from the forts of the late Bund all that belongs to the empire, and from the movable property of the Bund the proportionate share of Austria, or otherwise to dispose thereof. This provision extends to all the movable property of the Bund.

## "ARTICLE IX.

"The civil officers, servants, and pensioners of the Bund will receive the pensions already accorded in due proportion; but the royal Prussian government undertakes to manage the pensions and allowances hitherto paid from the treasury of the Bund to the officers of the late Schleswig-Holstein army and their families.

## "ARTICLE X.

"The allowance of the pensions granted by the imperial Austrian government in Holstein is agreed upon.

"The sum of 449,500 dollars Danish, in four per cent. Danish bonds, now lodged in the hands of the imperial Austrian government, and belonging to the Holstein treasury, will be repaid immediately after the ratification of this treaty.

"No adherent of the duchies of Holstein and Schleswig, and no subject of their Majesties the King of Prussia and the Emperor of Austria is to be prosecuted, troubled, or in any way molested in his person or his property on account of his political position during recent events and the recent war.

## "ARTICLE XI.

"In order to defray a portion of the expenses incurred by Prussia on account of the war, his Majesty the Emperor of Austria promises to pay to his Majesty the King of Prussia the sum of 40,000,000 Prussian dollars. From this sum, however, the amount of the costs of war which, by virtue of the twelfth article of the before-mentioned treaty of Vienna of the 30th of October, 1864, his Majesty the Emperor claims from the duchies of Schleswig and Holstein, and which are valued at 15,000,000 Prussian dollars, together with 5,000,000 Prussian dollars as an equivalent for the free maintenance of the Prussian army in the Austrian states, which it occupied till the conclusion of the peace, is to be deducted, so that only 20,000,000 Prussian dollars remain to be paid. Of this sum half is to be paid on the exchange of the ratifications of this treaty; the other half three weeks afterwards.

## "ARTICLE XII.

"The evacuation of the Austrian territories now occupied by the royal Prussian troops will be completed within three weeks after the exchange of the ratifications of the treaty. From the day of such exchange the Prussian general governments will confine their operations to purely military matters. The details with respect to the manner in which this evacuation is to be effected are settled in a separate protocol, which forms an appendix to this treaty.

## "ARTICLE XIII.

"All treaties and agreements made by the high contracting parties before the war are hereby revived in full force, so far as they are not invalidated by the dissolution of the German Bund. More especially the general convention between the states of the German confederation on the 10th of February, 1831, together with more recent resolutions thereto appertaining, will remain in full force as between Prussia and Austria. The imperial Austrian government declares, however, that the coinage treaty of the 24th of February, 1857, is deprived of its chief value for Austria by the dissolution of the German Bund, and the royal Prussian government declares itself ready to join with Austria and the other interested parties in the negotiations that may arise on the abolition of this treaty. The high contracting parties likewise agree that as soon as possible they will enter into negotiations for a revision of the commercial treaty of the 11th of April, 1865, with a view to a further alleviation of burdens on both sides. In the meanwhile, the said treaty is restored to its full force, with this provision, that both the high contracting parties reserve to themselves the right to cancel it after six months' notice.

## "ARTICLE XIV.

"The ratifications of the present treaty shall be exchanged at Prague within a week, or, if possible, within a shorter period.

"In witness whereof, &c.

"WERTHER.  
"BRENNER.

"PRAGUE, August 23, 1866."

---

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 52.]

LEGATION OF THE UNITED STATES,  
*Berlin, September 17, 1866.*

SIR: It is rumored in diplomatic circles that Russia, having interfered with some of the smaller German states in their settlement with Prussia, has caused Prussia to intimate to Russia that an alliance by her with England and France might hereafter interfere in the settlement of the eastern question. Notwithstanding this rumor has affected the stock market, the general opinion is that the present good feeling existing between the two countries will not be disturbed.

Prussia is moving slowly with her legislation. She has closed her treaties with most of the smallest states, except Saxony, and it will take some time to adjust the relation Saxony is to sustain hereafter to Prussia.

Commencing on Thursday next, 20th, (and continuing three days,) there is to be in Berlin a grand ovation and grand reception of the Prussian army. From the character of the preparations now being made, and the enormous expenditures incurred, it will be by far the most imposing sight (of this character) of modern times. The cost to the city alone is estimated as being over three hundred thousand thalers.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. F. W. Seward to Mr. Wright.*

No. 45.]

DEPARTMENT OF STATE,  
*Washington, September 22, 1866.*

SIR: Herewith I enclose a transcript of a letter addressed to this department on the 12th ultimo by the Hon. James Speed, transmitting, with a communica-



tion to yourself, a copy of the naturalization papers of Mr. S. Phillips. You are instructed to use your good offices towards procuring the release of Mr. Phillips from the Prussian army, in which, it is stated, he is now compulsorily serving.

I am, sir, your obedient servant,

F. W. SEWARD,  
*Acting Secretary.*

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

---

*Mr. Speed to Mr. Seward.*

LOUISVILLE, August 12, 1866.

SIR: Herewith you will find a letter to our minister to Prussia, with a copy of the naturalization papers of Mr. S. Phillips. I will be greatly obliged if you will forward them, and render such good offices in the matter of Mr. Phillips's case as may be in your power.

I am, sir, most respectfully, your obedient servant,

JAMES SPEED.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington.*

---

*Mr. Speed to Mr. Wright.*

LOUISVILLE, August 12, 1866.

SIR: Simon Phillips, a native of Prussia, but now a naturalized citizen of the United States, has been forced into the Prussian army. Mr. Phillips when conscripted was on a visit to his parents in Strasbourg, west Prussia. According to the last reports he was with the army at Bromburg. I cannot learn in what regiment he is; that may be learned from the family of Mr. Phillips. His friends here will write to them to advise you promptly.

Mrs. Phillips earnestly desires that you will, if possible, get her husband released.

I am informed that Mr. Phillips had with him a copy of his naturalization papers. As he may have lost or mislaid them, I enclose to you a copy.

Hoping that by your good offices you may be able to return Mr. Phillips to his sorrowing wife and family, I am, sir, most respectfully, your obedient servant,

JAMES SPEED.

Hon. JOSEPH A. WRIGHT,  
*Minister, &c., to Prussia, Berlin, Prussia.*

---

*Mr. Seward to Mr. Wright.*

No. 47.]

DEPARTMENT OF STATE,  
*Washington, September 24, 1866.*

SIR: Your despatches of the 3d of September, No. 50, and of September 6th, No. 51, have been received. I thank you for the interesting extract of Count Bismarck's speech, concerning the settlement of the German question, which you have given to me. It speaks in the tone of true nationality.

Some complaints have been made here of the arrest by force, as represented, of Charles Bergen and Charles Muller, on the American steamship Baltic, in the harbor of Bremerhaven, by order of the captain of the Prussian man-of-war Nymph. It is represented to have been unlawful and forcible. I trust you will follow that subject to an early and satisfactory explanation.

Will you suggest informally to Count Bismarck the inquiry, whether it would not be deemed consistent now with the dignity and greatness of Prussia to recognize the principle of naturalization as a natural and inherent right of manhood. In reflecting upon the subject, I am not able to believe that Prussia, any more than the United States, can or need to rely upon compulsory military

service by subjects who have incorporated themselves as members of foreign states.

Secondly, I know of no circumstances which would tend to place Prussia on an elevation so high among the modern nations as the adoption of that principle which lies at the basis of the American republic.

You will express to Count Bismarck my appreciation of the delicate note which he wrote on the subject of gifts of ice by American citizens in Hamburg to the inmates of Prussian hospitals.

I thank you for your attention in sending me the treaty of peace which has been celebrated between Austria and Prussia.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

---

*Mr. Wright to Mr. Seward.*

No. 53.]

LEGATION OF THE UNITED STATES,  
*Berlin, September 24, 1866.*

SIR: The past week has been taken up with the great reception and congratulations by the masses of the Prussian people to a portion of the returning army. The greatest enthusiasm prevailed. Numerous orders were distributed and many promotions made. Count Bismarck was promoted to the rank of general.

An amnesty has been proclaimed for all persons who, up to the 20th instant, have been convicted of high treason or other offences against the Crown—resistance to the state authorities, violation of public order, offences committed by the press in infringement of the press law of the 12th May, 1851, and for infraction of the ordinance of the 11th March, 1851, regulating the right of public meetings. A royal decree has been issued instituting a cross of honor in commemoration of the campaign of 1866.

There is some doubt whether the amnesty will embrace the cases of our adopted citizens, who have been fined during their absence for neglect of military duty. Baron Roon, minister of war, will be adverse to our view of its construction. Count Bismarck will, if possible, extend its provisions to all such cases; his health is improving, and I am in hopes to hear his opinion shortly on this subject.

I enclose copy of the law passed providing for the election of representatives for the north German Parliament. It is not improbable that several of the smaller states will refuse to accept an election under a law so liberal and democratic in its provisions; consequently we shall have neither an election nor a German parliament. In this event Count Bismarck would accomplish what he so much desires, a more perfect and speedy annexation by treaty, &c. This view is entertained by many of the best informed Germans.

The Hon. Gustavus V. Fox is expected to arrive at Keil to-morrow with the monitor Miantonomah. Prince Adalbert, (at the head of the Prussian navy,) with some others, will meet Mr. Fox at Keil on Thursday, the 27th instant. It is my purpose to accompany the prince and suite.

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

"1. A parliament is to be assembled for the consideration of the constitution and of the regulations of the north German confederation.

"2. Every man blameless in the eye of the law, who is a citizen of one of the German

states united in the confederation, is to be a voter as soon as he has attained the age of twenty-five.

"3. From the right of voting are excluded: 1. Persons who are under guardianship or trusteeship. 2. Persons against whose property rules of bankruptcy have been granted, during the term of such bankruptcy. 3. Persons who obtain support as paupers from the funds of the state or of their district, or who have obtained such support during the year preceding the election.

"4. As criminals, and therefore excluded from the right of voting, shall be considered those from whom the full and perfect enjoyment of their rights as citizens has been withdrawn by legal sentence, as long as these rights are not restored to them.

"5. Any man entitled to vote who has belonged for at least three years to one of the states forming the confederation may be elected as deputy. Penalties for political offences which have been undergone or remitted do not exclude from election.

"6. Persons who occupy a public office require no permission from government to enter parliament.

"7. One deputy is to be elected for every 100,000 souls of the population, as shown in the last census. A surplus of 50,000 souls or more in the total population of a state is to be reckoned as equal to 100,000 souls. Each deputy is to be elected in a special elective department.

"8. The elective departments will be divided, for the purpose of voting, into smaller districts.

"9. Whoever wishes to exercise his right of voting in a particular district must have his residence at the time of the poll in that district. No elector may vote in more than one place.

"10. In every district lists will be opened, in which the Christian and surnames of those entitled to vote, with their ages, professions, and dwelling places, will be entered. These lists shall be open to every one's inspection at the latest four weeks before the day appointed for the election, and this is to be publicly advertised. Objections to the lists are to be made within eight days of the appearance of the public advertisement, to the authority by whom the advertisement has been published, and are to be settled within the next fourteen days, whereupon the lists will be closed. Only those are entitled to vote who have their names inscribed on the lists.

"11. Voting is to be public. Members of the community are to take part in it who hold no direct office under government. The vote is to be given in person by means of a voting card, without signature, which is to be enclosed in an envelope, and so placed in an urn.

"12. The voting is to be direct. Election is to be dependent upon the absolute majority of all the votes given in one department. Should there not be an absolute majority the votes are to be taken over again; but only to decide between the two candidates who have the most votes.

"13. Representatives of the deputies are not to vote.

"14. The polls are to take place at the same time in the whole of the state.

"15. The elective departments and districts, the directors and the proceedings of the elections, in so far as they are not determined by the present bill, are to be settled by the government.

"16. The Parliament examines into the privileges of its members, and decides upon granting of them. It regulates the order of its business and its discipline.

"17. No member of the Parliament can at any time be prosecuted in a court of justice or a police court on account of his vote, or for any utterances made use of in the exercise of his office, or be otherwise rendered responsible outside of the assembly."

---

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 54.]

LEGATION OF THE UNITED STATES,  
*Berlin, October 4, 1866.*

SIR: His royal highness Prince Adalbert, admiral of the Prussian navy, visited Keil on Monday last to examine the monitor Miantonomah. I accompanied the prince and suite, Captain Murray and Mr. Fox, with the other officers, doing everything in their power to make his visit both instructive and interesting. In the evening the prince gave a grand dinner to the officers and others, numbering about fifty. The prince made a speech, most complimentary, to our navy, alluding to our great success in the late war and the many improvements made during the contest. Captain Murray, in an appropriate speech

concluded with a toast to the prince. The occasion was one of interest, and will be, no doubt, productive of good.

Mr. Fox returned with me to Berlin. He will doubtless have an interview with the King of Prussia in a few days.

The Prussian Chambers have adjourned over until the 12th of November, after passing the loan bill for the government. They reduced the amount required by the government from sixty to thirty millions. The negotiations between Prussia and Saxony are suspended for the present, and Prussia will not resume negotiations until the great fortress Konigstein is placed in possession of Prussian troops. No one doubts but Saxony will grant this request, and Prussia will have her own policy adopted as to Saxony.

\* \* \* \* \*

I have the honor to be, most respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Mr. Seward.*

No. 56.]

LEGATION OF THE UNITED STATES,  
*Berlin, October 22, 1866.*

SIR: Your despatch No. 47, dated September 24th, has been received. Count Bismarck is still absent, and his return uncertain. His health is improving. The subjects mentioned in your last despatch shall receive prompt attention on his return.

Enclosed will be found the correspondence with the Prussian authorities on the subject of the alleged arrest of Charles Müller and Charles Berger.

The previous information forwarded to the department in despatch No. 53, dated September 24th, in connection with the enclosed, embraces all I have upon the subject. I know of no means of acquiring any further information as to the facts of the case. If the Prussian government, in the answer of Baron Thile, has given a true statement of the facts, it seems to me that there is no further cause of complaint.

I have the honor to be, very respectfully, your obedient servant,  
JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Wright to Count Bismarck.*

UNITED STATES LEGATION,  
*Berlin, September 3, 1866.*

SIR: The undersigned has the honor to call the attention of Count Bismarck, minister president, &c., to the alleged forcible arrest, on or about the 15th of July last, by order of the captain of the Prussian man-of-war Nymph, of Charles Berger and Charles Müller, on board the American steamer Baltic, lying in the port of Bremerhaven.

I have been advised that at the time of their seizure they were seamen on board the said Baltic, and were a part of the crew shipped from the port of New York. They were on their return voyage, as per contract, and were embraced in the steamer's shipping list.

Their nationality as Americans was *prima facie*. If Berger and Müller were guilty of crimes it would have been more in consonance with the law of nations and in accordance with the spirit of the age for this arrest to have been made by the proper officers under the legal authorities, than to have been taken by force from a vessel lying in any of the public harbors. Such a procedure is not the best calculated to preserve law and order.

The undersigned presents the case for examination, not knowing the special charges alleged against the said persons, nor doubting but that his Majesty's government will, upon investigation, be able to make such a reply as will afford additional evidence of the long-established friendship existing between the two countries.

The undersigned takes this occasion, &c., &c.

JOSEPH A. WRIGHT.

His Excellency COUNT BISMARCK, &c., &c., &c.

---

*Baron Thile to Mr. Wright.*

[Translation.]

BERLIN, October 19, 1866.

SIR: After the reception of your note of last month concerning the forcible arrest of the two seamen, Charles Berger and Charles Müller, from the American steamer Baltic, the undersigned called the immediate attention of the minister of marine to the affair.

From information received from the commander of the royal squadron, it appears that the affair did not occur as supposed in said note, but in the following manner:

During the first part of the month of July last the said Charles Müller, already engaged as an assistant engineer on the Baltic, a Prussian landwehrmann, still subject to the military laws, presented himself to the commander of the royal fleet to be received in the Prussian marine, and at the same time informed the commander that Charles Berger, a fireman on the Baltic, who also was still subject to the military laws, desired also to take service in the Prussian marine, but could not leave the steamer.

The commander *ad interim* of the port went on board of the Baltic to learn about Charles Berger, and he (Berger) was immediately released; the captain of the said steamer not objecting, but, on the contrary, found it all right.

According to this no force was resorted to, nor has any principle of international law been violated.

The undersigned doubts not but that this communication will be perfectly satisfactory, and place the affair, which has been misrepresented by the public papers, in its true light.

The undersigned takes this occasion to renew, &c., &c.

*The Minister for Foreign Affairs,*

(By authority,)

THILE.

Mr. JOSEPH A. WRIGHT, &c., &c., &c.

---

*Mr. Hunter to Mr. Wright.*

No. 49.]

DEPARTMENT OF STATE,

Washington, October 29, 1866.

SIR: Herewith I enclose a transcript of a letter dated at Dresden, September 30, 1866, and addressed to the Mayor of Philadelphia, (who has referred it to this department,) from Frederick Boettener, who is now compulsorily serving in the Prussian army. As you are already familiar with the facts in this case, I deem it unnecessary, in transmitting to you the accompanying paper, to do more than instruct you to use your good offices in behalf of Mr. Boettener, whose release it is hoped you may now be able to effect.

I am, sir, your obedient servant,

W. HUNTER,

*Acting Secretary.*

JOSEPH A. WRIGHT, Esq., &c., &c., &c.

---

*Mr. Kay to Mr. Seward.*

OFFICE OF THE MAYOR OF THE CITY OF PHILADELPHIA,

October 23, 1866.

DEAR SIR: I am directed by the mayor to forward the enclosed letter to you.

Very respectfully,

J. HUTCHINSON KAY, *Mayor's Clerk.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State.*

[Addressed to the mayor of Philadelphia.—Translation.]

DRESDEN, *September 30, 1866.*

The undersigned takes the liberty of making a request of you, the result of which will influence his whole life.

When I was but fourteen years of age I came to the United States, in 1858; from 1863 to 1865 I served through the war as volunteer in the seventh Pennsylvania cavalry regiment, and when the war was over, I was discharged on the 25th of September, 1865, and naturalized in Philadelphia as a citizen of the United States.

On the 30th of September, 1865, I started to Berlin, my birthplace, to finish my lithographic studies. There I was forced into the army, though I had left Prussia when I was fourteen. I sent a remonstrance to the United States minister in Berlin, and he wrote that he would take the necessary steps to procure my release; but, alas, nothing has yet been done. So, since the 30th of November, 1865, I have been serving in the first Brandenburg. (body grenadier) regiment No. 8, at first in the third, afterwards in the fifth, attached company, the regiment commanded by Colonel Von Berga.

My naturalization papers, consisting of a Prussian certificate and a discharge from the Union army, are kept from me, and I am threatened with Castle prison if I try to get off. My every action is watched, and my correspondence inspected. Now, my request is that you send me a paper certifying I have done my duty as a soldier and a citizen; to do what you can to procure my discharge; to request the United States minister in Berlin to have my papers returned to me, and to demand of the Prussian government \$1,000 per year, as damages and compensation for my loss of time. As a free American citizen, I think I have a right to expect protection from the government of my new home, the United States of America.

As I have no correspondent there, I address you; and, if you will take the trouble to grant my request, you may direct a letter to me in the Prussian garrison in Dresden.

With much respect, &c.,

FRIEDRICK BOETTNER,

*Fifth Company, First Battalion, Eighth Brandenburg Regiment.*

*Mr. Wright to Mr. Seward.*

[Extract.]

No. 57.]

LEGATION OF THE UNITED STATES,

*Berlin, November 1, 1866.*

SIR: The treaty between Prussia and Saxony was concluded and signed a few days since. A statement of the points settled by the treaty is herewith enclosed. The nationality and sovereignty of Saxony in the future exist only in name. As soon as a full copy can be procured of the various Prussian treaties it will be forwarded to the department. A late geographical work, published in Berlin, furnishes the following interesting facts relative to the growth of Prussia:

“At the death of the elector Frederick I the territory belonging to the Prussian state embraced an area of 535 square miles; at the death of Frederick II, 726; at the death of Albert Achill, 768; of John Sigismund, 1,472; of the Great Elector, 2,013; of Frederick the Great, 3,540; in 1815, 5,050; in 1861, 5,067; and in 1866, 6,395 square miles. The population of Prussia is now 23,590,543, 4,285,700 of which belongs to the countries annexed to it since the last war. Of the inhabitants of Prussia, 2,504,719 do not speak German. (This does not include the Danish population of Schleswig.) 64 per cent. are Evangelicals, 32 per cent. Catholics, and 2 per cent. of other religions. As for the North German Bund, its territory embraces an area of 7,540 square miles, with 29,220,862 inhabitants, 70 per cent. of whom are Evangelicals, 26 per cent. Catholics, and 2 per cent. of other religions. The mercantile marine of the Bund consists of 7,167 ships, of 1,336,719 tons, and is larger than that of any other country in the world, except England and the United States.”

We are to have, on Sunday, the 11th of November, in Berlin, a “solemn thanksgiving and great national fête,” in commemoration of the conclusion of peace.

\* \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

The following are the principal points of the treaty of peace which has been concluded between Prussia and Saxony :

Saxony will enter the North German confederation.

The Saxon army will be reorganized as soon as the conditions have been arranged by the North German confederation.

Königstein and Dresden will have mixed garrisons.

Prussia will furnish garrisons for the other Saxon towns, until the organization of the army takes place.

The Saxon troops about to return home will be placed under the command of the chief Prussian general in Saxony.

The war indemnity to be paid by Saxony is fixed at ten million thalers, from which one million will be deducted on account of the cession to Prussia of the railways of Labau and Görlitz.

The Prussian military governors and civil commissioners will cease to exercise their functions.

The former Zollverein treaty will continue in force, subject to a notice of six months, should either of the contracting parties desire to withdraw therefrom.

Prussia obtains exclusive possession of the Saxon telegraph wires.

Persons politically compromised during the war will not be molested on that account.

Saxony will regulate her diplomatic representation in conformity with the general bases to be laid down for the whole of the North German confederation.

---

*Mr. Wright to Mr. Seward.*

No. 60.]

LEGATION OF THE UNITED STATES,

*Berlin, November 26, 1866.*

SIR : I have the honor to inform you that, by a late order from his Majesty the King, some twenty-two of the former German states and principalities are directed to send each a minister plenipotentiary to meet at Berlin about the 15th of December, to consult upon the subjects to be proposed to the new parliament, and, if possible, to agree upon a constitution for their future government. It is now believed the elections will take place for members that will compose the parliament in December or January, and that they will meet at Berlin about the 1st of February, 1867. This is the last movement. There is some confusion and delay in bringing about the election of members to compose this parliament.

The Prussian chambers are engaged mainly in discussing the annual budget of expenditures. The war expenses are already provided for, and the government had no occasion to avail itself of the authority conferred upon it to create a new loan. Prussian finances are considered in better condition than any government in Europe.

The lower house has furnished another evidence of their devotion to the constitution by censuring the government on account of the sale of the Cologne Minden railway without the approbation of the chambers. The vote was 126 yeas to 122 nays.

I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

## BELGIUM.

---

*Mr. Sanford to Mr. Seward.*

No. 321.]

LEGATION OF THE UNITED STATES,

*Brussels, December 11, 1865.*

SIR: I announced to you yesterday, by telegraph, the death of the King, an event which my previous communications had foreshadowed. He died at the palace at Laeken, at a quarter before twelve o'clock yesterday morning, surrounded by his family, and in full possession of his faculties to the last.

The whole country is overwhelmed with grief for the sovereign, to whose wisdom, tact, profound statesmanship, and thoroughly honest conduct of the administration of its government is in great part owing its present honorable place among nations.

His death causes no disturbance or panic. The public mind had become habituated to the thought of his loss, and prepared for this conclusion by the lingering malady which several times had threatened a fatal termination.

I enclose herewith, in translation, (A,) copy of M. Rogier's note to me announcing this mournful close of a reign of near thirty-five years, and also (B) copy of my response.

I also enclose a copy of the *Moniteur* of yesterday, containing the announcement of the King's death and the proclamation of the council of ministers, of which I annex translation, (C, D.)

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.]*

---

A.

*Mr. Rogier to Mr. Sanford.*

[Translation.]

The undersigned, minister of foreign affairs, fulfils the most painful duty in announcing to Mr. Sanford, minister resident of the United States of America, the decease of his august sovereign.

His Majesty Leopold I, King of the Belgians, succumbed to-day, at a quarter before twelve, to the attacks of a malady supported by him with heroic fortitude, but which had become hopeless since several days.

The royal family is plunged in the most profound affliction; the people, faithful and filled with gratitude, weep for the venerated monarch who, after a glorious reign of more than thirty-four years, is removed from their affection.

The undersigned has the honor to offer to Mr. Sanford the assurance of his most distinguished consideration.

CH. ROGIER.

---

B.

*Mr. Sanford to Mr. Rogier.*

The undersigned, minister resident of the United States of America, has received with feelings of profound sorrow the note of his excellency the minister of foreign affairs, communicating the painful intelligence of the death of King Leopold I.

The demise of that great and good prince is not alone a loss to the state which he has so



admirably conducted to its present proud position among the nations; the United States share in it, and will claim a place among his sincerest mourners. The late King was held by their government and people in especial respect and regard; they had, more than once, occasion to appeal to his wisdom and impartiality to decide questions of difference with other powers, and they preserve in grateful remembrance the services he has rendered to them in the interest of peace and of justice. This common sorrow adds another bond of sympathy between the two countries, whose people are already closely drawn together by similarity of institutions based upon liberty.

The undersigned begs M. Rogier to convey to the royal family the expression of his deep sympathy in their great affliction.

Mr. Sanford prays his excellency to receive the assurance of his highest consideration.

H. J. SANFORD.

## C

*Death of the King.*

[Translation.—From the *Moniteur* of December 10.]

BRUSSELS, December 10, 1865.

An immediate mourning is about to spread over Belgium.

The first of our kings, the founder of our national dynasty, his Majesty Leopold I, died this morning at the Palace of Laeken, at a quarter before twelve o'clock, surrounded by his august family, whose grief we will not attempt to portray.

History will tell what was the sovereign who, in the times of grave uncertainties, did not hesitate to respond to the wish of the nation, by coming to strengthen and fix its destinies; who, during a reign of near thirty-five years, at an epoch so troubled as was ours, knew how to call to himself the love and veneration of the Belgian people, and to win the high esteem and respect of sovereign monarchs and peoples; who, true to his solemn pledges, was minutely scrupulous in the observance of our constitutional compact, and in reward for this duty, so religiously fulfilled, and the services which he did not cease to render to the country, carries with him the gratitude of a whole nation united to bless his memory; who, finally, leaves to the august heir of his crown, with his great and noble example, a free, happy, and prosperous kingdom, which has acquired its place among the family of European nations.

Belgium will long weep the loss she has sustained; she will ever preserve the remembrance of a King who was for her a devoted friend, a constant support; but her too just regrets will not cause her to forget her legitimate hopes.

The country does not die, and if on all sides is raised the doleful cry—

The King is dead!—

All Belgians, mastering their affliction, and rallying round the throne, will re-echo the shout—

Long live the King!

## D.

[Translation.]

Belgium has lost the King who associated himself with its destinies with an unchangeable devotion during the whole course of a long, peaceful, and glorious reign.

After having struggled with heroic constancy against the physical pains which he has had to combat during the last years of his life, he has at last been conquered by death—he whom Belgium in its grief and in its gratitude has already acclaimed as father of his country.

Full of veneration for the memory of the wise and loyal monarch whose loss it weeps, the Belgian people, faithful to itself, will await with confidence the early day when the representatives of the nation will receive the oath of the heir of the throne.

To guarantee to Belgium its liberty, its prosperity, and its independence, Leopold II, who has already won the heart of the populations, will follow the great example of his illustrious father, and he will find the whole nation united to sustain him energetically in the accomplishment of his noble and patriotic mission.

CHARLES ROGIER, *Minister of Foreign Affairs.*

JULES BARA, *Minister of Justice.*

FRÈRE ORBAN, *Minister of Finance.*

ALP VANDENPEEREBOOM, *Minister of the Interior.*

BARON CHAZAL, *Minister of War.*

JULES VANDERSTICHELEN, *Minister of Public Works.*

*Mr. Sanford to Mr. Seward.*

No. 322.]

LEGATION OF THE UNITED STATES,  
*Brussels, December 11, 1865.*

SIR: The funeral of the King is fixed for the 16th instant, his seventy-sixth birthday. His remains will be brought to the palace in this city to-morrow, and be exposed in state for three days.

The day after the funeral the new King will make his solemn entry from Laeken, proceed to the palace of the nation, to take, as Leopold II, and in presence of the Chambers united in general assembly, the oath prescribed by the constitution; after which he will take possession of the Royal Palace, and receive the diplomatic corps and the constituted authorities of the states.

Meanwhile, according to article seventy-nine of the constitution, the council of ministers will exercise, in the name of the Belgian people, the constitutional powers of the King, and upon their responsibility.

The fact that this interregnum can be made without exciting any apprehension speaks well for the strength of the country and the attachment to them of the people.

Upon the opening of the sessions of the senate and of the house to-day, Mr. Rogier announced, on behalf of the ministers, the death of the King; after which both houses adjourned till after the funeral.

I enclose a translation copy of M. Rogier's communication, and of the replies of the president of the senate and of the house.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Session of the Senate.*

[Translation.]

M. ROGIER, minister of foreign affairs. Gentlemen: We come to accomplish the painful mission of announcing to the senate the death of the illustrious and ever popular chief of the great Belgian family.

The sadness is profound among our people who, overwhelmed with regrets for the past, are strengthened by their entire confidence in the future.

The emotion caused is not confined within the limits of the country; everywhere in foreign countries, where the name of the King was universally respected, are manifested, with the expression of the highest esteem for the reign which closes, the most sympathetic good wishes for the reign which commences.

The heir of the throne will soon come to the chambers in general assembly to take the constitutional oath, which he will keep with the same fidelity as his august father. Your patriotic and unanimous concurrence given henceforward to Leopold II will permit him, gentlemen, to continue and to strengthen the national work so gloriously pursued by Leopold I, and so to assure to Belgium new days of liberty, peace, and prosperity.

The PRESIDENT. Gentlemen: In presence of the sad event which covers Belgium with mourning, and of our profound emotion, the senate will perhaps judge proper to enter upon no discussion of public business until after the session of the two chambers in general assembly, before which the new King, upon whom all our hopes are centred, will come to take the constitutional oath.

I have the honor to propose to you, gentlemen, that the whole senate take part in the funeral of our venerated monarch, which will be on the 16th of this month.

The senate, always so devoted to national institutions, will give its patriotic concurrence to the strengthening of our dynasty, to the extension of the prosperity of our dear country, and to the consolidation of its independence.

## [Translation.]

In the house of representatives, after the same communication from M. Rogier, the president replied—

GENTLEMEN: I am certain of being the faithful interpreter of our assembly, when I say that the house of representatives receives with the profoundest grief the communication which has just been made to it of the immense loss sustained by the country. In these mournful circumstances, let us give the signal of national mourning by interrupting, for a time, our labors.

We shall have, later, the occasion to manifest our firm will to render, with the whole country, to our new King unanimous sentiments of sincere attachment and devoted loyalty.

I have therefore the honor to propose to the house to suspend its sessions until ulterior convocation, and to charge the Chair with this duty, as well as that of taking such urgent measures as circumstances may demand. No one claiming the floor, these propositions are adopted.

*Mr. Sanford to Mr. Seward.*

No. 323.]

LEGATION OF THE UNITED STATES,  
*Brussels, December 14, 1865.*

SIR: The demonstrations of grief for the loss of the King, and of loyalty to the throne, continue to be made in all parts of the kingdom and by all parties.

The telegram of the Emperor of the French, in reply to the notification of the Duke de Brabant, which I annex, has given great satisfaction here.

M. Rogier has announced to me that the court has gone into mourning for six months, to date from the day of the King's death.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

## [Translation.]

It is with sentiments of the sincerest regret that the Empress and I have learned the death of your father, the King.

By his wisdom and high intelligence he had placed himself in the first rank among the sovereigns of Europe. He had always shown so much friendship for me that I deeply deplore his loss.

I do not doubt your royal highness will follow upon the throne so noble an example, and I shall be always happy to show you my friendship.

NAPOLEON.

*Mr. Sanford to Mr. Seward.*

No. 323½.]

LEGATION OF THE UNITED STATES,  
*Brussels, December 19, 1865.*

SIR: The funeral of the late King took place on the 16th instant, amid most imposing manifestations of sorrow.

The foreign princes and extraordinary missions, sent from nearly every court of Europe to be present on this occasion, the diplomatic corps, the chambers, &c., assembled in the morning at the palace, where the body had been lying in state for the three days previous. After a funeral discourse by the King's chaplain, they followed the remains in procession to Laeken, where, after the burial services of the Protestant church were rendered in a chapel built for the purpose, the body was removed to the vault in the Catholic church, and placed by the side of that of the late Queen.

The dense masses of the people crowding the streets from the palace to Laeken gave ample and touching testimony of the respect and affection in which the late King was held, and of sorrow for his loss.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Sanford to Mr. Seward.*

No. 324.]

LEGATION OF THE UNITED STATES,  
*Brussels, December 19, 1865.*

SIR: The inauguration of King Leopold II took place on the 17th instant, in the house of representatives, before the senate and house assembled, in presence of the Queen and royal family, the foreign princes (with the exception of those of the Orleans family) present at the funeral of the late King, the missions extraordinary, the diplomatic corps, judiciary, &c.

His Majesty entered the city from Laeken, and passed through the thronged streets on horseback, and was received with the greatest enthusiasm. At half past twelve he entered the house of representatives, and proceeded to the throne, where he repeated, standing, with outstretched hand, the oath prescribed by the constitution: "I swear to observe the constitution and the laws of the Belgian people, to maintain the national independence and the integrity of the territory." He then delivered the speech, of which I annex a copy from the *Moniteur*, and also translation, with indications of those parts which excited the most enthusiasm.

He then proceeded to the palace, where he reviewed the troops, which, with the people, vied with each other in manifestations of loyalty.

In the evening his Majesty, with the Queen, received the diplomatic corps. In reply to his remark to me that my feelings also must have been deeply moved by the death of his father, I took occasion to say that this feeling of sorrow was not personal to myself alone. I was persuaded it would be shared as well by my government and people, by whom the late King was held in almost affectionate regard.

The senate and house of representatives were received after the diplomatic corps, and I enclose from the *Moniteur* the addresses presented to him by those bodies, through their respective presidents, and his replies, and also the account of his entry into the city, the addresses of the municipality, and his answers. All of these addresses are full of loyalty and patriotic sentiment. The addresses which are pouring in to his Majesty from every commune of the kingdom have the same character. Even the city of Antwerp has joined in these demonstrations of sorrow for the late King, "wishing only to remember the benefits he has conferred upon it," as the address reads, and of loyalty for his successor.

The King cannot but be satisfied with the commencement of his reign. All parties join in welcoming him, and pledging him their support.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Translation of the speech from the throne.*

"GENTLEMEN: Belgium has, like myself, lost a father. The unanimous homage which the nation renders to his memory worthily responds to the sentiments which he cherished towards it during his life.

"I am equally moved and grateful. Europe herself has not remained indifferent to this affliction. Foreign sovereigns and princes have wished to take part in the last honors which we render to him whom they placed so high in their confidence and friendship. I thank them for myself and for Belgium. [His majesty rose as he pronounced these words and saluted the foreign princes, who, from the Queen's gallery, responded by bowing respectfully, amid the cheers of the assembly.]

"On this day, succeeding to a father so honored during his life and so regretted after his death, my first engagement before the representatives of the nation is to religiously follow the precepts and examples which his wisdom has left me, and never to forget the duties imposed on me by this precious inheritance. [Loud cheers.] If I do not promise to Belgium either a great reign like that which founded her independence, or a great king like him whom we mourn, I at least promise her a king Belgian in heart and soul, whose whole life belongs to her. [At this moment cheers and enthusiastic cries of 'Vive le roi!' burst forth from all the benches and the galleries. The senators and deputies waved their hats in the air.]

"The first King of the Belgians to which Belgium has given birth, I have from my childhood shared all the patriotic emotions of my country. Like her, I have watched with happiness the national development which has fecundated in her bosom all the sources of strength and prosperity. Like her, I love those grand institutions which guarantee at the same time order and liberty, and are the most solid foundation of the throne. [Loud cheers.]

"In my thoughts the future of Belgium has always been blended with my own, and I have always regarded it with the confidence inspired by the right of a free, honest, and brave nation, which wills its independence, which has won it, proved itself worthy of it, and will know how to preserve it. [The King rose to pronounce these words, which, strongly emphasized and delivered with dignity, produced a great effect on the assembly and the public. With a unanimous movement the members of the Chamber and the Senate rose simultaneously with the King, as if more visibly to show that they shared his sentiments. In the public galleries the gentlemen waved their hats and the ladies their handkerchiefs. The scene was exceedingly striking.]

"I have not forgotten, gentlemen, the marks of kind feeling which I received on attaining my majority, when I came to take part in your legislative labors, and, some months later, on the occasion of my marriage with a princess who shares all my sentiments for the country and instils them into our children. [Loud cheers and cries of 'Vive la Reine.']

"I have been gratified to recognize in these spontaneous manifestations the unanimous accord of the populations. On my part, I have never made any distinctions between Belgians; all are devoted to their country, and I comprise them in one common affection.

"My constitutional mission places me apart from the struggle of opinions. Leaving the country itself to decide them, [cheers,] I ardently desire that their differences may always be tempered by that spirit of national fraternity which unites, at this moment, round the same flag all the children of the Belgian family. [Applause]

"Gentlemen, within the last thirty-five years Belgium has witnessed the accomplishment of things which, in a country of the size of ours, have rarely been realized in a single generation; but the edifice of which the congress laid the foundations may rise, and will rise, higher still. My sympathetic co-operation is assured to all who shall devote to this work their intellect and efforts. [Renewed applause.]

"By persisting in this course of activity and wise progress, Belgium will more and more consolidate her institutions at home, and will preserve abroad that esteem which the powers guaranteeing her independence, and other foreign states, have always accorded her, and have again this day so kindly testified. On ascending the throne, my father said to the Belgians: 'My heart knows of no other ambition than that of seeing you happy.' These words, which his whole reign has justified, I do not fear to repeat in my own name. [Prolonged cheers.]

"Providence has vouchsafed to hear the wish they expressed. May He hear it again this day, render me the worthy successor of my father, and, I pray from my inmost soul, continue to protect our dear Belgium."

Loud and long-continued acclamations followed this address, which were repeated with increased enthusiasm when the Queen presented her son, the young count of Hainault. Their Majesties then withdrew.

*Mr. Sanford to Mr. Seward.*

No. 325.]

LEGATION OF THE UNITED STATES,  
*Brussels, December 21, 1865.*

SIR: On the 18th instant, a Te Deum was celebrated in the Metropolitan church of St. Michel and St. Gudule upon the accession of Leopold II, which was attended by the King, the diplomatic corps, and the extraordinary missions present here, as well as by the legislative chambers and the great *corps* of the

state. Unlike similar services for the late Protestant sovereign, which were celebrated by the curé and local clergy, the cardinal archbishop, with five of the six Belgian bishops and a numerous train of church dignitaries and clergy, presided at this solemnity for their Roman Catholic King.

His Majesty, both in going to and returning from the church, was received with the greatest enthusiasm, the cadets of the military academy, as I am informed, being only restrained by the King from removing his horses, and dragging his carriage back to the palace.

The returns from all parts of the country demonstrate the greatest satisfaction with the discourse of the King on his inauguration, and all his acts and words that have been made public since. It cannot be affirmed that he was very popular in Belgium before the King's death, although greatly respected. He had been kept back by his father from a prominent position before the country, and only those who had personal access to him could well appreciate those qualities which, brought prominently to light when called to the throne, have won all hearts. There is more in this rapidly acquired popularity than a reaction from the universal sorrow for the death of the King and the desire to respond energetically to the sinister predictions over the future of Belgium. All his acts thus far have shown tact, a thorough knowledge of the people, and an earnest desire to act in accordance with its sentiments, and this has been responded to most cordially by the whole nation. King Leopold II commences his reign, in so far as internal affairs are concerned, under the best auspices. The very enthusiasm with which his accession has been universally acclaimed may, perhaps, be indicated as a difficulty, for it will not be easy to keep the people up to its present fever heat.

The first official act of the King has been to grant, under date of the 17th instant, remission of all penalties to persons condemned to prison for three months and under, or to fines not exceeding 500 francs.

The *Moniteur* of this morning announces that the ministers, after the inauguration of the King, had offered to him their resignations, but that he, "while appreciating the sentiment of delicacy which had inspired this step, had graciously expressed to them the desire that they would continue to exercise the high functions which they owed to the confidence of his father;" and that, in consequence, the ministers had again taken the direction of their departments. So far as political changes are concerned, I presume all will remain in *statu quo* till after the election in June.

I have the honor to be, with great respect, your most obedient servant,

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Sanford to Mr. Seward.*

No. 326.]

LEGATION OF THE UNITED STATES,  
*Brussels, December 23, 1865.*

SIR: The chambers have adjourned for the holidays; the house to the 16th proximo. Before adjourning the civil list of the King was increased by unanimous vote, save one, without discussion, from \$550,000 (in round numbers) to \$660,000. As the annual dotation of the Duke de Brabant, now suppressed by his accession to the throne, was \$100,000, the increased appropriation from the treasury amounts, in fact, to but \$10,000.

They also voted to suppress the toll-gates upon the national roads throughout the kingdom, thus relieving the people from a vexatious tax of \$300,000, and

which, with an excess in the treasury of \$1,600,000 on the budget for the year, the country can well afford.

They also completed their manifestations of confidence in their new sovereign, and of desire to facilitate the commencement of his reign, by voting without discussion the budgets of foreign affairs, of justice, of ways and means, the bill fixing the contingent of the army, and the bill opening provisional credits for the non-promulgated budgets of 1866.

In the senate, M. Omalius d'Halloy, speaking for the conservative party, said that the country would appreciate the motives which had determined him and his friends to avoid discussion under the present circumstances; they would vote the budget, but their vote was of a purely administrative character, and was to have no political significance.

Party discussions are thus, for a time, suspended. It is a matter of doubt, however, whether this truce between the parties will be continued through the term of this parliament. The liberals have not abandoned their programme, and, in view of the elections in June next, will possibly think it expedient not to confine their labors in the chambers to administrative questions solely.

I have the honor to be, with great respect, your most obedient servant,

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hunter to Mr. Sanford.*

No. 191.]

DEPARTMENT OF STATE,  
*Washington, January 9, 1866.*

SIR: Your despatches Nos. 321, 322, 323, and 324, dated, respectively, the 11th and 19th of December, and your two communications marked private, and dated the 12th and 15th of the same month, have been received, and have been read with much interest. The sad event to which they principally refer, the death of King Leopold, created a profound sensation in this country, and awakened a universal feeling of sorrow. The enthusiasm which was excited by the inauguration of his son betokens a happy and prosperous reign.

I am, sir, your obedient servant,

W. HUNTER,  
*Acting Secretary.*

HENRY J. SANFORD, Esq., &c., &c., &c.

---

*Mr. Sanford to Mr. Seward.*

No. 337.]

LEGATION OF THE UNITED STATES,  
*Brussels, January 23, 1866.*

SIR: I have the honor to transmit herewith, in translation, as interesting in connection with our own legislation upon the subject, the provisions of a bill for preventing the introduction and spread of the cattle plague, which was presented in the house of representatives yesterday by the minister of the interior.

I have asked our consul at Ghent to collect and send over to you a complete collection of the laws, ordinances, and regulations bearing on this subject.

I have the honor to be, with great respect, your most obedient servant.

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

ARTICLE 1. The government is authorized to prescribe, by royal decree, such measures as the fear of the introduction or the existence of *epizootique* disease may render necessary, with respect to commercial relations with foreign parts, in the interior of the country as well as the frontiers.

ART. 2. A special regulation will fix the conditions and the amount of indemnity to be given to those having in their keeping sick or suspected animals whose slaughter may be ordered.

ART. 3. The penalties for disobedience of the provisions and regulations established in virtue of article 1 shall be imprisonment from three months to two years, and a fine of from one hundred to one thousand francs, together or separately.

ART. 4. In case of extenuating circumstances the penalties of imprisonment and fine can be reduced to those coming within the category of simple police offences.

---

*Mr. Sanford to Mr. Seward.*

No. 339.]

LEGATION OF THE UNITED STATES,

*Brussels, February 5, 1866.*

SIR: Baron Beaulieu, envoy extraordinary and minister plenipotentiary of Belgium at Frankfort, has been selected as chief of the extraordinary mission which is to be sent to Washington upon the occasion of the accession of Leopold II. While his reply to the notification of appointment has not yet been received, there seems to be no doubt entertained as to his acceptance.

Baron Beaulieu was formerly in the military service, and reached, if I am not mistaken, the grade of general; he was also for some years representative of this government at Washington. He has a high reputation for ability and scientific as well as scholarly attainments.

His suite will be composed of four or five secretaries and attachés, civil and military, and he is expected to leave at an early day.

I have the honor to be, with great respect, your most obedient servant,

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*


---

*Mr. Sanford to Mr. Seward.*

No. 340.]

LEGATION OF THE UNITED STATES,

*Brussels, February 5, 1866.*

SIR: I enclosed to you, in my despatch No. 337, a bill presented by this government to the house of representatives providing for measures against *epizootique* maladies. This bill excited considerable discussion in that body, naturally jealous of giving extended and arbitrary powers to the government, and some amendments were added, not of great importance, however, save one having for effect the limitation of the powers conferred by the bill to the cattle plague, (*typhus contagieux*.) It was very generally admitted in the debate that radical measures were necessary to prevent the spread of this dreaded malady, and that the heads of the government should be supported in the stringent regulations it had adopted, and extended powers given to meet the still threatening danger.

I have the honor to enclose herewith the amended bill as it passed the house, and also the reports made in that connection.

The wisdom of radical measures enforced by this government at the outset, for the prevention and eradication of the cattle plague, in causing the immediate slaughter of animals infected by the disease, isolating localities where it appeared, and forbidding the entry or transit of sheep, cattle, hides, &c., has been vindi-



cated by the result. While the disease has extended to an alarming extent in England and Holland, it has been smothered here, and the occasional cases which have lately appeared are proved to have been from cattle introduced fraudulently from Holland.

I have requested the consul at Ghent to make up and forward to you a complete collection of all the laws, acts, regulations, &c., in connection with the cattle plague, for reference by the department in the event of further legislation on the subject being found to be necessary.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 341.]

LEGATION OF THE UNITED STATES,  
*Brussels, February 5, 1866.*

SIR: A treaty of friendship, commerce, and navigation with China was concluded at Peking on the 2d of November last by M. T'Kint, envoy of this government on behalf of Belgium, and has been lately presented to the chambers for their approval.

I send it herewith, with the *exposé des motifs*, to the house, of the minister of foreign affairs.

It appears to grant all the concessions made to other nations; the right of accrediting a minister, the most favored treatment of consuls, and so as to the rights and privileges of Belgians in China, inviolability of their property, jurisdiction of their own laws, entry of Belgian ships to the ports opened to foreign commerce; and finally, the treatment accorded to the most favored nation hereafter is also guaranteed to Belgium in the future.

The King has paid special attention to the subject of opening commercial relations with China, (which he visited last year.) and this treaty is, doubtless, due to his personal initiation when Duke de Brabant.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 342.]

LEGATION OF THE UNITED STATES,  
*Brussels, February 12, 1866.*

SIR: Major General Baron de Beaulieu, who goes as extraordinary minister to Washington to announce to the President the accession of Leopold II, is here, and proposes embarking with his suite at Liverpool in the Java, on the 24th instant, for New York. As minister resident for several years to the United States, he is, doubtless, favorably remembered by many of our public men.

I have reason to believe that in the letters of credence which he will bear the usual measured formality of language will be somewhat departed from to give warmer expression of the feelings entertained by his Majesty for the United States, and of his desire to cultivate the most friendly relations between two nations whose institutions have so much in common.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

[Extract.]

No. 344.]

LEGATION OF THE UNITED STATES,  
*Brussels, February 12, 1866.*

SIR: The law authorizing the government to take measures to eradicate and prevent the spread of the cattle plague, referred to in my No. 337, appears in the *Moniteur* of the 10th instant, and the measures decided upon in that connection are also published in the same official journal.

A royal *arrêté* of the 8th prohibits the entry and transit of cattle, (in certain parts sheep and swine,) hides, fresh meat, and offal, hay, straw, and manure, at the maritime frontiers and the land frontiers, in certain designated districts towards Holland and Germany. Under special conditions, cattle coming from the Zollverein may be allowed by the minister of the interior to enter in transit.

All proprietors or possessors of cattle in the towns along the frontier are to furnish a list of the same, within ten days, to the burgomasters, by whose authority they are marked; and visits for inspection and for verification of these lists are permissible on the part of the authorities between sunrise and sunset. Every change in the number, indicated in the lists furnished, by death, sale, purchase, or otherwise, must be notified within twenty-four thereof to the burgomaster. No animal can be admitted into or leave a commune without authorization and a certificate of origin. Any animal found in stable or pasture, or anywhere in a commune, the presence of which cannot be accounted for by the inventory or a valid certificate, must be seized and isolated during twenty days, under the surveillance of the government veterinary surgeon and at the expense of the owner. If suspected of having the cattle plague, or of having been imported fraudulently into the country, it must be slaughtered.

The communes to which these provisions shall be applicable will be designated by the minister of the interior, and those on the frontiers, in the provinces of Antwerp and Limbourg, are accordingly designated by him in a subsequent *arrêté*. Cattle fairs and markets, in so far as they relate to the exposure of cattle for sale, are forbidden, with the exception of markets for the consumption of certain large towns, and the herding of cattle of different owners, together with a view to sale, is also forbidden.

Another royal *arrêté*, of the 9th instant, provides the manner of procedure for the slaughter of cattle and sheep attacked or suspected of having taken the plague. It can be ordered upon the report of the veterinary surgeon of the government; and animals suspected of being fraudulently introduced into the country are assimilated with those suspected of having the disease, and are equally liable to be slaughtered.

An indemnity equal to two-thirds the value is allowed to the owners of the animal so slaughtered, by the order of the authorities, provided they have complied with the laws, regulations, &c., for these cases; the said value to be arrived at by taking the mean of the valuation of the government veterinary surgeon, on his first visit, and that of two sworn appraisers, appointed by the burgomaster, taken just before the animal is slaughtered, and this appraisement is liable in certain cases to revision.

Lastly, by a ministerial *arrêté* the custom-house and internal revenue officers, and those in the administration of woods and forests throughout the kingdom, are authorized to seek out and notify to the proper authorities all infringements of these prescriptions.

\* \* \* \* \*

I have the honor to be, with great respect, your most obedient servant,

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

[Extract.]

No. 348.]

LEGATION OF THE UNITED STATES,  
*Brussels, February 20, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch (confidential) No. 192, under date of the 9th instant, touching the special mission to the United States.

This government has not been led by me to expect, and I believe does not expect, an extraordinary mission from our side in response to theirs, for I have taken care to impress upon M. Rogier the difference in our usages in this respect; but I have said, as a personal impression solely, that I presumed a suitable response would be made to this special act of courtesy on the part of the King, and that it would probably take a more formal character and channel than was usual with respect to replies to letters of notification sent through a resident legation.

The extraordinary mission has departed, and sails, as I have before reported, on the 24th instant from Liverpool. M. de Kerchove, who goes in the suite of Baron de Beaulieu, is not, it seems, officially attached to the mission, as I have been given to understand and had reported to you.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

[Extract.]

No. 357.]

LEGATION OF THE UNITED STATES,  
*Brussels, May 3, 1866.*

SIR: General Baron de Beaulieu has returned here from Washington, and both he and Mr. Rogier express great satisfaction at the cordial, friendly reception given to the special mission by the President and yourself; and the facilities extended to the officers of his suite by the Departments of War and of the Navy, in obtaining information of our progress in the science of war, have also given great gratification. The courtesies which the mission has received seem to be very warmly appreciated, and will help to increase that cordiality of feeling towards the United States which, I am happy to say, exists with and on the part of the government and people.

General Fourey, who went on a special mission to Mexico, as before reported to you, also returned with Baron de Beaulieu with a part of his suite. On the 4th of March, on their way from Mexico to Vera Cruz, he and his suite were attacked at Rio Frio. One of his officers, Baron d'Huart, attached to the service of the Count de Flandre, was killed; the general himself slightly, and some of his staff severely wounded, necessitating their return to Mexico.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 358.]

LEGATION OF THE UNITED STATES,  
*Brussels, May 8, 1866.*

SIR: The house of representatives will adjourn, probably, next week. One-half of the members, whose terms expire with this session, will be replaced by the elections in June.

Since the coming together of the chambers, after the Easter recess, there has been little legislation of special interest. The proposition to increase the number of members to correspond with the increase of population has become a law, and eight representatives and four senators additional are now to be elected.

There have been long debates upon the question of electoral reform by the reduction of the property, or rather taxes, qualification; but they seem likely to lead to no practical result—this session at least. The subject is, however, being agitated among the people in the sense of universal suffrage, and meetings of workmen have been held in some of the most populous centres, which have been marked by the expression of a more decided democratic sentiment than the leaders of the liberal party now sympathize with, and which is likely, I think, to become an important element in the future in that party.

The truce between the two political parties, which was established on the accession of the King, seems to be at an end. Old animosities are revived in the Chambers and in the press, and the elections will be bitterly contested. The probabilities now seem to be that, while very close, they will not materially effect the relative position of parties in the Chambers.

In a few weeks, after the elections, the King will commence a series of visits to some of the principal towns of the kingdom, and everything thus far presages that his reception will be all that he can desire from the people of all classes.

I have the honor to be, with great respect, your most obedient servant,

H. J. SANFORD.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 359.]

LEGATION OF THE UNITED STATES,  
*Brussels, May 8, 1866.*

SIR: The possibility of a war between Prussia and Austria, which is likely to embroil Europe, and the results to which it may lead, have naturally excited some solicitude here, which, if not expressed by the organs of public opinion, is none the less general. It is feared by many that there is an understanding between France and Prussia by which the Rhenish provinces, in whatever part, are to be given to the former in return for its countenance to the plans of Prussia, thus menacing the integrity of Belgium.

The policy of this government seems to be to show by no act or word any such apprehension, or any doubt of the good faith of the powers who have guaranteed the neutrality of Belgium, and in reply to-day in the house, to representative Coomans, who asked if it were true that the government shortly intended to ask for fresh credit on account of precautionary military measures, M. Frereorban, minister of finance, said that if, unhappily, it became necessary to request an extraordinary credit for the national defence, he should state the measures proposed by the government when demanding the credit; but up to

the present the government had no such request to make, and consequently nothing to reply on the subject.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 365.]

LEGATION OF THE UNITED STATES,  
*Brussels, June —, 1866.*

SIR: I have the honor to enclose herewith a circular of the minister of the interior to the provincial governors touching the cattle plague, which is interesting, as showing the good results of the rigorous system pursued from the outset by this government as compared with that practiced in Holland and England.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

BRUSSELS, June 8.

MONSIEUR LE GOUVERNEUR: I have made known to you, by my circular of the 3d March, the progress of the cattle plague in the countries which it has invaded, about the middle of last year, up to the 17th February, at which date the number were reported which I have communicated.

	Sick.	Died.	Cured.
In England.....	166,379	124,724	21,092
In Holland.....	40,292	22,250	14,930

Since that time those numbers have increased largely. In fact, on the 26th of May last, we observe—

	Sick.	Died.	Cured.
In England.....	244,455	200,905	32,283
In Holland.....	57,480	33,423	23,175

In those two countries the cattle plague from this date has begun to decrease considerably. The number of the sick which were on the 17th February in England, 13,000 per week, and more than 2,000 in Holland, have decreased regularly since that time; so that during the last week of the 26th of May there were only 1,207 cases in the United Kingdom, and only 371 in Holland.

Although that reduction may be attributed in part to the influence of summer, during which season contagious typhus always diminishes, it is most likely owing to the sanitary measures which have been taken in the two countries to isolate and to extinguish the centers of contagion. It is to be hoped that the constant application of those measures will completely destroy the cattle plague, and deliver us also from the dangers which we can only stop by our vigilance.

You know, Monsieur le Gouverneur, that at the end of last year the plague had appeared in 46 communes of six of our provinces, and had made 454 victims—that is to say, 20 died, 236 diseased, and 148 suspected were slaughtered. Since that period it has appeared anew

in 29 communes of four of our provinces which it had already visited, and also in a commune of the province of Liège, where it has not been seen until now. There it occasioned the loss of 320 animals, among which 6 died, and 125 diseased and 188 suspected were slaughtered. The number of the victims to the disease since its commencement, at the end of month of August, 1865, were in our country 174, including 26 died, and 412 diseased and 336 suspected slaughtered.

It is in the communes of Waerschoot and of Cruybeke, of East Flanders, also in that of Hensy, of the province of Liège, that the last cases of the plague have manifested themselves, a few day ago. It is not impossible that some isolated cases may still appear in those localities and others. Those fears are only too much justified by the experience of the past; they must make us persist in the measures of precaution and vigilance which have enabled us to escape until now, at the cost of not very onerous sacrifices the ravages of a pestilence whose victims are counted elsewhere by thousands.

ALP. VAN DEUPEEREBOOM,  
*Minister of the Interior.*

---

*Mr. Sanford to Mr. Seward.*

No. 366.]

LEGATION OF THE UNITED STATES,  
*Brussels, June 14, 1866.*

SIR: The elections of the 12th passed off without disturbance, though marked by unusual animation, and have resulted in important gains for the liberal party, increasing its majority from twelve to twenty in the house, and from eight to twelve in the senate. The relative strength of the parties in the late Chambers was sixty-four liberals to fifty-two conservatives in the house, and thirty-three liberals to twenty-five conservatives in the senate. It is now seventy-two to fifty-two in the house, thirty-seven to twenty-five in the senate; the increase in the liberal votes in both houses being equal to the increase in the number of members corresponding to the increase of population was voted last session.

The radical wing of the liberal party, whose half dozen votes in the house were at times a source of embarrassment to the government, has not been augmented, and its power is, consequently, in a measure neutralized.

The cabinet is now strong enough to be moderate in its internal policy, and if measures tending to annoy half the population in their religious belief can be avoided, the country will be likely to pass through the crisis which threatened from external complications, better than if divided and exasperated by partisan quarrels, which might be used to sow disunion and discontent, and excite excesses profitable to those who are inimical to Belgian nationality.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Sanford to Mr. Seward.*

No. 367.]

LEGATION OF THE UNITED STATES,  
*Brussels, June 14, 1866.*

SIR: The letter of the Emperor of the French to M. Drouyn de Lhuys, which was read by the minister of state in the corps legislatif on the 12th instant, has naturally excited much attention and remark here, and cannot be considered as having made a favorable impression, while proclaiming views which have generally been ascribed to him. The color of justice he gives to the pretensions of Italy and Prussia with respect to the extension of their frontiers, seems to be considered as applying also to those of France, as well as an indication of ultimate action in their favor.

While there seems to be no apprehension that any appeal to the people would result in the expression of a desire for annexation, and that the visits which the King is about to make in the provinces will demonstrate most conclusively the general sentiment of this people in favor of their nationality and their sovereign, I presume it will be the policy of the party in power to pursue a policy of conciliation towards their opponents, and to avoid questions which, to a large number of the population, appear to be attacks upon their church, and which tend to excite ill feeling and animosities. It would certainly be wise at this juncture.

I do not think the people could be excited to assent to annexation to France, much less to demand it, but dissension might be stimulated and excesses brought about in partisan conflicts by those interested in promoting them sufficient to give pretext, were it desired, for intervention in some shape.

This government has made no warlike preparations in view of the complications which threaten. The fortifications at Antwerp are now sufficiently complete to make it the most, or one of the most impregnable places of Europe. The Belgian army could be made to number over 60,000 effective men in a few days by calling in the soldiers on leave, and sufficient to hold Antwerp for a long time against any force.

I have the honor to be, with great respect, your most obedient servant,

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 370.]

LEGATION OF THE UNITED STATES,

*Brussels, July 7, 1866.*

SIR: The King and Queen returned to-day from their visit to England for the marriage of the Princess Helena. His Majesty profited of two occasions which were afforded him at dinners at Trinity House and Guild Hall to speak publicly of Belgium and its relations to Great Britain, and to recall the part taken by that power and France in founding its nationality, and the remarks called forth by his presence, sympathetic to this country and its sovereign, which were made by the Prince of Wales at Trinity House, and by the new chancellor of the exchequer, Mr. Disraeli, have been repeated in the papers here, and commented upon as gratifying indications of the support of Great Britain against any fancied perils to its existence.

The news of the cession of Venetia by Austria to France, and the proffered mediation of the Emperor Napoleon between the belligerents, has naturally excited the liveliest emotion here. While the first impression seemed to be that it was a new danger to Belgium, I think it is generally conceded now that in the European congress which will, doubtlessly, be called to decide upon the changes in territorial limits growing out of the war, and the compensations attendant thereon, those friendly powers which, besides France, had a part in founding Belgian nationality, will be better able to sustain it than if it had been disturbed by act of war.

The mediation of the Emperor has been accepted, it seems, but we are still awaiting to learn the result of the proposition for an armistice and the basis upon which Prussia accepts mediation; the general sentiment, however, is that peace is assured.

I have the honor to be, with great respect, your most obedient servant,

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

[Extract.]

No. 371.]

LEGATION OF THE UNITED STATES,  
*Brussels, July 21, 1866.*

SIR: The King commenced on the 9th and 10th instant at Ghent his round of official visits to the provinces; on the 16th and 17th instant, he visited Liege, and on the 18th Verviers. Her Majesty was at those cities and on his journey received with every demonstration of respect and loyalty, and the addresses of the various authorities testified to their attachment to the King and Queen, (who accompanied him,) to the dynasty, and to the system of government.

The King's responses show that he comprehends perfectly his role as a constitutional sovereign, were modest in tone, and manifested a desire to aid the people, as expressed in one of his speeches at Ghent, to govern themselves.

His Majesty has every reason to be satisfied thus far with his reception by all parties and classes, not only as an evidence of personal popularity, but also as a demonstration of the unanimity of sentiment in favor of the present form of government and of the nationality of Belgium.

\* \* \* \* \*

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 373.]

LEGATION OF THE UNITED STATES,  
*Brussels, July 31, 1866.*

SIR: While peace seems for the present to be assured in Germany, I do not find here great confidence in its long duration, or entire freedom from the apprehensions to which the war gave rise. The feeling appears to be that the superior armament and organization of Prussia and the large accession of strength which her conquests and policy have secured, have constrained certain powers to assent to her aggrandizement and to changes in the map of Europe, which would have been denied at the outset; and that now the definitive settlement of the German question is but adjourned till a more convenient season; that when the Prusso-Italian alliance shall have been severed, and the new systems of fire-arms and iron-clads introduced, which Prussia on the one hand and we on the other have demonstrated the necessity of, peace will be likely to be again broken and war to spread over a larger field.

The territorial compensations which France might be entitled to claim to counterbalance the gains of Prussia and Italy, seem to be considered as postponed, and as not in keeping with the disinterested rôle of mediator volunteered by the Emperor.

The Duchy of Luxemborg has been suggested as likely to be given to France against compensation to Holland by Prussia, but it would appear to be so trifling an offset to the annexations of Prussia, that I would suppose it more likely that such a proposition would not find favor in France.

I have the honor to be, with great respect, your obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*



*Mr. Sanford to Mr. Seward.*

[Extract.]

No. 377.]

LEGATION OF THE UNITED STATES,  
*Brussels, August 21, 1866.*

SIR: Solicitude has again been excited here by the knowledge that the Emperor Napoleon had intimated to the Prussian government a desire for some territorial modifications for the benefit of France, in return for the annexations to Prussia resulting from the war. It was felt that, in the present state of feeling in Germany, with its views for the future, the Prussian government would hardly yield, save to force, in permitting France to acquire German territory, and might, therefore, the more readily consent to her compensating herself from her weaker neighbors.

The Emperor's sickness, which seems to have been serious, or the unyielding attitude of Prussia, would appear to have modified his views, and we now learn that the question, if not withdrawn, is at least indefinitely postponed; and on the other hand, a note by M. Drouyn de Lhuys to Lord Cowley, the British ambassador at Paris, gives still further relief here for the moment in the formal assurance it contains that the Emperor has not entertained, nor has now any thought of disturbing the integrity of Belgium, its government or dynasty, for which the note is represented to me as expressing the most friendly sentiments.

\* \* \* \* \*  
I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Sanford to Mr. Seward.*

No. 383.]

LEGATION OF THE UNITED STATES,  
*Brussels, September 29, 1866.*

SIR: I have the honor to acknowledge the reception, on the 17th instant, of your despatch No. 203 and accompaniments, being letters of the President to his Majesty, of condolence on the death of the late King, of congratulation on the accession of Leopold II, and of credence of myself as minister resident, together with office copies of the same. I applied the same day for an audience of his Majesty, who was at Ostend, and it was fixed for to-day, when the letters were presented to the King in official audience at Lacken, at which the minister of foreign relations and high functionaries of the court were present, and to which I was conducted with my suite with the usual ceremonial in the carriages of the court, and reconducted in the same manner to the legation. On delivering the letter of credence to his Majesty, I said:

"SIRE: In presenting the letters of the President which accredit me near to your Majesty as minister resident of the United States of America, I am specially charged to assure your Majesty of the constant desire of the President to maintain friendly relations with your Majesty's government. The task confided to me is a grateful one. Belgium and the United States have no interests which clash; they have many in common; they have institutions equally founded upon liberty; their friendship should be of the most cordial—it will be my constant effort to make it so. In this I venture to count upon the benevolent support of your Majesty, and I congratulate myself that it is my privilege, in the fulfillment of this trust with which I am honored, to be placed near to that liberal and enlightened sovereign to whose wise rule is confided the conduct of this favored country in the peaceful path of progress and prosperity."

His Majesty expressed his gratification at receiving these proofs of sympathy from the President in the letters of condolence and of congratulation, and after speaking in complimentary terms of his satisfaction that I had been continued near to him as representative of the United States, proceeded to say that he reciprocated fully the desire of the President for the maintenance of friendly relations between the two countries. Referring to my remarks with warm approbation, his Majesty said it was his earnest desire that those relations should become more intimate between the "great and powerful republic" and Belgium; that their people had many points of sympathy in common, chief among which was a certain similarity in institutions. Among the means to that end was the cultivation of commercial intercourse. He had just come from Antwerp, he continued, on his way from Ostend, and had seen with pleasure some large merchant ships there bearing our flag, and hoped the number would increase and that American enterprise and capital would be attracted in that direction.

His Majesty reminded me of his cherished intention of visiting the United States, which the death of the King had prevented his carrying into effect, but which he was still, he said, not without hope of accomplishing.

He added that he hoped to have the pleasure of knowing personally the President, of whom he had heard much good, and whose conservative course had inspired him with high respect.

After some desultory conversation, the audience, which was throughout characterized by great cordiality on the part of the King, terminated, and I took my leave.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hunter to Mr. Sanford.*

No. 207.]

DEPARTMENT OF STATE,  
*Washington, November 3, 1866.*

SIR: Your despatch No. 383, of date September 29th, has been received. It gives an account of the ceremonies which occurred on presenting the letters of the President to his Majesty. The narrative is very interesting, and I have to express the special satisfaction of the department in regard to the sentiments expressed by his Majesty of the desire for the maintenance of friendly relations between the two countries.

I am, sir, your obedient servant,

W. HUNTER,  
*Acting Secretary.*

HENRY J. SANFORD, Esq., &c., &c., &c.

---

*Mr. Sanford to Mr. Seward.*

No. 389 ]

LEGATION OF THE UNITED STATES,  
*Brussels, November 15, 1866.*

SIR: Parliament was opened on the 13th by the King in person. I have the honor to enclose herewith his discourse on that occasion, with translation, and also the address of the senate in response thereto, which was voted to-day unanimously.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

GENTLEMEN: It was my desire to meet again the representatives of the nation where I received scarcely a year ago so sympathetic a welcome. The entire population in each of our patriotic provinces has joined in these touching demonstrations; they are connected with the memory of the venerated monarch whose beneficent reign will leave imperishable traces in the existence of Belgium.

It is with great satisfaction that I notice the excellent state of our relations with foreign powers. In the midst of the grave events which have disturbed a large portion of Europe, Belgium has remained calm, confident, and impressed with the rights and duties of a neutrality which she will maintain in the future, as in the past, sincerely, loyally, and firmly.

If the public security has not been shaken, if our internal situation has remained relatively satisfactory, Belgium, nevertheless, has not been exempt from the fatal malady which has desolated other countries.

Thanks to the devotedness of the local authorities and of all classes of the population, the effects of the scourge, now almost entirely disappeared, have been happily mitigated. Let us offer commiseration to those who have suffered, and gratitude towards those who have shown devotedness. These disasters, let us not forget, have particularly affected our working classes. It is the duty of us all to continue to occupy ourselves with all that can favor the material and moral improvement of the laboring population.

Among the preventive measures which science and experience point out to us as most efficacious, the sanitary improvement of unhealthy neighborhoods ranks first, and preoccupies justly the attention of the government and the communes.

The same solicitude is due to the education of the working classes. The Chambers will never fail to co-operate with the government in attaining this useful and noble object, towards which every people jealous of its liberty, and wishing to remain worthy of it, should always strive.

The result of the harvest has not fully responded to the hopes of our cultivators. Agriculture has not receded in the way of progress in which it is rapidly advancing.

The energetic measures adopted by my government have contributed to circumscribe and to paralyze the effects of the cattle plague, which has raged elsewhere with great intensity.

Independently of the labors which the Chambers have still to complete, divers measures will be submitted to their deliberations, to wit: Revision of the law of 1858 on exportations; suppression of imprisonment for debt; amelioration of the laws touching preventive confinement and extradition; abolition of the act of 1781 of the civil code; revision of the military penal code; liberty of manufacture and traffic of gold and silver articles; fluvial fisheries; reappraisal of landed property values with the view of a more just distribution of the real estate tax. These are the bills which will be successively brought forward in the course of this session, and which I recommend to the enlightened examination of Parliament.

My government has concluded with Japan a treaty of friendship, commerce, and navigation, which, with our last convention with China, is destined to open to Belgium new relations with the countries of the extreme east, in assuring to our commerce international guarantees which have hitherto been wanting.

The civic guard and the army continue to fulfil their mission with the zeal and patriotism which has ever distinguished those two great institutions.

The "tir-national" has furnished our citizen militia the occasion to fraternize with the militia of neighboring countries. Belgium will be happy to renew upon her patriotic soil those pacific conflicts where reciprocal relations of esteem and friendship are formed, destined to be still further extended in the future. To these natural productions, which are the wealth of the country, our artists, the recent exhibition which proved it, co-operate with distinction in works which are its glory.

I trust that all Belgium laborers will strive by redoubled efforts to occupy an honorable rank in the universal competition which a great friendly power is about to open to all nations.

May Belgium continue to distinguish herself by an energetic and fruitful activity, by respect for order, and by the wise practice of her liberties. May the elements of prosperity she contains be more and more developed under the aegis of our liberal laws. It is my dearest wish, it is the object of our common aspirations. To accomplish the task which pertains to it, my government, gentlemen, has need of your loyal and generous aid, and at the commencement of this new reign may all hearts remain united in love for the country and its institutions.

---

*Mr. Sanford to Mr. Seward.*

No. 390.]

LEGATION OF THE UNITED STATES,

*Brussels, November 16, 1866.*

SIR: In connection with my despatch last year (No. —) detailing the system and functions of the court of accounts of Belgium, and previous reports

upon the revenue systems of this country and of France, I have the honor to transmit herewith, in translation, copy of a remarkable discourse, delivered on the 3d instant before the court of accounts of France, by Count de Casabianca, imperial attorney general, and which the author has been so kind as to send me, being a comparison of the French and English budgets. I think it may be consulted with profit at the Treasury Department.

I also annex, in order to complete these studies, (so important for us while advising a suitable system for the collection, disbursement, and control of our revenue,) translations of discourses by the same distinguished official, before the same court, in 1864 and 1865, the one giving the history and attributions of the French court of accounts, the other being a comparison of the same with the court of audit of Great Britain.

I have the honor to be, with great respect, your most obedient servant,  
H. J. SANFORD.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

P. S.—The two supplemental discourses will be sent forward next week.

[Translation.]

In the solemn sitting which last year inaugurated the continuance of your labors, we compared the privileges of the English court of accounts with that in which you are interested yourselves. We propose to continue to-day the comparison of the English budget with our own. It will not be going out of the sphere of your functions, because they are not limited by the settlement of accounts which it is the duty of the agents of the treasury and the ministers to present to you every year. You examine and approve, according to your judgment, the receipts, expenses, and debts of the state.

The annual report which you address to the Emperor also contains the entire budget and its numerous tables, which you do not accept as correct until after you have been assured by long investigation of its rigorous exactitude.

We will take for the terms of comparison, not a budget in actual exercise, because that would only rest upon presumptions, but a realized budget, which can only have for its foundation an absolute certainty. We will choose the budget of 1863. We will only at the present time examine the receipts. The amount of those which belong to France, having been already received by the treasury, cannot be afterwards varied. As to the expenses, it is our task to attend to the appreciation of them when they have received a legal sanction. The bill which ought to rule them definitively was presented to the legislative body on June 13, 1863; it has not yet been voted, but doubtless will be at the commencement of the approaching session, besides, the subject is too great to be completely discussed in a single sitting. The English financial year does not begin like ours, with the ordinary year, but commences the 1st of April and ends 31st March. We will compare the French budget of 1863 with the English budget, which opened the 1st April, 1863, and closed 31st March, 1864. We do not hesitate to recognize the fact that owing to their prosperity and power to commerce and industry, our neighbors beyond the sea have long before ourselves applied to the administration and inspection of the public revenues order and regularity of accounts, conditions indispensable to success in all great commercial or industrial enterprises.

They have also been the first to publish and put in practice the fundamental principle that no tax can be levied without the consent of the contributors or their deputies assembled in parliament. This principle is thus stated in the 14, 15, 16, and 20, of Magna Charta, granted by King John in 1215:

“ART. 14. We promise never to make any levy or impost, either for right or sentage, (which was a tax payable to the King by the possessors of fiefs to exempt them from military service and their vassals from rendering public services,) or any other tax, without the consent of the commons of our kingdom, if it be not for the redemption of our person, or to make our eldest son a knight, or to marry once our eldest daughter; in all which cases we will only levy a moderate and reasonable tax.

“ART. 15. It will be the same in respect to subsidies which we may levy on the city of London, which will enjoy its ancient rights and customs whether on land or water.

“ART. 16. We accord to all other cities, towns, boroughs, and villages, to the barons of the Cinque ports, (which are in the county of Kent, and the government of which are the right of barons,) and to all other ports the enjoyment of their ancient rights, customs, and privileges, and to return members to the council to regulate the amount which each ought to furnish, the three cases of article 14 excepted.

"ART. 20. We promise also not to give to any lord whatsoever the right to levy any sum upon his vassals and tenants, unless it be to deliver him from prison, to make his eldest son a knight, or to marry his eldest daughter, in which cases he may levy only a moderate tax."

Edward the First, in his statute of *Tallagio non concedendo*, published in 1306, confirmed in these terms the principle established in Magna-Charta: "No tax or levy may be made or raised in our kingdom by us or our heirs without the will and consent of the archbishops, bishops, counts, barons, and delegates of the free boroughs and cities, in parliament assembled."

Notwithstanding these edicts, the English people have been compelled several times to display as much energy as constancy to free themselves from the arbitrary taxes of the kingdom. This contest did not cease until the end of the 18th century, under the ministry of Pitt, when the financial administration of the three kingdoms was definitively established; that of France was then in a chaotic state, but was reorganized upon entirely new basis twenty years later by Napoleon I—subsequent governments have introduced numerous improvements into it. We have to examine whether, such as it actually exists, this administration protects the interest of the state and of the tax-payers, more or less than the English method.

I know of nothing better to elucidate a question so important and complex than the comparison of the two budgets; but as each budget, embracing the whole public service, represents the entire government, it appears to us indispensable to precede the examination of the English budget with some general outlines of the government of a country which, although so near to our own, is yet imperfectly known in France, or misapprehended.

We need not observe that we employ the word England in its largest sense, as the synonym of the United Kingdom of Great Britain, comprising England, properly so called, Wales, Scotland, and Ireland. England is divided into counties, districts, and parishes.

In an administrative point of view, cities and boroughs, which, by virtue of a charter or an act of Parliament, have the power of self-government, and are thus constituted municipal corporations, are exceptions to general law of the counties. The principal functionaries of the counties are lord lieutenants or governors, sheriffs, and justices of peace. The first two alone hold their powers direct from the Crown; they receive neither salary nor indemnification.

The lord lieutenant is always chosen from amongst the chiefs of great families, who possess large landed estates in the counties; he unites to the chief command of the armed force the ancient officers of *custos rotolorum*, or keeper of the records of the courts of justice. He nominates the captains of the yeomanry, a kind of national horse guards, and the officers charged with levying the militia.

The sheriff was anciently elected by the free tenants; he is now nominated by the sovereign in council from a list of three candidates, who are designated every year at Michaelmas by the great dignitaries of the state, and the members of the high courts of law assembled in the exchequer chamber; his functions obligatory and his term of service for one year. Placed at the head of the civil government, he maintains public peace, presides at elections, and prepares jury lists.

The justices of the peace, whose number is unlimited, and who also exercise their functions gratuitously, are nominated by the lord chancellor, upon the proposition of the lord lieutenant; they can only be chosen from amongst proprietors of the county whose annual revenue exceeds £100 sterling; they maintain, in concert with the sheriff, the public peace, see to the good condition of the roads and bridges, and also of the asylums for pauper lunatics, and they are charged with the administration of the prisons.

They assemble quarterly to try civil and criminal cases, passing judgment upon all business which special laws have given into their jurisdiction. Under their orders are coroners, magistrates, (who examine into deaths by violence, proceeding by means of inquests instituting criminal prosecutions if necessary,) constables or police officers, commissioners of markets, and other civil officers of the county.

The various functions accumulated in the attribution of the justices of the peace demonstrate that in England the principle proclaimed by the constituent assembly in 1789, and maintained by all our constitutions as one of the most essential guarantees of civil liberty, the principle of the separation of the administrative from the judicial power, is not observed.

The districts are administered by bailiffs, who are named by the justices of peace at their quarterly sessions.

The parishes are administered by the vestry, which is composed of those who pay poor rates.

The cities and boroughs which have municipal corporations are administered by a mayor, aldermen, and town councillors; these latter are elected at an annual meeting of the citizens, the mayor and aldermen by the town council. The mayor, who is re-elected every year, and the aldermen, whose powers last for six years, must exercise the functions of their office under penalty of a fine of £100 sterling for the first, and £50 for the latter. We shall see further on what are the financial results of this organization, adapted to the traditions, necessities, and customs of a people governed since centuries by a territorial aristocracy.

We will now consider the most important features of the English financial system.

Since the suppression in the reign of Queen Anne of the office of lord high treasurer, the administration of the finances is confided to two ministers, the first lord of the treasury or premier, and the chancellor of the exchequer. These functions have sometimes been discharged by the same person, as in the instance of Sir Robert Peel, in 1834.

The first lord of the treasury, president of the councils of the ministers, of the court, and of the treasury, only intervenes in questions of the highest importance; he abandons all the details of the administration as well as the general presidency of that court to the chancellor of the exchequer.

The chancellor of the exchequer prepares the budget, presents it to the House of Commons, where he sustains it in debate, and causes it to be put in execution; he has for coadjutors the three junior lords and two under secretaries, all members of the court. The treasury is divided into several sections, representing the various taxes, the customs, exercise, stamps, post office, and Crown lands, each having a special council and president which meets daily, excepting Sundays, and which is necessarily consulted upon all business pertaining to it.

The comptroller general of the treasury is one of the highest in the administration of the finances; appointed by the Crown, he cannot be revoked save on a proposition from the two houses.

In order the better to secure his independence, his salary is not subject to the annual vote of the legislature. No payment on account of the state is allowed to be made at the Bank of England, nor distribution of moneys for the public service, or order for payment delivered by the treasury, can be made without the supervision of the comptroller general, to whom the Bank of England remits a daily statement of all the sums paid and received by the treasury, and position of the credits open on each account. The comptroller is also bound to render an account to the treasury at the end of each week of these various operations; he also signs and delivers exchequer bills the emission of which have been authorized by the House of Commons, and provides for their repayment.

The audit office, the functions of which we explained last year, completes the whole organization.

But how does it extend its action over all the three kingdoms? By means of what agents, following what regulations, are the taxes received and payment effected to meet the requirements of the treasury?

In England, as in France, the taxes are divided into two categories—direct or personal “assessed taxes” and indirect.

Commissioners are appointed by act of Parliament yearly in every district. They have no fixed salary, but only receive remuneration for their travelling and other incidental expenses. They choose in each parish assessors, whose services are annual and gratuitous; if any refusing the office, he is fined by the commissioners £40.

The assessors rate the inhabitants for the sum assigned to the parish, according to a statement prepared by the commissioners, of which a duplicate is transmitted to the exchequer. The amount to be furnished by the locality and by individuals is fixed according to revenue; but in default of a cadastre, that which is necessarily arbitrary in the assessment is controlled by that deep sentiment of justice and that constant probity which characterizes public and private acts in a country where any transaction causing discredit leads to isolation and ruin. Moreover, there is a remedy against unjust or exaggerated charges, both for the parishes and the tax-payers, in the courts of justices of peace at the quarter sessions.

A dangerous right is conceded by the English law to the commissioners and assessors—that of increasing the principal of the tax by additions, which are neither carried to receipts or payments in the accounts sent to the treasury—the object being to supply any deficiency in the collection and by reason of repayments accorded to the tax-payers, and to preserve the interests of the parish, which is responsible to the state for the whole sum attributed to it. “Non valeurs” are not admitted in England.

This excess is especially profitable to the assessors themselves, who find in it an ample remuneration for their trouble, for which but a nominal gratuity is awarded.

The assessors prepare the lists and post a copy on the door of the parish church, with a notice that all persons who consider themselves overcharged must present their appeals before the commissioners on the day when the lists are submitted to the latter for confirmation.

On the appointed day the assessors hand the lists to the commissioners, headed with the names of two collectors of known solvency, who have been chosen from among the inhabitants of the parish.

These collectors must serve under penalty of £100. For refusal, they must also give bonds.

These collectors post anew the approved lists on the door of the church. The tax is not, as in France, payable by twelfths, but at two equal distant periods, viz., on 25th March and 29th September. The contributors who are in arrear are notified by the collectors at their houses, verbally or in writing. After four days' delay, the collectors have the right, upon the express authority of the commissioners, to seize the goods of the defaulters and sell them at auction. If insufficient to meet the tax, the collectors may, after a second delay of ten days, cause their arrest and imprisonment until payment is made, without the benefit of bail, which is allowed to all other debtors.

The peers of England alone are exempt from imprisonment for non-payment of taxes.

Need we recall the fact that in France the direct taxes are made and divided according to certain bases which have no room for arbitrary action.

The legislative body by its votes fixes the annual contingent of each department, (except for the license tax, which, although direct, is a tax *pro rata*;) then the division is made ac-

ording to the cadastral revenue by the general council among the arrondissements; among the communes by the councils of the arrondissements, and among the tax-payers by the comptrollers of direct tax, assisted by assessors, *repartiteurs*.

A formal provision of the budget, reproducing an article of the penal code, forbids them to add any sum whatever to the rate thus determined upon, under penalty of prosecution as extortioners.

The tax-payers receive at the beginning of each year a *printed* notice indicating the sum to be paid, and the bases of assessment. Three months are allowed for claims to be made thereupon to the council of the prefecture, which decides subjects to appeal to the council of state. In default of payment of the twelfths due after three degrees of prosecution of trifling cost, the collector may, as in England, seize and sell the personal property of the individual in arrears; but the suit cannot go further. The government in France never deprives of their liberty those who do not pay their taxes, nor make the communes responsible, for the amounts not paid are classed among the "non-values."

The indirect taxes are paid in France, as in England, into the hands of special agents for each administration.

Nothing can be more simple and certain than the French system for payments of the receipt from taxes into the bureau of the treasury, and their transmission to those legally entitled to receive them.

Seven thousand collectors are appointed by the minister of finances. Two hundred and eighty-two special and eighty-nine general collectors, called receivers, are appointed by the Emperor; and all are required to give security in money deposits. The taxes collected are placed at the disposal of the central administration within a fixed period, which generally does not exceed ten days' delay. Eighty-three payers, also appointed by the sovereign, residing in the capital of each department, pay all public expenses under orders from the directors of payments, at the minister of finances. This service has been still further simplified by uniting the functions of *receveurs* general and *paymaster* in the hands of treasurers or *paymaster* general, recently instituted.

What the treasury does in France by its own agents is abandoned by our neighbors to the Bank of England. Since 1694 this vast establishment has enjoyed the privilege of centralizing in its bureaux the product of the taxes levied for account of the state, and of paying its disbursements upon drafts made by the commissioners of the treasury and approved by the comptroller general.

In those counties where the bank has branches, its clerks attend the collectors on their circuits and receive from them the amount collected, giving a simple receipt for the same. In general, all the officers charged with the collection of public revenues pay in or transmit to the bank the total of their funds within twenty days after the receipt, except a reserve, which varies from £4,000 to £40,000, the direct payment of costs and prosecutions, of salaries of special employés, of pensions of assistance granted, of material, &c., within limits fixed by the treasury.

The army and navy have each a *paymaster* general, assisted by numerous clerks, who receive for their disbursements credits upon the Bank of England from the chancellor of the exchequer not exceeding the sums voted by the house of commons.

Do these operations, so multiplied and various, conducted by agents, nearly all appointed for a year, who are not regularly compensated, whose functions are compulsory, do they offer the guarantees which the management of sums reaching yearly to the amount of several millions would seem to require? We ought to believe it, seeing that, during so many years, this system has been maintained and practiced by statesmen of consummate ability, governing a great nation whose finances augment constantly in prosperity.

We are, however, not the less convinced that for any other people this system would be a cause of disorder and ruin. It appears to be not without its inconveniences, even in England. President Marquis d'Audiffret, Senator, thus expressed himself in his remarkable treatise on the financial system of France:

"The English government has preferred confiding to banking and business combinations the execution of its public services, and the receipt, transfers, and disbursements of all the state revenues are confided to the central action of the Bank of England and its branches. This connection between the general interest of the treasury and the interest of the commerce of the country often bring the one in collision with the other, producing mutual injury. Order in the finances, that first condition of economy, of good administration, and of public credit, must especially suffer from this impolitic association of two services of incompatibility, by reason of the diversity of their nature and purpose. Thus, the rapidity and brevity of the forms and writings of a purely industrial establishment could not be made to conform to the requirements and rigorous exactness and regularity of a financial comptabilité, and the real position of the exchequer can never be shown with the clearness and exactitude in the accounts of the bank."

A single fact will show the whole extent of this disorder. There are 1,400,000,000 francs (£58,000,000) unaccounted for with explanations or proofs of employment in the movements of the funds relating to the sinking fund of the debt. So grave a fact suffices to demonstrate that England has no control over the public purse, and has not yet been able to throw light upon the general situation either on the credit or debtor side of the treasury.

Very considerable advances appear ordinarily to be made in aid of the state, whilst the revenues realized throughout the kingdom are continually accumulating in the hands of the bank and its branches to a yet more considerable amount, thus procuring the use of funds without limit because unperceived at all the several bureaux which have obtained the management of them. The habitual fluctuations in the movement of capital, the abrupt and important variations of the rate of discount, occasion frequent monetary crises, which are the common subject of complaints and reproaches from merchants and manufacturers, and even from members of Parliament, against the management and accountability of banks.

We therefore do not envy England the possession of a system of circulation and credit which doubtless answers the requirements of its peculiar position, but which brings with it such numerous abuses, such grave embarrassments for the government and for private individuals, and sacrifices for the state the more onerous because impossible for it to moderate them or to measure their extent.

We here terminate the examination of the administrative and financial institutions of England.

We now propose, first, to examine the two budgets, and we will commence by showing the differences which exist in their fundamental principles.

In France the legislative body discuss each year all the articles of the budget and votes all the sections of it. It is not so in England, for nearly one-half of the budget, under the title of consolidated funds, is neither discussed nor voted by the House of Commons. Upon 1,699,000,000 francs, the amount of expenses carried to the budget 1863, 824,000,000 were classed among the consolidated funds, which provide not only for permanent and fixed expenses, but also for others essentially variable, under the following titles: Interest on the funded debt; the Queen's civil list and pension of the royal family; civil and military pensions; salary of the president of the House of Commons and of the serjeant-at-arms.

(These two are comprised on the same category; that of the serjeant-at-arms, who executes the decisions of the presidents, is 30,000 francs.

Income of the lord lieutenant of Ireland, of the comptroller general of the treasury, and of the commissioners of the audit office.

The income of the lord lieutenant of Ireland is 500,000 francs. The commissioners of the audit office, who have a fixed stipend and enjoy a permanency of office, are four in number. The other officers belonging to this court charged to verify accounts, and to present their reports upon them are however revocable, and the amount of their salary is voted every year by Parliament.)

Emoluments of the magistracy. The diplomatic service. Upon these 824,000,000 of francs placed thus beyond the legislative jurisdiction are also several other disbursements which we will not enumerate.

There exists between the two budgets a second difference not less important, viz: that in England the state only contributes a very small proportion to the cost of the internal administration of benevolent establishments of public worships.\*

The state takes no part in the repair or construction of railways, which are entirely the property of private companies.

These branches of the service are remunerated with the produce of local taxes, which amount to several hundred millions. But if the budgets of the two governments differ under the double aspect of legislative control and public service which are under their charge, we shall find differences not less essential in the verifications after the close of the session to prove the results.

You are aware how carefully it is ascertained in France that all the sums due to the state have been paid into its bureaux in conformity with the prescriptions of the budget, and the laws, decrees, and ministerial instructions. A commission composed of the councillors of state, members of this court, and inspectors general of finance, examine all the operations of the treasury. On your part, not only you examine the accounts which all the officers charged with the management of the revenues of the state, collectors and paymasters, are required to submit to you twice a year, within fixed periods and under heavy penalties for delay; you pass judgment also upon the accounts which each minister presents to you of the receipts and disbursements of his department, and upon the general statement of accounts published by the minister of finances. You declare in solemn assembly whether the accounts are or are not in conformity with the decisions which you have pronounced upon the individual management of the collectors and paymasters of the treasury. Finally, a law regulates definitively the budget of the past fiscal year.

The practice in England is totally dissimilar. The ministers do not produce any accounts before the audit office, the jurisdiction of which is confined within very strict limits. That court merely examines the management of the comptroller, under the power conferred upon them by a formal act of Parliament for that purpose. The treasury has the right to verify the other operations by its officials. The audit office cannot, like yourselves, present as a whole, in united form, the total receipts and disbursements of the year. Lastly, the budget of the fiscal year which has expired is not regulated definitively by a special law.

\* The state only contributes to the repair of religious edifices, the clergy being paid with the revenues of their livings, and the produce of tithes and of public works.



They proceed in this wise: the accounts which at all times have specially attracted the attention of the House of Commons, and which almost exclusively gave rise to discussion, are those of the army and navy. These have been placed, by the laws of 1832 and 1846, under the inspection of commissioners of the audit office, and who personally, in the offices of those ministers, follow day by day all the operations on the registers, and compare the amounts and employment of the expenses with the vouchers. Their reports, after being discussed and approved at the audit office, are sent to the treasury, at the latest, on the 1st of July the year following that in which the budget has been realized. The treasury transmits these reports to the House of Commons at the opening of the session. A law of 1861 has extended the method of control to the administrations of customs, of the post office, and of internal revenue.

The chancellor of the exchequer, on his part, presents to the House, before the presentation of the budget, a detailed and complete statement of the receipts and disbursements of the past fiscal year, and if he has a surplus which has not been employed in the reduction of the debt, he carries it to the budget of the following year.

This statement is not voted upon, but Parliament has a right of inquiry, and makes use of it whenever the interests of the state appear to have been neglected.

We may still better appreciate the two systems by comparing the two budgets, and will confine ourselves at this time to the examination of the receipts. We have already explained the motives which have determined us to reserve for subsequent discourse the comparison of the systems of disbursements.

The revenues of the state, whether in France or in England, proceed almost entirely either from direct or indirect taxes.

#### DIRECT TAXES.

These direct taxes in France are, as you know, four in number, to wit:

The real estate (*foncier*) tax, which comprises properties in both lands and buildings; the personal tax, and that on personal property; the tax on doors and windows; and that on business, (patents.) The total product of the same received by the state in 1863 was 311,180,000 francs, (\$62,236,000,) including 2,377,000 francs, (\$4,754,000,) the amount of the tax upon horses and carriages abolished in 1865.

The sums carried to the account of the English budget of the same year, as the result of direct taxes, amounted to 314,397,000 francs, (\$63,879,400.)

We will now give some very brief explanations respecting the original and present position of the taxes. The real estate tax (*foncier*) was established in 1688, soon after the expulsion of the Stuarts. It was fixed in 1798 at 50,000,000 francs by Pitt, who accorded to the landed proprietors the right to redeem it by means of transfers of three per cents. This operation was burdensome for the state, but it allowed the disposal of a capital of 660,000,000 francs at a time when all resources were needed to support the expenses of the war with France. This tax yields only 28,184,000 francs, (\$5,637,000.) There being no cadastre, the distribution is necessarily arbitrary. The tax on inhabited houses dates from 1694, and has been several times remodelled and reduced. In 1863 it produced 22,460,000 francs, (\$4,492,000.) Taxes upon luxuries, to wit: upon male servants, horses, carriages, coats of arms, hair powder, etc., which produced in 1863, 23,709,000 francs, (\$5,742,000.) The income tax is the most important of the direct taxes which weigh upon England. Pitts, who created it in 1798, profited of the animosity which was entertained in his country against France, and of the necessity of procuring subsidies for foreign armies, to obtain the passage of the bill. The income tax was, however, abolished by Parliament in 1815, and only consented to its re-establishment in 1842 to cover a deficit of 250 millions, (\$50,000,000,) which had accumulated during the previous five years. It is only regarded even now as provisional, and is voted for one year. The basis of the tax is evidently defective, for the tax-payer himself fixes the amount on tax by a sworn statement, and the state has only against the bad faith of the interested party the nearly always illusory recourse of a secret inquiry, and a fine for concealment should the declaration prove to be false. The income tax has brought into the English treasury in 1863, 232,881,000 francs, (\$46,576,000.)

Independently of these taxes, there exists, also, in England various local taxes, which are in fact direct taxes, because they are imposed and collected in the same manner as direct taxes. Several of them are for payment of services, which in France are included in the state budget.

#### INDIRECT TAXES.

Indirect taxes are those which in both countries bear principally upon articles of consumption, and constitute for their treasuries the most important resource. They produced in France in 1863, 1,255,000,000 francs, (\$251,000,000,) and in England 1,364,000,000 francs, (\$273,000,000.)

## TABLE OF COMPARISON.

*France.*

	<i>Francs.</i>
Customs and salt.....	195,429,000
Registration and stamps.....	408,605,000
Spirituous liquors, imposts, tobacco and gunpowder.....	578,432,000
Post office.....	72,950,000
	<hr/> <hr/> 1,255,416,000

*England.*

Customs.....	580,800,000
Stamps.....	232,925,000
Excise.....	455,175,000
Post office.....	95,250,000
	<hr/> <hr/> 1,364,150,000

We will only present upon these various taxes some very brief observations, as we have already done on the direct taxes.

## CUSTOMS.

The total produce of English custom duties exceed those of France by 385,000,000 francs, which is easily accounted for. In the first place, the English customs comprise tobacco, sugar and wines, which come wholly from abroad, whereas these duties in France are collected almost entirely by the special department for indirect taxes and tobacco. In the second place, the foreign commerce of England was, in 1863, and still is, much more considerable than that of France. The English imports were in 1863, 4,297,000,000 francs, and the exports 6,454,000,000; in all, 10,651,000,000 francs. The imports of France, notwithstanding the vast impulse given to its commerce by the new system inaugurated in 1860, was only, during the same period, 3,236,000,000, and its exports 3,526,000,000 francs, in all, 6,762,000,000. This difference necessarily reproduces itself in the revenue from customs.

## REGISTRY AND STAMPS.

The stamp duty was imported from Holland into England, and dates from 1671. It was at first only applied to legal documents, but was successively extended to duties upon inheritances, sales, exchanges, donations, and upon all other civil or commercial transactions. It has also been applied to nearly all professions, imposing on them a stamp analogous to our tax on business. Public functionaries, even, are bound to pay a tax, proportioned to their remuneration, for the seal upon their commissions.

The duties upon inheritances are levied after the will has been proved by an ecclesiastical court, a necessary condition to their validity, or in case of decease *ab intestate*, after the court has named a curator, charged provisionally to administer upon property of the deceased. This tax is not less than that in France, but it is only levied upon personal property, real estate being exempted, a privilege which could only exist under an aristocratic government. On the other hand, as the property in the soil is concentrated in the hands of 50,000 to 60,000 families, whereas France has upwards of eight millions of proprietors, it follows that the sales and other contracts relating to real estate are much less numerous than with us.

These are the causes of the difference which exists in the amount of the taxes collected under the French system of registration and that in England of stamps. This difference amounted in the budget of 1863 to 175,000,000 francs less for the latter than that of France.

The payment of this tax is guaranteed in England not only by heavier fines than in France, but still further by the absolute nullity of those titles which have not been stamped within a fixed period. Our legislators have never admitted that the respect due to contracts should be sacrificed to fiscal interests.

## WINES AND DIVERS IMPOSTS, TOBACCO, &amp;c.

The excise has a great analogy to our administration of indirect taxes, both for the article on which they are imposed as well as for the mode of collection. It was also imported from Holland by Cromwell. Its application, like the stamp duties, was at first restricted to a small number of articles, but has been extended in proportion to the requirements of the treasury, and, by the successive augmentation of the taxes, has become one of the most fruitful branches of the public revenue. If it produced in 1863 less than the same tax in France, (\$24,600,000 less,) it is solely because the tax on tobacco is collected in England by the custom-houses. This tax produced in France in 1863, \$45,295,200.

## POST OFFICE.

This branch of revenue produced in England \$4,400,000 more than in France, which is due especially to the immense number of letters sent and the large number of post office orders, which the commercial and manufacturing relations require in a country whose manufactures exceed those of France by about three-quarters.

The stamp upon letters was reduced in England in 1840 to one penny, (ten centimes,) and ten years later in France to twenty centimes, (four cents.)

Our neighbors repress frauds on the post office by excessive fines. The employés who steal money enclosures are punished with death, and those who exact a higher rate than the tariff, with transportation.

The secrecy of letters is religiously respected, except in some rare cases dictated in the interest of the state. Letters are even then only opened upon the formal order of one of the ministers of state, in the presence of a justice of the peace. Nevertheless, the custom-house may open letters by the direction of a magistrate, if it suspects that they contain contraband articles.

To these direct and indirect taxes just enumerated are to be added the receipts which bear in both budgets the title of "miscellaneous revenues." We have deducted those which are merely accidental. The amount of receipts under this head were in France \$3,800,000, and in England, \$7,140,000.

The general total of taxes paid in France is \$313,200,000, and in England, \$335,600,000; and as, according to the last census, taken in 1861, the population of France was 37,386,000 inhabitants, and that of England 29,307,000 only, it results that the quota of each individual in France was \$8 37, and in England, \$11 46; the difference, \$3 04, is in reality much greater, if we take into account the English local taxes destined for departments of the public service, which are nearly all in France provided for by the government. These taxes have been valued at \$85,000,000 by the chancellor of the exchequer in one of his speeches in the House of Commons.

To the revenues from taxes are to be added those from crown lands, which in France are \$10,600,000, and in England are \$1,520,000. This enormous disproportion proceeds from the fact that the Crown lands in England are only composed of certain domains which belonged originally to the Crown, and which were detached on the accession of George III. The forests which form part of them contain only 40,000 hectares, (90,000 acres,) while those of France exceed one million hectares, (2,400,000 acres.) The total revenue of the government in France is \$323,800,000; in England, \$337,000,000.

If to this detailed account of receipts we had been able to join a statement of disbursements, and to show the employment of the credits opened at each department, it would be very easy to explain to you the cause of results so different which the two budgets present. Whilst the English budget shows a surplus of \$15,612,800, which for the most part was employed in reducing the funded debt, there appears, on uniting our ordinary and extraordinary budgets, a deficiency of \$4,506,200, which will increase our floating debt whenever the legislative body has sanctioned the bill regulating definitively the year's budget.

We must also admit that this deficiency would have been more considerable if the eminent minister who presides over the direction of our finances had not been able to secure some exceptional resources for the treasury.

Do these results, apparently so disadvantageous for us, proceed from superiority of institutions, or of administrators? Assuredly not; they have for their sole cause the enormous subventions which are borne by the tax-payers of England, which exceed ours by more than \$100,000,000.

Ought we not, also, in comparing the two budgets of 1863, take into account the increase of expenses occasioned by the maintenance on a war footing of our army by land and sea?

This state of things will soon end, and our finances will return to their normal condition, when we shall not need to envy England her surplus receipts.

Ought we not, also, in this parallel, to take into account the magnificent future which the railways are preparing for us? The sums granted to the railroad companies, in larger and larger proportions since the re-establishment of the empire, have allowed them to establish and work more than 13,000 kilometres, which have contributed to augment individual wealth by more than \$6,000,000,000, and the public revenue by over \$80,000,000.

The day will come when these railroads, complete and free from all debt, will become the entire property of the state, and will then be able to produce more than enough to pay the interest on the public debt, and to extinguish the capital. Ought we, then, to regret that we have not followed the example of our neighbors, whose government preferred to renounce these immense advantages, and to abandon the construction and possession of the railways to private enterprise?

We have achieved our task within the limits in which we had proposed to restrain ourselves. The exhibition of the English financial institutions and their working furnishes us one salutary instruction, namely, that these institutions may suit the English people, but are not adapted for ourselves. They wound the principle of equality, so deeply rooted with us. Nearly all of them founded during feudal times, they still preserve its traces and per-

petuate power and property in the soil in the same families. Everywhere are met the privileges of birth and of wealth. Sometimes they even affect individual liberty, in cases where it is respected by our laws. Thus, as we have said before, if a tax-payer omits to pay his impost within certain fixed periods, the treasury agent, after some days' delay, may cause him to be imprisoned, unless the debtor is a member of the House of Lords.

The tax on inheritances is one of the most productive sources of revenue of the state. Real estate, however, is exempt; otherwise this duty would reduce the enormous hereditary fortunes, whose landed revenue is counted by millions.

With regard to controlling the administration of the agents of the treasury, it is lawful for it to leave this care to its own employés, or even to absolve them from any verification. If the audit office discovers, in the accounts which are referred to it, ministerial requisitions which are irregular or improper, it is forbidden it to make them known to the sovereign or to Parliament. Its decisions do not become executory unless a court composed of cabinet ministers consent thereto.

How little do these functions resemble your own! No depositary of the public property can escape your control; even the ministers themselves can dispose of no credit upon the treasury without rendering account thereof to you. Your decisions, as soon as they are pronounced, constitute a judgment, and the execution of them is obligatory. In fine, every irregularity in the financial acts, as stated in your report to the Emperor, which is printed and distributed to all the members of the senate and of the legislative body. The independence which you enjoy, gentlemen, is also a powerful incentive to display an ever increasing activity in the exercise of your arduous exercise.

The judicial year which has now nearly closed, and the labors of which it is our duty to retrace to you, offers us a new proof of your constant solicitude. You have rendered 294 decisions more than in the preceding year; in all, 2,405. The accounts which you have examined are superior in number by 91 to those upon which you sat in judgment in the year 1864-65. This progress is most remarkable in the communal and hospital accounts; nevertheless, to fulfil the task which is imposed upon you, renewed zeal will become necessary, on account of special accounts prepared exceptionally for the operations complement to the session of 1864, by virtue of Article VI of the decree of 27th of January last. These accounts, numbering at least nine hundred, are the result of a transitory measure, and will not be renewed.

The court pronounced, on the 25th August last, before the term prescribed by the decree of 31st May, 1862, its general confirmatory declaration upon the accounts of the session of 1864. It has also pronounced seven general declarations upon accounts of business relating to the government.

The most important of your acts, that which ought to complete your labors, the report to the Emperor, would not have been submitted to your deliberations, but for an event as unfortunate as unexpected. One of the magistrates charged with collecting the materials for this report has been suddenly called away, at the time when he was just prepared, by his conscientious researches, to fulfil this delicate mission.

(Here follows biography of M. Thomas, the deceased.)

After this discourse, the first president ordered, in the name of the court, that the state of the labors of the third quarter of 1866 should be transmitted to the minister of justice, to be by him brought to the knowledge of the Emperor.

*Discourse pronounced by Senator Count de Casabianca, imperial attorney general.*

(Translation.)

COURT OF ACCOUNTS, *Sitting of November 3, 1864.*

GENTLEMEN: At the moment when a new judicial year is commencing, before speaking of the task which it imposes on you, we deem it advisable to cast a rapid glance on the past; we shall there meet with valuable recollections.

The institution of a magistracy intrusted with the care of exercising a severe control over the receipts and expenditure of the state is as ancient in France as the monarchy itself. The functionaries who filled this high mission were originally attached to the person of the King; they walked in his suit, and formed part of his council. The period when their residence was fixed at Paris, and when they formed a distinct court, which preserved its primitive denomination of *chamber of accounts*, is not known. All that has been ascertained is that it was anterior to the fourteenth century.

The following is contained in the preamble of the letters of declaration of Louis XI, published February 26, 1464:

"The management and police of the common weal of our kingdom consists chiefly in justice and in financial matters, for which matters to be conducted and administered under the monarchy and rule of our Crown, wherefrom they depend and derive, were anciently established two supreme courts, separated one from the other; that is to say, our court of Parliament for the aforesaid justice, and our chamber of accounts for the said finances."

This chamber had for its first presidents the most considerable personages; among others, Jacques de Bourbon, great-grandson of St. Louis; Gancher de Chatillon, constable; Jean de Trie and Robert Bertrand, marshals of France; Enguemand de Courcy; Waleran de Luxembourg, Count de Saint Pol; Henri de Tally, one of the ancestors of the great minister; Pierre d'Oacole, chancellor of France.

Several kings, especially Philip de Valois, Charles V, Charles VI, Louis XII, attended and took part in its deliberations, and consulted it on the most important questions of government. Thus the publication of the treaty of Bretigny, by which Edward, King of England, renounced all pretensions to the Crown of France, and restored King John to liberty, on payment of a ransom of three millions of golden crowns, took place only in virtue of a decision of this chamber. To it was intrusted the execution of the wills of Charles V and Charles VI.

It registered the marriage contracts of the kings, treaties of peace, the decrees appointing chancellors, keepers of the seal, and high officers of the Crown, the edicts of creation and suppression of offices, of grants of privileges to towns, establishing hospitals and religious foundations, letters of naturalization, of nobility, of creation of estates into dignities.

It received the oaths of allegiance of bishops, and pronounced the sending into possession of their temporalities.

It decided in a sovereign manner concerning all disputed questions relative to public taxations, municipal taxation, and property of which it kept the title deeds in its archives. Nevertheless, its jurisdiction was limited by that of the eleven other chambers of accounts, which were successively instituted in the provinces.

But these great judicial bodies, notwithstanding the splendor which surrounded them, and the extent of their prerogatives, were unable to remedy the defects of the financial system; they had but an insufficient action over the accountants, who not being subjected to rigorous rules for the production of vouchers, easily escaped their control. The consequence was, that when this court, created by the Emperor Napoleon the First, and installed in 1807, by the arch treasurer of the empire, replaced the offices of accounts abolished in 1790, it found in the management of the old depositaries of the finances of the state and of the municipalities an inexplicable confusion, and immense arrears, which extended to more than half a century.

Invested with less numerous and less brilliant attributions, but better defined than those of its predecessors, free and independent in the exercise of a more real authority, the new court fully justified by its first acts the expectation of its august founder.

To judge in prescribed delays, and without hindering the action of those who had ordered them, the accounts of all those who had been charged to receive and employ the resources of the state, and of the municipalities of which the budgets had been approved by imperial decrees:

To find out in a yearly report addressed to the Emperor all the infringements on the laws and regulations committed in the administration of finances, and all the reforms of which that administration could be susceptible:

Such was the programme expressed by the law of September 16, 1807, and the organic decree of the 28th of the same month.

This programme, so simple in appearance, presented in its execution the most serious obstacles. It was necessary at first to regulate the past, and the task appeared so arduous that it was proposed to the Emperor to cover by a general amnesty all the managements prior to 1789. This measure had been applied several times under the monarchy in similar circumstances. The court observed, with a respectful firmness, how dangerous it would have been to follow that example, to inaugurate the return to order by an excessive indulgence towards negligent or unfaithful accountants. It resolutely accepted the heaviest share of the burden by undertaking to clear former accounts of administrations, leaving to the ministry of finance to liquidate individual managements. Before the expiration of the term which it had fixed at five years, its laborious mission was terminated, and in virtue of its decrees, considerable recoveries had been operated by the treasury.

Nothing could be more remarkable than the first reports of the court to the sovereign, whose inquiring genius never attempted a financial question without sifting and enlightening it. In these reports the court energetically defends its attributions against the heads of the great directions of the empire, who strove to remove their expenditure from its control, or to render it illusory by merely establishing them by accounts, accompanied by their signature. It claims with energy the accounts of the paymasters of the army, of the military divisions and the maritime districts, the communication of which was refused to it. It lays the bases of a new system of accounts, and proves that it is necessary to submit each yearly account to two verifications applied, the former to the management, the latter to the exercise, to unite in their *ensemble*, and to compare correlative facts, when they are entirely concluded. It requires that the entrance of the funds into the treasury and their outlay should only take place in virtue of regular vouchers, establishing in an incontestable manner the rights of the state and those of the creditors. It has constantly reproduced the expression of the latter desire, until it was satisfied by the decree of September 14, 1822.

Need we prove how much the court has contributed to all the improvements which have been introduced into public accounts? Is it not in consequence of the requests it has so

frequently renewed in its yearly reports; is it not under the presidency of one of its most eminent chiefs,\* and with the co-operation of several of its members, that were prepared the ordinance of May 31, 1833, and the decree of May 31, 1832? Models of order and perspicuity should have reproduced and classed all the financial regulations applicable to the acts of the different administrations of the empire. To complete this work, one of the most difficult and important of our legislation, nothing remains but to revise the regulations concerning the accounts of each ministerial department, and to reduce them as much as possible to uniform prescriptions. This revival is being prepared at the present moment by a committee, in which you are as largely represented as in the preceding committees. It will soon have completed the particular regulation of the ministry of finance.

After having thus recalled the legislative labors which have reformed and improved your statutes, and which are, to a considerable degree, due to your suggestions, we shall present an abridged statement of your judicial labors accomplished in the year which has just closed; we shall next call your attention to what you have yet to do.

From November 3, 1863, to October 31, last, you have pronounced 2,123 decrees and 6 general declarations of conformity—1,237 decrees concerning the accounts of the treasury, and 866 those of municipalities, charitable institutions, and other public establishments.

The year 1862 has been, like the preceding, the object of a two-fold verification—by the examination of every individual management, and by that of the accounts of ministers. You have established the conformity of the results of your decrees with the corresponding operations comprised in the ministerial accounts. You have not only been attentive to the rigorous observation of the laws and regulations: you have also held the balance equal between the treasury and the interested parties. Whenever a regulation has been overlooked or an error has been committed in the receipt or the employment of the public money to the detriment of the state or of private individuals, the reporting magistrate has proposed, and the court has pronounced, an injunction, either for the performance of the legal prescriptions or for the recovery or reimbursement of whatever has been insufficiently received or too much paid by the accountant. You have even pocketed the latter when he had made a mistake to his own disadvantage. He has only obtained a final discharge after having satisfied all your injunctions, saving in that exceptional case which we shall soon have the occasion of mentioning to you.

We have thought proper to state the number of injunctions mentioned in the decrees which you have given in your last judicial year, and of which the following is the statement:

Accounts of the treasury.....	7, 656
Matter accounts .....	352
Special accounts .....	690
Municipalities .....	5, 268
Charitable institutions.....	2, 138
Total.....	16, 104

What proof can be more evident of the unceasing care with which you have proceeded to those long and wearisome investigations?

As to the importance of the sums which you have verified we shall confine ourselves to mention the treasury accounts and those of the municipal receipts and of the receipts of the works of the city of Paris. The former, which include all the receipts and the expenditure of the state, amounted, for the year 1862, in receipts to two billion one hundred and seventy-eight million nine hundred and seventy-one thousand eight hundred and fifty-three francs, and in expenditure to two billion two hundred and twelve million eight hundred and thirty-nine thousand three hundred and twenty-seven francs. The receipts of the city of Paris during the year 1861, carried to the account of the municipal receiver, amounted to the sum of two hundred and one million seven hundred and seventy thousand nine hundred and sixty-six francs; the expenses to two hundred and twenty-six million five hundred and twenty-six thousand and fifty-three francs; the amount of receipts due to the fund of works to two hundred and seventy-nine million fifteen thousand one hundred and fifty-three francs, and that of expenditure to two hundred and seventy-nine million nine hundred and seventeen thousand and twenty-three francs, including the movements of the treasury.

What was the number of documents of which you have been obliged to perform the examination in order to be able to decide with entire knowledge upon these gigantic figures after examining their minutest fractions?

The enumeration has been made of all the papers which were produced in support of the management for 1861, and which were all deposited and registered. The number amounted to fourteen thousand eight hundred and ninety-six. It has resulted from an approximative calculation, but made with the most scrupulous attention by examining several bundles belonging to the different accountants' offices, that the number of documents contained in each bundle may be reckoned at twelve hundred and sixty. Multiplying by that figure the fourteen thousand eight hundred and ninety-six bundles existing in the office, we find for the year

\* The Marquis d'Audiffret, senator, honorary president of chamber, reporter of the two committees which prepared the projets of this ordinance and of this decree.

1861 an approximative total of eighteen million seven hundred and sixty-eight thousand nine hundred and sixty papers.

It is evident that the same result, or nearly the same, will be obtained for the year 1862, when the same elements of appreciation shall have been collected.

The report addressed by the court to the King in 1818 states that the number of papers which served for the control of the year 1817 amounted to seven million five hundred and eighty-one thousand.

The public report of 1848 contains a detailed statement of the bundles concerning the year 1847. The total amounts to nine thousand five hundred and seventy-six, which, multiplied by twelve hundred and sixty, raises the number of papers to twelve million sixty-five thousand seven hundred and sixty.

This difference in the number of vouchers produced for the year 1817, 1847, and 1862 is explained—

By the successive increase of the receipts and of the expenditure of the treasury.

By the increase of the revenues of several municipalities and public establishments, which have become, in the interval, accountable to the court.

And by the control which has been attributed to it over matters pertaining to the State. These judicial labors, of which persons even strangers to the court may now form an exact idea, were completed in a year, and before the 1st of September, the delay prescribed by article 445 of the imperial decree of May 31, 1862. It was in the solemn sitting of the 13th of August last that you pronounced the general declaration of conformity which sums up all the treasury accounts of 1862, and you have thus given certain bases to the bill giving a definitive regulation of the budget of that same year, a bill which the legislative body will sanction in its next session.

Nevertheless you have still to perform a duty connected with the exercise of one of your principal prerogatives. In this vast financial machinery, which several thousand agents are putting in motion incessantly on the entire surface of the empire, it cannot be expected that acts will always be strictly in conformity with the laws, decrees, and regulations. If the infringement proceeds from the accountants only, you require its being repaired; but if the payment has been made in virtue of a requisition, his personal responsibility is disengaged, and by deciding on his accounts you pronounce his liberation.

As to those who order the payments, they are not placed under your jurisdiction. The organic law of September 16, 1807, has forbidden you to exercise any judicial action over them, lest your control should become an obstacle to administration. But this same law requires you to point out the infringement in the yearly report which you address to the Emperor, and of which a subsequent law—that of April 21, 1832—has ordered the printing and the distribution to all the members of the legislative assemblies.

This is a sanction which has no less power than that of your decrees, and which protects the rights of all. The report brings, moreover, to the knowledge of the Emperor the views of reform and improvement in the different parts of accounts which the court, from the general result of its labors, may think fit to propose.

The project of this report upon the accounts of 1862 has not yet been able to be submitted to your deliberations, but nothing has been neglected to collect its elements, which consist, as you know, of the observations gathered by the reporting magistrates, and admitted provisionally by the chambers. Now the last general accounts and summaries relative to the treasury accounts only reached the court in the course of the months of July and August of the present year. The reporters and the chambers have emulated in zeal to hasten the judgment on them. As soon as it was delivered, the master counsellors delegated by each chamber have collected all the observations referred to in the public report, and have communicated them to the particular committee formed in accordance with article 22 of the law of September 16, 1807. This committee has had several meetings, which have only ceased at the commencement of the vacation period, and which will be immediately resumed. Everything makes us hope that the report will be voted and presented to the Emperor in the course of this month.

With respect to the verifications of a preparatory nature relative to the budget of 1863, your labors are more advanced than those of last year. At the present time you had only examined 152 treasury accounts concerning the year 1862, whereas you have pronounced on 180 similar accounts for 1863.

You are likewise in advance for the accounts of municipalities and public establishments. You have verified 71 more than on the 1st of November, 1863. Such is not the case for matter accounts, the difference in loss being 35.

Thus is established, to the advantage of the present year, a definitive supply of 64 accounts examined, including the accounts of the public treasury.

You may also congratulate yourselves with having, after several years of continual efforts, brought to light the municipal accounts of Algeria, which, at their origin, presented such numerous irregularities.

We feel a lively satisfaction at having no other recommendation to make to the referendars and auditors than to display this year the same zeal and the same activity as during the preceding year.

*Discourse pronounced by Senator Count de Casabianca, imperial attorney general.*

(Translation.)

COURT OF ACCOUNTS, *Sitting of November 3, 1865.*

GENTLEMEN: Last year, at the same time, on presenting you the statement of your labors we recalled to you the origin of our institution, as also the successive improvements introduced into the system of public accounts, due in a great measure to your co-operation, and often even to your suggestion. We thus showed that you had completely realized the conception of the Emperor Napoleon I, your immortal founder, by a severe control, embracing in their totality and in their innumerable details all the receipts and all the expenditure of the state, of the municipalities, of charitable institutions, and leaving, nevertheless, entire freedom to administrative action. We purpose to-day to display still further the importance of your attributions and of your acts, to compare them to those of the court of accounts of the United Kingdom of Great Britain, which first gave Europe the example of order and religious respect of every engagement connected with the management of finances, the principal elements of her prosperity and greatness. We shall establish this parallel upon official documents only.

That court was instituted under the denomination of audit office during the reign of George III, in 1785. It consists, at present, of a president and three commissioners, or auditors, assisted by 113 officers, a number about equal to that of the members of our court. The president and the commissioners alone are named for life. Appointed by letters patent of the sovereign, they can only be dismissed on a formal request addressed simultaneously to the Crown by both houses of Parliament. In order better to secure the independence of these magistrates, their salary, like that of the ordinary judges, is raised from the consolidated fund, which is not subject to the yearly vote of the legislature, and which includes the interest of the national debt, the civil list, as well as several other permanent expenses unsusceptible of reduction.

The inferior officers attached to the court may, on the contrary, be dismissed. The House of Commons votes every year the credit for the payment of their salaries.

Auditors named by the colonial secretary of state are, moreover, intrusted with the examination of accounts in such of those colonies as, having no legislative assembly, are dependent on the government of the mother country.

Above the audit office sits, with the authority of a supreme tribunal, the board of treasury, which consists of the first lord, who is the head of the cabinet, of the chancellor of the exchequer, of the postmaster general, of the three junior lords, who are members of Parliament, and of two assistant secretaries.

The original constitution of the audit office presented serious imperfections and numerous deficiencies. It had only partly done away with the obsolete forms established in barbarous ages, when accounts, written in Roman figures, were drawn up in a language mingled with Saxon and Latin words, and were controlled by means of cuttings made on pieces of wood brought together, and known by the name of tallies. These strange forms were preserved in some exchequer offices as late as 1834. No term was assigned either to the reporters or the judges. Their attributions being ill-defined excluded from their control some of the most important public services, particularly those of war and of the navy. In 1806 the ministry was compelled to declare to Parliament that expenses amounting to the enormous sum of thirteen billions three hundred and fifty millions had remained without being examined. The war and navy budgets since 1782, the costs of the expeditions to Holland and Egypt, the subsidies paid to foreign armies had never been the object of any inquiry. It is but fair to observe that arrears extending to a not less remote period existed also in France at the same time, and that, in order to fill them up, your predecessors, when they first entered on their duties, were obliged during five consecutive years to unite their efforts to those of the agents of finance department.

The British Parliament was deeply moved by these disclosures. A state of things which put in jeopardy at the same time the interests of the treasury and those of accountants required a speedy and energetic remedy. An act of July 22, 1806, raised the number of commissioners to ten, empowered them to be assisted by all the clerks whose co-operation might be useful to them, increased their powers, extended their jurisdiction, and decided that in future the verification of all accounts should take place in the year immediately following. Nevertheless experience proved that these measures were incomplete. In 1831 fresh abuses were discovered in the administration of the navy. For several years considerable sums voted by Parliament had been diverted from their destination. An act of William IV, published on the 1st of June, 1832, on the motion of the ministers and with assent of both houses, placed the navy accounts under the immediate control of the audit office.

The commissioners, members of that court, were charged to proceed yearly to the examination of these accounts in the offices of the department itself, to state the employment and the amount of expenses, by comparing the vouchers with the registers, and to address detailed reports to the treasury, which was to communicate them to Parliament. These regulations were applied to the administration of the war office by an act of August 6, 1846,



and to those of the customs, the post office, and the house revenue by another act of August 6, 1861, which thus fixed the jurisdiction of the audit office, and extended it to the principal branches of the public service. Such is the legislation which regulates this court. It remains for us to define its attributions; this we shall do soon by comparing them to those with which you are yourselves invested.

The first observation which is suggested to us by the parallel between the British and French courts of accounts refers to the composition of their members, especially as concerns the life duration of their functions. As we have already said, the president of the audit office and the three commissioners who co-operate in the judgments are alone appointed for life. The other officers, inspectors, or examiners, intrusted with the task of examining and verifying accounts and the wording of reports, are appointed by the treasury, or the three commissioners, who have the power to dismiss them. Some of these functionaries are only temporary. Their number varies according to the requirements of the control. In France, on the contrary, as every one knows, security against dismissal protects not only the presidents and master counsellors, but also our eighty-four referendary counsellors, who have to perform a task similar to that of the British examiners. This essential difference is explained by the circumstances which attended the creation of the two courts.

When, in the beginning of the present century, the commander-in-chief of the victorious armies of Italy and Egypt was called, with the title of First Consul, to the supreme direction of public affairs, he found the finances in a frightful disorder. The funds of the state were given over to plunder; the treasury, laden with an enormous debt, notwithstanding the recent suppression of assignats, contained only 400,000 francs in its coffers, while those of Great Britain were overflowing with cash. The First Consul applied all the resources of his genius to supply France with a financial system which might enable her to struggle with her rival with the power not only of arms but of capital. After having employed several years to fix the basis and the collecting of taxes, to render as safe as rapid a circulation of the sums received on account of the State, he felt the necessity, in order to put a term to the misappropriation and irregular employment of the public money, of submitting every accountant to an unceasing and rigorous control. He wished, at the same time, that all abuses in the management of finances should be annually pointed out to him, with such reforms as practice should have shown to be advantageous. This twofold mission could only be performed by a body enjoying a great authority and an absolute independence. It was with this view that, when he became Emperor, he created, in 1807, the court of accounts, which he surrounded with all the prestige of a supreme court, and of which he declared the members appointed for life. This guarantee, acknowledged as necessary for judges, was not less so for reporting counsellors, whose duty was to call the attention of the court to all infringements on the laws and regulations committed by those who ordered the payments, without even excluding the acts of ministers themselves. The purpose which the Emperor had in view (the restoration of the finances) was ere long attained. A few years had hardly elapsed when, already under a direction no less able than energetic, France recovered from her disasters wealthy and prosperous, was able to provide for all the wants of the public service with the same punctuality as England, and without being obliged, as the latter, to have recourse to loans.

The Duke of Gaëte, in presenting to the Emperor, on the 30th April, 1811, the accounts of the administration of finances, expressed himself as follows: "The financial years 1806, 1807, 1808, and 1809 are paid, or have sufficient means to cover all their expenses. I do not fear to say that history does not offer an epoch in which the finances of a great empire were in so prosperous a state. Your Majesty's treasury is always in abundance, it pays all its expenses to the day, and is in want of no immediate credit for its receipts." It results from this report that a sum of more than five hundred millions had been devoted in four years to extraordinary public works, without any increased taxation or augmentation of the national debt, and yet it is to be remarked, that out of a budget which, until 1811, never amounted to a billion, the war and navy department took every year more than five hundred millions. The sums proceeding from contribution raised in foreign countries were employed only for the maintenance of armies outside the French territory. Thus the government had been able with the sole revenues of the empire not only to balance the budgets, but even to close them all with a surplus.

The court of accounts had contributed, in the measure assigned to it by the organic law of 1807, to this great work—one of the most admirable of a reign so fruitful in wonders.

Let us now return to a more remote period; let us see what was the situation of the finances of Great Britain when the audit office was instituted in 1785.

The prodigious development of industry and commerce had considerably increased both public wealth and private fortunes; the credit of the state had become immense, since a solemn declaration of Parliament in 1706 had placed all engagements contracted by the Crown, with the concurrence of both houses, under the guarantee of *national faith*. These engagements had always been scrupulously fulfilled, while in France the creditors of the monarchy beheld at frequent intervals their claims arbitrarily reduced, or the payment of them suspended. If the conversion of rents had been accomplished in London in 1717, 1729, and 1755, and if the interest of the national debt had been gradually reduced from six per cent. to three per cent., it was with the option left to the bearers of stock to have their capital re-

funded entire. A few of them accepted this offer. A sum of eighty-seven millions five hundred thousand francs enabled the exchequer to satisfy all the demands of reimbursement, and it obtained that sum without any trouble by means of a loan at three per cent.

Later on, to meet the expenses of the American war, England obtained more than three billions from a new issue of stock, at a time near that when the impossibility of covering a deficit of fifty-six millions was one of the principal causes of the overthrow of the French monarchy.

One can understand that in such circumstances the British government did not feel the want of taking, for the control of public receipts and expenses, the same precautions which the Emperor Napoleon the First had taken, after the revolutionary anarchy and the dilapidations that had become so common under the directory.

Such, no doubt, was the motive why the audit office has not obtained for all its acts the same authority as our courts. Also it has been said, not without some foundation, that it was less a real court than an examining office destined to prepare the supreme decisions of the court of treasury. There exists, indeed, a striking contrast between the powers exercised by the commissioners of the audit office, when they proceed to inquire into affairs, and those which are assigned to them as judges. In the former case, they have the right of summoning accountants before them, of calling and questioning under oath all persons whose depositions may enlighten their deliberations, of condemning to fines, and even imprisonment, such as do not appear, or refuse to answer. We have already said that they have free access to government offices, both those of the ministers and all great public administrations. The act of August 6, 1861, imposes on administrators the obligation of presenting them on a day fixed beforehand, a yearly account indicating by chapters the sums which Parliament has allotted to each special service, and the use which has been made of them. They are bound to produce before the commissioners all the vouchers and documents of which the communication is required of them. The commissioners follow, day by day, on the registers, all the operations which may lead them to discover the excess of expenditure over the credits allotted by Parliament. They must lay their report before this court, at the latest, on the first of July which follows the close of the financial year, fixed on the 31st of March. This report, after having been discussed and approved by the audit office, is transmitted to the treasury, which communicates it to the House of Commons.

Independent of the treasury as long as they *inquire*, the commissioners of the audit office cease to be so in almost every case when they *judge*.

And, first, it is the treasury which determines the extent of their jurisdiction with respect to persons charged with the public receipts and expenses, whose accounts have not been referred to them by a formal act emanating from the House of Commons. In default of this special designation, the treasury itself examines the management of its accountants, unless it delegates this task to the commissioners of the audit office, which it generally does. It has, moreover, an exorbitant right, which it has possessed from time immemorial, and which has never been contested—the right of dispensing accountants from all verifications.

As to the judgments pronounced by the commissioners of the audit office, we must distinguish between preparatory judgments delivered only for inquiry, and final judgments.

Preparatory judgments cannot be appealed against; they have the authority of a thing judged; for, in this respect, the audit office knows no other hindrance than the enactments of the statutes on which its organization reposes.

Definitive judgments are of two kinds: they pronounce the discharge of accountants, or they declare them to be debtors. The former are pronounced without appeal; but in a country like England, where the deep respect for institutions allows even vain formalities to submit when they have had the sanction of ages, these judgments must be validated in the following manner: they are transmitted to the treasury; at the top of the account an approbation is inscribed in the form of a declaration; three of the lords, members of the court, affix their signatures thereto; they are read in special sittings, which are held every year in January and July, and at which the president and the four commissioners of the audit office are present; this declaration is either presented to the chancellor of the exchequer, who also signs it, and then only the accountant is sheltered against all prosecution. If, on the contrary, the judgment rejects the articles of expenditure, the interested party has the right to appeal to the court of treasury, which can set aside the decision come to in the first instance, and of which the decree closes the suit.

Such are the chief attributions of the audit office. In comparing them with yours, the first thing that strikes us is a singular anomaly in the powers conferred on it. Sometimes the audit office has rights which you have not. It penetrates into the offices of the ministers, and of the general directions; it examines their registers; it proceeds to the minutest investigations, even before the closing of accounts; it has the right of inquiry. Sometimes it is only the delegate of the treasury, which names and revokes all its members, with the exception of the president and the three commissioners; which increases or diminishes the number of those answerable to it; sanctions all its decisions, and reforms them in many cases. Now, the treasury is only a fraction of the ministry in a government in which all the ministers are bound together by the strictest solidarity. The consequence is, that dispensers of the state money, of which the employment is only examined by their own mandataries, the ministers, are their own judges. It is true, that the House of Commons, which allots them this money,

and distributes it between the different departments, exercises a high control over all ministerial acts; but the *isolated* control of legislative assemblies is necessarily incomplete, because it can never bear on details. Besides, that of the House of Commons is but partial; this house does not vote the consolidated fund, which, in 1863, exceeded the figure of seven hundred and fifty millions; it does not regulate realized budgets.

Why do these institutions, in which administrative functions are often confounded with judicial functions, maintain themselves in Great Britain? Because those ministers, those lords of the treasury, are the chiefs of a powerful and venerated oligarchy, almost always possessors of an immense territorial fortune fixed on their families, whose ancient interests have never ceased to be blended with those of the state. The confidence which they inspire, even to their political adversaries, is justified by the ever-increasing prosperity and the profound security which England enjoys under their administration. Nevertheless, had we not determined to avoid all irritating comparisons, it would be easy for us to prove that this system of accounts has cost our neighbors several hundreds of millions turned aside from the public coffers, without there having been any possibility of following the traces of these deviations, or discovering their authors; and that, even quite recently, depositaries of public moneys have been able to keep them for many years, and to employ them for their own purposes. These abuses have entirely ceased in France since the law of September 16, 1807, has appointed you the guardians of the fortunes of the state. Your jurisdiction is neither undetermined nor variable, like that of the audit office. All the agents of the treasury indistinctly, receivers and payers, are bound to lay their accounts before you twice a year at fixed periods; the documents which they have to produce in support of every article of receipts and expenditure—the formalities imposed on them—afford the mathematical certainty that they have received the total produce of taxation, and that they have only disposed of them in favor of the proper claimants. You are therefore not obliged, like the commissioners of the audit office, to make up for the insufficiency of written proofs by the verbal explanations of accountants, and the often deceitful declarations of witnesses. If you are unable to hinder government authorities in their action, or to compel them to admit you into their affairs, or to communicate their registers, you appreciate their acts with the independence of a sovereign court which depends on the law alone. Your decrees, to be enforced, require no other sanction than that which you give them yourselves. They are assailable only before the council of state by contentious forms, and only for excess of power, or violation of the law. If it is your duty to discharge accountants for irregular payments effected in virtue of formal requisitions of the orderers of payment, you direct attention to these infringements in the annual report which you address to the Emperor, and which is distributed to all the members of the legislative assemblies.

You do not confine yourselves, like the members of the audit office, to examining individual questions; each minister is obliged to present you the account of the receipts and expenses of his department, and the minister of finance, a general account, comprising every fact relating to the financial administration of the empire. You assure yourselves of the correctness of these accounts by a decisive test. You only examine them after having decided on those of the accountants; you establish whether a perfect agreement exists between the partial results of your decrees and the sums stated in the ministerial accounts. Then only you pronounce, in a solemn sitting, your general declaration of conformity, which enables the legislative body to vote, with perfect knowledge of the case, the final regulation of the budget.

Your control extends also to the material riches accumulated in our naval arsenals, in the war stores, and in all the industrial establishments belonging to the State; it is also exercised over the finances of the municipalities and charitable institutions of which the revenue exceeds thirty thousand francs; the finances of those the revenue of which is inferior, are regulated by the councils of prefecture; but you decide, by way of appeal, in the recourses which interested parties make before you against the decisions of those councils.

Never, in any country, under any government, was the management of public money and of the movable property of the state surrounded with more solid guarantees.

The incontestable superiority of our institution, which several decrees have improved while respecting the basis of the law of September 16, 1807, will be displayed still more evidently by the statement of your numerous labors.

We shall only present you with a concise summary of those accomplished in the course of the past judicial year.

You have pronounced, from November 3, 1864, to October 31, 1865, 2,131 decrees and 7 general declarations of conformity; 1,157 decrees concerning the treasury accounts, and 603 concerning those of municipalities and public establishments. You have examined, to the minutest fractions, the receipts and expenditure of the year 1863, which amounted to four billions and a half. Among the municipal accounts which you have examined are those of the municipal receipt and exchequer of the Paris works, the total receipt and expenditure of which amount to the sum of nine hundred millions, including the treasury operations. You have also controlled the accounts of the different ministerial departments. All these united labors required the examining of more than eighteen millions of vouchers. In the solemn sitting of August 18 last you pronounced your general declaration of conformity on the financial year of 1863, thus anticipating the term fixed for the 1st of September by the decree of May 31, 1862.

All the preparatory elements for the report which you have to address to the Emperor on the said accounts have been already collected and classed by the master counsellors delegated by each Chamber. They have been laid before the special committee instituted in conformity with the 22d article of the organic law of 1807. This committee met several times before the opening of the vacations. It is about to resume its labors, and, without doubt, it will be able to present you with the final project before the expiration of the delay which was recently fixed for the 1st of December, by agreement between the minister of finance and the court.

In comparing the ensemble of these labors with those of the preceding year, we may be allowed to declare that you have continued to display the same zeal and the same activity. The number of accounts examined between November 3, 1864, and October 31, 1865, exceeds that of the previous year by 57.

We should have wished to have been able to lay also before you the statement of the labors of the audit office during the same period. We have searched for this document in vain, and we have reason to believe that if it exists it has not been made public. We have been even unable to ascertain the number of the accountants answerable to the audit office. We are aware, however, that the accounts of the treasury are the only ones deferred to it; its jurisdiction does not extend to the receivers of local taxes, so numerous in England, and forming a second budget of which the figure exceeds seven hundred millions. We are therefore justified in saying that its examinations are far from having the same importance as yours.

Thus our system of accounts and the organization of the court have to fear no comparison with the similar institutions of Great Britain.

---

*Mr. Sanford to Mr. Seward.*

No. 393.]

LEGATION OF THE UNITED STATES,

*Brussels, December 3, 1866.*

SIR: The address of the house of representatives in response to the discourse from the throne, like that of the senate, was voted, almost without discussion, with great unanimity. It is almost a paraphrase of the King's speech, and is enclosed herewith.

In view of the critical condition of European politics, and I believe upon the earnestly expressed desire of the King to their leaders, both parties have come to a tacit understanding to avoid party questions, and the exhibition, by the continuance of acrimonious conflict, of internal divisions. The consequence has been that the business of the house has been harmoniously and rapidly conducted, the budget of ways and means of public works, and of the interior, having already been voted without eliciting much discussion.

The attention of Parliament will doubtless be seriously occupied ere long with the questions of better organization and armament of the armed force of Belgium, the national defence, &c., questions which, in common with other countries, now occupy the attention of this government. The subject of the return of the unfortunate legion of Belgian volunteers in Mexico is now pressed upon the government by recent events there, and I understand it is thought to be obtained of the French government and with its troops. Of the 1,500 who formed the legion, but 700 or 600 are supposed to remain in it, one-half having been killed or dispersed in various ways.

I have the honor to be, with great respect, your obedient servant,

H. J. SANFORD.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

## PORTUGAL.

*Mr. Harvey to Mr. Seward.*

No. 367.]

LEGATION OF THE UNITED STATES,

*Lisbon, December 8, 1865.*

SIR: The enclosed copy in translation of a law just passed by the Cortes has considerable importance in a commercial point of view, which might not be understood at a distance without explanation.

For a number of years past, commerce in the article of port wine was limited to a certain geographical district in the north of Portugal, and regulated by various restrictions; which rendered it a monopoly in the hands of growers and speculators. The original law was doubtless intended to protect the purity of the wine, but after some experience it was found that the official certificates which were necessary for the exportation of the wine, and which were applicable only to a particular area of territory, were used to cover growths outside those limits, and, in fact, were sold freely as a merchantable commodity. Consequently the aim of the restrictive policy was virtually destroyed. Repeated and persistent efforts were made of late years to remove all restrictions, to free the commerce in this description of wine as in others, and to allow the whole production of the Winho region, which is exceedingly fertile, to enter the markets of the world, each description dependent upon its own merit for success. After a long contest, the liberating law has triumphed, and under the auspices of a minister, who was among its most formidable opponents.

I have reason to believe that one of the immediate effects of the new policy will be to enlarge the commerce with the United States, and for that reason I have deemed it proper to state these facts for information.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

ART. 1. The exportation through the Bar of Oporto of all wines produced on the Portuguese soil is hereby permitted.

§ *Solus.* All wines exported through the Oporto Bar shall pay the duties established on the export of all other wines of the kingdom.

ART. 2. The government will publish the necessary regulations for carrying into effect the present law.

ART. 3. The decrees of October 11, 1852, and all other legislation in opposition to the dispositions of the present law, are hereby revoked.

*Mr. Harvey to Mr. Seward.*

No. 371.]

LEGATION OF THE UNITED STATES,

*Lisbon, December 28, 1865.*

SIR: I have the pleasure to inform you that the cholera has now entirely disappeared from this kingdom, and, therefore, that the interruptions to commerce and the apprehensions occasioned by its presence no longer exist. All restrictions relating to quarantine have been removed.

It is proper to state, in this connection, that fears are entertained by medical and scientific men, who have devoted much attention to the subject, that this terrible malady may reappear on the peninsula during the approaching spring.

In view of such a possibility, it would be wise that the sanitary precautions adopted in our great cities should not be relaxed, but rather continued with a watchful care, so as to abate, at least, if not to turn aside entirely, a pestilence which scourged a large part of this continent during the last few months.

The rigid, energetic, and prompt measures taken by the authorities of this city at the outbreak of the disease contributed greatly, under Providence, to arrest its progress, and to confine within a limited range, and with diminished violence, ravages that were so painfully visible in the adjacent provinces and Spanish towns.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Harvey to Mr. Seward.*

No. 374.]

LEGATION OF THE UNITED STATES,

*Lisbon, January 13, 1866.*

SIR: The recent events in Spain have doubtless been brought to your notice by the minister accredited to that court, and it is not therefore within my province to speak of them particularly, except in so far as they may have relation to this government.

A body of some five hundred Spanish soldiers, mainly of the garrison which revolted at Aranjuez, crossed the frontier and surrendered themselves to the Portugese authorities. His Majesty's government accepted the surrender of these self constituted prisoners, and has made arrangements to distribute them at two different points, furnishing the necessary subsistence at its own cost. The Spanish minister informs me that no demand will be made for their delivery.

This military revolt in Spain has necessarily produced impression here, associated as it is, in a limited degree, with the vague idea of an Iberian union, which to a greater or less extent exercises the minds of a small class of public men in Spain and Portugal. According to my observation, this idea is not at all feasible under existing circumstances, and if pushed to a practical test by a turn of fortuitous events, such, for example, as a large and successful revolution in Spain, would almost certainly involve an intervention, and a possible collision of interests between England and France. For these and other reasons, I have never been able to believe that it deserved the importance which hasty opinion elsewhere has been inclined to ascribe to what may be called, rather, a cry, than a serious purpose of political policy.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Harvey to Mr. Seward.*

No. 375.]

LEGATION OF THE UNITED STATES,

*Lisbon, January 20, 1866.*

SIR: The public mind here is still much occupied with the various and conflicting reports of the military revolt in Spain, led by General Prim, and the

principal journals have not attempted to disguise their partiality for his success. Whatever support they might be able to give him by moral encouragement has been freely extended.

As a rigid, and even arbitrary, censorship has been established at Madrid, it is difficult to form any well-founded opinion as to the actual progress, or the ultimate fate of this revolutionary movement. But the developments thus far would seem to indicate that it has not been supported with the degree of favor that was anticipated by its projectors, counting, as they did, upon a real or supposed disaffection towards the existing dynasty, or been followed by a co-operation which was promised in various parts of the kingdom.

The government, holding as it does the military organization strong in hand, though menaced by defection, has been able to prevent a concerted rising, and for the present, at least, may be said to remain master of the situation. The experience of history is repeated, proving that a trained army properly directed, even when it may not be entirely reliable, is capable of holding an unfriendly and large civil population in check, when that population is not armed and organized for resistance or revolution. What may happen, after the stern restraint now imposed shall be removed, opens up a field of speculation, upon which it is neither my duty nor my desire to enter.

For two weeks past reports have been daily current that the insurgent troops were near the Portuguese frontier, dispirited, enfeebled by desertion, suffering from the want of supplies, and harassed by superior columns of the royal army. Yet, strange to say, they have not, up to this time, entered the territory of his Majesty, and though it is positively known that the opposing forces have been within easy range of each other, no collision of any sort is even rumored to have occurred.

The revolt has been bloodless, probably, for two reasons: on the part of the insurgents, because they are too feeble to attack; and on the part of the regular troops, because the government, for motives best known at Madrid, has shaped its policy so as to push the insurgents outside of its own and into a neighboring jurisdiction. In fact, I feel authorized to state, upon reliable information received here, that the Spanish authorities have directed their commanders to avoid by all possible means any engagement that might lead to bloody consequences, or to the capture of the chief who leads the revolted regiments. Whether this purpose is influenced by the apprehension of infidelity on the side of the government forces in the event of a collision, or by the fear of a more serious and extended commotion should General Prim be taken and subjected to the stern punishment, which is threatened in such a contingency, does not become me to say.

It is quite evident, however, that the government at Madrid would feel more at ease to see him and his followers out of Spain, and thus unable to make further mischief at this critical moment. And it is equally sure, should he be constrained to cross over into Portugal, that he will be welcomed with no stinted sympathy for the cause in which he is engaged.

If General Prim should be able to maintain himself for some time longer, even in the passive attitude which he has thus far occupied, it would at least prove a source of grave embarrassment, and might even be attended with results which have not been expected, with any degree of confidence, since the failure of a more general uprising at the outset of his enterprise.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Harvey to Mr. Seward.*

[Extract.]

No. 376.]

LEGATION OF THE UNITED STATES,

*Lisbon, January 27, 1866.*

SIR: General Prim, at the head of some six hundred soldiers, who composed the main body of the forces that recently revolted against the government in Spain, entered the territory of Portugal on the evening of the 21st instant, having previously delivered up their arms to the Spanish authorities at the frontier. As yet no disposition has been made of these self-constituted prisoners, though places have been designated for their reception.

The presence of the chief of the insurgents in Portugal has called out a very general expression of sympathy on the part of leading journals in this capital and in other cities, including several which are politically identified with the actual ministry. And this expression has extended itself to a severe censure of the conduct, character, and policy of her Catholic Majesty's government in such terms as to attract the serious attention of the Spanish minister at this court, who has made it the subject of official comment.

The Portuguese government is much embarrassed by the incumbrance of these refugees—first, in its relations with Spain; and secondly, in its interior situation, on account of the outspoken partiality which is loudly proclaimed for those who have thrown themselves upon the hospitality and protection of the country. While a natural desire is felt to be relieved of this element of excitement, there is necessarily some reluctance to run counter to a strong popular current, by adopting any positive measure which might seem colored with even moral coercion. It appears to be understood, however, that General Prim will soon embark for England, and possibly by the packet which is to carry this despatch, to-morrow or the next day. The expectation may, however, be thwarted by circumstances which are not yet sufficiently developed to authorize a decided opinion. But it is quite certain that the presence of any other person than he who has so recently figured in this revolutionary spectacle would be more acceptable as an uninvited national guest.

\* \* \* \* \*

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.**Mr. Harvey to Mr. Seward.*

No. 377.]

LEGATION OF THE UNITED STATES,

*Lisbon, January 31, 1866.*

SIR: I have the honor to inform you that General Prim, accompanied by his late military staff, reached Lisbon yesterday afternoon. A large number of persons had assembled on the quays where it was supposed he would debark, and evidently with the intention of emphasizing, by their presence and by their welcome, sympathy with the chief and his cause. When the fact of this assemblage became visible on board the steamer as the usual landing place was approached, the boat was put about and descended the river to a point where the popular feeling was less demonstrative, and where the debarkation could be effected with more convenience to all concerned.

General Prim and suite were then conducted to the private residence of one of the principal personages of the city, where quarters had been provided for him some time since, in expectation of the contingency which has happened. It is not yet known whether they will remain in Lisbon, or seek asylum elsewhere;



and after this first effervescence shall have passed off, it is not very important in a political point of view, because, for the time being at least, the revolutionary movement in Spain may be considered as having completely failed. Therefore the presence in, or the absence from, this vicinity of any particular individual, however considerable he may be, while it may prove a cause of annoyance to the parties immediately interested, can hardly exercise any serious influence upon that opinion and purpose by which alone large events are accomplished.

It is not my province to speak of the interior condition of Spain, but every reflecting observer must know that a process of political change has been working itself out in that country for years past, encumbered by traditions, prejudices and pride. Military leaders have availed themselves of this state of things to advance their own ideas or interests, and the country has been played as the stake of ambitious chiefs, in a game where personal rivalry and selfish aspirations have been too often and too painfully conspicuous. It is not to be disputed that the government has been controlled by means of the military power, and hence it is that all the so-called revolutions of the last quarter of a century have originated in or been achieved by revolt, disaffection or conspiracy in the regular standing army. The sword has always been thrown into the scale, and, like that of Brennus, has invariably turned the balance.

As the recent revolt has been attended with no other result than an exhibition of its weakness or misdirection, the ruling authority which suppressed it, though morally weakened by the existence of any defection, is materially strengthened for the moment by the developments of this experience, which will enable it to tighten the grasp more rigidly and to fortify itself against other dangers which are quite menacing.

These temporary shifts and military expedients for governing a country must, however, come to an end, and give way before that healthy march of progress and enlightenment which, in spite of a too material tendency, is leading the age on to a noble development. Sooner or later Spain will accept the high destiny which is reserved for her, but it will not be attained until the nation, as such, shall throw off a bondage which has enslaved it to the past, and shall identify itself with the cause and hope of a grander future.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Harvey to Mr. Seward.*

No. 382.]

LEGATION OF THE UNITED STATES,  
*Lisbon, February 22, 1866.*

SIR: The manifesto recently published by General Prim has provoked a decision on the part of his Majesty's government, which was generally anticipated after that publication. As soon as the authenticity of the paper was ascertained and admitted, the president of the council invited General Prim to a personal interview, and explained to him the impossibility of his Majesty's government reconciling its asylum and its duty to a neighboring nation with public declarations, which in fact announced a distinct revolutionary purpose, only delayed by circumstances. He concluded by requesting him to seek the hospitality of some other nation. General Prim addressed an explanatory letter to the president of the council the next day, which was answered by a positive reiteration of the decision that had already been announced at the personal meeting.

This subject was brought before the Chamber of Deputies on the 19th instant by an interpellation, and the correspondence was produced as the basis for that proceeding. After two days of animated discussion the chamber voted yester-

day to sustain the ministry by a decisive division of 101 against 28. A similar question has been raised in the Chamber of Peers, where the approbation is likely to be equally emphatic, and it is now understood that General Prim must embark for London next week.

There is hardly any serious difference of opinion in the country, or among the representatives of foreign nations, as to the action of the government, or as to the indiscretion of the publication which led to it, no matter by whom or under what circumstances it may have been counselled.

Mr. Aguiar, who is at the head of the ministry, is universally recognized as one of the most liberal-minded and patriotic men in the kingdom, who played a conspicuous part in the revolutions which established the existing order of things and secured to the people of this part of the peninsula, not only the form of constitutional government, but the practical enjoyment of political liberties which are hardly second to those of any other state in Europe. He and the party with which he is identified are the advocates of those principles and ideas which are professed by a better class of the minds in Spain that desire to place their country in the great line of progress which distinguishes our modern civilization.

Hence it is impossible, with any sense of justice, to ascribe this act of the government to another motive than an honorable purpose to discharge its duty in good faith, and to make respected the moral obligation of asylum; the more so as the whole proceeding was voluntary, and not prompted either by diplomatic representation or by pressure on the side of Spain.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Harvey to Mr. Seward.*

No. 382½]

LEGATION OF THE UNITED STATES,  
*Lisbon, February 22, 1866.*

SIR: I have the pleasure to inform you that all his Majesty's ships of war now in port, and the fortifications, were decorated at noon to-day with the flag of the Union in the most conspicuous and agreeable manner, and that it was saluted with all the honors as a compliment to this anniversary, which every American heart recalls with pride and satisfaction. The spectacle was really beautiful and imposing.

This demonstration was entirely voluntary, and marked by exceptional tokens of respect and friendship, which necessarily rendered it the more welcome in my eyes and those of my countrymen. The minister of foreign affairs and other distinguished persons connected with the government called at the legation to testify their good will on this occasion and their hopes for the peace and happiness of our common country.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Harvey to Mr. Seward.*

No. 387.]

LEGATION OF THE UNITED STATES,  
*Lisbon, March 30, 1866.*

SIR: I have the honor to transmit with this despatch a translation of an address delivered by the so-called minister of Mexico, representing a person

styling himself "Maximilian the first" and claiming to be the ruler of that country, on presenting his letters of credence in that capacity near this court, and the reply of his Most Faithful Majesty to the same, as a part of the current history of the times, and not because either the ceremonial or the occasion has the smallest importance in my estimation.

No instruction has ever been communicated to this legation as to the rule of conduct to be observed in the contingency which has now happened, but I shall not hesitate to decline all official intercourse with the person in question, as I did with his predecessor, who came here from Madrid during the past year to establish diplomatic relations with Portugal.

It may not be inappropriate to observe in this connection, that the diplomatic agents of the United States designated as "ministers resident," are subjected to much annoyance, and our country is often exposed to no little injury in its material interests, by a classification which has no manner of significance with us where there is no established career, and which operates to our disadvantage abroad in permitting undue precedence to rulers whom we do not recognize at all, and to nations having no pretension to equality with the United States in consideration before the world.

The diplomatic body takes rank at all courts by distinction of title and by seniority. The priority thus established is far more important in its practical operation than may be supposed, as I had frequent opportunity to test here during the unhappy period of our civil strife, when audiences and direct appeals to the sovereign in matters of large consequence had a serious and positive value. Every American minister who appreciates the trust which is confided to his keeping, and who respects his personal dignity, will find honor enough in whatever distinction his country may confer upon him, but he cannot be insensible to the fact that his influence and his usefulness, when they might be most advantageously exerted, are sometimes crippled by unnecessary technicalities, which compel him to accept an inferior position to that which his country is entitled to occupy on the one hand, or his own term of residence would naturally accord to him on the other, had his office been called by another name.

It may be stated by way of practical illustration, that the incumbent of this legation would to-day be the third in the regular order of ministers plenipotentiary had he been originally designated with that rank, whereas he must now give place to the spurious claim of an "envoy extraordinary," representing nothing more in fact than an imposed military organization in a foreign country.

The inconveniences and the disadvantages of classifying ministers of the United States in distinctive grades, in the absence of a professional career and of regular advancement, are so transparent as hardly to require the least demonstration. Besides which, such distinctions are inconsistent with our institutions, and serve only to create embarrassments in countries where they have a special and intentional value. If our system is intended to conform to the European idea, then it should be made to assimilate with it in all material respects. If not, the ministers of the United States should stand upon such a footing as would enable them to protect the interests with which they are charged in the most efficient manner. In making these remarks, nothing more is intended than to suggest a mere change in the nomenclature of ministers, which, according to my experience and observation, is sufficiently important to deserve that attention.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon<sup>d</sup> WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

Señor Don Fernando Mangino, on presenting his credentials to his Majesty, expressed himself as follows :

**SIRE:** I have the distinguished honor of placing in your royal hands the letters whereby his majesty the emperor of Mexico has accredited me as his envoy extraordinary and minister plenipotentiary near your most faithful Majesty.

The object which my august sovereign had in view, when establishing an imperial legation in Portugal, was to develop, strengthen, and consolidate, by all possible means, the infant political and commercial relations between the two countries, not only by reason of the reciprocal advantages to be derived therefrom, but likewise in view of the bonds of relationship, and of intimate and long-standing friendship which exist between their respective sovereigns.

The emperor has most particularly recommended me to express to your Majesty the great interest he takes in the union of Mexico and Portugal, which ought to be cemented on a solid, frank, and cordial basis, in order that it may one day be indissoluble. In making known these wishes my sovereign reiterates, through me, the assurances of his constant and distinguished esteem, and requests your Majesty to accept, once for all, his prayers to Heaven for the personal welfare of your Majesty and your august family, as well as for the happiness and prosperity of Portugal. Be pleased to permit me, sire, to add to these sentiments the homage of my most profound respect towards the royal person of your Majesty.

I shall esteem myself happy should my conduct, during the mission I now commence, make me worthy of the august regard of your Majesty. Should I succeed in so doing it will be a powerful incentive in the performance of the high trust which his majesty the emperor Maximilian the first has been pleased to confide to me on this occasion.

His Majesty was pleased to reply as follows :

**MONSIEUR LE MINISTRE:** I have heard with great satisfaction and appreciate fully all that you have expressed to me, in the name of his majesty the emperor of Mexico, on delivering the letters which accredit you as envoy extraordinary and minister plenipotentiary at this court.

Being animated with like sentiments towards that august person, and having no less at heart the maintenance and strengthening the bonds of cordial amity which so happily exist between the Crowns of Portugal and Mexico, as well as the political and commercial relations between the two peoples, I shall, on my part, use every effort to derive the greatest advantages from these relations for both countries.

In charging you, monsieur le ministre, with the transmission to your sovereign of the expression of my sincere gratitude, and of the assurances of my wishes for his domestic welfare and the prosperity of his empire, I have much pleasure in informing you that, to insure my esteem and good will, it is quite enough that his imperial majesty should have been pleased to choose for this honorable mission a gentleman so worthy, both for his enlightened ideas and for the other qualities which distinguish him.

*Mr. Harvey to Mr. Seward.*

[Extract.]

No 389.]

LEGATION OF THE UNITED STATES,

*Lisbon, April 11, 1866.*

**SIR:** The United States steamer Kearsarge returned to this port yesterday, from a cruise to the coast of Africa, under circumstances of peculiar sadness. As the ship is in close quarantine, I have not been able to have any direct communication with the commanding officer, but a note from him to the consul states that while at Sierra Leone, the scourge known as African fever broke out on board and carried off fourteen victims, seven officers (including engineers) and seven seamen, Surgeon Vreeland being the first. There is but one case now reported, and the hope is entertained that the malady may have been conquered.

In consequence of the apprehension caused by the presence of this terrible scourge at the approach of the warm season here, the quarantine maintained is necessarily quite rigid, and the popular dread of what is commonly called the "African plague," adds to the embarrassment of a situation already sufficiently trying. The authorities have evinced a friendly and humane desire to abate the

actual rigors in every possible way, and are disposed to do all that could reasonably be expected.

I have endeavored, both in my official and personal capacities, to have this irksome and painful condition of things relieved to the extent of my ability, and no effort will be spared which may contribute to the comfort or health of the ship. Fresh supplies of all descriptions are daily furnished, and Surgeon Gale, of the United States transport Guard, was detailed for service as soon as the facts became known. \* \* \* \* \*

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Harvey to Mr. Seward.*

No. 391.]

LEGATION OF THE UNITED STATES,  
*Lisbon, April 21, 1866.*

SIR: Although, strictly speaking, it is not within the sphere of my official duties, I have felt it to be one of humanity and of conscience to co-operate with the efficient efforts of our consul in extending all possible relief to the United States steamer Kearsarge, which, as you have already been made aware, entered this port under painful circumstances ten days ago. The reports from the ship have been quite satisfactory of late, but the alarm created in the community by various unfounded and exaggerated rumors, alleging the existence of yellow fever on board, have tended to create a prejudice and panic, which have resulted unjustly to the disadvantage of the ship. The regular quarantine expired on Wednesday, the 18th instant, and it was hoped and expected that the enforced restraint would have been removed the next morning. As the moment of liberation approached the alarm augmented, and the board of health, which is an independent body, hardly controlled by the state, though morally satisfied as to the sanitary condition of the ship, and of the absence of any epidemical disease, and really disposed to grant the necessary pratique, found itself confronted with an erroneous opinion difficult to combat, owing to the recollection of epidemics which a few years ago spread havoc through the city. As the best means of quieting these fears and invoking the reason of the community, a publication was made to-day in the leading commercial newspaper, which, though not ostensibly emanating from the board of health, was undoubtedly prepared and published by its authority. I enclose a copy of it in translation, since the assurances thus given may serve to relieve the natural anxiety of the friends and kindred of the officers and crew of the Kearsarge in the United States.

There is now every reason to hope that the ship will be relieved from quarantine within a few days, and my present inclination is to advise her commander to make a cruise towards the north in order to escape the climatic influences of the warm season here, which is already upon us with intensity, should he not be able to discover the whereabouts or to communicate with the admiral of the squadron.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translated from the *Jornal do Commercio* of April 21, 1866.]

*The corvette Kearsarge.*

We have received the following communication :

"On the 11th instant the United States steamer *Kearsarge* entered the Lisbon bar, from Sierra Leone in twenty-nine days, from Madeira in three and a half days, with a crew of one hundred and seventy-eight men. In the commencement of her trip the yellow fever broke out on board, she having caught it by communicating with a barge serving as a coal depot. Nineteen of her crew were attacked, of whom fourteen died, including the surgeon.

"Five of the sick recovered, and the last death occurred on the 28th of March last. The bedding, clothes and utensils of the dead men were all cast overboard. The vessel has remained under strict quarantine, in pursuance of Article VI of the standing regulations.

"During all the time she has been under quarantine in Lisbon not a single case of yellow fever, nor of any suspicious disease, has occurred on board.

"The board of health having demanded daily reports of the sanitary state of the crew, and having indicated the sanitary precautions proper to be observed on board, so as to enable the vessel to have free pratique, instructed the *Guarda Mor* of the board of health at Belem to present himself on board on the 19th instant, the date on which the ordinary quarantine terminated, in order to acquire an accurate knowledge of the sanitary condition of the crew, and to ascertain whether all the precautions recommended had been properly carried out, so as to place the board of health in condition to decide whether the vessel was to receive pratique, or be subjected to further quarantine, according to circumstances.

"In compliance with these orders the *Guarda Mor* went on board the *Kearsarge*, where he was courteously received by the commander, Captain Harrell, by the doctor and all the officers. He immediately visited the hospital, where he minutely inspected all the sick. There were twelve in all, and only six in bed. The latter were suffering from the following diseases: 1, pulmonary tubercles; 2, atonic ulcer; 3, carbuncle; 4, cold tumor; 6, secondary syphilis.

"The *Guarda Mor* then proceeded to examine the state of cleanliness of the ship from her deck down to her keel. The cleanliness on board could not be surpassed. The water-tank had been emptied and washed; all her bunkers had been cleaned out, then fumigated and whitewashed; in fine, wherever it was possible to do so, solutions of chloride of lime were used, together with fumigations of tar or the process of whitewashing. All the foul linen had been previously soaked in chloride of lime, then washed, fumigated and exposed to the atmosphere. The beds are aired every day. Ventilation is uninterrupted, and carried on by three ventilators, (wind-sails.) Even in the deepest part of the vessel not the least token of disagreeable smell exists.

"Notwithstanding that the period of ordinary quarantine, according to the regulations, has elapsed; that the good hygienic condition of the *Kearsarge* is recognized; that her crew are in a good sanitary state; and that twenty-five days have elapsed since the last case of yellow fever occurred without any suspicious occurrences the board of health has thought proper, for the further security, to withhold the immediate pratique of the vessel. The board, therefore, has instructed the said *Guarda Mor* to continue his visit to the sick on board, furnishing daily reports of their condition, and should the present state of things continue, without alteration, it will shortly come to a determination regarding giving free pratique to the vessel, which, under such circumstances, cannot cause any alarm whatever."

We are of opinion that the board acts in a proper manner in thus employing all hygienic measures and restrictions on board the American corvette, and in obtaining the certainty, as far as science can furnish it, of the absence of all danger in giving free pratique to the vessel.

What more can be demanded or required?

Therefore there is no cause for fear or alarm, especially in a vessel which brings no cargo, and consequently does not incur the danger of having on board the germ of an epidemic.

The measures employed, and the fact of so many days having elapsed without the occurrence of a fresh case, give us the assurance that whenever the board of health shall have given her free pratique, there shall no longer exist any fears for, or danger to, the public health.

No. 392.]

*Mr. Harvey to Mr. Seward.*

LEGATION OF THE UNITED STATES,

*Lisbon, April 26, 1866.*

SIR: Commander Harrell, of the United States ship *Kearsarge*, addressed me a letter from the "quarantine ground" on the 21st instant, which reached the legation on Sunday morning, the 22d, at half-past one o'clock, complaining of

the unjust restraint imposed upon his ship, and asking my intervention to procure her release. I answered him immediately, with the best assurances that could be given under the circumstances, and despatched the reply to the ship by a special messenger.

A note representing the case was communicated to the minister of foreign affairs on Monday, the 23d instant, at 2 p. m. As no answer had reached me at noon yesterday, and as there was reason to fear delay and further inconvenience to the ship, from the tedious formalities too much practiced in this country, I determined to make a personal effort to attain the desired object by a visit to the minister, though almost unfit for any exertion whatever, in consequence of a painful indisposition. I requested our consul to accompany me, as he had been in constant communication with the Kearsarge. The Count de Castro was not to be found, and I then sent for the under-secretary for foreign affairs. The case was carefully explained to him in detail, and emphasis laid upon the facts, that the regular quarantine had expired; that a special physician appointed by the board of health had reported the ship ready for pratique and free from every sign of epidemical disease five days ago, and that if hesitation was now manifested on the part of the board of health to liberate the ship, owing to an excited public opinion, that board was itself responsible, since its visiting agent had spread the first alarm of "yellow fever," when no such fact existed and when he had no possible means of establishing that prejudicial presumption. I concluded by asking the immediate release of the ship, or satisfactory reasons for her further detention, saying at the same time that if one or the other course was not pursued, I should feel bound to recommend a retaliatory quarantine on every Portugese vessel of commerce now in the ports of the United States.

I have the pleasure to inform you that the Kearsarge was liberated a few hours after this interview, and that I had a visit last evening from her commander to express his acknowledgments, although the reply of the minister of foreign affairs has not yet been received.

In this country the council of health is an organization almost independent of the government, and is sometimes unnecessarily rigid in its precautionary measures. The public mind being sensitive to every possibility of the presence of epidemics, caused by repeated and sad experience, is naturally inclined to sustain whatever sanitary regulations may be adopted, without much considering the convenience or rights of those who have to endure them. While disposed in every way to submit to and to second all proper rules in this respect, it seemed to me more than unreasonable that the Kearsarge should be subjected to an arbitrary and exceptional discipline, without the color of a sufficient cause according to the reports of the chosen officials of his Majesty's government. Hence the representation which I felt it to be my duty to make on this subject.

All the correspondence is herewith transmitted, in order that the exact facts may be seen and appreciated by the department.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Commander Harrell to Mr. Harvey.*

U. S. STEAMER KEARSARGE, (3d rate,) QUARANTINE GROUND,  
*Lisbon, April 21, 1866.*

SIR: With some doubts whether the subject of this letter is a proper matter for your consideration and action, my present situation, I venture to hope, will be sufficient apology for thus troubling you.

We arrived at this place on the 11th day of April from the coast of Africa, having touched

at Porto Grande, island of St. Vincent, and Madeira, for coals and supplies. We were unfortunate enough to contract the fever on the coast of Africa, whereby we lost seven officers and seven men within thirteen days. The first death took place on the 18th of March, and the last on the 28th day of the same month. The last case of fever occurred on the 25th of March, and the man has recovered. When we arrived at this port I told the health officer all that had occurred on board; gave him a full, complete and truthful history of the sad affair. He said at once it was yellow fever, but as there was no case on board at this time we must submit to a quarantine of eight days, in order to ascertain if there was any fever in the ship.

During the eight days the surgeon made a daily report to the health officer, showing that there was no sickness other than that incidental to a man-of-war. At the expiration of the quarantine fixed by law, instead of obtaining pratique, a new doctor was sent on board from the city, (Doctor Francisco M. de Souza,) with orders to examine the ship and crew, and then proceed to the Lazaretto and make his report. He did so and reported the ship perfectly prepared for pratique, telling me (so confident was he) that we would all be on shore that night. Instead of that happy consummation the same doctor received orders this morning to visit the ship every day and report her condition to the board of health. This is what I complain of, and it surely betrays a want of confidence in the integrity of the surgeon of this vessel and myself.

I have never known a case where a doctor was sent on board of a man-of-war, except at the termination of quarantine to inform the captain of his release. The doctor, who is ordered to perform this unpleasant duty, is mortified at finding himself thus situated. I feel it to be an insult to both the surgeon and myself, and yet I fear to refuse to receive his visit, lest it should be wrongfully interpreted, and give them a pretext to pretend to believe that we wished to conceal something.

I have thus laid the circumstances candidly and truthfully before you, and respectfully invoke your aid to release us from this unpleasant situation.

I have the honor to be, sir, your obedient servant,

A. D. HARRELL,  
Commander United States Navy.

JAMES E. HARVEY, Esq., at Lisbon, Portugal.

---

*Mr. Harvey to Commander Harrell.*

LEGATION OF THE UNITED STATES,  
Lisbon, April 22, 1866—Sunday, 11½ o'clock a. m.

SIR: I have just now received your letter, bearing yesterday's date, and shall present the subject to the notice of the minister of foreign affairs to-morrow morning.

The board of health is an organization almost entirely independent in its sphere, and its proceedings heretofore have frequently occasioned much embarrassment.

From a publication made yesterday in the *Jornal do Commercio*, and evidently upon the authority of the board of health, it would appear that it is really disposed to give free pratique immediately, but has been embarrassed by an alarm spread through the community of the presence of yellow fever on board the *Kearsarge*, occasioned by the ravages of that scourge here a few years ago, and the apprehension caused by the approach of the hot season.

It is impossible to reason with such a panic, and hence the difficulty which has occurred in releasing the ship from an enforced and unjust restraint.

I have felt an unaffected and earnest sympathy with the sad condition of your ship, and have endeavored, of my own accord, to disembarass it, as far as possible, upon an imperfect knowledge of the facts. If the exact circumstances had been made known to me, as they are now, I should certainly, and at once, have exerted every effort to release the ship.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Commander A. D. HARRELL,  
United States Steamer *Kearsarge*, Quarantine Ground.

---

*Mr. Harvey to Count de Castro.*

LEGATION OF THE UNITED STATES,  
Lisbon, April 23, 1866.

MONSIEUR LE MINISTRE: I have the honor to transmit with this note a copy of a letter addressed to me by the commander of the United States steamship *Kearsarge*, complaining of the illegal detention of his ship at quarantine, under circumstances of peculiar hardship and wrong.

The *Kearsarge* left this port in the month of February, for a cruise to the coast of Africa.



While at Sierra Leone, the fever peculiar to that country manifested itself on board with great violence, and in the course of ten days carried off fourteen of the officers and crew, the last death occurring on the 28th of March.

The commander of the ship as soon as was practicable quit that unhealthy region, and sought a change of latitude. Immediately upon meeting the trade winds on his return towards the continent of Europe, the fever disappeared as suddenly as it had assailed the ship, and the last man attacked (on the 25th March) recovered, and is now perfectly well.

Under these circumstances the Kearsarge returned to Lisbon on the 11th instant. Upon being visited by health officer, a complete and faithful report of the facts was made to him, and he, without seeing a case, (for there was none on board,) assumed to pronounce the disease "yellow fever," and through that assumption has spread the unfounded and exaggerated rumors in the newspapers and through the community, to the great injury and inconvenience of the ship.

I forbear now from commenting upon the extraordinary proceeding of this health officer, in pretending to pronounce upon the character of a disease which he had no possible means of verifying, and of thus circulating reports calculated to excite alarm and prejudice.

A quarantine of eight days was ordered, in order to establish the fact whether or not there was any vestige of fever in the ship. That restraint expired on the 18th instant, and instead of free pratique being granted, a special physician, Dr. Francisco M. de Souza, was detailed to examine the ship and crew, and to make a formal report. I am advised that report was entirely satisfactory, and declared the ship perfectly prepared for pratique. Yet, in spite of these precautions, the Kearsarge is not only still detained at quarantine, but the most unusual and objectionable proceeding is adopted of sending a physician on board daily, as if to authenticate the official statement of the commander and surgeon of the ship.

It is proper for me to draw the attention of your excellency to the material points of this case, as it may assume another phase hereafter, because, although every nation has an undoubted right to impose its own sanitary regulations, and to protect the public health, other nations have also rights under treaty and established usage, which may not be ignored by boards of health arrogating to themselves a capricious exercise of power.

1. The last case of fever on board the Kearsarge occurred on the 25th of March, (a month ago, within one day) and the man attacked is now entirely well.

2. That the eight days of regular quarantine imposed by law or regulations expired on the 18th instant, and that no cause of any kind has been shown for refusing pratique.

3. That five additional days (including the present) have elapsed since the term of legal restraint expired on the 18th instant, without the least manifestation of fever or epidemical disease.

4. That the daily official reports prove the sanitary condition of the ship to be that of an ordinary man-of-war, with a corresponding compliment of officers and crew.

5. That the inspection made by a special physician, ordered by his Majesty's government for that purpose, reported the ship to be in all respects fit for pratique, and in a healthy state five days ago, and that that report and the facts have been disregarded to the serious detriment of the ship and that of the officers and crew, who are thus subjected to a harsh and unjustifiable imprisonment.

It becomes my duty under these circumstances to ask for the immediate release of the Kearsarge from quarantine, or the exact reasons for her enforced detention, and to notify his Majesty's government that reclamation will be made for the injuries and losses resulting from the restraint imposed on the ship beyond the regular and established period of quarantine.

I avail myself of this opportunity to renew the assurances of my most distinguished consideration.

JAMES E. HARVEY.

His Excellency the COUNT DE CASTRO,  
*Minister and Secretary of State for Foreign Affairs.*

No. 400.]

*Mr. Harvey to Mr. Seward.*

LEGATION OF THE UNITED STATES,

*Lisbon, June 24, 1866.*

SIR: His Majesty's government has ordered to be called out the first reserve of the regular army, numbering 6,000 men, as a precautionary measure in view of the disturbed condition of Europe. No direct apprehension is felt here of a probable complication with the existing troubles, but it requires more than human sagacity to say what direction and extent they may eventually assume.

In this connection, and as exposing the general policy of the government, I enclose a translation of a circular despatch which the minister of foreign affairs

recently addressed to the Portuguese minister in Europe, and which has just now been published in the official journal. The most material suggestion is that of a more intimate alliance with Spain than has heretofore existed. This idea is natural in itself, and, indeed, may be said to be enforced by the necessities of both countries. Local jealousies and suspicions have hitherto prevented any cordial sympathy or strong ties between them, but the experiments made in other directions have satisfied both that little confidence is to be placed in the professions of those nations which have sought their intimacy from interested motives only, and never failed to abandon them at the time of most critical need. Hence, they now sensibly seek to profit by the circumstances of a favored position, and to combine their strength for a common defence.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Circular.—Translation.]

DEPARTMENT OF STATE FOR FOREIGN AFFAIRS,  
May 29, 1866.

**MOST EXCELLENT SIR:** By a decree, under date of 29th ultimo, his Majesty the King was pleased to confide to my care the department of foreign affairs, as has already been communicated to your excellency on the 11th instant. In the fulfilment of the duties of this office I have had on several occasions the honor of laying before the representatives of the nation the principles adopted by the cabinet regarding international relations and foreign policy in the present state of affairs. These principles, which your excellency will find fully developed in my speeches published in the *Diario de Lisboa*, Nos. 107, 111, 113, and 115, may be *résumé*d as follows:

1. To extend and develop the commercial relations between our own country and the other nations of the civilized world, and to strengthen and consolidate by more intimate community the bonds of mutual friendship and good will which happily exist between us and those nations.

2. In the great dissension which seems imminent over Europe, to maintain complete impartiality and a sincere and absolute neutrality, since neither the dignity of Portugal, its rights, nor its interests seem to be threatened thereby, in the actual state of events.

3. To draw closer, and in a special manner, the bonds of friendship and confidence which unite us to the neighboring kingdom; bonds which, in the interest of both the peninsular peoples, should become more intimate and cordial, thus securing to the fraternity of Portugal and Spain the only possible solid foundation, the only one compatible with the glorious traditions of the two countries—that of a mutual and full respect for each other's independence, which is the only proper way of increasing their mutual happiness.

This policy, in the present situation of Europe, is the only one which the cabinet desires and expects to maintain. Should future events arise, which God avert, and which, happily, do not appear probable, whereby the national independence be endangered, the sacredness of its territory, the dignity of its flag, or the rights of the Crown and the nation in the lawful defence of these principles now confided to the cabinet by the confidence of the King, be threatened, the government would then find support in the noble and unanimous sentiments of the Portuguese people. This policy has met the approval of both chambers, and I am confident it will merit likewise the approbation of the whole country. Nor can it be otherwise with a people who, in contemplating its past history, behold with just pride the patriotic traditions of seven centuries, and the noble examples which that history holds up to them, and who, in regarding its present condition, may glory as having within a few years consolidated the union of the legitimate throne with all the enlarged liberties and immunities which modern institutions guarantee.

I therefore expect that your excellency, not only in the official relations with the members of the government of the country to which you are accredited, but likewise in your private conversations with the members of the diplomatic corps, and with prominent persons of that court, will avail yourself of every opportunity to make known and maintain the same policy, as being the only one in accordance with the principles of the rights of nations, as applied to the peculiar position of our country. In this, as in everything, I count upon the loyal co-operation, the zeal, and the prudence of your excellency.

God preserve your excellency.

JOZÉ MARIA DE CAZAL RIBEIRO.

His Excellency COUNT DE LAVRADIO

*and the Chiefs of his Most Faithful Majesty's Missions.*

*Mr. Harvey to Mr. Seward.*

[Extract.]

No. 401.]

LEGATION OF THE UNITED STATES,

*Lisbon, July 9, 1866.*

SIR: I have the honor to transmit, enclosed, a copy of a declaration of neutrality issued by his Majesty's government and applicable to the belligerent parties in the existing war in Europe. It will be seen to have been prepared with unusual care and particularity. A comparison with the document having reference to the civil war in the United States, now happily terminated, (see volume of Diplomatic Correspondence for 1861.) will show a very marked and most material difference between the two cases, although this government was then pressed by the pernicious example and the political influence of the leading states to do and to declare what has been done in the present instance. As that action was almost exceptional, and in view of the maritime possessions of Portugal, was of no small importance in its practical operation upon our exposed commerce, I feel some satisfaction in being able to bring the contrast to notice.

\* \* \* \* \*

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

PRESIDENCY OF THE COUNCIL OF MINISTERS,

*Palace of Ajuda, July 2, 1866.*

The kingdom of Italy being at war with the empire of Austria, as proved by the declaration dated at Cremona on the 20th of June last, signed by the general chief of staff of the Italian army; and the kingdom of Prussia being likewise at war with the empire of Austria and with other states of Germany, it being convenient to maintain and preserve intact the relations of peace, good understanding, and friendship which exist between Portugal and the governments of Europe, by observing on our part the most strict and absolute neutrality towards the powers now at war, having in view section 15 of the 75th article of the constitutional charter of this kingdom; the decrees of 30th August, 1780; of 3d June, 1803; of 5th May, 1854; and of 29th July, 1861; and articles 148, 150, 154, 155, 156, and 162 of the penal code of 10th December, 1852; in view of the principles established in the declaration of Paris of 16th April, 1856, made by the representatives of signing powers to the treaty of peace, under date of 30th of March of said year, and of the generally accepted doctrines regarding the rights and duties of neutrals, I am hereby pleased, after hearing the council of state, to decree the following:

ARTICLE I.

It is strictly prohibited unto Portuguese and foreign subjects to arm vessels, destined as corsairs, in the ports and waters of this kingdom, whether on the continent or in the adjacent islands.

ARTICLE II.

The entry of corsairs and their prizes, or of prizes captured by men-of-war of the belligerent powers, is likewise prohibited in the ports and waters mentioned in the preceding article.

SECTION *solus*. Are exempted from the dispositions of the present article, all cases of *force majeure*, wherein, according to the rights of nations, hospitality becomes indispensable: but in no case will it be allowed to effect sale of articles arising from prizes, or that the vessels escorting or having charge of prizes shall remain in port beyond the time indispensable for receiving due succor.

ARTICLE III.

In the ports and waters referred to in article I, the entry and stay of vessels of war belonging to the belligerent powers is allowed, provided they have no prizes in charge, and that they conform themselves to what is prescribed in the following paragraphs:

SECTION 1. All vessels of war belonging to any of the belligerent powers are not to commit, within the ports and waters of Portugal, any act of hostility against vessels or subjects of any other power, even if such should belong to the power with which it should be at war.

SEC. 2. In the said ports and waters the aforesaid vessels are not allowed to increase the number of their crews by enlisting seamen subjects of any nation, even of their own nation.

SEC. 3. In the said ports and waters it is further prohibited unto said vessels to increase the number or calibre of their armament, and to receive on board small-arms or munitions of war.

SEC. 4. The said vessels are not to quit the ports within twenty-four hours after the sailing of any vessel belonging to another power with which their own nation may be at war, unless they may previously have obtained a dispensation of said term, after giving the requisite security that they will not avail thereof to commit any hostile act against the enemy's vessel.

#### ARTICLE IV.

All articles of lawful commerce belonging to subjects of any of the belligerent powers are allowed to be shipped and to sail under the Portuguese flag; and it is likewise allowed to ship and sail articles of lawful trade belonging to Portuguese subjects under the flag of any of the belligerent nations.

SECTION 1. Are expressly excluded from the dispositions of the present article all such effects as may be considered contraband of war.

SEC. 2. The dispositions of the present article are not to be applied to the ports of any of the belligerent powers as may be in an effective state of blockade.

#### ARTICLE V.

All Portuguese subjects and all foreigners residing in Portugal and its dominions are to abstain from all acts as are classified by law as contrary to external security and to the interest of the state towards foreign nations.

#### ARTICLE VI.

The government shall grant protection against the acts or measures of the belligerents towards Portuguese subjects, or any others who may fail observing the dispositions of the present decree. These dispositions are not to prejudice such criminal actions as may be instituted in virtue of the existing laws.

Let the president of council and the ministers of state of all the departments thus understand these presents and put the same in execution.

THE KING.

JOAQUIM ANTONIO D'AGUIAR.

JOAN BAPTISTA DU SILVA.

FERRAO DE CARVALHO MARTENS.

AUGUSTO CESAR BARJONA DE FREIBAS.

ANTONIO MARIA DE FONTES.

PEREIRA DE MELLO.

JOZÉ MARIA DE CAZAL ROBEIRO.

VISCONDE DE PRAIA GRANDE.

IVAODE ANDRADE CORVO.

*Mr. Harvey to Mr. Seward.*

No. 405.]

LEGATION OF THE UNITED STATES,

*Lisbon, October 8, 1866.*

SIR: Although the war in Germany has but recently closed, and with its termination there seemed to be a general expectation of peace in Europe for at least a certain period of time, there are signs and notes of preparation which do not now encourage any fixed confidence in that belief.

The very powers which most promptly accepted the changed relations of the states lately at war, as a settlement calculated to assure tranquillity, are those the most active in preparing their standing armies for the contingency of another and a more serious rupture. Their workshops are fabricating new arms; improved appliances in military organization have been introduced; their tactics are being revised, and Europe is busy with the significant animation which precedes a mighty conflict.

Sagacious minds do not regard the contest as concluded in Germany, and they foresee the probability of grave complications with some of the frontier states, growing out of the last events. Superadded to this cause of anxiety, what is known as the "Eastern question" begins to loom up largely again and to take alarming proportions.

So widespread is this feeling of distrust and apprehension, that even in this remote part of the peninsula, which would seem almost removed by nature from the disturbing causes and ambitions that excite nations more immediately in contact, preparations of an unusual character have been undertaken and are already far advanced. The army is to be reorganized; the first reserve is to be called out; a vast camp of drill and exercise has been established, and a contract has been concluded in England for a supply of breech-loading guns of the pattern adopted by the British service. Yet Portugal is at peace with all the world, and her diplomatic relations are upon the best and most friendly footing.

It is not forgotten, however, that this country played an important part in former struggles between larger states, and that this port, which perhaps is the most accessible and the best in Europe, has been long coveted as a basis of operations by sea and land in the event of a general war or of a great conflict among the maritime powers. That fact explains materially the efforts which have been employed to cultivate alliances with Portugal, and in other times, to subject her policy to a system which would react to the advantage of the party holding such a relation. Her island possessions of the Azores, Madeira, and Cape de Verd would also necessarily become very important during a maritime war, and this government is by no means insensible to their value in that respect, or to the possibilities which might attend such a contingency. Hence the present precautions, in spite of all the sweet words of peace and good will issuing from lips which have heretofore employed the same mode of assurance upon the very eve of engaging in fierce war.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Harvey to Mr. Seward.*

No. 414.]

LEGATION OF THE UNITED STATES,

*Lisbon, November 17, 1866.*

SIR: I communicate herewith a copy of a telegram which reached me early this morning:

ROME, November 16, 1866—11.50 a. m.

His Excellency Mr. HARVEY, *American Minister, Lisbon:*

Inform Admiral Goldsborough that very important matters render the immediate presence of one of our ships of war necessary at Civita Vecchia.

RUFUS KING.  
G. V. FOX.

As Rear-Admiral Goldsborough is not now in port, I sent immediately for Commodore Steedman, who arrived here some days ago, and who is now the superior officer present, in order to consult with him as to the proper measures to be adopted.

The United States steamer Swatara left here yesterday for Tangier, Gibraltar, and other ports in the Mediterranean, and if the rear-admiral, who is believed to have quit Cherbourg for Lisbon within the last few days, does not appear as

soon as is now anticipated, Commodore Steedman will intercept and order the Swatara by telegraph to proceed to Civita Vecchia.

In the mean time I have addressed the following telegrams to the rear-admiral and to our minister at Rome :

LISBON, *November 17, 1866.*

Rear-Admiral GOLDSBOROUGH, *U. S. S. Colorado, Cherbourg :*

Our minister at Rome and Mr. Fox have telegraphed me to request you to send a ship immediately to Civita Vecchia. Quarantine has been removed from all French ports.

J. E. H.

LISBON, *November 17, 1866.*

General RUFUS KING, *American Minister, Rome :*

Rear-Admiral Goldsborough is expected here daily. If he is delayed, I have arranged to send you ship Swatara.

J. E. H.

These are the only precautions that could be taken under the circumstances, and they are believed to be sufficient for the emergency.

I have the honor to be, sir, your most obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Harvey to Mr. Seward.*

No. 418.]

LEGATION OF THE UNITED STATES,

*Lisbon, November 24, 1866.*

SIR: One of the most important public improvements of this country, and which places it in direct connection overland with the rest of Europe, has just been completed, and was formally opened to-day with public demonstrations of satisfaction. I refer to the railroad between Lisbon and Madrid. The absence of that means of speedy communication has been a material drawback to this capital, socially and commercially. Heretofore the sea has been almost the only avenue to approach to and exit from the city, and its dangers and difficulties have turned aside a large travel which with more agreeable facilities would have sought the interesting interior of this comparatively unexplored and unknown kingdom. Under the operation of the new system an impulse will be given which must soon be felt in all the departments of activity, and resources will be developed which the absence of ready transit has hitherto retarded to the injury of general prosperity.

Lisbon is now within ready reach of all the great commercial and political centres, and after a short experience it will be practicable to traverse comfortably the distance which separates it from Paris in sixty hours.

Several members of the Spanish ministry and other distinguished persons honored the opening with their presence yesterday and were presented to the King and entertained becomingly by the minister of foreign affairs in the evening.

I have the honor to be, sir, your obedient servant,

JAMES E. HARVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

## ITALY.

---

*Mr. Marsh to Mr. Seward.*

No. 131.]

LEGATION OF THE UNITED STATES,  
*Florence, March 18, 1866.*

SIR: I have the honor to enclose herewith a translation of a note from the president of the council of state announcing the death of Prince Otho, the youngest son of his Majesty, which ought to have been transmitted to you at an earlier date.

The late prince was a young man of rare moral and intellectual adornments, of a cultivated taste, a highly respectable amount of acquired knowledge, and great amiability of character and generosity of disposition.

He has suffered through life from a congenital, or at least early developed malformation, and the last few weeks of his life, during which he was unable to lie down or even remain for a few moments in any posture of repose, were marked by a persistence and severity of physical pain rare in any case except those where the constitution has been destroyed by vicious indulgences and excesses to which the prince was happily a stranger.

The protracted sufferings of his life, as well as the sharper pains of his dying hours, were borne with extraordinary patience, fortitude, and resignation, and the grief of the royal family at his departure at so early an age and under such distressing circumstances has been sincerely shared by the Italian people.

I of course anticipated the expression of the sympathy of my own government, and have received the royal thanks through the president of the council for my note to that effect.

I am, sir, very respectfully, yours, &c.,

GEORGE P. MARSH.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Marmora to Mr. Marsh.*

[Translation.]

FLORENCE, *January 22, 1866.*

MR. MINISTER: It is with grief that I announce to you the cruel loss which his Majesty the King, my august sovereign, has suffered in the loss of his beloved son, his royal highness Prince Otho, Duke de Montferrat, who died last night at Genoa.

Accept, Mr. Minister, the renewed assurance of my high consideration.

A. LA MARMORA.

MR. GEORGE P. MARSH,  
*Envoy Extraordinary and Minister Plenipotentiary U. S. of America.*

---

*Mr. Marsh to Mr. Seward.*

No. 137.]

LEGATION OF THE UNITED STATES,  
*Florence, April 30, 1866.*

SIR: I have not, in my previous despatches, discussed the chances of war between Italy and the Austrian empire, because, until since the date of my last

communication, the question has seemed to turn wholly upon the relations between that empire and Prussia, and the possibility of an independent conflict between this kingdom and Austria has hardly been contemplated. You will see by the enclosed slips from the *Opinione* of this morning, that the government of Italy has not thought it necessary to take really efficient measures for prompt military action until within the last eight and forty hours.

It is true that some preparations in the way of accumulating material, and some change in the distribution of troops, had already taken place, with reference to future contingencies growing out of a probable rupture between the great German powers; but I am confident that beyond such measures of precaution as the suggestions of common prudence would dictate, this government has done nothing, either in the way of negotiation or of military preparation, which could justly excite the jealousy of Austria.

After all, many judicious persons are still of opinion that the Austrian movements in Lombardo-Venetia are precautionary only, and that she will not begin a general war by an unprovoked attack on Italy.

The accompanying slips contain, I believe, substantially all the information possessed at this moment by the Italian government on the subject, and I have only to add that, in the expected change of the ministry, there is every reason to believe that Baron Ricasoli, eminently the right man in the right place, will be president of the council and minister of foreign affairs.

I have the honor to be, sir, most respectfully, your obedient servant,  
 GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Marsh to Mr. Seward.*

No. 138.]

LEGATION OF THE UNITED STATES,  
*Florence, May 7, 1866.*

SIR: I can add nothing to what I observed in my last despatch on the probability of a war between Italy and Austria. Both countries, indeed, are straining every nerve in the way of preparation, but I see no reason to believe that either intends to attack the other, unless hostilities are first commenced between Austria and Prussia. This, in the opinion of the best informed persons here, whether Italian or foreign, is a very highly probable event, and I have no doubt that, in that case, war will immediately break out on the Austro-Italian frontier.

The Austrians are said to have broken down the bridge at Peschiera, but communication between the two countries is still kept up, travellers being allowed to pass in both directions, though not without embarrassment. The freight trains are stopped.

I have the honor to be, sir, your obedient servant,  
 GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Marsh to Mr. Seward.*

[Extract.]

No. 139.]

LEGATION OF THE UNITED STATES,  
*Florence, May 15, 1866.*

SIR: \* \* \* \* \*  
 Since my last despatch military preparations have been carried on with the greatest alacrity by this government, and the enthusiasm of the people in every



part of the peninsula and of the island is unbounded. For a day or two, rumors of a more pacific character have been in circulation, and it is said that many military movements have been suspended. The enclosed slip from the *Italie*, or ministerial paper, of this morning, contains all that is publicly known in relation to the rumors in question.

'I have never been fully convinced that the present issues would be brought to an immediate test by war, and though public opinion has for some weeks regarded war as inevitable, I still continue to believe that such an event is not very near at hand.

I have the honor to be, sir, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

The public is at present much interested in rumors of congresses, conferences, and pacific measures which have been in circulation for some days. This is very natural, and it is very probable the reports are well founded. We know nothing certain, but what happens will be a consequence of the crisis through which we are passing. Every man interprets these rumors according to his humor or interest: one hopes to see the imminent clouds scatter as if by enchantment; another fancies the government is betrayed, and he is disposed to cry treason if it would not appear ridiculous.

It is very natural for disinterested powers to try to prevent a conflict; but whether they are sincere or not is their secret. At all events, they will keep their intentions secret.

We do not know how long these negotiations may last; at any rate, they cannot continue long; but let them last three or fifteen days, the time will seem long to the impatient people of an intelligent country like ours. When the excited minds become calm, they will understand that minutes are not to be counted under such exciting circumstances.

In times like these, absolute confidence in the government is a necessity; it must be allowed complete liberty of action, for the simple reason that nothing better can be done.

But we may be sure the Italian government will not deviate a single step from the proper track. It is foolish to think that things can be put in the same condition they were in two months ago, or that so many millions will be wasted and so much effort lost to arrive at a negative result. *La Marmora* is neither a madman nor a child; he is conscious of the reach of his acts and of his policy. Criticise him, but don't call him a fool. The Venetian question will be solved. We have said it, and we will maintain it.

We do not think Austria will give up *Venetia* peaceably, though English papers are advising it every day, and even public opinion in Vienna seems to favor the cession of a province that cannot be held. But whether we believe it or not, we cannot prevent the neutral powers from negotiating on the subject.

In the present condition of things, we believe nobody will trouble himself to find out where the first gun will be fired. It is silly to attach much importance to a detail that is now of so little interest. But when a complicated political war breaks out, it will be the result of long and powerful combinations, for a fixed position must not be endangered by rash considerations or hasty movements.

We are conscious of the present painful situation; it is neither peace nor war. War is expected, and preparations are made for it without a hope of success. But we are well aware that such situations cannot continue; and if they appear long, it is because of the natural impatience with which they are borne.

*Mr. Marsh to Mr. Seward.*

No. 140.]

LEGATION OF THE UNITED STATES,

*Florence, May 21, 1866.*

SIR: Before this reaches you, you will have learned from nearer sources of the formal proposal of a congress for the settlement of the German and Austro-Italian questions, and, perhaps, the result also of the proposal.

The enclosed slip of the *Nazione*, of this morning, contains all that is publicly known on the subject at this city.

Although the cession of Venetia is a probable result of the congress, I have little hope that Italy will carry this point without yielding to sacrifices very injurious, if not fatal, to the realization of the enthusiastic hopes of the Italian people.

I believe she will be required to renounce her claims to the patrimony of St. Peter; perhaps, also, to the territory of the ecclesiastical states, which were annexed in 1860, if not to give up Naples and accept the Napoleonic project of an Italian confederation presided over by the Roman Pontiff.

No people was ever better prepared for a national war, so far as its moral status goes, than Italy is at this moment, and I should not be surprised if a political disappointment at this crisis should produce effects of a character to hazard the peace of Europe, and to lead either to the triumph of a truly Italian policy, or to the overthrow of the present government.

I have the honor to be, sir, your obedient servant,

GEORGE P. MARSH.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

A despatch from Paris of the 18th, to the Venice Gazette, says :

We make the following extract from *La Presse* : Prussia and Italy will accept the congress with a preliminary programme. Whether Austria will accept it or not remains to be seen ; for she will lose Venetia and her rights to the Elba duchies by it.

**LATEST NEWS, May 21.**—The joint note of the three neutral powers has not yet come to hand, for want of the assent of one to the form of the note.

The questions to form a basis for the congress would be, first, that of Venetia ; second, that of the Elba duchies ; third, that of federal reform.

It is a fact of the greatest importance to us that Italy's right to Venetia be indirectly acknowledged by four of the great powers that signed the treaties of 1815. Thus, morally, we have already conquered.

Italy and Prussia have already consented to the congress, but Austria delays, and hesitates to assume such a serious responsibility before Europe.

The latest Parisian news informs us that the cabinet of the Tuileries is endeavoring to assure other powers in relation to the views of territorial acquisition attributed to it. Yet if the Emperor of the French has declared, as our reliable correspondent asserts, that he does not intend to ask a rectification of boundaries, it is not strange that he courts the idea of reconstructing the Rhenish confederation in some way, so as to effect a solution of the federal question.

*Mr. Marsh to Mr. Seward.*

[Extract.]

No. 141.]

LEGATION OF THE UNITED STATES,  
*Florence, May 28, 1866.*

SIR :

\* \* \* \* \*

The question of war or peace is as undecided as ever. The general opinion undoubtedly is that war is inevitable, but some of my most experienced and best informed colleagues still believe that some terms will be suggested which will be, temporarily at least, accepted by the parties.

So far as Italy is concerned, the Roman question is one of the most difficult points to be arranged. There are, certainly, Italian statesmen who are ready to renounce all claims to the states of the church, and to guarantee the temporal power, but neither Parliament nor people, I believe, can be induced to accept such terms, even to receive the possession of Venetia.

The enrolment of volunteers has been suspended for the alleged reason that it

is impossible to arm, equip, and organize them as fast as they present themselves. The number already accepted is stated at forty thousand, and it is believed it might very readily be carried up to one hundred thousand. Inasmuch as none are received who are liable to conscription, the voluntary entrance into the service of so large numbers from every quarter of the peninsula is a very encouraging evidence of the strength and wide diffusion of the sentiment of Italian nationality.

Some of the opponents of the present ministry ascribe the suspension of enrolments to a reluctance on the part of the ministry to admit into the army so large an infusion of what is regarded as a democratic element; but the great difficulty of making immediate provision for incorporating so great a number of volunteers into the ranks seems to me a sufficient justification of the course of the government.

I have the honor to be, sir, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Marsh to Mr. Seward.*

[Extract.]

No. 143.]

LEGATION OF THE UNITED STATES,  
*Florence, June 20, 1866.*

SIR: The new Italian ministry was organized last evening under the presidency of Baron Ricasoli, who takes the department of the interior. The only other change of importance is the substitution of Visconti Venasta, as minister of foreign affairs, for General La Marmora, who remains as minister without a portfolio while discharging the duties of chief of the staff in attendance upon the person of the King, and is virtually commander in chief of the army.

The King will repair to the field to-morrow, and it is expected that a declaration of war, or other equivalent manifesto, will be published to-day. There seems to be no doubt that hostilities will commence within the next twenty-four or thirty-six hours, though there are still persons who believe that Austria will propose terms which may delay the opening of the campaign, and perhaps pave the way for a final settlement of the great pending questions.

I found Baron Ricasoli this morning already engaged in the duties of his new position. He is very hopeful of success in this great struggle, and indeed it must be very difficult for a patriotic Italian to believe defeat possible, when the whole nation is inspired with such enthusiasm. I am sure that the history of modern Europe, with the possible exception of republican France, in and after 1793, has never exhibited an example of such universal, absorbing, and generous devotion to a national cause as is presented by the Italian people of to-day. Of course the clergy in general do not sympathize with the people, but they have not influence enough to embarrass the government, and their political position is regarded with great indifference.

There has been much financial and commercial annoyance from the want of a small representative medium of exchange since paper was made a legal tender. For a long time it was almost impossible to obtain bills of less than five hundred francs, and I have myself paid as high as six per cent. premium for small notes. Measures have been taken which, there is reason to hope, will soon relieve this embarrassment.

\* \* \* \* \*

I am, sir, with the highest respect, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Marsh to Mr. Seward.*

No. 144.]

LEGATION OF THE UNITED STATES,  
*Florence, July 2, 1866.*

SIR: Since the battle of the 24th of June, which, however unfortunate for the Italian cause in its immediate results, was in the highest degree creditable to the valor of the Italian troops, no military movement of consequence has taken place.

The Austrians seem to be threatening the left flank of the army, and the important positions of Bergamo and Brescia, by way of the Valtelline and the Val Canonica. It is not obvious why these passes, the former of which, at least, might have been very easily defended upon the line of the Stelvio, should have been left unoccupied, but, in any case, it is not probable that the Austrians will be able to penetrate far enough to hazard the safety of the cities just mentioned, or to inflict serious damage on the country.

The commencement of an offensive warfare by a defeat was an event certainly not calculated to encourage the friends of Italy, but the battle has established the claim of the Italian soldiery to an equal rank with that of the Austrians, and I do not think the national spirit, or the credit of the government, is much depressed in consequence.

The government has resolved upon a forced loan, but I believe the amount and conditions are not yet fixed. I cannot but think that the emergency would have been better met by a policy more in analogy with the financial measures resorted to by the American government during our late war. Doubtless, a national paper currency would soon have fallen to a low rate as compared with gold, but the proposed measure will not avert that result, and the embarrassment of a fluctuating and depressed circulation would be, in practice, less heavily felt than the sacrifices which a forced loan, insufficient in amount probably to carry the nation through the crisis, will inevitably entail on the people.

I have the honor to be, sir, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Clay to Mr. Seward.*

[Extract.]

No. 153.]

LEGATION OF THE UNITED STATES,  
*Florence, August 13, 1866.*

SIR: I have the honor to acknowledge the receipt, at the legation, of your despatches, Nos. 151 and 152, respectively, dated July 17th and 23d.

The negotiations which were set on foot in the latter part of last month between Austria and Italy, through the mediation of the Emperor of France, resulted in the acceptance by Italy of an armistice on the following conditions: 1. The military *uti passidetis* to be maintained. 2. The ultimate abandonment of Venetia by Austria, and the question of its annexation to the Italian kingdom submitted to a vote of the people. 3. A rectification of frontiers reserved for ulterior negotiation.

The incorporation of this last point, understood to cover the question of the Italian Tyrol, was doubtless due to the firmness of Baron Ricasoli, and was at the time regarded as a partial triumph of the policy of the new minister president over that of General La Marmora, who is popularly believed to be too subservient to French influence in Italian affairs. When these conditions were pre-

sented for final approval to Austria, who in the meantime had signed the preliminaries of peace with Prussia, the *uti passidetis* clause was declared unacceptable. The French Emperor then released the Italian government from the obligations it had assumed, and the King was left to treat directly with his enemy.

In this new phase of the difficulties the recommencement of hostilities seemed imminent. Austria was heavily re-enforcing her troops in the south from the army now set free at Vienna, and the Italian army, thus threatened, was withdrawn from its advanced posts in the southern Tyrol and Friul, and concentrated on a line of defence behind the Tagliamento. But the effect of these movements was to leave the situation free from the obstacles to an agreement. The Italian troops no longer occupied territory to which Austria had not already engaged with Prussia to cede her claims, and negotiations were reopened. In a conference day before yesterday at Cormons between officers of the two armies, an armistice was agreed to on the general basis of the actual *uti passidetis*—all other questions left for settlement at the final negotiations of peace. It is probable Austria will consent to a rectification of the Venetian frontier so as to include a strip of the Trent country, for adequate compensation; and this may be made by the Italian government convenient ground on which to shift any indemnity Austria may demand on evacuating the fortresses of the Quadrilateral.

The belief that Italy has obtained as favorable terms, after the elimination of the French mediation, as she could have obtained before, will go far towards allaying the popular irritation which was caused by the announcement of the Austrian cession of Venice to France.

I have the honor to be, very respectfully, your obedient servant,  
GREEN CLAY,

*Chargé d'Affaires ad interim.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Clay to Mr. Seward.*

No. 154 ]

LEGATION OF THE UNITED STATES,

*Florence, August 18, 1866.*

SIR: There is no new fact authoritatively announced in relation to the preliminaries of peace between Austria and this government, except that the Emperor Napoleon, in accordance with a clause in the Austro-Prussian peace preliminaries, has formally placed the Venetian province at the disposal of the King of Italy.

As the curtain unrolls, and the history of the negotiation of the armistice is known, the more evident it becomes that the Italian government have had to content themselves within the limits of the alliance with Prussia, which only guarantees the pure and simple cession of Venetia. The settlement of frontiers and indemnifications to Austria for the evacuation of the fortresses of the Quadrilateral are still open questions, to be decided in the negotiations of peace which are now about to open. The special plenipotentiary of Italy to this conference is General Menabrea, formerly minister of war, who is known to have opposed the plan of campaign which resulted in the battles of Custorra and Lissa, and has, therefore, the confidence of the people as well as that of the Crown.

The enthusiasm for the war, which, at the time of the commencement of hostilities was so universal, has, after the military checks and under the increasing political difficulties, given way to much irritation in the popular mind against the heads of the army and navy. Admiral Persano is to be arraigned before a court-martial, and the King has accepted the resignation of General La Marmora

as chief of the military staff, who is replaced by General Cialdini. General La Marmora has also resigned his position as minister *sans portefeuille*. A divergence of views between him and the new president of the council arose as far back as the 5th of July, when the cession of Venice was offered by Napoleon, the former being in favor of its immediate acceptance, with the declaration, however, that the war with Austria must continue until Prussia was satisfied. The political significance of La Marmora's withdrawal from the cabinet may be gathered further from an extract I take from a communication in the *Opinione* of this morning, which bears evident marks of an official source:

"The first minister of the King of Prussia is a man of daring and ready resolution. To him it appeared that General La Marmora had not conducted affairs, militarily and politically, as had been arranged by mutual agreement when General Bernardt (aide-de-camp of the King of Prussia) was in Florence. He thought that the attempt to penetrate into the Quadrilateral ought not to have been undertaken; for, in case of failure, Austria would be left in a condition to re-enforce her northern army from the army of the south. In a word, Count Bismarck was persuaded that Italy was acting a comedy, having been assured *beforehand* of the possession of Venetia, and that, in case of a reverse, Italy was decided to abandon Prussia. It is useless for us to waste words in proving General La Marmora is the last of men upon whom such a suspicion could justly rest. His character and whole life is a proof to the contrary. Nevertheless, these were the circumstances, and our diplomatic defeat is due alone to Count Bismarck. Austria, knowing what had occurred between the cabinets of Florence and Berlin, rejected the terms of the armistice that had been previously concerted with the Emperor Napoleon, and we were obliged to yield to the exigencies of the situation."

Italy, unfortunately, has been obliged to make peace, and rest under the first trials of her gallant young army and navy, before she has had time to remedy defects of inexperience and discipline in the field. The moral effect is bad; humiliating to national pride.

The material result of the struggle, however, has been the acquisition of a province of a population of near two and a half millions of Italians, and Italy must now take her position as one of the great continental powers. She has shown elements of strength which time and peaceful organization may bind into a powerful national existence.

The line of policy the ministry intend to adopt under the actual circumstances is traced in a circular—a translation of which I annex—addressed by the head of the cabinet to the prefects of the different provinces of the kingdom.

Another marked proof of the liberal sentiments of the government, and a distinguished homage to progress and popular liberties, is a decree, signed by the King the 16th of the month, at his headquarters in Padua, by which those Italians who have been banished or condemned *in contumacia* for political or other offences against the state, are amnestied and reinstated in *all* the rights of Italian citizenship. Conspicuous among these is the illustrious Genoese and friend of Garibaldi, Guieseppe Mazzini.

I have the honor to be, sir, very respectfully, your obedient servant,

GREEN CLAY,

*Chargé d'Affaires ad interim.*

Hon. WILLIAM H. SEWARD,  
Secretary of State, Washington, D. C.

*Translation of a circular addressed by the president of the council of ministers to the prefects of the different provinces.*

"FLORENCE, August, 1866.

"Yesterday I notified you of the conclusion of the armistice. Now will commence the negotiations for peace which the government will procure, honorable and advantageous to

the country. Let the people and the press understand, now is no time for opposition and recrimination.

"The conditions of this country, internal and external, are known to all. But if it is a part of true patriotism to scrutinize into the evils of the country, it is equally a duty to reveal them only at the proper time. The present is the moment for that patriotism whose essential characteristic is to defer its own desires to the necessities and exigencies of the country. Unreasonable accusations and recrimination would give a proof of internal weakness which could only turn to the profit of the enemy, and interrupt the action of the government, which now more than ever is in need of the united support of the people in the negotiations of peace.

"The government has a right to the support of public opinion; for all that can be done for the good of the country will be done. It is resolved to fulfil its duty, directing all its efforts to the end that Italy may issue from the present complications stronger and more firmly consolidated. Confidence on the part of the government, harmony and moderation of the citizens—these are the sentiments which supply the force to overcome obstacles and accomplish the destinies of the nation.

"RICASOLI,

"*President of the Council of Ministers.*"

---

*Mr. Clay to Mr. Seward.*

No. 156.]

LEGATION OF THE UNITED STATES,

*Florence, August 25, 1866.*

SIR: I have the honor to enclose, in a separate envelope, three numbers of *Garretta Ufficiale*, containing two reports of General La Marmora of the battle of Custorra, and one report of the battle of Lissa, published by the minister of the marine, from official documents in his possession.

The comparative strength of the combatants in the naval engagement—as far as I have been able to gather from the accounts published on both sides—may be estimated as follows: The Austrian squadron—7 iron-clads, 6 frigates, 1 corvette, and 9 gunboats, with 3 paddle-steamers for signals; heaviest guns on board were 48-pounders, smooth-bore, and carrying a solid shot under 70 pounds; the only rifled guns were 24-pounders, carrying elongated shot of 56 pounds. The Italians had 12 iron-clads, (among which the *Affondaton*, a turret-ship,) 8 frigates, 4 gunboats, and 4 paddle-steamers; some of the guns on board were Armstrong 300-pounders.

The Italian fleet was much superior in numbers, size, and build of ships, and calibre of guns; but superior intelligence and seamanship secured victory to the Austrians.

The Italian admiral has been much censured for leaving the *Ré d'Italia* on the eve of the fight and going on board the *Affondaton*, thereby diminishing the efficiency of the latter vessel, from which so much was expected. The official report only gives the following reason for this act: "It was the first time the new means of naval warfare were to be brought into action; the admiral thought it better he should be out of the line (*fuor la linea*) on an iron-clad of great velocity, in order to be ready for any emergency in the heat of the battle, to carry the necessary orders to the different points, and manœuvre the forces as the moment demanded. The *Affondaton* was selected by the admiral for this purpose.

The ship that did most execution of the Austrian squadron was the admiral ship Archduke Ferdinand Max, which is thus described by an English officer who visited the fleet after the battle:

"The Max, 4,500 tons, 800 horse power, crew 512, was originally intended for 32 guns, but was afterwards prepared for 16 guns. Its ram is not solid, but formed by joining together the plates which cover her bows and meet in front. So when she struck, perhaps the first or second time, the plates began to separate, and were after the battle found to be torn away from the prow and their edges curled up away from the wood. The bolts were of course torn out and

occasioned the leak, which was easily stopped. This vessel rammed four times and fired 156 shots, all forty-eight pounders."

The following extracts are from the same account :

"Though the wind had gone down before the engagement, there was a rolling sea, which was in favor of the Austrians, for it prevented the enemy from shooting straight at distances when their heavy guns might have done much damage. But with regard to the bad shooting of the Italians, there is a great mystery. Numbers of witnesses declare that the guns were frequently fired with powder but no shot, and all assert that the practice was strangely bad.

"The Austrian squadron advanced in three divisions, each shaped like an arrow-head, the ships being in echelon from the centre. Each division had its paddle steamer for repeating the signals, and the admiral's orders were faithfully reported and answered during the battle, in spite of smoke and excitement; for though the weather was no longer squally, there was breeze enough to carry the smoke away. The divisions were two cables' length apart from each other, and the whole column went straight forward against the Italian line, till Persano's manœuvre brought his iron-clads into a new position no longer supported by the frigates.

"The Austrian first division passed through the Italian line of iron-clads between the third and fourth, dividing them into sections which, steering in behind the ships which had broken through, set upon the Kaiser. Tegethoff wheeled around to the left and returned to the succor of the frigates; then came the *mélée* in the midst of which the *Ré d'Italia* was sunk, the gray color of the Italian ships being the only means of distinguishing friend from foe.

"There has been much speculation among the officers of the fleet at Pola on the subject of the *Affondaton's* failure to take or destroy the Kaiser. The general belief seems to be that the turrets were shaken and would not work, and she feared that a successful charge would carry her to the bottom as well as her antagonist. Every one appears to have been astonished at the rapidity with which the *Ré d'Italia* went down, and they say that the ram of a ship must not be too long, as there will not be time enough to extricate it, so that conqueror and conquered must die together like two stags with their antlers locked. And not only so, but a stricken ship rolls over from the blow (even breaking loose her guns, which thus rush across her decks) and swings back again with enormous force, sufficient to break a ram. Now the *Affondaton's* ram is thirty feet long, and would be difficult of withdrawal in time to save itself from being broken, or the ship from being sunk; so there may have been reasons for her leaving the crippled Kaiser, who was showing her teeth and claws in a most decided manner, and always ready with a concentrated broadside.

"The general opinion of the officers seemed to be that there should be a fair proportion of rifled guns and smooth-bores on board ship; that their only chance of winning this battle was to push in close and avoid distant engagement; that if one side perseveres in forcing a close battle it is very difficult for the enemy to avoid it, and that if they had possessed breech-loading cannon they could have fired many more rounds, for they were often too close to the enemy to load. But, above all things, 'concentrate your broadsides and ram when you can' seems to be the great result of their experience. The smooth-bore guns had some steel projectiles, and the officers say that these must have penetrated or broken into the Italian plates in a mass, and so given rise to the idea that the Austrians carried enormous guns."

The general conclusion from the results of the engagement is, that fighting between iron-clad ships will undoubtedly be done at *close range*, as it is in the power of either party to thus defeat the calculations of the artillerists of the enemy. And, hence, experience is in favor of the principles of naval architecture and ordnance as applied in the monitor-build of ships and the Dahlgren gun of large calibre. The main end being to come to close quarters with the enemy



and destroy him by mass of metal, or bear down on him and sink him, high velocity and rifled ordnance must yield to weight of metal and invulnerability of ship.

I have the honor to be, sir, very respectfully, your obedient servant,  
GREEN CLAY,  
*Chargé d'Affaires, &c., ad interim.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Clay to Mr. Seward.*

[Extract.]

No. 157.]

LEGATION OF THE UNITED STATES,  
*Florence, August 27, 1866.*

SIR: By a telegram from Berlin we learn that a clause inserted in the treaty of peace, just concluded at Prague between Prussia and Austria, stipulates the reunion of the Lombardo-Venetian kingdom to the kingdom of Italy, with no other condition than the assumption by Italy of a proportionate part of the Austrian debt, conformable to the precedent established in the treaty of Zurich when Lombardy was ceded in 1859.

The partition of the debt as well as the determination of boundaries remain subjects of negotiation between this government and Austria, and there are still hopes that the latter power may be induced to cede a portion of the Trent country on Lake Garda.

The questions of Venice and Rome, the exciting causes of domestic agitation, once removed, Parliament will have the time and temper to give its attention to the finances and other imperious demands of home government.

Italy has now before her a serious work of reorganization, and her present situation is not unlike that of our own country; there is the same susceptibility in regard to French intervention on the Peninsula and on our own continent; duties of reconciliation and reconstruction rest upon the legislators of both countries \* \* \* \* \*

The King and his ministers seem disposed to do their part of the work in Italy. The royal decree of amnesty for political offences, which I had the honor to bring to your notice, has been followed by others, not so significant in a national point of view, but more important as affecting the internal condition of the country; such as establishing greater freedom for the exercise of certain professions and trades, by the abolition of special authorizations which were heretofore required from the ministry of the interior or the royal prefectures.

Probably the most striking feature of the present political situation in Europe is the prominence given to nationalities, irrespective of dynastic interests or tradition. There is a corresponding gain to the people, and national ascendancy in Germany may even bring about an extension of liberty in France. Our own rebellion was an anachronism not less in this respect than in laying the foundation of a new state with slavery as the corner-stone.

And though Italy comes out of the recent struggle with little military prestige beyond the individual bravery of her soldiers, yet with the completion of the national territory there is felt the need of larger liberties for the citizens and a broader basis for constitutional government. I believe the popular sentiment in this country and in our own will sustain the executive policy of expansion rather than contraction and centralization of power on the re-establishment of national unity.

I have the honor to be, sir, your obedient servant,  
GREEN CLAY,  
*Chargé d'Affaires ad interim.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Marsh to Mr. Seward.*

No. 166.]

LEGATION OF THE UNITED STATES,  
*Florence, October 6, 1866.*

SIR: I have the honor to enclose herewith a translation of a circular from the ministry of foreign affairs sent to this legation by way of reply to Mr. Clay's note of the 26th September, 1866, relative to the liability of American citizens residing in Italy to assessment for forced loans, together with a copy of a note which I addressed to the ministry in answer.

I was assured at the foreign office yesterday that proceedings against American residents in Italy for the collection of assessments under the royal decree would be suspended a sufficient time to allow of action on the part of foreign governments respecting the subject.

I have the honor to be, sir, most respectfully, your obedient servant,

GEORGE P. MARSH.

HON. WILLIAM H. SEWARD,  
*Secretary of State.*

---

*Note from the ministry of foreign affairs.*

[Translation.]

FLORENCE, *October 5, 1866.*

While the government of the King was occupied with the regulations necessary for the collection of the national loan promulgated by royal decree of the 28th of July last, several legations addressed notes to the royal ministry of foreign affairs in order to obtain for their respective citizens exemption from contribution to this loan, basing their claim upon treaty stipulations between their governments and the government of the King.

The royal minister of finance has had the question under consideration, and, while he recognizes that the exemption invoked is guaranteed to some of the states by treaty, for others it can only be claimed on a liberal interpretation of the article which stipulates the treatment of the most favored nation, or by the fact of reciprocity established by common accord on the subject.

From this consideration the royal minister of finance has decided that for foreigners belonging to the first category the exemption be accorded in full, and that the same favor be extended to the subjects of the states in the other categories on the condition that the respective legations shall file with the government of the King an official declaration to the effect that the governments which they represent engage to observe in like case the principle of reciprocity to the benefit of Italian subjects residing in their territories. As the measures taken for the collection of the loan cannot be interrupted, it is essential that this declaration should be transmitted as early as possible to the ministry of foreign affairs of his Majesty the King of Italy.

---

*Note addressed to the minister of foreign affairs.*

LEGATION OF THE UNITED STATES,  
*Florence, October 6, 1866.*

MR. MINISTER: I have the honor to acknowledge the receipt of a circular note from the ministry of foreign affairs, under date of the 5th of October, 1866, in relation to the liability of the subjects and citizens of foreign states residing in Italy to assessment for the national loan ordered by royal decree on the 28th of July last, and I have lost no time in transmitting a copy of the note to my government. The case not having been foreseen, I am without special instructions on the subject, and it is of course out of my power to bind the government of the United States by a formal pledge which would exceed the usual limits of diplomatic prerogative. At the same time I have no doubt that my government will be entirely ready to secure to Italian citizens residing in the United States complete reciprocity of treatment in this as well as in all other particulars, and I trust that his Majesty's government will, with its accustomed liberality, direct proceedings against American citizens residing in this kingdom, for the enforcement of assessments under the decree, to be stayed until the legation shall receive instructions on the subject from the government of the United States.

I pray you, Mr. Minister, to accept the renewed assurances of my most distinguished consideration.

GEORGE P. MARSH.

*Mr. Seward to Mr. Marsh.*

No. 158.

DEPARTMENT OF STATE,  
Washington, October 27, 1866.

SIR: Your despatch No. 166, of the 6th instant, on the subject of the exaction of involuntary loans by the Italian government from citizens of the United States in Italy, has been received. In reply, I have to state that this government makes no compulsory loans in any case, and resorts to no other system than one of general and uniform taxation, by either excise or impost duties, or general and *pro rata* taxes, based upon valuations of estates uniformly throughout the whole country. The same financial policy characterizes the legislation of the several States. It is believed that no involuntary loan has ever been, or ever will be, required of any Italian subject in any part of this country. Foreigners, as well as our own citizens, are exempt from such loans, or any other character of taxation than that required by our federal and State constitutions. We think, therefore, that in no case could we assent to the imposition of involuntary exactions or loans upon our citizens by the Italian government. We have uniformly disallowed such a measure when it has been proposed by other countries.

A stipulation of reciprocal exemptions, as is proposed, will be seen from the above statement to be unnecessary.

In every case of convention with a foreign state our Constitution requires a formally negotiated treaty, with mutual ratification after the instrument shall have been approved by the Senate.

Negotiation for such a purpose with Italy would be deemed exceptional, and therefore would be likely to fail, as the Senate and Congress would probably insist that no compulsory loan could lawfully be imposed. At the same time the Italian government may rest assured that such loans will not be imposed here upon Italian citizens.

We confidently hope that the effort will not be persisted in by the Italian government in regard to citizens of the United States in Italy. Even a debate upon such a topic would produce alarm and discontent.

I will very soon recur to the subject more at length in connection with the existing treaty between the United States and Italy and the law of nations.

At present it may be remarked that although the treaty with Sardinia of November 26, 1838, contains no stipulation expressly exempting the citizens and subjects of the parties from compulsory loans, the fifth article of the treaty between the United States and the Two Sicilies of the 1st of October, 1855, contains an express renunciation of the right to levy such an impost. It is presumed, therefore, that whatever might be the claim of the Italian government with reference to the territory to which the treaty of Sardinia was restricted, it will not insist upon such a pretension within the territory embraced by the treaty between the United States and the Two Sicilies.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., &c., &c., &c.

*Mr. Marsh to Mr. Seward.*

No. 167.]

LEGATION OF THE UNITED STATES,  
Florence, November 13, 1866.

SIR: His Majesty the King of Italy having determined to make a solemn entry into Venice on the 7th of the present month, attended by his court, the president of the council, the minister of foreign affairs, and the other members of the cabinet, the diplomatic corps residing at Florence were invited to accompany him.

I deemed it my duty to accept this invitation, and proceeded to Venice accordingly, in company with the rest of the corps. The various ceremonies and festivities to which the foreign ministers were invited continue until to-morrow, but the court dinner having taken place on Sunday evening, I felt myself at liberty to return to Florence, and left Venice for this city on Monday morning.

The Italian troops had entered into formal possession of the city several days before, and the first burst of popular excitement was naturally spent on that occasion. There was, however, an abundant manifestation of enthusiasm on the reception of the King, and no spectator could doubt the sincerity of the fervent protestations which bore witness to the public joy at the long-delayed accomplishment of the desire of the Venetian people for incorporation into the kingdom of Italy.

The national tradition and feeling of the Venetians are republican, if not democratic, and the accession of Venetia to the Italian kingdom will, I think, strengthen the hands of the liberal party; but I see no cause to doubt that they accept in good faith the present dynasty and the constitution of 1848, and will prove both patriotic and loyal citizens.

As the period of the promised evacuation of Rome by the French garrison approaches, the excitement on the Roman question, which had been for a time allayed, is renewed, and the object of the extraordinary mission of General Fleury to the King is matter of eager discussion and anxious conjecture. It would be idle to speculate on state secrets which a week will probably reveal, and I shall only add that in my judgment the sovereign possession of Rome by the Italian government and people, whether with or without the assent of France, is a question of time only, though doubts may still be entertained whether that city will become the political capital of the kingdom.

The finances of Italy are in an embarrassed condition, her industry is prostrated, her agricultural interests depressed, but she still has natural resources—diminished, indeed, but not exhausted—and it may be hoped that the final achievement of her complete unity, and, above all, of her independence of foreign interference or dictation, may soon leave her at full liberty to concentrate the wisdom of her publicists and statesmen upon her internal administration, the development of her physical resources, and the moral and intellectual advancement of her people.

I have the honor to be, sir, your most obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Marsh to Mr. Seward.*

No. 168.]

LEGATION OF THE UNITED STATES,  
*Florence, November 18, 1866.*

SIR: On my arrival from Venice on Tuesday morning I found the papers copies and translations of which, marked respectively A, B, C, D, and E, are hereunto annexed. Mr. Macpherson, introduced by the letter marked A, had gone to Leghorn, and I had no other information on the subject of his mission than such as the papers above referred to furnished.

I lost no time in seeing the secretary general of the ministry of foreign affairs—the minister not having yet returned from Venice—stated to him such facts as I was possessed of, and inquired whether he thought his government would surrender Surratt to the United States for trial if he should be found in the Italian territory.

He replied that he thought the accused would be surrendered on proper de-

mand and proof, but probably only under a stipulation on our part that the punishment of death should not be inflicted on him. Having no instructions on the subject, knowing nothing of those which Mr. King might have received, and having, moreover, at that time no reason to suppose that Surratt had escaped into the territory of the King of Italy, I did not pursue the discussion further.

On Thursday Mr. Macpherson returned, but the information he was able to give me related only to the mode of the detection of Surratt.

On Friday morning, the 16th, I received Mr. King's two letters, copies of which, marked F and G, are annexed, and at 8 p. m. the same day a telegram, of which a copy, marked H, is also attached.

Upon the receipt of the telegram, I immediately addressed and sent to the ministry of foreign affairs a note, of which I annex a copy, marked I, and I called twice at the Foreign Office the next (Saturday) morning, but learned that the ministry of grace and justice, to which my note had been referred, had not come to a decision on the subject. I presented such additional views as had suggested themselves to me in the mean time, and expressed an earnest hope that the request of my note for the detention of Surratt until more formal proceedings could be had would be acceded to.

The secretary general of the ministry of foreign affairs, whom I saw in the absence of the minister, appeared to me less favorably disposed to the application than I had expected from my former conversation with him, and at a later hour I addressed to the ministry a note, of which a copy, marked J, is annexed hereto.

I doubt whether, in case of the surrender of Surratt, a formal stipulation to exempt him from the punishment of death will be insisted on. In the famous La Gala case, Mr. Visconti Venosta, then as now minister of foreign affairs, refused to enter into such a stipulation on the extradition of the offenders, but nevertheless the government yielded to the intercession of the Emperor of France, and the sentence of those atrocious criminals, though convicted of numerous murders, robberies, and even cannibalism, was commuted, and I suppose the government of Italy would strongly recommend Surratt to mercy, if he is surrendered to us. The public sentiment of all classes in Italy is decidedly adverse to the infliction of capital punishment, and I shall not go too far if I add, to any severe or adequate punishment for the gravest offences. The universality of this feeling will have its weight with the government.

In order to secure the transmission of this despatch by the next mail, it must be posted at so early an hour to-morrow morning that I shall not be able to see the minister or secretary general of foreign affairs before it is sent to the post office, and I cannot probably communicate the decision of the ministry until another mail.

I have written to ask Mr. King for a copy of so much of his instructions on this subject as may be useful to me, and I beg for special instructions for my own guidance in the further conduct of this affair.

I have the honor to be, sir, your most obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Enclosure A.—Confidential.]

*Mr. King to Mr. Marsh.*

LEGATION OF THE UNITED STATES,  
*Rome, November 9, 1866.*

MY DEAR SIR: I send to you, under very peculiar circumstances, and as bearer of despatches, my friend Mr. Robert Macpherson. He will tell you the story which the accompanying despatches will help to illustrate. I need not ask you to aid him in his researches.

Very truly yours,

RUFUS KING.

Mr. MARSH, *United States Minister, Florence.*

[Enclosure B.—Translation.]

*Mr. Kanzler to Cardinal Antonelli.*

MINISTRY OF ARMS, CABINET OF THE PRO-MINISTER.

November 8, 1866.

**MOST REVEREND EMINENCE:** I have the honor to transmit to your most Reverend Eminence the accompanying documents on the arrest and escape of the Zouave Watson, of the 3d company, and I shall not fail to communicate such further information as I may receive as to the result of the pursuit of this individual.

Bowing to kiss the sacred purple, I am proud to subscribe myself, with profound devotion, your most Reverend Eminence's most humble and most devoted servant,

KANZLER.

His most Reverend Eminence the Cardinal ANTONELLI,  
*Secretary of State.*

[Enclosure C.—Order.]

*Mr. Kanzler to Lieutenant Colonel Allet.*

NOVEMBER 6, 1866.

**COLONEL:** Cause the Zouave Watson to be arrested and conveyed under safe escort to the military prisons at Rome. It is of much importance that this order be scrupulously fulfilled.

The general pro-minister,

KANZLER.

Lieutenant Colonel ALLET,  
*Commanding the Battalion of Zouaves, Velletri.*

[Enclosure D.—Translation.]

PONTIFICAL ZOUAVES, COMMAND OF THE BATTALION No. 463,  
*Velletri, November 7, 1866.*

**GENERAL:** I have the honor to inform you that the Zouave Watson (John) has been arrested at Veroli, and will be conducted to-morrow morning, under good escort, to Rome.

While they were in search of him at Trisulti, his garrison, he was arrested by Captain de Zambilly at Veroli, where he was on leave.

I have the honor also to inform your excellency that his name is not *Waston*, but *Watson*.

I have the honor to be, general, your excellency's most humble subordinate,

LIEUTENANT COLONEL ALLET.

His Excellency the GENERAL,  
*Minister of Arms, Rome.*

[Enclosure E.—Telegram.—Translation.]

[Presented at Velletri November 8, 1866, 8.35 a. m.; arrived at Rome November 8, 1866, 8.50 a. m.]

His Excellency the GENERAL, *Minister of Arms, Rome:*

I received the following telegram, dated 4.30 a. m., from Captain Zambilly:

At the moment he left the prison, and while surrounded by six men as a guard, Watson threw himself into the ravine, above a hundred feet perpendicular in depth, which defends the prison. Fifty zouaves in pursuit of him.

I will transmit to your excellency the intelligence I may receive by telegraph.

ALLET, *Lieutenant Colonel.*

[Enclosure F.]

LEGATION OF THE UNITED STATES,  
*Rome, November 12, 1866.*

**MY DEAR Mr. MARSH:** I send you one of the photographs of John Surratt, which I received this day from the State Department, which may help to identify the scoundrel if we should be fortunate enough to catch him.

Very truly yours,

RUFUS KING

[Enclosure G.]

ROME, Tuesday, November 13.

MY DEAR MR. MARSH: I had another interview and long conversation with Cardinal Antonelli this morning, in reference to the arrest and escape of John H. Surratt. The cardinal gave me the reports of the various officers charged with the investigation of the facts in the case. They certainly show, on the surface, perfect good faith on the part of the Papal authorities, and an earnest desire to arrest the criminal, of whose guilt the cardinal expressed himself fully satisfied. He added that Surratt had, beyond doubt, made good his escape into the Italian territory, and was now, doubtless, at Naples. I write to give you this information, as it may aid your researches. I still think and hope we may catch the fugitive.

Very truly yours,

RUFUS KING.

[Enclosure H.—Telegram.]

[Presented the 16th, 1866, 4.30 o'clock; received the 16th, 1866, 8.25 o'clock.]

ROME.

His Excellency Mr. MARSH, *American Minister, Florence*:

I have just heard that Surratt has been admitted, wounded, into the hospital at Sora.

RUFUS KING.

[Enclosure I.]

LEGATION OF THE UNITED STATES,  
Florence, November 16, 1866.

MR. MINISTER: I am credibly informed, and confidently believe, that John H. Surratt, a leading actor in the assassination of Abraham Lincoln, late President of the United States, who escaped from justice after that event, and has been recently serving as a zouave in the Papal army at Rome, is now in a hospital at Sora, (supposed Sora Terra di Lavoro,) where he is said to have been admitted in consequence of a wound, received in some manner of which I am not informed.

It has been known for a considerable time to the legation of the United States at Rome that Surratt had enlisted in the Papal military service, and this fact having been communicated by the legation to the pontifical government, an order for his arrest and committal to the military prison at Rome was issued by the minister of war on the sixth of the present month.

In pursuance of this order, Surratt, who had enrolled himself by the name of John Watson, was arrested at Veroli on the following day, and conducted to Velletri. On the eighth of the month he escaped from his keepers, and has not been since heard of until his admission to the hospital at Sora.

The circumstances of the assassination in question are so well known that I need not enter into any details on that subject; and this legation, as well as the government and people of the United States, have received such abundant proof of the intense horror with which this great crime was regarded by the Italian government and nation, that I cannot doubt the entire readiness of the public authorities of this kingdom to use all proper measures to bring to justice any of the participators in the offence who may be found within their jurisdiction.

I am, as may naturally be supposed, without conclusive evidence to prove at this moment the complicity of Surratt in the crime, or to show the identity of that individual and the person now in the hospital at Sora. The latter point, however, I am informed can be established at once and beyond dispute; and the printed record of the proceedings against the assassins, a copy of which accompanies this note, will, I doubt not, be considered sufficient *prima facie* evidence of the guilt of the accused to warrant his detention until further proof, if any be necessary, can be produced to justify his extradition to the authorities of the United States for trial.

I need not enlarge upon the heinous criminality and the dangerous character of the offence with which Surratt is charged. The punishment of the assassins interests all civilized commonwealths, and the cause of justice is, in this instance, the cause of organized government, of public order, and of national security throughout the world.

I pray, therefore, Mr. Minister, that the local authorities at Sora may be instructed to hold the accused in safe custody until further proceedings can be had to insure his surrender to such officers of the United States as shall be authorized to receive him.

I avail myself of this occasion to tender to you, Mr. Minister, the renewed assurances of my high consideration.

GEORGE P. MARSH.

Commander VISCONTI VENOSTA,  
*Minister of Foreign Affairs, &c., &c., &c.*

[Enclosure J.]

*Mr. Marsh to Visconti Venosta.*LEGATION OF THE UNITED STATES,  
Florence, November 17, 1866.

MR. MINISTER: I have the honor to enclose herewith a photographic portrait of John H. Surratt, alias Watson, supposed to be now in a hospital at Sora. The portrait was received by the United States legation at Rome from the government of the United States, and is, therefore, no doubt authentic. It may help to identify the individual at Sora with the accused; but, as it is not apparently of the most recent date, it is not improbable that time and the circumstances of Surratt's life for the last eighteen months may have produced some change in his features and expression, which will render the likeness between the original and the portrait less striking. The point of identity, however, as I had the honor of stating to Mr. Cerutti this morning, can, it is believed, be satisfactorily established by the testimony of persons at Rome who have known Surratt familiarly on both sides of the Atlantic.

Accept, Mr. Minister, the renewed assurance of my high consideration.

GEORGE P. MARSH.

Commander VISCONTI VENOSTA,  
Minister of Foreign Affairs.

*Mr. Marsh to Mr. Seward.*

[Extracts.]

No. 169.]

LEGATION OF THE UNITED STATES,  
Florence, November 24, 1866.

SIR: In pursuance of the request made by my note of the 16th instant to the ministry of foreign affairs, reported in my last despatch, the ministry ordered the local authorities at Sora to keep watch of Surratt for the time being, but no further proceedings were had; nor did I receive any additional information on the subject until Thursday, the 22d instant. On that day I received a letter from Mr. King, a copy of which is hereto annexed, and communicated it to the ministry of foreign affairs.

I am not advised whether Mr. King's information in respect to Surratt's having been at Sora proved accurate or not.

I have no information in respect to Mr. King's instructions from the State Department, and I have been at a loss to conjecture their nature, because Mr. Macpherson stated to me that Mr. King had not made any request to the Papal government for Surratt's arrest, and that that government acted *proprio motu* in the matter. Still, as Mr. King has telegraphed to the consul at Malta, I presume he has felt himself authorized to request the consul-general at Alexandria to take measures for the arrest of Surratt, if found in Egypt, though his letter does not state that he has done so.

My present impression, judging from my last interview with the secretary general of foreign affairs, is that the accused would not have been surrendered; and it would therefore be fortunate if he should be found in the Turkish empire, where the extra-territorial jurisdiction of the consuls would empower them to arrest and detain him without offence to the Turkish government.

I have been surprised to find that the Florence correspondent of the London Morning Post is quite well informed as to the history of the case up to the time of Mr. Macpherson's departure. \* \* \* \* \* I can readily imagine that the correspondent could extract from him all he was able to recollect on the subject.

I have the honor to be, sir, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,  
Secretary of State, Washington, D. C.



*Mr. King to Mr. Marsh.*

LEGATION OF THE UNITED STATES AT ROME,

*November 19, 1866.*

DEAR SIR: I am at this moment in receipt of your despatch of the 15th instant, and as I cannot reply to it in detail in season for to-day's mail, must content myself with these few lines to apprise you that a telegram from our consul at Naples, dated yesterday, informs me that Surratt sailed from Naples for Alexandria on the 17th instant, (Saturday last,) by a steamer stopping at Malta to coal. Mr. Swan added that he had telegraphed to our consul at Malta. I did the same without delay, urging Surratt's arrest, but as yet have no reply. Surratt is apparently beyond the jurisdiction or protection of Rome, but I still hope for his arrest.

Very respectfully, yours,

RUFUS KING.

Mr. GEORGE P. MARSH,  
*United States Minister, &c., &c.*

## ROME.

---

*Mr. Seward to Mr. King.*

No. 30.]

DEPARTMENT OF STATE,  
*Washington, December 18, 1865.*

SIR: I have received and have read with very great interest your despatch of November 18th, No. 46, in which you give an account of recent interviews between yourself and his Holiness and the cardinal secretary of state. The spirit in which the remarks of his Holiness were conceived cannot be too highly commended, and the sentiments of cordiality and good feeling which were expressed both by him and by his Eminence Cardinal Antonelli towards the government and people of the United States are fully and warmly appreciated.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, Esq., &c., &c., &c.

---

*Mr. King to Mr. Seward.*

[Extract.]

No. 47.]

LEGATION OF THE UNITED STATES,  
*Rome, January 4, 1866.*

SIR: I have the honor to acknowledge the receipt of the communication from the Secretary of State in reply to mine of April 28th, transmitting the resolutions adopted by the Americans in Rome in relation to the tragic events that occurred in Washington on the 14th of the same month. I shall take pleasure in communicating the contents of the despatch to my countrymen in this city.

The ceremonies of Christmas week attracted many visitors to Rome and passed off with their wonted éclat. The magnificence of the weather added to the effect of the imposing pageant, the Holy Father taking a prominent part in the religious exercises at St. Peter's.

In conformity with established usage, all the members of the diplomatic corps called in turn upon his Holiness during the past week to tender him the congratulations and good wishes appropriate to the season. In the interview which I enjoyed with him, the Pope expressed great satisfaction at the general tenor of the news from America, and referred to the President's message as a document of great merit. The cardinal secretary of state, whom I saw on the same day, was unusually cordial in his reception and profuse of kind wishes. He, too, referred to affairs in the United States as all going on well, and spoke in very warm praise of the message. He was greatly struck, he said, with its moderate and statesmanlike tone, and especially impressed with the manner in which the questions at issue between England and the United States were presented and discussed. That, he thought, was most adroitly done, and left England in a very awkward predicament. The events in America, his Eminence added, had fully verified all the assurances I had given him during the last winter and spring.

The opinions entertained by the Pope and Cardinal Antonelli on these topics are shared very generally by the diplomatic corps in Rome. Indeed, it is no

exaggeration to say that the President's last message and accompanying documents have made a profound impression upon the rulers and peoples of Europe.

The cessation of the cholera at Naples and the raising of the quarantine along the Papal borders has once more set in motion the tide of travel, and crowds of foreigners, an unusually large proportion being Americans, are flocking to Rome. The general health of this city continues excellent, and the winter thus far has been a season of almost unbroken sunshine.

Within the past month the new Austrian and Spanish ambassadors, Baron Hubner and Signor Isturitz, have arrived in Rome and presented their credentials to the Pope. With both these gentlemen I have established agreeable personal and official relations.

With the exception of rather frequent complaints about the increase of brigandage, the exact truth of which it is not easy to ascertain, matters continue quiet in the Papal states. The belief is very prevalent, however, that the current year is destined to witness a marked change in the political condition of Italy and Europe. \* \* \* \* \*

I have the honor to be, with great respect, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. King to Mr. Seward.*

[Extract.]

No. 52.]

LEGATION OF THE UNITED STATES,

*Rome, April 4, 1866.*

SIR: \* \* \* \* \*

The ceremonies of holy week closed with the imposing celebration of Easter Sunday and the benediction of his Holiness the Pope in presence of a vast concourse of spectators, filling every part of the immense piazza in front of St. Peter's. The Pope, who is in excellent health, went through his share of the ceremonies without apparent fatigue, and his voice, in pronouncing the benediction, was distinctly audible at a considerable distance from the balcony which he occupied.

A rumor was in general circulation here a day or two since to the effect that, in view of the embarrassed state of the Papal finances and the consequent difficulty of recruiting and maintaining the proposed foreign legion in the Papal service, the Emperor Napoleon had decided to retain the French contingent in Rome for three or four years longer. I did not myself credit the story, and, at an interview with Cardinal Antonelli yesterday, asked his Eminence if there was any truth in the report. He replied at once in the negative and spoke of it as an idle "*bruit*." Adverting, however, to the threatening aspect of affairs just now in Europe, and the possibility of a rupture between Prussia and Austria, the cardinal intimated that this might lead to new and unforeseen complications. The position of the Papal government, he added, was a passive one. They were content to abide the event and leave to others the responsibility of precipitating matters. He deprecated a war between the two great German powers as involving consequences which none could foretell, and expressed the hope that it might yet be avoided.

His Eminence asked several questions about affairs in America, and again spoke in very eulogistic terms of the policy adopted by the President in his dealings with the States lately in rebellion against the federal government.

I think it not improbable that another week will bring to an issue the pend-

ing questions between Austria and Prussia, and decide whether peace or war is to be the *status* of Europe for the coming year.

I have the honor to be, with great respect, your obedient servant,  
RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. King to Mr. Seward.*

[Extract.]

No. 53.]

LEGATION OF THE UNITED STATES,  
*Rome, April 23, 1866.*

SIR: \* \* \* \* \*

On Saturday last, 21st instant, a private in the Papal zouaves, giving his name as H. B. St. Marie, and claiming to be Canadian by birth, called upon me for the purpose, as he said, of communicating the information that John H. Surratt, who was charged with complicity in the murder of President Lincoln, but made his escape at the time from the United States, had recently enlisted in the Papal zouaves, under the name of John Watson, and was now stationed with his company, the 3d, at Sezze. My informant said that he had known Surratt in America; that he recognized him as soon as he saw him at Sezze; that he called him by his proper name, and that Surratt, taking him aside, admitted that he was right in the guess. He added that Surratt acknowledged his participation in the plot against Mr. Lincoln's life, and declared that Jefferson Davis had incited or was privy to it. St. Marie further said that Surratt seemed to be well provided with money, and appealed to him as a comrade not to betray his secret; and he expressed an earnest desire that if any steps were taken towards reclaiming Surratt as a criminal, he, St. Marie, should not be known in the matter. He spoke so positively in answer to my questions as to his acquaintance with Surratt, and the certainty that this was the man, and there seemed such entire absence of motive for any false statement on the subject, that I could not very well doubt the truth of what he told me. I deemed it my duty, therefore, to report the circumstance to the department and ask for instructions.

\* \* \* \* \*

I have the honor to be, with great respect, your obedient servant,  
RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. King to Mr. Seward.*

[Extract.]

No. 54 ]

LEGATION OF THE UNITED STATES,  
*Rome, May 11, 1866.*

SIR: In my last despatch, of April 23, I mentioned that H. B. St. Marie, a private in the Papal zouaves, had called upon me for the purpose of communicating the intelligence that John H. Surratt, one of the persons charged with complicity in the murder of President Lincoln, was a member of the same regiment as himself, and then stationed at Sezze. I have since received two

letters from St. Marie relating to this matter, which I enclose for the information of the department. While awaiting their instructions, the information has been kept secret here.

\* \* \* \* \*

I have the honor to be, with great respect, your obedient servant,  
RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. St. Marie to Mr. King.*

VELLETRI, April 23, 1866.

HONORABLE SIR: With reference to the information I had the honor to give you Saturday last, I most respectfully state and suggest that it would be advisable to proceed at once and ascertain if such information is correct, as I understand that my company may be soon under orders to go further in the mountains, and it would be more difficult for me to communicate with you. As to the identity of the party, I can assure you on my most sacred honor it is lost time to acquire further proofs. I am fully convinced that it is the same individual. I have known him in Baltimore. I have seen him here; have spoken to him; recognized him at once; and, when he made himself known to me and acknowledged he was the same party I thought he resembled to, he related several particulars of our first meeting at Ellangowan, fifteen miles from Baltimore, where I was then engaged as a teacher, which no one but himself could have remembered. This was about a year before the assassination of President Lincoln; all this occurred about a fortnight ago. I then resolved that as soon as I could get leave to go to Rome, I would seek the American minister and inform him of the fact, which no one here, and I am certain in Europe, knows but myself. I am fully aware of the danger of my position, for in my opinion that party must have friends here, and the utmost caution must be used both in securing him, and for my personal safety. I have told you it is my desire to leave the army as soon as possible, and that I can do by paying a sum of five or six hundred francs. I think I have done my duty in conscience, and trust in you not to be forgotten. I shall expect an answer at your earliest convenience; in writing to me use ordinary paper and envelope, and take a form and turn of expression as none but myself will be able to understand.

I have the honor to be, honorable sir, very respectfully, your most obedient servant,  
HENRI B. ST. MARIE,  
*Zouave Pontifical, 9th Company, Velletri.*

Hon. General KING,  
*Minister of the United States, Palazzo Talviati, via Del Corse, Rome.*

*Mr. St. Marie to Mr. King.*

VELLETRI, May 7, 1866.

GENERAL: I am in receipt of your honored favor of the 4th instant, and, in reply, beg to state that the party in question is still at the place mentioned in my last letter to you. If anything happens I shall immediately advise you. Also, if I change quarters I shall let you know where you can address me.

Hoping everything will turn out to your satisfaction, and for the greatest advantage of the United States, I hope justice to the ever-lamented memory of President L. will be made.

I have been greatly disappointed with this zouave corps. I long to revisit my native land and the gray hair of my father and mother, and wish to make of the United States my last and permanent home.

I have the honor to be, most respectfully, general, &c.,  
HENRI B. ST. MARIE,  
*Zouave Pontifical, 9th Company.*

Hon. General KING, *Rome.*

*Mr. F. W. Seward to Mr. King.*

No. 35.]

DEPARTMENT OF STATE,  
*Washington, May 21, 1866.*

SIR: Your despatch of the 23d ultimo, No. 53, was duly received, and a copy of so much of it as relates to John H. Surratt was promptly communicated to the Secretary of War. Enclosed I transmit a copy of a letter from him upon the

subject, together with a communication from the Judge Advocate General, to whom your report was referred by the Secretary of War. You are instructed to obtain, if possible, pursuant to General Holt's suggestions, the full statement verified by oath of St. Marie.

I am, sir, your obedient servant,

F. W. SEWARD,  
*Acting Secretary.*

RUFUS KING, Esq., &c., &c., &c.

— ]  
*Mr Stanton to Mr. F. W. Seward.*

WAR DEPARTMENT,  
*Washington City, May 19, 1866.*

SIR: I have the honor to acknowledge yours of the 17th, accompanying a report of the United States minister at Rome, in relation to John H. Surratt. That report was referred to the Judge Advocate General, who returns it to this department with a recommendation, a copy of which is herewith enclosed. I would respectfully ask that it may be transmitted to Mr. King, with instructions in conformity with General Holt's recommendation.

Your obedient servant,

EDWIN M. STANTON.

Hon. F. W. SEWARD,  
*Acting Secretary of State, &c., &c., &c.*

BUREAU OF MILITARY JUSTICE,  
*Washington, May 19, 1866.*

Respectfully returned.

It is recommended that the American minister at Rome be urged to procure without delay, if possible, a full statement of John H. Surratt's confession to H. de St. Marie, verified by oath, which could probably be obtained through assurances that St. Marie should in no manner be compromised thereby. This man, there is reason to believe, is the same referred to by one of the witnesses on the trial of the assassins of the President. He was represented to have been engaged in school-teaching in Maryland, at a village called Ellangowan, in the year 1853. Afterwards he came to Washington, and was for a short time employed by Father Wiget. He stated that he had come from Montreal, Canada, where he had sold his farm, the proceeds of which he had lost in this country. He spoke French, Italian, and English fluently, and was known as Henry de St. Marie. The American minister has no doubt caught the sound of his name imperfectly, and has in consequence written it "B" instead of de St. Marie.

The particulars above given will make it easy to ascertain if this is the person mentioned in the despatch to the Secretary of State. If he is, it is believed that it can be shown here that he is a man of character and entitled to credit in his statements. It may be added that in this despatch the American minister has slightly mistaken Surratt's name. It is not John S., as he supposes, but John H.

J. HOLT,  
*Judge Advocate General.*

—  
*Mr. F. W. Seward to Mr. King.*

No. 36.]

DEPARTMENT OF STATE,  
*Washington, May 24, 1866.*

SIR: Since the date of the instruction addressed to you in answer to your despatch No. 33, of the 23d ultimo, a letter has been received at this department from Mr. Holt, the Judge Advocate General, in which he states that it has been ascertained that the name of the person supposed to be alluded to in your despatch is Henri Beaumont de St. Marie. He is represented to be about five feet eight inches in height, thirty years old, of a dark complexion, with black hair, with sharp, piercing eyes.

Mr. Holt suggests that if he should make a statement in regard to Surratt's confession, there should be embodied in it his entire name, together with the

circumstances of his sojourn in the United States, if he were ever here, mentioning dates, places, &c., as well as the names of some of the persons with whom he was associated. This, Mr. Holt thinks, will make the question of identity one of easy solution.

I am, sir, your obedient servant,

F. W. SEWARD,  
*Acting Secretary.*

RUFUS KING, Esq., &c., &c., &c.

---

*Judge Holt to Mr. F. W. Seward.*

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,  
*Washington, D. C., May 22, 1866.*

DEAR SIR: Referring to our conversation of this morning, I have the honor to state that the full name of the person supposed to be alluded to in the despatch of the American minister at Rome is now ascertained to be Henri Beaumont de St. Marie. He is represented to be about 5 feet 8 inches in height, 30 years old, of a very dark complexion, and black hair, with sharp, piercing eyes. Should he make a statement in regard to Surratt's confession, there should be embodied in it his entire name, together with the circumstances of his sojourn in the United States; if he was here, mentioning dates, places, &c., as well as the names of some of the persons with whom he was associated. This will make the question of identity of easy solution.

Very respectfully, your obedient servant,

J. HOLT,  
*Judge Advocate General.*

Hon. F. W. SEWARD,  
*Assistant Secretary of State.*

---

*Mr. King to Mr. Seward.*

No. 55 ]

LEGATION OF THE UNITED STATES,  
*Rome, June 4, 1866.*

SIR: Contrary to the opinion very generally entertained, the month of May has expired without bringing any solution of the questions at issue between Austria, Prussia, and Italy; and Europe continues in doubt whether to expect peace or war. The conference or congress proposed by England, France, and Russia could not well be declined, and the coming week will probably witness the opening session. But unless Austria has fully made up her mind to part with Venice, the prospect of an amicable agreement is still remote; and the popular excitement throughout Italy is so great that war can hardly be avoided. The French ambassador, with whom I conversed on the subject a day or two since, seemed to think that hostilities were inevitable and near at hand. Such is, unquestionably, the prevalent belief here.

The cardinal secretary of state, who has been very seriously ill, is, I am happy to say, convalescent. For nearly two weeks he was unable to receive visitors or transact business; and his condition was such as to excite much apprehension. Happily the danger is past. His Holiness could ill afford to lose so able and devoted a councillor.

It is understood that the Pope intends to create three new cardinals within the current month, viz: Monsignor Mantecchi and Prince Hohenlohe, both attached to the Papal household, and the distinguished archbishop of Dublin, Dr. Cullen.

The festival of Corpus Domini was celebrated with all customary pomp on Thursday last, his Holiness taking conspicuous part in the procession, and looking remarkably well.

I have the honor to be, with great respect, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. King to Mr. Seward.*

[Extract.]

No. 56.]

LEGATION OF THE UNITED STATES,

*Rome, June 19, 1866.*

SIR: I have the honor to acknowledge receipt of despatch No. 36, under date of May 24; and, referring to certain instructions addressed to me, in answer to my despatch No. 53, of the 23d of April, I hasten to say that these instructions have not yet come to hand, and it would appear from the number (36) of the despatch now acknowledged that two of the series from the State Department, to wit, Nos. 34 and 35, are missing; the last received previous to the present one being No. 33, of March 23d. Under the circumstances I venture to request that duplicates of Nos. 34 and 35 be at once forwarded to me. Awaiting their arrival, I will act upon the suggestion of the Judge Advocate General referred to in your last, and endeavor to obtain from St. Marie, who is still at Velletri, the further and fuller statement which the judge deems desirable. St. Marie answers exactly to the description given of him in Judge Holt's letter, and is no doubt the same person. He adheres confidently to his original statement in regard to Surratt, who, at the present speaking, is with his company at Veroli, some forty miles from Rome. \* \* \* \*

I am, sir, very respectfully, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. King to Mr. Seward.*

No. 57.]

LEGATION OF THE UNITED STATES,

*Rome, June 23, 1866.*

SIR: In my anxiety to reply at once to despatch No. 36 from the State Department, received on the 19th instant, I had only time for a brief reference to the interview and conversation which I enjoyed with the Pope on the day that my last communication was written. His Holiness spoke at some length of the impending European war, and condemned very strongly the course pursued by Prussia. On the other hand, he highly commended the Austrian Emperor for the moderation and ability which he had displayed, and did not at all disguise his sympathies for the success of the Austrian arms. In reply to my question as to the probability of his going to his country residence at Castel Gandolfo during the heats of summer, his Holiness said that as yet it was undecided; his movements would necessarily depend upon the progress and incidents of the war; but if matters continued quiet in the Papal States, as he seemed to anticipate, he should probably go to the mountains in the course of next month.

Adverting to American affairs, the Pope expressed his sincere gratification at the rapid recovery of the United States from the destructive effects of the late war, and the evident progress making towards the complete restoration of peace and union; and he begged me to convey to the President the assurance of his lively sympathy, as well as of his cordial approbation of the policy which the Executive had thus far pursued. He wished the President all success, he said, in the good work he had so well begun and was so earnestly prosecuting. I thanked his Holiness for this friendly expression of his sentiments, and assured him that it would give me great pleasure to communicate them to the proper department.



Thursday last, the 21st instant, was the twentieth (20th) anniversary of the coronation of the present Pontiff, and as such was duly commemorated by the Roman people. Yet, notwithstanding the fact that the Pope is held in general reverence and regard, the liveliest interest is felt here in the progress of the Austro-Italian war, and the success of Victor Emanuel's arms anxiously desired, as involving the future *status* of this imperial city and its final release from civil and ecclesiastical thralldom. But however it may fare with Venice, there is no present probability that Rome will become part of the Italian kingdom.

In compliance with the suggestion contained in your last despatch, (No. 36.) I communicated immediately with St. Marie at Velletri, and received from him yesterday the accompanying document. I had, at the same time, a long conversation with him, which tended to confirm my belief in the truth of his statements. He repeated to me Surratt's confession of complicity in the murder of President Lincoln, and the admission of his mother's guilty participation in the same plot. He said that Surratt was well supplied with money by parties in Paris and London. He avowed his readiness to proceed at once to Washington and testify to all he knew in the premises, only asking to have his expenses paid and some compensation made for his time and trouble. I requested him to describe Surratt to me, which he did; and it corresponded exactly with the description given by the witness Weichmann at the trial of the conspirators. (See page 116 of volume published by Ben. Pittman, recorder, &c.) I cautioned him not to speak of the matter to any one; but to remain quiet until he heard from me, only keeping me advised, from time to time, of his own and Surratt's movements and whereabouts. He returned to Velletri last evening. I await, of course, the receipt of the instructions referred to in despatch No. 36 before taking any further steps in the matter.

I have the honor to be, with great respect, your obedient servant,

RUFUS KING.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

ROME, June 21, 1866.

GENERAL: Agreeably with your desire, I have the honor to make the following statement :

1. I am Canadian born, and was living in the United States when the late rebellion broke out. I was engaged as teacher in a small village in Maryland, called Little Texas, or Ellan-gowan, and there got acquainted with John H. Surratt and William Weichmann. About six months before the end of the war I had removed to Washington, and was there engaged in St. Mathew's Institute, under the superintendency of Father White. Weichmann, who was a friend of Surratt, was there with me. I had occasion to see him several times. He and Weichmann, who was the principal witness in the trial of the assassins of President Lincoln, were intimates. From difficulties with Weichmann I left Washington and joined the northern army, as a substitute for E. D. Porter, of Newark, Delaware, principal of an academy in that city. Not being used to hardships, I straggled in the first marches, and was picked up by Stuart's cavalry near Orange Court House, Virginia, and imprisoned in Castle Thunder, Richmond. Having been acquainted with the plots of a company of forgers who were then in the same prison, I acquainted General Winder of their intentions, and as a reward of my services got my liberty, and was sent free to Nassau, and from there to my native home—Canada—having gone first to England, on board a vessel loaded with cotton on the account of the confederacy.

2. After my return home the unfortunate assassination of President Lincoln took place. I immediately went to the United States consul at Montreal, and informed him what I knew about Surratt and Weichmann, and told him that in my opinion I thought one was as guilty as the other, and acted only through fear of selling his accomplice. I have met Surratt here in Italy, in the zouaves of the Pope, where I am myself. He has acknowledged to me that he was the instigator of the murder, and had acted in the instructions and orders of persons he did not name, but some of whom are in New York, and others in London. He told me a party in London offered him £10,000 to publish a statement of the affair, but he refused.

I beg to say I am prepared to go to the United States and give all the evidence I know in the unfortunate matter.

I am personally known in the United States to E. D. Porter, of Newark; Delaman, Neil &

Derve, proprietors of the St. Louis hotel, Chestnut street, Philadelphia; R. H. Labberton, professor of Greek in the University of the same city. I have known in Richmond General Winder; Captain Winder, his son; Major Carrington and Major Parkhill, and Captain Alexander, who was then commander of Castle Thunder.

I have the honor to be, general, &c.,

HENRI B. ST. MARIE.

General KING, *Rome, Italy.*

*Mr. King to Mr. Seward.*

[Extracts.]

ROME, June 30, 1866.

Private.]

MY DEAR GOVERNOR:

\* \* \* \* \*

As you will learn from the accompanying despatch, the missing document from the State Department arrived all right to-day. I cannot imagine where or how it has been delayed. I will act forthwith upon the instructions in regard to St. Marie. He is willing and anxious to go to the United States, and can get his release from the Pontifical zouaves by paying fifty dollars or so. I should judge that his parole evidence would be much more desirable than any certified statement. He would expect to have his expenses paid, and some compensation made for his time.

\* \* \* \* \*

Faithfully yours,

RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. King to Mr. Seward.*

[Extract.]

No. 59.]

LEGATION OF THE UNITED STATES,  
*Rome, July 14, 1866.*

SIR: \* \* \* \* \* In compliance with instructions heretofore received, I have obtained, and herewith transmit, an additional statement, sworn and subscribed to by H. B. de St. Marie, touching J. H. Surratt's acknowledged complicity in the assassination of the late President Lincoln. St. Marie again expressed to me his great desire to return to America and give his evidence in person. He thinks that his life would be in danger here, should it be known among his comrades that he had betrayed Surratt's secret.

\* \* \* \* \*

I have the honor to be, with great respect, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

ROME, July 10, 1866.

I, Henri B. de St. Marie, a native of Canada, British America, aged 33, do swear and declare under oath, that about six months previous to the assassination of President Abraham Lincoln I was living in Maryland, at a small village called Ellangowan, or Little Texas, about twenty-five or thirty miles from Baltimore, where I was engaged as teacher for a period of about five months. I there and then got acquainted with Lewis J. Weichmann and John H. Surratt, who came to that locality to pay a visit to the parish priest. At that first interview a great deal was said about the war and slavery; the sentiments expressed by these two individuals being more than strongly secessionists. In the course of conversation, I remember Surratt to have said that President Lincoln would certainly pay for all the men that were slain during the war. About a month after I removed to Wash-

ington, at the instigation of Weichmann, and got a situation as tutor in St. Mathew's Institute, where he was himself engaged. Surratt visited us weekly, and once he offered to send me south; but I declined. I did not remain more than a month at Washington, not being able to agree with Weichmann, and enlisted in the army of the north, as stated in my first statement in writing to George King. I have met Surratt here in Italy, at a small town called Velletri. He is now known under the name of John Watson. I recognized him before he made himself known to me, and told him privately, "You are John Surratt, the person I have known in Maryland." He acknowledged he was, and begged of me to keep the thing secret. After some conversation, we spoke of the unfortunate affair of the assassination of President Lincoln, and these were his words: "Damn the Yankees; they have killed my mother; but I have done them as much harm as I could. We have killed Lincoln, the nigger's friend." He then said, speaking of his mother, "Had it not been for me and that coward Weichmann, my mother would be living yet. It was fear made him speak. Had he kept his tongue there was no danger for him; but if I ever return to America, or meet him elsewhere, I shall kill him."

He then said he was in the secret service of the South. And Weichmann, who was in some department there, used to steal copies of the despatches and forward them to him, and thence to Richmond. Speaking of the murder, he said they had acted under the orders of men who are not yet known, some of whom are still in New York, and others in London. I am aware that money is sent to him yet from London. "When I left Canada," he said, "I had but little money, but I had a letter for a party in London. I was in disguise with dyed hair and false beard; that party sent me to a hotel where he told me to remain till I would hear from him." After a few weeks he came and proposed to me to go to Spain, but I declined, and asked to go to Paris; he gave me £70 with a letter of introduction to a party there, who sent him here to Rome, where he joined the zouaves. He says he can get money in Rome at any time. I believe he is protected by the clergy, and that the murder is the result of a deep-laid plot, not only against the life of President Lincoln, but against the existence of the republic, as we are aware that priesthood and royalty are and always have been opposed to liberty. That such men as Surratt, Booth, Weichmann, and others, should, of their own accord, plan and execute the infernal plot which resulted in the death of President Lincoln, is impossible. There are others behind the curtain who have pulled the strings to make these scoundrels act. I have also asked him if he knew Jefferson Davis. He said no, but that he had acted under the instructions of persons under his immediate orders. Being asked if Jefferson Davis had anything to do with the assassination, he said "*I am not going to tell you.*" My impression is that he brought the order from Richmond, as he was in the habit of going there weekly. He must have bribed the others to do it, for when the event took place he told me he was in New York, prepared to fly as soon as the deed was done. He says he does not regret what has taken place, and that he will visit New York in a year or two, as there is a heavy shipping firm there who had much to do with the South, and he is surprised that they have not been suspected.

This is the exact truth of what I know about Surratt. More I could not learn, being afraid to awaken his suspicions. And further I do not say.

Sworn and subscribed before me, at the American legation in Rome, this tenth (10th) day of July, A. D. 1866, as witness my hand and seal of office.

[L. S.]

RUFUS KING, *Minister Resident.*

*Mr. King to Mr. Seward.*

[Extract.]

Private.]

ROME, *Saturday, July 14, 1866.*

MY DEAR GOVERNOR: I send herewith St. Marie's sworn statement (as made out by himself) about Surratt's confession. St. Marie is very anxious to return to America, and give his evidence in person before the Judge Advocate General. He thinks that his life would be in danger among his wild zouave comrades if it became known that he had betrayed Surratt's secret. He is very desirous, too, to see his old mother, still living in Canada, and in straitened circumstances. It would not be difficult nor expensive to procure his discharge from the zouaves, ship him to Havre, and thence, with the help of the United States consul there, to New York, always providing that his presence and evidence are wanted in Washington.

\* \* \* \* \*

Very truly, &c.,

RUFUS KING.

Hon. WILLIAM H. SEWARD.

*Mr. Seward to Mr. King.*

[Extract.]

No. 40.]

DEPARTMENT OF STATE,

*Washington, July 16, 1866.*

SIR: In further acknowledgment of your despatch of the 23d of June, I have to inform you that I have laid before the Secretary of War the letter which accompanies it, and which was written by Henri de St. Marie on the 21st of June last.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, Esq., &c., &c., &c.

*Mr. King to Mr. Seward.*

[Extract.]

No. 60.]

LEGATION OF THE UNITED STATES,

*Rome, July 24, 1866.*

SIR: The great events which have followed each other with such startling rapidity during the course of the present month have filled Rome with various and exciting rumors. The signal victory of the Prussians at Koniggratz, or Sadowa; the cession of Venetia to France and its acceptance by the Emperor; the unopposed advance of the Italian army into what had, apparently, thus become French territory; the steady progress of the Prussian arms in all directions; the seeming helplessness of Austria; the absolute non-intervention of the other European powers; and, finally, the signing of the preliminaries of peace, all within the brief space of three weeks, make up a chapter in the world's history of unsurpassed interest. The sympathies of the Papal court and of the clerical party were very openly and strongly with Austria, and deep and general was the regret at the news of her fearful overthrow. On the other hand, a very large proportion of the Roman people hailed with intense delight every triumph of the Italian arms, and are eagerly looking forward to the hour when the national flag shall replace the French tri-color on the castle of St. Angelo.

What is to be the *status* of Rome in the contemplated rearrangement of the map of Europe forms, just now, the general topic of conversation here, and gives rise to all sorts of rumors and conjectures. On Saturday last I was informed by a dignitary of the church, usually very well informed in all political matters, that the Emperor of the French, in reply to a question from the Papal Nuncio at Paris, had said that it would not be in his power to interfere for the protection of the Pope; that he could not control the march of the revolution. On the same day, Marchese Bargagli, the representative here of the ex-Grand Duke of Tuscany, applied to Mr. J. C. Hooker, (of the banking house of Maguay, Pakenham & Hooker, and acting secretary of legation,) to know if he could take charge of his plate and valuables in the event of his being obliged suddenly to leave Rome. The marchese, in explanation, said that the events of the war, so disastrous to Austria, threatened the overthrow of the Papal authority; that France, the only power which could interfere with effect in the Pope's behalf, was unwilling to do so; that Louis Napoleon had declared his inability to control the march of the revolution, and had notified the Papal Nuncio that his Holiness must make terms for himself; and that, in all probability, his Holiness would be driven to the alternative of abandoning Rome and retiring to Malta, which had again been placed at his disposal by

the British government. Anxious to learn what foundation existed for these reports, I called the next day upon the ambassadors of France and Austria. The former was at Alvano, but the latter I found at home, and enjoyed with him a long and interesting conversation. I was very much struck with the extreme depression under which Baron Hubner seemed to be laboring. The expression of his face, the tones of his voice, the language and sentiments which he uttered, were alike sad, desponding, almost hopeless. He had had no intelligence, he said, from Vienna for several days, the telegraphic communication being interrupted, and that by mail difficult and irregular. He did not know, therefore, what to anticipate as likely to flow from the proposed conference, or what were the precise terms of the preliminaries of peace. Nor could he, in the absence of such information, form any satisfactory opinion as to the probable effect of the pending negotiations upon the fortunes of the Holy See. I gathered, however, as much, perhaps, from the manner as the matter of the baron's remarks, that he puts but little trust in Louis Napoleon; that he thinks Prussia and Italy will settle matters pretty much as they please; that Austria must, perforce, acquiesce; and that the prospect for the maintenance of the Pope's temporal power is, at best, a very doubtful one.

In the hope of learning something more definite on this interesting topic, I called yesterday upon the cardinal secretary of state, and was glad to find a very marked improvement in his health since my last interview. His Eminence, in reply to my questions, spoke of the future as shrouded in clouds and darkness. His private advices from Vienna, he said, described the condition of things there as terrible. Discouragement, despair, a panic, in fact, prevailed on all hands. Great numbers of families were leaving the city, carrying with them their valuables, &c. The jewels, treasure, and archives of the government had been sent off to Comorn, and if the war continued, Vienna must fall. The preliminaries of peace, however, had been signed, and though the conditions were not yet known, he anticipated that a European congress would be held for their discussion and settlement, in which event the Roman question would come up with the rest. His Eminence spoke, in strong terms, of the aggressive conduct of Prussia, and did not conceal his opinion that Austria was in the right, and had behaved with great moderation and dignity. He commented significantly upon the course pursued by the Emperor of the French, and especially upon the fact that, after the cession of Venetia to Louis Napoleon and its acceptance by him had been officially announced in the *Moniteur*, the Italian army had crossed the Po and invaded this French territory, without a single French soldier being despatched to its defence. It was impossible, the cardinal said, that Cialdini could have ventured upon so bold and decisive a step without a previous secret understanding between Louis Napoleon and Victor Emanuel. What the nature and extent of this understanding might be was not known, and hence the difficulty of conjecturing what part the Emperor of the French would play in the approaching conference. Apparently he was master of the situation, unless, indeed, the revolution proved stronger than he was, or that this alleged power of the revolution was made to serve as an excuse for carrying out a preconceived purpose. At present, his Eminence in conclusion said, all was quiet in Rome; but its future was involved in doubt. As for the Holy Father, he could only patiently and trustfully abide the event, leaving the issue in the hands of the Great Ruler of the universe.

I have thus given the substance of the cardinal's remarks, which left on my mind the impression that his Eminence himself, for the present, at least, was unprepared what to expect as the result of the approaching conference, and unable, therefore, to say what probability exists that Rome, as well as Venice, is about to be absorbed by the newly-formed kingdom of Victor Emanuel. But it cannot be doubted that such is the prevalent opinion, if not hope, in Rome itself; and that, without any change in their faith or diminution in their senti-

ments of regard and veneration for the Holy Father, the great body of the Roman people ardently desire to see the ancient mistress of the world become the capital of free, united, and independent Italy.

\* \* \* \* \*

I have the honor to be, with great respect, your obedient servant,  
RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. King to Mr. Seward.*

[Extract.]

No. 62.]

LEGATION OF THE UNITED STATES,  
*Rome, August 8, 1866.*

SIR: \* \* \* \* \*

I availed myself of the opportunity to repeat to the cardinal the information communicated to me by St. Marie in regard to John H. Surratt. His Eminence was greatly interested by it, and intimated that if the American government desired the surrender of the criminal there would probably be no difficulty in the way.

\* \* \* \* \*

I am, sir, very respectfully, your obedient servant,  
RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. King.*

No. 41.]

DEPARTMENT OF STATE,  
*Washington, August 15, 1866.*

SIR: I have to acknowledge the receipt of your despatch of the 14th of July, (No. 59,) and your private note of the same date, and to inform you, in reply, that I have enclosed a copy of the former, together with the sworn statement of H. B. de St. Marie, which accompanied it, for the consideration of the Secretary of War.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, Esq., &c., &c., &c.

---

*Mr. Seward to Mr. King.*

[Confidential.]

No. 43.]

DEPARTMENT OF STATE,  
*Washington, October 16, 1866.*

SIR: Mr. King's private letter of September 12, written at Hamburg, has just been received. It is accompanied by a private letter which was addressed from Velletri on the 12th of September by H. B. de St. Marie, 8th company Pontifical zouaves, to Mr. Hooker.

I think it expedient that you do the following things :

1. Employ a confidential person, not St. Marie, to visit Velletri, and ascertain, by comparison with the photograph herewith sent, whether the person indicated by St. Marie is really John Surratt.
2. Pay to St. Marie, confidentially, \$—— in gold, in consideration of the information he has already communicated on the subject.
3. Seek an interview with Cardinal Antonelli, and, referring to an intimation made by him to Mr. King in a conversation which took place on the 7th of August last, [as reported in Mr. King's No. 62,] namely, "that if the American government desired the surrender of the criminal (Surratt) there would probably be no difficulty in the way," ask the cardinal whether his Holiness would now be willing, in the absence of an extradition treaty, to deliver John H. Surratt upon an authentic indictment, and at the request of this department, for complicity in the assassination of the late President Lincoln, or whether, in the event of this request being declined, his Holiness would enter into an extradition treaty with us, which would enable us to reach his surrender.
4. Ask as a favor to this government that neither St. Marie nor Surratt be discharged from the guards until we shall have had time to communicate concerning them after receiving a prompt reply to this communication from you. St. Marie should be told confidentially that the subject of his communication to Mr. Hooker is under consideration here.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, Esq., &c., &c., &c.

P. S.—The photograph intended to be enclosed with this instruction will be sent by the next mail.

---

*Mr. King to Mr. Seward.*

[Extract.]

No. 65.]

LEGATION OF THE UNITED STATES,

Rome, November 2, 1866.

SIR: I hasten to acknowledge your despatch No. 43, marked "confidential," under date of October 16, in reply to my private letter of September 12, from Hamburg, and conveying instructions upon the subject therein referred to. I lost no time in seeking an interview with the cardinal secretary of state, as directed to do in the aforesaid despatch; and with that view proceeded this morning to the Vatican, accompanied by Mr. Hooker, acting secretary, as well that he should hear the conversation between the cardinal and myself, as that he should repeat to his Eminence in Italian what I proposed saying to him in French, relative to the wishes and expectations of our government in reference to Surratt. We were fortunate in finding the cardinal alone and disengaged, and I proceeded at once to state the business upon which we had called. His Eminence was greatly interested in the matter, the more so as I showed him the portraits of the "conspirators," contained in the volume published by "Ben. Pittman," and entitled "Assassination of President Lincoln"—remembered very well our previous conversation on the same subject, (referred to in my despatch No. 62, of August 8,) and the intimation he then gave as to the disposition of the Papal authorities to surrender Surratt, should he be claimed by the American government; and in reply to my question whether, upon authentic indictment or the usual preliminary proof, and at the request of the State Department, he would be willing to deliver up John H. Surratt, frankly replied in the affirmative. He added that there was, indeed, no extradition treaty between the two countries, and that to

surrender a criminal, where capital punishment was likely to ensue, was not exactly in accordance with the spirit of the Papal government; but that in so grave and exceptional a case, and with the understanding that the United States government, under parallel circumstances, would do as they desired to be done by, he thought the request of the State Department for the surrender of Surratt would be granted. I then requested, as a favor to the American government, that neither Surratt nor St. Marie should be discharged from the Papal service until further communication from the State Department, and his Eminence promised to advise with the minister of war to that effect. I thanked his Eminence for his prompt and frank replies to my queries, and assured him that they would give great satisfaction to our government.

I shall, as directed, employ a trusty and confidential person to proceed to the station where Surratt is, and identify him by the photograph which I expect to receive in the next despatch from the department, and I will pay St. Marie the sum named by the Secretary, in consideration of the information already furnished. I may also hold out to him the hope of some further remuneration, should Surratt be identified and surrendered, as also of his speedy discharge from the Pontifical zouaves, in order to be a witness against Surratt, if required in the United States. Having thus, I trust, satisfactorily fulfilled the wishes of the State Department, I await with interest further instructions on this subject.

\* \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,  
RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. King to Mr. Seward.*

Private.]

ROME, *November 3, 1866.*

MY DEAR GOVERNOR: In the accompanying despatch, No. 65, you will find the formal reply to yours of October 16, which I duly received two days ago. Both Mr. Hooker and myself inferred, as much from the cardinal's manner as from what he said, that there would be no difficulty about the surrender of Surratt should he be claimed. In this event, how is he to be sent to America? Cannot one of our ships of war now in the Mediterranean be directed to come to Civita Vecchia, receive Surratt and St. Marie on board, and convey them to the United States? Would it not be well to ask also for St. Marie's discharge, that he may be used, if required, as a witness at Surratt's trial? Am I to draw directly on the department, or on Baring Brother, for the sum paid St. Marie and the expense of sending a person to Veroli to identify Surratt? \* \*

Faithfully,

RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. King to Mr. Seward.*

[Extract.]

No. 66.]

LEGATION OF THE UNITED STATES,  
*Rome, November 10, 1866.*

SIR: In my despatch No. 65, under date of November 2, I mentioned the result of the interview I had had with the cardinal secretary of state on the



subject referred to in your "confidential" communication of October 16. I had occasion yesterday to call again upon his Eminence, with the view to ascertain, if possible, the truth of the widely prevalent rumor, that the Pope intended leaving Rome and seeking a refuge in the island of Malta. Before, however, I had the opportunity of making this inquiry, the cardinal apprised me that John Watson, alias John H. Surratt, had been arrested by his orders, and while on the way to Rome had made his escape from the guard of six men in whose charge he had been placed. At the same time his Eminence handed me the official documents, copies of which I herewith transmit, relating to the arrest, the escape, and the subsequent pursuit. As Veroli is close to the frontier, it is not at all unlikely that Surratt will make good his escape from his zouave pursuers into the Italian kingdom. I thought it well, therefore, to send a confidential person at once to Florence to lay the whole case before the American minister, and solicit his aid and that of the Italian government in the recapture; for I did not feel at all sure that either a message by telegraph or a letter by mail to Mr. Marsh would, under the circumstances, escape the surveillance or possible interruption of the Papal authorities. I hope to have a report from my messenger within two or three days, and as Surratt was in his zouave dress when he effected his escape, I think the chance a fair one that he will be retaken. I trust that the course which I have pursued in the premises will meet the approbation of the department. I feel bound to add that, incredible as the details of the story appears, the cardinal spoke of them as verified beyond all question, and expressed very great and apparently sincere regret at Surratt's escape.

\* \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,  
RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Order.]

NOVEMBER 6, 1866.

COLONEL: Cause the arrest of the Zouave Watson, and have him conducted, under secure escort, to the military prison at Rome. It is of much importance that this order be executed with exactness.

The general, pro-minister, KANZLER.

Lieut. Colonel ALLET,  
*Commanding Zouave Battalion, Velletri.*

No. 463.]

PONTIFICAL ZOUAVES, BATTALION HEADQUARTERS,  
*Velletri, November 7, 1866.*

GENERAL: I have the honor to inform you that the Zouave John Watson has been arrested at Veroli, and will be taken, to-morrow morning, under good escort, to Rome. While he was searched for at Trisulti, which was his garrison, he was arrested by Captain De Lambilly, at Veroli, where he was on leave. I have the honor also to inform your Excellency that his name is not Waston but Watson.

I have the honor to be, general, your excellency's very humble and obedient servant,  
LIEUTENANT COLONEL ALLET.

His Excellency the GENERAL,  
*Minister of War, Rome.*

PONTIFICAL TELEGRAPH.

[Presented at Velletri 8th November, 1866, at 8.35 a. m. Received at Rome 8th November, 1866, at 8.50 a. m.]

His Excellency the GENERAL, *Minister of War, Rome:*

I received the following telegram, dated ———, from Captain Lambilly:

At the moment of leaving the prison, surrounded by six men as guards, Watson plunged into the ravine, more than a hundred feet deep, which defends the prison. Fifty zouaves are in pursuit. I will send your excellency the news which I shall receive by telegraph.

LIEUTENANT COLONEL ALLET.

No. 602.]

WAR DEPARTMENT, OFFICE OF THE MINISTER,  
November 8, 1866.

YOUR REVEREND EMINENCE: I have the honor to transmit to your very reverend eminence the enclosed documents about the arrest and escape of Zouave Watson, of the 3d company, and will not fail to transmit the latest news I shall receive of the result of the pursuit of that individual.

I bend in all humility before the sacred Pontiff, with fresh assurances of profound respect.

I am, your Eminence, your most humble and devoted servant,

KANZLER.

His Eminence the Very Reverend Signor Cardinal ANTONELLI,  
*Secretary of State, &c., &c., &c.*

---

*Mr. King to Mr. Seward.*

No. 67.]

LEGATION OF THE UNITED STATES,  
Rome, November 19, 1866.

STR: I had hoped ere this to have been able to announce to the department the fact of the recapture of John H. Surratt, whose arrest and subsequent escape were mentioned in my last despatch; but I regret to say that thus far all our efforts to apprehend the fugitive have proved fruitless. Mr. Marsh, our minister at Florence, will no doubt report to the government the steps which he may have seen fit to take in the premises. I shall, therefore, content myself with a brief recital of what was done here.

On Friday last, November 16th, General Kanzler, the Papal minister of war, called to inform me of a rumor which had reached him, that Surratt had been received, wounded, into the military hospital at Sora, a few miles beyond the Papal frontier. I instantly telegraphed this information to Mr. Marsh, and in a few hours received a reply from him to the effect that he had made the necessary application to the Italian government. Regarding, however, the identification and apprehension of Surratt as of the first importance, I despatched Mr. Hooker, acting secretary of legation, by the earliest train to Sora, furnished with all the necessary documents and a photograph of Surratt, and also with instructions, if he found Surratt there, to ask, in the name of the American government, that he should be held in close custody until a proper demand could be made upon the Italian authorities for his surrender as a fugitive from justice. Mr. Hooker executed his mission with intelligence and despatch. Arriving at Isoletta, the frontier station, and communicating by telegraph with the commanding officer at Sora, he ascertained that one of the Pontifical zouaves, calling himself Watson, of Richmond, United States, twenty-two years old, tall, fair complexion, blue eyes, high forehead, reddish (sandy) hair, moustaches and goatee, had passed Sora for Naples, on the 8th instant, the same day that he escaped from Veroli, only a few miles distant. Mr. Hooker at once telegraphed this intelligence to our consul at Naples. The officer in charge at Isoletta did the same to the Neapolitan chief of police. Both asked that Surratt should, if possible, be arrested. I received a prompt reply from Mr. Swan at Naples, acknowledging receipt of Mr. Hooker's telegram, and stating that they were on the lookout for Surratt. Our hopes were strong, therefore, that we should succeed in catching him somewhere in the vicinity of Naples. But yesterday a second despatch from Mr. Swan apprised us that Surratt had left the preceding day, November 17th, for Alexandria, by a steamer which stopped at Malta to coal, and that he had telegraphed the facts to our consul at that point. I also immediately telegraphed to Mr. Winthrop at Malta, urging the arrest of Surratt, but up to the moment of closing this despatch I have received no reply from Mr. Winthrop. The probabilities, I fear, now are, that Surratt will make good his escape.

Some surprise perhaps may be expressed that Surratt was arrested by the Papal authorities, before any request to that effect had been made by the American government. This was alluded to in a conversation I had on the subject with Cardinal Antonelli and the minister of war, on Friday last. Both gave me to understand that the arrest was made with the approval of his Holiness, and in anticipation of any application from the State Department, as well for the purpose of placing Surratt in safe custody, as with the view to show the disposition of the Papal government to comply with the expected request of the American authorities. I have no reason to doubt the entire good faith of the Papal government in the matter.

I enclose, for the information of the department, copies of one or two additional reports upon the facts connected with Surratt's arrest and escape.

I have the honor to be, with great respect, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

JUAVI PONTIFECI, COMMAND OF BATTALION,  
*Velletri, November 9, 1866.*

MY GENERAL: Following out your excellency's orders, I sent this morning, to Feroli, Lieutenant de Farnel, to make examination into the escape of Zouave Watson. I have learned some other details of this unfortunate business. Watson at the moment when he was arrested must have been on his guard, having obtained knowledge of a letter addressed to Zouave St. Marie, which concerned him, probably. This letter, sent by mistake to a trumpeter named St. Marie, was opened by him and shown to Watson, because it was written in English. I have sent it to your Eminence, with the report of Captain Lambilly.

I am assured that the escape of Watson savors of a prodigy. He leaped from a height of twenty-three feet on a very narrow rock, beyond which is a precipice. The filth from the barracks accumulated on the rock, and in this manner the fall of Watson was broken. Had he leaped a little further he would have fallen into an abyss.

I am, with respect, my general, your Eminence's very humble subordinate,

ALLET,

*Lieutenant Colonel Commanding Battalion.*

The Minister of War ROUX.

[Translation.]

FEROLI, November 8.

MY COLONEL: I regret to announce to you that, notwithstanding all my precautions, I learn Watson has succeeded in escaping. To carry out the orders received, I had sent Sergeant Halyerid and six men to Tresulte, where this zouave was on detachment. They did not find him there, for on that day Watson had asked leave to go to Feroli. I charged the corporal of the third company, Vanderstroeten, to take him and turn him over to the post corporal, Warrin, to whom I had already given all my instructions on this subject.

All the measures ordered were carried out from point to point; two sentinels with loaded arms were placed, one at the very door of his prison, with orders to prevent any communication of the prisoner with persons outside, and the other at the door of the barrack. The prison, the doors and windows, &c., had been inspected in the minutest details by the locksmith of the commune. There was, therefore, nothing to fear in that quarter. All passed off well until this morning at four o'clock.

Then the prisoner was awakened, who rose, put on his gaiters, and took his coffee with a calmness and phlegm quite English. The gate of the prison opens on a platform which overlooks the country; a balustrade prevents promenaders from tumbling on the rocks, situated at least thirty-five feet below the windows of the prison.

Beside the gate of this prison are situated the privies of the barrack. Watson asked permission to halt there. Corporal Warrin, who had six men with him as guards, allowed him to stop, very naturally, nothing doubting, either he or the zouaves present, that their prisoner was going to try to escape at a place which it seemed quite impossible to us to clear. This perilous leap was, however, to be taken, to be crowned with success. In fact, Watson,

who seemed quiet, seized the balustrade, made a leap, and cast himself into the void, falling on the uneven rocks, where he might have broken his bones a thousand times, and gains the depths of the valley. Patrols were immediately organized, but in vain. We saw a peasant, who told us that he had seen an unarmed zouave who was going towards Casa Mari, which is the way to Piedmont.

I address to you herewith the report of the corporal of the post, besides two letters which are not without importance. They may be of some use to the police.

Lieutenant Mously and I have been to examine the localities, and we asked ourselves how one could make such leaps without breaking arms and legs.

Please, my colonel, to receive the assurance of my respect.

DE LAMBILLY,  
*Commander of Detachment.*

I have sent the description of this zouave to the gens d'armes.

---

*Mr. King to Mr. Seward.*

[Extract.]

No. 68.]

LEGATION OF THE UNITED STATES,  
*Rome, November 20, 1866.*

SIR: \* \* \* \* \*

I have received a letter from our consul at Naples, of which I enclose a copy. I have telegraphed the information to our consul at Alexandria.

I am, very respectfully, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Swan to Mr. King.*

UNITED STATES CONSULATE,  
*Naples, November 18, 1866.*

SIR: I received your despatch this morning about 8 o'clock. I immediately had the police at Naples and the small towns about here hunting for Surratt, and learned, about 2 o'clock, that he left last evening at 9 o'clock, on the steamer Tripoli, for Alexandria, under the name of Walters. The steamer stops to-morrow at Malta to take in 300 tons of coal, and as the quarantine is in force there, he cannot get on shore. I immediately sent the following despatch to the consul at Malta:

"Surratt, one of the conspirators against Lincoln, left here last evening on the steamer Tripoli, for Alexandria, under the name of Walters or Watson. He has on the uniform of a zouave of the Papal states. The steamer stops at Malta to-morrow to coal; have him arrested. If you do not receive this in time, telegraph the consul at Alexandria."

I did not telegraph to Alexandria, as I thought there would be plenty of time for you to do so if you thought best after the receipt of this. If our consul is in Malta, there is little doubt but he will catch him there.

Surratt has been about Naples in his zouave uniform some days. Passed himself at the British consulate as a Canadian, and was taken on this steamer through the influence of the consul.

I have the honor to be very truly yours,

FRANK SWAN, *Consul.*

Hon. RUFUS KING, *Minister, &c., Rome.*

---

*Mr. King to Mr. Seward.*

No. 68, *bis.*]

LEGATION OF THE UNITED STATES,  
*Rome, November 26, 1866.*

SIR: In my last despatch I mentioned that I had telegraphed to our consul at Alexandria in regard to John H. Surratt. I enclose the translation of a communication from the chief of the telegraphic bureau in Rome, apprising me

that, in consequence of the interruption in the wires, my despatch to Alexandria was forwarded thither from Malta by steamer. The probabilities are that it was sent by the same steamer in which John H. Surratt is supposed to have sailed.

I also transmit, for the information of the department, the copy of a letter received from Mr. Swan, our consul at Naples, giving some further details of Surratt's proceedings during his brief stay in that city. I desire to add in this connection that I feel greatly indebted to Mr. Swan for his prompt and hearty co-operation in the efforts to arrest Surratt.

I obtained, a day or two since, from a clerk in a Roman bookstore, who knew Surratt quite intimately as John Watson, an original letter of his, which I enclose, as other specimens of his handwriting may be in possession of the Washington authorities. This clerk told me that Watson, *alias* Surratt, claimed to be a Canadian by birth, and represented that he had been a spy in the confederate service. I have also received, and herewith forward, a statement, from good authority, in reference to Surratt's arrival in the Papal dominions, and one of the several sources from which he obtained funds. I regret to be obliged to add that, up to the hour of closing this despatch, I have received no further intelligence about Surratt.

I have the honor to be, with great respect, your obedient servant,

RUFUS KING.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

OFFICE OF THE PONTIFICAL TELEGRAPH,  
*Rome, November 21, 1866.*

EXCELLENCY: The despatch presented yesterday by your excellency, addressed to the consul of the United States at Alexandria, Egypt, was sent *via* Malta, the Syria-Suez line being interrupted. After the despatch was sent we received advices that the line Beughazi (Africa) Alexandria was broken and the Syrian line re-established. It was then directed that the despatch should be transmitted by telegraph as far as Beughazi, and thence by mail to Alexandria, of which it was thought superfluous to give your excellency notice. Now they telegraph us from Malta that there being no postal service between Beughazi and Alexandria, the despatch in question was this day sent by steamer from Malta to Alexandria.

*Chief of the Telegraphic Bureau.*

The MINISTER of the United States.

*Mr. Swan to Mr. King.*

UNITED STATES CONSULATE,  
*November 21, 1866.*

SIR: I have this morning received yours of the 19th instant. Since writing you, I have learned more of Surratt while here. He arrived at Naples about the time you stated, wearing the uniform of the Papal zouaves, having no passport, but stating that he was an Englishman who had deserted from a Roman regiment. He stated that he had no money, and the police, being somewhat suspicious of him, gave him, at his own request, lodgings in the prison; not exactly as a prisoner, but holding him during three days in surveillance, and questioning him as opportunity offered.

He stated that he had been in Rome ten months; that, being out of money, he enlisted in the Roman zouaves, &c.; that he was put in prison for insubordination, from which he escaped, jumping from a window or high wall, in doing which he hurt his back and arm, both of which were injured.

On the third day he asked to be taken to the British consulate, to which place one of the police went with him, when he complained of his confinement, stating that he was a Canadian, and the consul obtained his release as an English subject. In the mean time the police had found that he had some twelve scudi with him, and on asking him why he went to prison, he replied that he wished to save his money. He staid about here till Saturday, giv-

ing them some trouble at the English consulate, and exciting sympathy by his position, that of a young man of good appearance without money—they not knowing of the money which the police had discovered.

At the consulate he expressed the greatest desire to return to Canada, and through the influence of the consul he obtained passage on the steamer to Alexandria, some English gentlemen paying for his board during the voyage, and giving him a few francs. He still wore his uniform when he sailed.

The steamer left here Saturday evening at nine o'clock, clearing for Alexandria, but, not having time to coal here, the captain intended to stop at Malta to do so, which would detain him all day Monday; as there is a quarantine between Naples and Malta, Surratt could not land.

I hope to hear from you to-day that he is taken.

I have the honor to be, very truly yours,

FRANK SWAN.

Hon. RUFUS KING, *Minister, &c.*

CEROLI, *August 30, 1866.*

DEAR SIR: Will you be so kind as to send me a French and English grammar—the best method you have. I think Ollendorf's is most in use. When I come to Rome I will settle with you. I shall be in in the course of two or three weeks. If you should have the time to reply to me, please give me all the news you can. By so doing you will greatly oblige your friend,

JOHN WATSON, *3d Compagnie, Veroli.*

EDWARD T. O'CONNOR, *Esq.*

About twelve months ago Mr. Surratt came to Rome under the name of Watson. In Canada he procured letters from some priests to friends in England. Having left England for Rome, he got letters for some people here, among others for Rev. Dr. Neane, rector of the English college. Being detained for some days at Civita Vecchia, and having no money to pay his expenses there, he wrote to Dr. Neane, from whom he received fifty (50) francs.

On his arrival here he went to the English college, where he lived for some time. After that he entered the Papal service.

ROME, *November 25.*

*Mr. Seward to Mr. King*

No. 44.]

DEPARTMENT OF STATE,

*Washington, November 26, 1866.*

SIR: Your despatch, No. 65, of the 2d instant, has been received. The course which you adopted with reference to John H. Surratt is approved. We await the identification of that person. A letter of credit in your favor for \$— is herewith enclosed. For the expenses which may be incurred in the case of Surratt, you will draw on the Messrs. Barings for an amount not exceeding that sum. It is probable that a war vessel will be ordered to receive that person for transportation to this country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, *Esq., &c., &c., &c.*

*Mr. Seward to Mr. King.*

No. 47.]

DEPARTMENT OF STATE,

*Washington, November 30, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch of November 10th, No. 66. It is a subject of sincere regret that John H. Surratt effected his escape from the Papal guard. Your proceedings in communicating on that subject so promptly with Mr. Marsh, at Florence, are approved and commended.

It is hoped that Surratt's rearrest may be effected. In that expectation I shall lose no time in communicating, through that minister, with the Italian government at Florence. You cannot express too strongly to Cardinal Antonelli the satisfaction of the President with the friendly and prompt proceedings of the Papal government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, Esq., &c., &c., &c.

---

*Mr. Seward to Mr. King.*

No. 48.]

DEPARTMENT OF STATE,

*Washington, November 30, 1866.*

SIR : Excuse me for reminding you of a regulation of this department. Every despatch should be confined to one subject alone. If several subjects are to be treated of, they should be made the bases of distinct despatches. This regulation has its foundation in the necessity which exists for having always convenient references to the records and archives of the department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, Esq., &c., &c., &c.

---

*Mr. King to Mr. Seward.*

No. 70.]

LEGATION OF THE UNITED STATES,

*Rome, December 2, 1866.*

SIR : Early this morning I received a despatch in French from our consul general at Alexandria, of which the following is a translation :

"AMERICAN MINISTER, *Rome* :

"I have arrested the individual ; he is in prison. Send papers if you have them.

"HALE, *American Consul.*"

As this despatch was dated "Alexandria, Nov. 27th, 11.48 a. m.," and only reached Rome at 6.20 a. m. of December 2, it must have been sent by steamer to Malta or Naples, and thence by telegraph to Rome. There being at present no direct telegraphic communication between Rome and Alexandria, and as the speediest way of reaching Mr. Hale, I telegraphed Mr. Winthrop, at Malta, advising him of Surratt's arrest, and requesting him to send word to Mr. Hale to keep Surratt in safe custody till he heard from me. I wrote, at the same time, to Mr. Hale, giving him the substance of the instructions I had thus far received, urging the importance of Surratt's capture, and transmitting a photograph of the fugitive. I thought it well, also, to advise Mr. Adams, at London, and Mr. Morris, at Constantinople, of all the facts in the case, and wrote to them accordingly, by the same mail. I trust that in all these measures to secure the arrest and extradition of Surratt I have only anticipated the wishes and directions of the State Department.

Desirous of sending this despatch by to-day's mail, I must reserve for a future communication some remarks upon the existing condition of things in Rome.

I have the honor to be, very respectfully, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. King.*

No. 49.]

DEPARTMENT OF STATE,

*Washington, December 4, 1866.*

SIR: We have telegraphic information from Mr. Hale, United States consul general at Alexandria, of the arrest of John H. Surratt there. In consequence of this, Admiral Goldsborough has been ordered to send a war vessel thither for the purpose of bringing the prisoner here for trial. It is desirable and important that St. Marie, to whom you have referred in your despatches, should also be sent hither as a witness. You will consequently apply for his discharge from the military service of the Pope, and, if the application should be granted, you will forward him hither. The credit for \$—— touching the Surratt case, with which you have already been provided, will, it is presumed, be enough to defray the expenses incident to the execution of the instructions, including the travelling expenses of St. Marie.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RUFUS KING, Esq., &c., &c., &c.



# DENMARK.

*Mr. Yeaman to Mr. Seward.*

[Extract.]

No. 5.]

LEGATION OF THE UNITED STATES,  
*Copenhagen, December 22, 1865.*

SIR:

\* \* \* \* \*  
The matter of most immediate and general political interest in this kingdom at this time is the proposed change in the constitutional law of the government.

Before the late war concerning the duchies, there were four legislative bodies, one for the whole kingdom of Denmark, one for Denmark proper, one for Holstein, and one for Schleswig. Since the duchies are lost, much of the constitution, or, as it has been expressed, "one of the fundamental laws" which was designed more for them and their relations to the kingdom, can have, it is claimed, no proper application to the kingdom of Denmark proper, and as that is all there is left, it was manifest that there was no further need for two legislative bodies of two houses each for the same limited territory. The opinion seems to have been quite unanimous that a change was needed, but there soon appeared wide differences of opinion as to the manner of the change, the contest being between titles, orders, and the landed interest on one hand, and the liberal tendency of opinions among the people on the other. The matter has been accommodated in an arrangement by which it is said both have yielded some, but it is probable that for the present, in the framing of the instrument, the conservative and titled elements have the advantage, especially in the upper house or senate, the lower house being elected very much as formerly, while the only gain to republicanism is the simplification of the government, by reducing the legislative department to one body with two houses, upon which public sentiment can hereafter tell more directly.

The new constitution is now on the third reading of its first passage, but will have to be adopted or passed twice more, once by the same bodies and once by the new legislative body to be hereafter elected, and then it becomes the sole fundamental law. It cannot go into operation until some time next year.

The President's late message to Congress may be said generally to have produced a good impression in Europe. The firmness and friendship with which the questions affecting our foreign relations are discussed have attracted much comment and commendation. The opinion seems to be general that we are able to make war with terrific vigor, yet peacefully inclined. There is manifestly a great change in the estimate held in Europe of our government and people since the success of the arms of the Union and the abolition of slavery. With one party throughout Europe there is the most enthusiastic admiration; and with another, that respect which is always commanded only by success and power, accompanied by a manifest but reluctant conviction that in no great length of time we are to be in all respects the leading power of the world.

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Yeaman to Mr. Seward.*

No. 7.]

LEGATION OF THE UNITED STATES,

*Copenhagen, January 19, 1866.*

SIR: Your despatch of 30th December, 1865, No. 5, is received, announcing your receipt of my despatch of 11th December, No. 3. I have also the enclosure of your official announcement, of the 18th December, 1865, of the adoption of the proposed constitutional amendment abolishing slavery in the United States. This is extremely gratifying, and adds to our consideration abroad, because it is now observed that this great change is not an accident of war, but a great and solemn act of legislation. All can appreciate it as a great national fiat, but the meagreness of the information about our institutions is shown by the fact that some here cannot appreciate how it was necessary for the States to pass upon it after Congress had acted, while others are a little surprised that it should be held to abolish slavery in States refusing to ratify it.

I have also by same mail your despatch of December 30th, 1865, No. 6, enclosing a copy of the letters you have addressed, by order of the President, to the provisional governors and governors elect of Alabama, Georgia, South Carolina, North Carolina, and Mississippi, showing "that civil authority has been restored in those States, and that they are recognized as members of the Union." These steps have been observed with interest here, and I have been asked in official circles if the result is to relieve those States entirely of military government; to which I have replied that it does, and recognizes the establishment of civil government in those States; but that the general government has not entirely withdrawn its troops, keeping sufficient garrisons to preserve order, where it may be necessary, and which may have been done before the war.

The one thing connected with the restoration of peace in the United States, which strikes Europeans with most astonishment, is the promptness and cheerfulness with which the soldiers of our national volunteer army have returned to the ordinary avocations of private life. This is everywhere commented on, wondered at and admired. Men who seem incapable of comprehending our institutions comprehend that as a fact, and the fact makes an impression very much in our favor.

I am, sir, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Yeaman to Mr. Seward.*

No. 10.]

LEGATION OF THE UNITED STATES,

*Copenhagen, March 3, 1866.*

SIR: Recalling to your mind the facts in the case of the ship *Sphinx*, *alias* *Stoerkodder*, afterwards *Stonewall*—brought from France here and offered for sale to the Danish government; was refused; sailed from here, under pretence, at least, of returning to Bordeaux; on the way was met, delivered to, and taken possession of, by officers and crew, acting under rebel confederate authority; afterwards surrendered to the officials of the Spanish government of Cuba, and by them delivered to the United States—I have now to advise you that before sailing from this harbor she unloaded and left in store here certain naval munitions, which L. Arman, the original French owner of the vessel, through his agent here, Mr. R. Puggaard, now offers to surrender to the government of the United States, if I will receive and receipt for them and pay expenses of storage.

These naval stores consist, I understand, of a lot of sail-cloth, and about 400 cases of artillery ammunition—solid shot, steel-pointed projectiles, and at least two sorts of shells, all adapted to Armstrong guns. They are now tendered upon the ground that they constituted a part of the original armament and outfit of the vessel, as inventoried and sold to the confederates, and that, therefore, title passed to the United States, when they, in the event of the war, acquired possession of the ships. I do not understand why, upon this supposition, the offer to deliver or surrender these articles was first made to the Danish government, an offer which that government properly, and for very manifest reasons, promptly declined, as I was on yesterday advised by Count Frys, minister of foreign affairs.

I have no access to any duplicate of the inventory of naval stores transferred to the rebels by the owners of the Stonewall, to verify whether the articles left in store here were comprised in it; and whether they were or not, and more especially if they were not, I have had too much doubt whether title and possession of the ships, acquired *jure belli*, would embrace such munitions, never in the possession of the rebels, and stored in neutral territory, to venture to receive these goods without authority and directions from my government. If they really passed by the sale of the ship, or if the illegal transaction operated by relation and tainted everything appertaining to the ship, yet these goods were where no capture could be made or take effect; and though I am not advised, it may be safely assumed that they were not specified in the voluntary surrender. A better title would seem to spring from the succession of the United States to the ownership of all such property of the belligerents they overthrew. I have been careful to state my doubts about the matter, because of the extreme repugnance I felt to placing the government in the false attitude of accepting anything from such a source but what was undoubtedly its own.

As to accrued expenses of storage, I am advised by the agent here they will be little or nothing, as he has sold some property of a perishable character, and that the proceeds of these sales will about cover all expenses. I will add that I am also informed by him that with the property left here were two iron propeller screws adapted to the Stonewall, and which would have passed to the Danish government if that government had bought the vessel, but that they were not in the inventory and sale made to the insurgents, and have therefore been otherwise disposed of. It is possible a more material reason may have been that the screws would sell readily, while the shot and shell were only fit for old iron except to those who could use them. I have not seen these munitions, and would know but little of their value if I had. The agent here thinks them very valuable in the use of the guns of the Stonewall, or guns of similar pattern and calibre. If I am instructed to receive them, please state what disposition I shall make of them. I herewith enclose an extract furnished me by Mr. Puggaard from a letter of Mr. L. Arman to him. Awaiting your directions,

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Extract from a letter of Mr. L. Arman to Mr. R. Puggaard, dated Paris, February 8, 1866.*

[Translation.]

“Your letter of the 2d February asks me for an authorization on the subject of the deposit left in your hands by the owners of the Stoerkodder, (Sphinx) I am completely of your opinion, that the taking possession by the United States of the north of the ship itself, imports of right the delivery to the ambassador of the United States of the balls, mortars, sails, and spars left in your storehouses, at the charge of the representative of that government, to defray the expenses of storage incumbent on those articles.

"I presume, therefore, you have, so far as needed, my assent to the delivery to the party entitled, be he the ambassador of the United States of America, all the articles remaining in your hands which belonged to the ship *Starkodder*; but it will be useful to cover your responsibility and my own to cause a regular receipt to be given to you on the part of the takers, and with their guarantee, in order to be able to justify ourselves by this paper toward the former proprietors of the ship."

---

*Mr. Seward to Mr. Yeaman.*

No. 11.]

DEPARTMENT OF STATE,  
*Washington, March 26, 1866.*

SIR: Your despatch of the 3d instant, No. 10, has been received. The guns and other naval munitions tendered to you by Mr. L. Arman and his agent are a part of the property originally collected by the late insurgents for warfare upon the United States, and abandoned upon their overthrow. It is not necessary to discuss the precise grounds upon which the title has always belonged to, or has legitimately devolved upon the United States. It is sufficient that the original proprietor and present possessor of the property is the only person who could pretend to contest our claim, and he voluntarily surrenders it. You will, therefore, accept the property, giving a receipt for it, which shall simply state that the articles were a part of the equipment or lading of the *Stoerkodder*, or *Stonewall*, which, as well as that ship, have become the property of the United States, in virtue of the surrender and subjugation of the late insurgents in the insurrectionary or so-called Confederate States. It would be well, if practicable, to avoid even this specification of the reason of their belonging to us; but if Mr. Arman should require it, no substantial objection is perceived to such a statement which he may consider as embracing, by implication, his idea that they passed with the ship. It is immaterial what his reason for surrendering the property may be, if stated distinctly as his. The receipt may, therefore, recite, if required, that Mr. Arman, the original proprietor of the ship and the present possessor of the guns, &c., having tendered them, as being part of her equipment, to the United States, you accept delivery thereof in their name and behalf.

Instructions as to the disposition of the property will be transmitted in a separate despatch.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE H. YEAMAN, Esq., &c., &c., &c.

---

*Mr. Yeaman to Mr. Seward.*

No. 13.]

LEGATION OF THE UNITED STATES,  
*Copenhagen, April 23, 1866.*

SIR: Your despatch of the 26th of March, No. 11, has been received, and I have the honor to state that I have accepted, for the government, the naval stores mentioned in my despatch No. 10 of the 3d of March, as directed by you. They are left in store with Mr. Puggaard, I not deeming it necessary to incur the expense of removing them until I am finally instructed as to their disposition.

In receipting for them I have followed your suggestion and said nothing about the particular derivation of the title of the United States, but only mentioned the facts of Mr. Arman's original ownership, their being a part of the armament of the *Stonewall*, his tender of them, and my acceptance for and on behalf of the government. A duplicate of the inventory of the goods, as made out by

Mr. Puggaard, is herewith enclosed, upon which I have indorsed a duplicate of the receipt I gave him for them, and also a copy of his statement that they are still in his possession and subject to my order, all which I hope will prove satisfactory. I have examined specimens of the shells and projectiles, all designed for rifled guns, and to me they appear to be made with great care and skill. I am now advised that they are not and never have been filled and primed.

In your despatch you speak of these stores as "guns and other naval munitions," and again, as "guns, &c." If anywhere in my despatch I spoke of guns as a part of the property and munitions offered to be given up, it was purely a mistake, as I have never so understood it. By reference to my office copy of the despatch, on record here, I find that I spoke of the munitions as being "all adapted to Armstrong guns," and as being "valuable in the use of the guns of the Stonewall, or guns of similar pattern and calibre." I call your attention to this, as the erroneous impression you are resting under might have some influence upon the order you may make for the disposition of the property. If that order has not already been made, it would appear to me that by far the best thing to be done with them is to ship them to the United States, as any disposition of them here would be apt to be at a ruinous sacrifice.

Referring to political affairs here, it seems to me that some of the leading officials connected with the administration are not grieved at the idea of Prussia and Austria going to war in a quarrel over the disposition of the spoils they jointly wrested from Denmark. However natural this feeling may be with the people and the government of this kingdom, and whatever may be said of the justice of the conduct of the great powers towards Denmark upon the curious question of the duchies, that conduct, so far as it affected Denmark, is probably past discussion; it would be only a remote possibility that another war about the duchies would result in their restoration to this kingdom, and a great German war would give unalloyed pain to everybody except those who imagine that their own views of dynasty and boundary might be facilitated in the midst of the calamity. There is evidently more interest felt in the matter here than at the date of my last despatch. The leading paper here states that late advices have made it proper for government to abandon its entirely passive position in the affair, and to make important orders in view of the occasion, and supposes that Denmark may yet find compensation for the wrongs done her. I have no information of the matters thus alluded to. It is also alleged that there is an increased activity in military and especially in naval circles, a fact I have not been able to discover, and which, if it exists, I would be inclined to attribute to a wise and just precaution.

In a late conversation with Count Frys, I alluded to the imminence of hostilities, and suggested the great incidental advantage that would result to the commerce and carrying trade of Denmark by her neutrality in the contest. He replied, "Yes, if we can remain so." There was a doubt in his language and manner which I was not expecting; still I am unable to believe that this government has any serious warlike intentions, and am yet impressed with the belief that the great German powers will not fight about the duchies.

It has been spoken of here, in the form of rumor and report, that Prussia has proposed an alliance with Denmark upon the terms of ceding and guaranteeing to her the north half of Schleswig, that part of the disputed territory which is most purely Danish in its language, feelings and manners. I have no material reason to believe this is true, and it would seem inconsistent with the absolute tone and uncompromising position assumed by Prussia for some months past upon the whole question.

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. F. W. Seward to Mr. Yeaman.*

No. 14.]

DEPARTMENT OF STATE,  
Washington, May 18, 1866.

SIR: Your despatch of the 23d instant, No. 13, has been received, and that part of it relating to the articles, now in your custody, which formerly belonged to the iron-clad *Stoerkodder*, or *Stonewall*, has been referred to the Secretary of the Navy, who, in a letter just received at this department, suggests that the articles referred to be shipped to the United States for the purpose of being placed on board that vessel. You are consequently instructed to lose no time in giving effect to the suggestion of the Secretary of the Navy.

The information communicated in your despatch concerning political affairs in Denmark has been read with much interest.

I am, sir, your obedient servant,

F. W. SEWARD,  
*Acting Secretary.*

GEORGE H. YEAMAN, Esq., &c., &c., &c.

*Mr. Yeaman to Mr. Seward.*

[Extract.]

No. 19 ]

LEGATION OF THE UNITED STATES,  
Copenhagen, June 9, 1866.

SIR. \* \* \* \* \*

You will have learned before this reaches you that all hope for the preservation of peace in Germany now seems to be lost. I would not be thought pretending to have accurate knowledge of the opinions and real intentions of this government. My belief, based on the best sources of information at my command, is that it would prefer to remain neutral in the contest, and that at present there is no unusual military and naval activity, though there are some precautions of a purely defensive character being taken upon the fortifications. I am also impressed with the belief that those having in charge the external relations of this government are not over confident that it will be able, or find it most conducive to its own interests, to remain an unconcerned spectator throughout the contest, and that notwithstanding their desire to abstain from the contest in its present aspects, events may arise and combinations take place in which this government would be moved, in its outward policy, by a just and reasonable hope of repairing the territorial losses so lately inflicted upon it, at least in Schleswig. These events are so uncertain, and there are so many powers and such a variety of interests involved in the impending war, that I deem it useless at present to make any conjectures as to its ultimate effects on Denmark. As matters now stand, it seems to me that in the event Denmark should deem it her duty or interest to engage in the contest, it would more probably be with Austria and against Prussia, as more in accordance with popular feeling here, and as embracing the greater probability of advantageous results in the matters of territory and boundary.

The Grand Duke of Russia, heir apparent to the throne of that empire, is expected here in a few days on a visit to the royal family. I suppose it is not premature or out of place to say that in court circles here there seems to be no doubt that the most interesting object of his visit is to seek a matrimonial alliance with the royal family of Denmark, in the hand of the very attractive Princess Dagmar, formerly betrothed to his elder brother, who died before the consummation of the nuptials. \* \* \* \* \*

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Yeaman to Mr. Seward.*

No. 20 ]

LEGATION OF THE UNITED STATES,  
*Copenhagen, June 19, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch, No. 15, of the 24th of May. Any later despatches may have been delayed by the interruption and detention of the mails in Hanover and other parts of Germany, caused by recent military operations there.

The contest in Germany is the subject which now excites most interest here. There seems to be a growing belief at this capital that in some way or other the rupture, its attending complications, and its final adjustment, will result in the restoration to Denmark of the north part of Schleswig. I do not know the definite grounds upon which this hope is based, but I take it to be a deduction from the generally admitted conclusions that Austria cannot hold either of the duchies nor any part of them, and that Prussia will necessarily come out of so heavy a combat very much fatigued; so that in the sequel Denmark may, by biding her time, be able to demand, or will have accorded to her by a general congress, all that part of the disputed territory which is purely or mainly Danish in language and feeling. Without speculating as to the probability of this result, certainly no friend of justice and political morality could complain if it should be accomplished.

The hesitation, division of opinion and feeling, and even preferences for Austria, shown by some of the free cities and smaller states of northern and western Germany, would seem to spring more from a dread of Prussia, and her supposed intention of territorial expansion and her near proximity, than from any positive affection or real preference for Austria. Some who have been quite enthusiastic in the advocacy of a "German nationality" as against Denmark now fear that at Berlin it is only another name for Prussian domination.

This estimate of the views and designs of Prussia has had its effect here, where there is a perceptible uneasiness as to the future and ultimate designs of that power upon the entire peninsula of Jutland. Thus, to a large degree, the preferences and sympathies of the smaller powers in the contest just opening have been determined by geographical situation, rather than by any political or moral preferences by them for Austria over Prussia. Judging by the temper and aims of the two powers in the past, and independently of the immediate aspects of the present strife, and the possible issues involved in it, one would find it difficult or impossible to account for the general preference shown in Germany for the government and the dynasty of the Hapsburgs.

Intelligent observers believe that the sentiment of Hamburg was really for Austria, by reason of the supposed designs of Prussia, and would have been so declared but for fear, on the other hand, of the signal discomfiture that might result from declaring against an armed power literally on every side of that great and prosperous city.

Some of my colleagues of the diplomatic corps commend Austria as having used every proper effort to avoid the war, while others believe that it was really inevitable on the part of Prussia, and that the demands of the people of Germany, more especially of the north and west, for German unity, and the necessity for nationality, seaports and a navy, would have brought war or revolution without the duchy question. The advocates of this view assert that in some of the smaller kingdoms, where government, as vested in royalty and nobility, has declared for Austria, the people are the other way. I have heard the opinion expressed by diplomats that, considering the energy of Prussia, the general tendency of the German mind, the embarrassed condition of Austrian finances, and the relations existing between the empire and its dominions in Venetia, Hungary and Poland, the war will result in the dismemberment and overthrow of Austria

as a first-class power. But such important results, though within the range of possibility, can hardly as yet be called probable; and it was with some astonishment I heard those in the employment and the confidence of Crowns say that "such a result would be in harmony with the principles and the tendencies of this age."

I have been led into these remarks about matters outside of this kingdom by reason of the paramount interest Denmark lately had in the avowed subject of dispute, and of the partial interests she may yet have in its results. Upon the whole it seems to me there has been no adequate cause for war; that its result can in no way be yet apprehended; that end as it may, the good will probably fall short of the ruin worked, and that counting the interests of religion, free thought and constitutional government, Germany and the world at large would probably suffer less in the triumph of Prussia than in the success of Austria.

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Yeaman to Mr. Seward.*

[Extract.]

No. 21.]

LEGATION OF THE UNITED STATES,  
*Copenhagen, June 22, 1866.*

SIR: \* \* \* \* \*

There is manifestly an intention here to make naval and military preparations for the contingencies that may arise during the pending war in Germany. It has also been stated here for some days past that a defensive and offensive alliance has been concluded between Denmark and Sweden and Norway. I am quite sure such an alliance would be agreeable to the public here, but I am not informed whether it really exists, or whether it has been sought for or thought to be desirable by government. It is represented that there have been strong objections felt and urged in Sweden to having any connection with disputes between Denmark and Germany, and yet that Sweden might have still stronger objections to seeing any German power make further advances on the shores of the Baltic and the narrow waters, lest, in another quarter, that fact might be held to demand and justify "compensation," in a direction most objectionable to Sweden. Those who take this view, and who most desire a Scandinavian alliance, are quite confident that it was owing to objections and influences from St. Petersburg that the contemplated and nearly completed alliance was broken off in 1863, just before the war about the duchies. These matters belong, for the present, so much to the domain of conjecture and speculation, that I mention them only to indicate to you the current of thought among many intelligent and official people in northern Europe.

The late elections in Denmark indicate the final ratification and adoption of the new constitution, as prepared and submitted by the lately dissolved Rigsraad. The object and general scope of the proposed changes, made necessary mainly by the loss of the two duchies, have been pointed out in a former despatch.

I discover that the hope entertained here in regard to Schleswig, and mentioned in my last despatch, is by many extended to the whole of that duchy, and not merely to a part of it. I am strengthened in the opinion, heretofore expressed, that this government desires to avoid the war, and that its participation, should that for any reason be determined upon, would be against Prussia.

I have the honor to be, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*



*Mr. Yeaman to Mr. Seward.*

[Extract.]

No. 23.]

LEGATION OF THE UNITED STATES,

*Copenhagen, July 3, 1866.*

SIR: \* \* \* \* \*

My interviews at the foreign office, the known opposition of Russia to a Scandinavian union, the matrimonial alliance mentioned in my last, and other facts induce me to believe that there has not been a military alliance formed between Denmark and Sweden; and this is the opinion of most of my colleagues.

The Emperor of France is said to have written a letter to the King of Denmark, which I take to be concerning the present military affairs of Europe; but the purport of his views and advice has not transpired.

It is now again astir here that Prussia is seeking an alliance with Denmark, on the basis of guaranteeing to her the present boundaries and limits of the kingdom. Such an offer would have an indicative meaning—an implied or negative threat upon Jutland. It is almost incredible that it could be made, or that a government of spirit, having due regard to its own position and rights, could accept it when made.

Europeans were so constantly in error, and so often unjust in their estimates of our late war, that an American is naturally inclined to be cautious in forming or expressing any opinion as to what is now going on in Europe; but if one may express an opinion on that subject, it seems to me that in Germany the Bund or federal Diet is gone, not to be restored; that Germany will not become a unit, but dual; and that Prussia, by absorbing the north and west, will become the leading German power. Of course, decided military reverses (and they will have to be very decided) would prevent that result. It further seems to me that this consolidation of Germany would benefit Europe and the cause of government everywhere. Certainly, the first result would be to aggrandize the power and the territory of the King; and we may attribute the accomplishment of this end to what motive we please, yet it gratifies one aspiration of the German mind—nationality. The other aspiration is the admitted liberal tendency, and the next step would be an improved, if not a free, representative government; and it is not difficult to see that the road is much clearer to that end with but one dynasty or hereditary power in the way than with a dozen or twenty to contend with. Germany, as lately organized, was too feudal. The governments of Europe were never in any degree moderate, free, or constitutional, never presented any adequate theatre for public opinion to operate upon, until the Crown and the people joined together and overthrew the lords and barons, and left the remainder of the contest between Crown and citizen—in large nationalities. And, leaving all possible room for the disappointments and the fortunes of war, this is what seems to be opening up in Germany.

There now seems no doubt of the truth of my suggestion in a former despatch, that in some of the smaller kingdoms, where the court went for Austria, the people were for Prussia. We must not let a certain wilfulness and brusqueness of administration at Berlin (often denounced with much harsher names) obstruct our view from the real elements and probabilities involved in this contest, nor blind us to the possibility that more may come of it than the present King and his very energetic premier intend, or, perhaps, would wish.

I have the honor to be, sir, very respectfully, your most obedient servant,  
 GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Yeaman to Mr. Seward.*

No. 25 ]

LEGATION OF THE UNITED STATES,

*Copenhagen, July 20, 1866.*

SIR: Having expressed to the minister of foreign affairs the desire to acquaint myself with the plan and details of the protection and superintendence adopted by the Danish government for the freed people and laborers in its West India islands, and the facilities afforded that population for education and religious instruction, as well as the facts in regard to their increase or decrease in numbers, their willingness to labor, and the amount and value of the productions of those islands as compared with former years previous to emancipation, he has kindly favored me with the enclosed printed and manuscript documents, besides several others printed entirely in the Danish language, concerning the population, trade and products of those islands, the substance of which I may hereafter communicate.

My intention was to make a synopsis or condensed statement of these ordinances and regulations, but they are generally short, and so explicit and detailed that no abbreviation of them could be made so available as the originals; and I now place them at the disposal of the State Department, in the supposition that they may be found interesting to those engaged in devising means for protecting and improving the condition of a similar class of population in the United States. Though these regulations seem to be formed at once with a view of justice to the laborer and of securing the productiveness of the estates, there is probably not much in them that could be copied or adopted with advantage in the United States; but we may derive assistance from the efforts of others under circumstances not entirely dissimilar, and find a lesson of instruction in any result that has been attained.

Without undertaking to review in detail this system of minute regulations, it seems to me on its face, as well as proved by its results, to be over done. Its theory seems too much to depend upon control, direction, and prescription as the means, instead of relying entirely or mainly upon protection of person and property as the stimulations of individual exertion. Any reasoning to prove that such minute and stringent regulations are necessary for a particular class of people, is only another form of argument proving that they are not really a valuable part of the population; and this imputation may generally be met by the reflection that a given class of population is often ignorant, indolent, and immoral by reason of the restrictions and the superfluous or unjust control imposed upon them.

The principal interest I have derived from the perusal of these documents has been to strengthen the opinion that the perfect and equal right to contract and acquire property, and to exercise all trades and professions, and the equal right of enforcing performance of contracts and obtaining damages for breach of them, either on the part of employed or employer, is the best incentive that labor can have, and the only real assistance government can give to it or to capital, and that all beyond this is shackle and encumbrance to both.

The abolition of slavery in the Danish West Indies necessarily ended compulsory labor and the arbitrary transfer or sale of the laborer; but the attempt to prescribe the exact hours of labor, the exact amount of wages, the formalities of the contract, the kind and quality of food, the extent of house-room and "provision ground," corresponding with the "truck patches" formerly allowed slaves in the southern States, would hardly be recognized in the United States as compatible with a wholesome and active freedom, even by those who opposed the change from slavery to freedom recently effected in many of the States.

I am, sir, very respectfully, your most obedient servant,

GEORGE H. YEAMAN.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

*Provisional act to regulate the relation between the proprietors of landed estates and the rural population of free laborers.*

I, Peter Hansen, knight commander of the order of Dannebrag, the King's commissioner for and officiating governor general of the Danish West India islands, make known that whereas the ordinance dated 29th July, 1848, by which yearly contracts for labor and landed estates were introduced has not been duly acted upon; whereas the interest of the proprietors of estates, as well as of the laborers, requires that their mutual obligations should be defined; and whereas, on inquiring into the practice of the island and into the private contracts and agreements hitherto made, it appears expedient to establish uniform rules throughout the island for the guidance of all parties concerned, it is enacted and ordained:

SECTION 1. All engagements of laborers now domiciled on landed estates and receiving wages in money or in kind for cultivating and working such estates, are to be continued, as directed by the ordinance of 29th July, 1848, until the first day of October of the present year, and all similar engagements shall in future be made, or shall be considered as having been made, for a term of twelve months, viz., from the 1st of October till the 1st of October, year after year.

Engagements made by heads of families are to include their children between five and fifteen years of age, and other relations depending on them and staying with them.

SEC. 2. No laborer engaged as aforesaid in the cultivation of the soil shall be discharged or dismissed from, nor shall be permitted to dissolve, his or her engagement before expiration of the same on the 1st of October of the present or any following year, except in the instances hereafter enumerated:

(a) By mutual agreement of master and laborer before a magistrate.

(b) By order of a magistrate, on just and equitable cause being shown by the parties interested. Legal marriage and the natural tie between mothers and their children shall be deemed by the magistrate just and legal cause of removal from one estate to another. The husband shall have the right to be removed to his wife, the wife to her husband, and children under fifteen years of age to their mother, provided no objection to employing such individuals shall be made by the owner of the estate to which the removal is to take place.

SEC. 3. No engagement of a laborer shall be lawful in future unless made in the presence of witnesses and entered in the day-book of the estate.

SEC. 4. Notice to quit service shall be given by the employer as well as by the laborer at no other period but once a year, in the month of August, not before the first nor after the last day of the said month. An entry thereof shall be made in the day-book, and an acknowledgment in writing shall be given to the laborer.

The laborer shall have given or received legal notice of removal from the estate where he serves before any one can engage his services, otherwise the new contract to be void, and the party engaging or tampering with a laborer employed by others will be dealt with according to law.

In case any owner or manager of an estate should dismiss a laborer during the year without sufficient cause, or should refuse to receive him at the time stipulated, or refuse to grant him a passport when due notice of removal has been given, the owner or manager is to pay full damages to the laborer, and to be sentenced to a fine not exceeding \$20.

SEC. 5. Laborers employed or rated as first, second, or third-class laborers, shall perform all the work in the field, or about the works, or otherwise concerning the estate which it hitherto has been customary for such laborers to perform according to the season. They shall attend faithfully to their work, and willingly obey the directions given by the employer or the person appointed by him.

No laborer shall presume to dictate what work he or she is to do, or refuse the work he may be ordered to perform, unless expressly engaged for some particular work only.

If a laborer thinks himself aggrieved, he shall not therefor leave the work, but in due time apply for redress to the owner of the estate or to the magistrate.

It is the duty of all laborers, on all occasions, and at all times, to protect the property of his employer, to prevent mischief to the estate, to apprehend evil-doers, and not to give countenance to or conceal unlawful practices.

SEC. 6. The working days to be as usual, only five days in the week, and the same days as hitherto. The ordinary work of estates is to commence at sunrise and to be finished at sunset every day, leaving one hour for breakfast, and two hours of noon from twelve to two o'clock.

Planters who prefer to begin the work at seven o'clock in the morning, making no separate breakfast time, are at liberty to adopt this plan, either during the year or when out at crop.

The laborers shall be present in due time at the place where they are to work. The list to be called and answered regularly; whoever does not answer the list when called is too late.

SEC. 7. No throwing of grass or of wood shall be exacted during extra hours, all former agreements to the contrary notwithstanding; and during crops the laborers are expected to bring home a bundle of longtops from the field where they are to work.

Cartmen and crook people when breaking off shall attend properly to their stock, as hitherto usual.

SEC. 8. During crops the mill gang, the crook gang, boiler-men, firemen, still-men, and any other person employed about the mill and the boiling house shall continue their work during breakfast and noon hours, as hitherto usual; and the boiler-men, firemen, magass carriers, &c., also during evening hours, after sunset, when required, but all workmen, employed as aforesaid, shall be paid an extra remuneration for the work done by them in extra hours.

The boiling-house is to be cleaned, the mill to be washed down, and the magass to be swept up before the laborers leave the work, as hitherto usual.

The mill is not to turn after six o'clock in the evening, and the boiling not to be continued after ten o'clock, except by special permission of the governor general, who then will determine if any, and what, extra remuneration shall be paid to the laborers.

SEC. 9. The laborers are to receive until otherwise ordered the following remuneration:

A. The use of a house or dwelling-rooms for themselves and their children, to be built and repaired by the estate, but to be kept in proper order by the laborers.

B. The use of a piece of provision ground, thirty feet in square, as usual, for every first and second-class laborer; or, if it be standing ground, up to fifty feet in square. Third-class laborers are not entitled to, but may be allowed some provision ground.

C. Weekly wages of the rate of fifteen cents to every first-class laborer; of ten cents to every second-class laborer; and of five cents to every third-class laborer, for every working day.

Where the usual allowance of meal and herrings has been agreed on in part of wages, full weekly allowance shall be taken for five cents a day or twenty-five cents a week. Nurses losing two hours every working day, shall be paid at the rate of four full working days in the week. The wages of minors to be paid as usual, to their parents, or to the person in charge of them. Laborers not calling at pay-time personally, or by another authorized, to wait till next pay-day, unless they were prevented by working for the estate.

No attachment of wages for private debts to be allowed, nor more than two-thirds to be deducted for debts to the estate unless otherwise ordered by the magistrate. Extra provisions occasionally given during the ordinary working hours are not to be claimed as a right, nor to be bargained for.

SEC. 10. Work in extra hours during crop is to be paid as follows: To the mill-gang and to the crook-gang for working through the breakfast hour one stiver, and for working through noon two stivers per day.

Extra provision is not to be given, except at the option of the laborers, in place of the money or in part of it. The boiler-men, firemen, and magass carriers are to receive, for all days when the boiling is carried on until late hours, a maximum pay of twenty (20) cents per day. No bargaining for extra pay by the hour is permitted. Laborers working such extra hours only by turns are not to have additional payment.

SEC. 11. Tradesmen on estates are considered as engaged to perform the same work as hitherto usual, assisting in the fields, carting, patting sugar, &c. They shall be rated as first, second, and third-class laborers, according to their proficiency.

Where no definite terms have been agreed on previously, the wages of first class tradesmen, having full work in their trade, are to be twenty (20) cents per day.

Any existing contract with tradesmen is to continue until October next. No tradesman is allowed to keep apprentices without the consent of the owner of the estate. Such apprentices to be bound for no less period than three years, and not to be removed without the permission of the magistrate.

SEC. 12. No laborer is obliged to work for others on Saturdays, but if they choose to work for hire, it is proper that they should give their own estate the preference. For a full day's work on Saturday, there shall not be asked for nor given more than twenty (20) cents to a first-class laborer; thirteen (13) cents to a second-class laborer; seven (7) cents to a third-class laborer.

Work on Saturdays may, however, be ordered by the magistrate as a punishment to the laborer for having absented himself from work during the week for one whole day or more, or for having been idle during the week; and then the laborer shall not receive more than his usual pay for a common day's work.

SEC. 13. All the male laborers, tradesmen included, above eighteen years of age, working on an estate, are bound to take the usual night watch by turns, but only once in ten days; notice to be given before noon to break off from work in the afternoon with the nurses, and to come to work next day at 8 o'clock; the watch to be delivered in the usual manner by nightfall and by sunrise. The above rule shall not be compulsory, except where voluntary watchmen cannot be obtained, at a hire the planters may be willing to give, to save the time lost by employing their ordinary laborers as watchmen. Likewise the male laborers are bound once a month, on Sundays and holidays, to take the day watch about the yard, and to act as pasturemen, on receiving their usual pay for a week-day's work. This rule applies also to the crook-boys. All orders about the watches to be duly entered in the day-book of the estate. Should a laborer, having been duly named to take the watch, not attend, another laborer is to be hired in the place of the absentee and at his expense, not, however, to exceed

fifteen cents. The person who wilfully leaves the watch or neglects it is to be reported to the magistrate, and punished as the case merits.

SEC. 14. Laborers wilfully abstaining from work on a working day are to forfeit their wages for the day, and will have to pay over and above the forfeit a fine, which can be lawfully deducted in their wages, of seven (7) cents for a first-class laborer, five (5) cents for a second-class laborer, and two (2) cents for a third-class laborer. In crop, on grinding days, when employed about the works in cutting canes or in crook, an additional punishment will be awarded for wilful absence and neglect, by the magistrate, on complaint being made. Laborers abstaining from work for half a day, or breaking off from work before being dismissed, to forfeit their wages for one day. Laborers not coming to work in due time, to forfeit half a day's wages. Parents keeping their children from work shall be fined instead of their children. No change of house rent is to be made in future, on account of absence from work, or for the Saturday.

SEC. 15. Laborers wilfully abstaining from work for two or more days during the week, or habitually absenting themselves, or working badly and lazily, shall be punished as the case merits, on complaint to the magistrate.

SEC. 16. Laborers assaulting any person in authority on the estate, or planning or conspiring to retard or to stop the work of the estate, or uniting to abstain from work, or to break their engagements, shall be punished according to law, on investigation before a magistrate.

SEC. 17. Until measures can be adopted for securing medical attendance to the laborers, and for regulating the treatment of the sick and the infirm, it is ordered that infirm persons, unfit for any work, shall, as hitherto, be maintained on the estates where they are domiciled, and be attended to by their next relations; that parents or children of such infirm persons shall not remove from the estate, leaving them behind, without making provision for them to the satisfaction of the owner or of the magistrate. That laborers unable to attend to work on account of illness, or on account of having sick children, shall make a report to the manager, or any other person in authority on the estate, who, if the case appears dangerous and the sick person destitute, shall cause medical assistance to be given. That all sick laborers willing to remain in the hospital during their illness shall there be attended to at the cost of the estate.

SEC. 18. If a laborer reported sick shall be at any time found absent from the estate without leave, or is trespassing about the estate, or found occupied with work requiring health, he shall be considered skulking and wilfully absent from work. When a laborer pretends illness and is not apparently sick, it shall be his duty to prove his illness by medical certificate.

SEC. 19. Pregnant women shall be at liberty to work with the small gang, as customary, and when confined, not to be called on to work for seven weeks after their confinement. Young children shall be fed and attended to during the hours of work at some proper place, at the cost of the estate. Nobody is allowed to stay from work on pretence of attending a sick person, except the wife and the mother, in dangerous cases of illness.

SEC. 20. It is the duty of the managers to report to the police any contagious or suspicious cases of illness and death, especially when gross neglect is believed to have taken place or when children have been neglected by their mothers, in order that the guilty person may be punished according to law.

SEC. 21. The driver or foreman on the estate is to receive in wages four-and-a-half dollars monthly, if no other terms have been agreed on. The driver may be dismissed at any time during the year, with the consent of the magistrate. It is the duty of the driver to see the work duly performed, to maintain order and peace on the estate during the work and at other times, and to prevent and report all offences committed. Should any laborer insult or use insulting language towards him during or on account of the performance of his duties, such person is to be punished according to law.

SEC. 22. No laborer is allowed, without the special permission of the owner or manager, to appropriate wood, grass, vegetables, fruits and the like, belonging to the estate, nor to appropriate such produce from other estates, nor to cut canes or to burn charcoal. Persons making themselves guilty of such offences shall be punished, according to law, with fines or imprisonment, with hard labor; and the possession of such articles not satisfactorily accounted for shall be sufficient evidence of unlawful acquisition.

SEC. 23. All agreements contrary to the above rules are to be null and void, and owners and managers of estates convicted of any practice tending wilfully to counteract or avoid these rules, by direct or indirect means, shall be subject to a fine not exceeding two hundred dollars.

P. HANSEN.

GOVERNMENT HOUSE, *St. Croix*, January 26, 1849.

[Translation.]

*Ordinance concerning medical attendance on the landed properties in the Islands of St. Croix and St. Johns.*

We, Frederick the Seventh, by the grace of God, King of Denmark, the Vandals, and the Goths, Duke of Schleswig, Holstein, Stormarn, Dithmarsh, Lauenborg and Oldenburg,

make known, on the report of our minister of finance, who has laid before us the deliberation of the colonial council in our West India possessions on a draft of ordinance concerning medical attendance at the sugar-estates, we most graciously decree :

1. When the owner of any estate or landed property in St. Croix engages a physician to attend the laborers and their families residing on the property, comprising all persons of the laboring class, who, with the consent and knowledge of the owner, are domiciled or reside on the estate,) and furnishes them with the requisite medicines, he shall be entitled to collect from every such individual 3 cents (2 stivers) per week, as a contribution towards the expenses, invalids and children under the age of 12 years excepted. If the owner has not engaged any physician, he or the person who on his behalf at the time represents him on the property, shall nevertheless be bound in cases of disasters or of dangerous illness, to procure medical aid ; if and in what manner the expenses arising therefrom are to be refunded by the individual concerned, or by the parents or master of the individual concerned, shall in every case be decided by the police master, according to equity.

2. In the island of St. Johns all owners of estates shall pay to the physician that will be appointed by his Majesty the King an annual remuneration for attendance and travelling expenses of 75 cents (to be paid quarterly) for each of the laborers and their families, (comprising each individual of the laboring class, who, with the consent or knowledge of the owner, is domiciled or resides on the estate,) and besides they shall furnish them with medicines. No deduction from the laborer's wages can be made for reimbursing these expenses. To which all concerned have to conform.

Given at our Castle Christiansborg, the 22d of February, 1855, under our royal hand and seal.

[L. S. R.]  
ANDREE.

FREDERICK, R.

[Translation.]

*Ordinance containing further provisions relative to the second section of the ordinances of the 26th of January, 1849, for St. Croix, of 18th May, same year, for St. Johns, and of the 13th of June, same year, for St. Thomas.*

We, Frederick the Seventh, by the grace of God. King of Denmark, the Vandals, and the Goths, Duke of Schleswig, Holstein, Stormarn, Dithmarsh, Lauenborg, and Oldenburg, make known, on the report of our minister of finance, who has laid before us the deliberation of the colonial council in our West India possessions on a draft of ordinance, abrogating the provisions contained in the second section of the ordinances of the 26th of January, the 18th of May, and the 13th of June, 1849, concerning marriage being a legal cause for dissolving contracts for agricultural labor, we most graciously decree :

The provisions contained in the second section of the ordinances of the 26th of January, 1849, for St. Croix, of the 18th of May, same year, for St. Johns, and of the 13th of June, same year, for St. Thomas, relative to the dissolution of contracts of labor on account of marriage, shall in future be interpreted thus : That only in the case of marriage being entered during the course of the year of contract it shall be considered to establish a claim to have the contract dissolved on the conditions therein mentioned, and in such cases the party who intends to move to another estate shall give notice at least three weeks previous to the marriage ceremony. To which all concerned have to conform.

Given at our Castle Christiansborg, the 22d of February, 1855, under our royal hand and seal.

[L. S. R.]  
ANDREE.

FREDERICK, R.

#### Memorandum.

When the emancipation of the slaves in these colonies took place, in a sudden and violent manner, in the year 1848, one of the most essential objects that it was considered necessary to have in view was, as far as possible, by those laws that were to regulate the relations between the owners of estates and the laboring population, to secure to the estates, for a longer period, the necessary amount of labor, on reasonable and to the native laboring population favorable terms, and particularly to counteract those circumstances which in other colonies in which emancipation had taken place had led to the native laboring population so rapidly withdrawing from agricultural occupation, and thereby rendering in a very few years the continuance of cultivation completely dependant on the introduction of foreign laborers.

The law that was passed with this view, namely, the accompanying provisional act of 26th of January, 1849, is, together with the two royal ordinances, dated 22d February, 1855, still unaltered in force, and determines, together with the general laws of Denmark, the position of the laboring rural population in this island.

As far as regards the above-mentioned view, to attach the laborers to the estates and to accustom them to steady agricultural occupation, it has, together with other enactments in the general laws, worked satisfactorily, as the greater part of the population, who formerly as slaves had been attached to the estates, have with their families continued as free laborers in that occupation.

Whereas this law and such of its clauses, particularly the one fixing the amount of wages, as can least be defended, from a general point of view, *must be supposed* originally to have only been intended to last for a short period of transition, unfortunate circumstances and, above all, that the amount of labor in the rural districts, even prior to emancipation, was inadequate, when compared to the size of the island and the requirements of cultivation, and has continued to decrease since that event, have hitherto caused some hesitation as to its repeal, and any change would not be advisable until an opportunity was offered to secure to agriculture a greater amount of labor through immigration.

The most essential points in the relation in which the laborers are placed by this law may be summed up under the following heads:

1. All contracts relating to labor to be performed on estates must be entered into for one year from the 1st of October, and the legal time for giving notice to leave is the entire month of August.

2 The working days are the five first days in the week not acknowledged as holidays. On Saturdays the laborers are not bound to work, but may work for a day's wages of twenty cents for a laborer of the first class, (which, by an allowance of bread and sugar, is increased to twenty-five cents.)

The daily working hours are nine, with three hours interval for breakfast and dinner. Extra pay is allowed for work performed at other than the ordinary working hours.

3. The amount of pay as fixed in the law is:

a. A house free of rent, to be built and kept in repair at the cost of the estate. Every grown-up laborer to have his separate room of a square measurement of at least 163 feet and a cubic measurement of 1,660 feet. The houses are built of wall or wood, the roofs covered with shingles, and the floors, as a general rule, covered with boards.

b. The use of a piece of ground, about 50 feet in the square, for cultivating provisions. On many estates of large extent these grounds are larger.

c. Daily wages at the rate of 15 cents per day for a laborer of the first class, 10 cents for a laborer of the second class, and 5 cents for a laborer of the third class. The usual allowance of 6 quarts of corn-meal and 2 pounds of salt fish or herrings is reckoned and deducted from the wages at the rate of 5 cents for every day, or 25 cents for the week. The value of such allowance is, taking an average of prices when bought in large quantities, about 32 cents, and consequently it is asked for by all the laborers, who have thereby gained no inconsiderable augmentation of the amount of wages as fixed by law. The sharing out of extra provisions, particularly bread and sugar, has gradually become very considerable. The laborers have an unlimited right to rear poultry and hogs, the latter, however, to be kept enclosed.

d. On a deduction of 2½ cents every week in the weekly pay, the laborers are, according to the law and custom, entitled to free medical attendance, and medicine for themselves and their families. In serious cases of illness the estate laborers are admitted at either of the two communal hospitals, and treated and cared for at the expense of the public.

e. Employers have, as far as full-grown individuals are concerned, no right of punishment, with the exception that they, in case of intentional absenteeism from work, can deduct as a fine seven cents daily out of the laborer's wages.

Complaints against employers, and differences with regard to the mutual relation between them and their laborers, are decided in the ordinary course of law, presided over by judges holding royal commissions, and exclusively paid by the state. On all cases not quite insignificant the sentences may be appealed to the courts of higher instance; and where there is any question of inflicting punishment of a severe nature, the government appoints a lawyer to defend the accused. Persons above eighteen years of age cannot be sentenced to corporal punishment.

f. Weak and infirm individuals of the rural population have hitherto been supported by those estates on which they formerly worked. Agreeably to the general laws of Denmark, and such special arrangements as have been made in the colonies, every individual not able to support himself is entitled to pauper relief.

g. For the children of laborers employed in the country a sufficient number of schools, in every respect well provided for, is established, in which they, until they have filled their tenth year, are instructed during the first five days of the week; and from their tenth until they fill their thirteenth year, on Saturdays. All expenses connected with these schools are defrayed by the colony, the parents paying nothing.

To understand the preceding statements, it must be kept in mind that the fact of the amount of labor disposable for agriculture being so inadequate, and constantly on the decrease, has necessarily led to the result that the laborers have gradually vindicated a right to an extremely liberal interpretation of all enactments relating to their duties and rights, and an access to many privileges on the estates. The law lays no hindrance in the way of individuals belonging to the laboring population in the country settling in town, when they

are able to find work and constant occupation there; and many former estate laborers have acquired real property in the towns.

In consequence, finally, of the position of the laboring class, they are, to a great degree, independent of the prices of the first necessities of life, as the abundant allowances they receive as a part of their wages is calculated at a fixed amount, far below the actual value, and as they cultivate a considerable quantity of vegetables on the provision grounds allotted to them.

Altogether, the general impression on all who have had an opportunity of becoming acquainted with the material condition of the laboring population in this island, as it exhibits itself in their dress, house, furniture, ponies and wagons, which they either make use of to cart their provisions to market in the towns, or to drive themselves to church in, &c., must be that there certainly can be few places in the world where the laboring class is, in this respect, generally better situated than in this island.

THE GOVERNMENT OF THE DANISH WEST INDIA POSSESSIONS,  
*St. Croix, October 12, 1860.*

[Translation.]

*Ordinance containing alterations in the ordinance of the 6th of June, 1862, for raising funds in aid of immigration to the island of St. Croix.*

The enactments in section third of the ordinance of 6th June, 1862, for raising funds in aid of immigration to the island of St. Croix, fixing those amounts that are to be paid into the immigration fund by the party who first employs an immigrant, and stipulating the periods when the amounts are payable, shall only be applicable in the case where the immigrants are introduced from the East Indies or China; and it shall, in the case of immigrants introduced from other places than the aforesaid, as hitherto, be lawful for the government, after previous deliberation with the colonial council of St. Croix, to give such rules in the aforementioned respect as may be found requisite, according to the circumstances, and necessary for securing the interests of the immigration fund.

SECTION 2. Whenever laborers are introduced into the island, either for account of the public, or by private individuals under the control of the authorities, and with pecuniary aid from the immigration fund, on the condition that such laborers, after the expiration of the first year of their service, may engage themselves on other estates, or take other employment, the person first employing or retaining such laborer in his employment during the second or third year shall pay into the immigration fund an amount equal to one-fourth part of the total expenses for introducing the immigrant into the island, but within such limits, in regard to the amount thus to be paid, as may be fixed by the government after previous deliberation with the colonial council.

SECTION 3. The immigration fund shall be administered by the government, who will every year furnish the colonial council with a statement of the means belonging to the fund, and also lay before the council, for its approval, an estimate of the revenue and expenditure of the said fund for the following financial year.

STADFASTER OF HAUS MAJESTAT,  
*Kongen, C., 11 Mai. 1866.*

*Mr. Yeaman to Mr. Seward.*

[Extract.]

No. 26.]

LEGATION OF THE UNITED STATES,  
*Copenhagen, July 27, 1866.*

SIR: At an interview with Count Fry's yesterday evening, he informed me that in the propositions submitted by the Emperor of the French, as a basis for peace in Europe, it was suggested that, as to Denmark, the dispute about the duchies should be settled "on the basis of nationalities," an arrangement which would restore only the north part of Schleswig, and added that he was not very confident of even that much being accomplished, as there was often "a long way between preliminaries and a conclusion."

The singularly rapid and complete success which has up to this time crowned the Prussian arms has probably thwarted some expectations which have been entertained both here and at Paris in regard to the results of the war.



I think that whatever desire had at any time existed with any party here that Denmark should engage in the war had been abandoned before the truce.

\* \* \* \* \*

I am, sir, very respectfully, your most obedient, humble servant,  
 GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Yeaman to Mr. Seward.*

No. 28.]

LEGATION OF THE UNITED STATES,  
*Copenhagen, August 1, 1866.*

SIR: The late visit of the monitor Miantonomoh has been an event of so much interest here that I cannot doubt it will be agreeable to the Department of State to be informed of it. The Miantonomoh stopped here somewhat unexpectedly, to coal, while Mr. Fox was on his way from Paris to meet her at Stettin; when, owing to the prevalence of the cholera at that port, he telegraphed me to detain the ship until he could reach here, and, having arrived at this place, he learned that that malady was epidemic at St. Petersburg, and deemed that a proper care of the crews of the *Augusta* and the Miantonomoh required he should here await further information. The stay of the ship being thus unexpectedly protracted, an opportunity was afforded for the public curiosity about this great naval wonder to be amply gratified.

The day the vessels anchored here, after saluting and being saluted, the commanders, Murray and Beaumont, came on shore and called upon the minister of marine and several naval officers of superior grade, and during the interview with the minister it was arranged that he and a party of naval officers, to be made up by him, should go with me from the legation to the ship the next day at twelve. The visit of these gentlemen, among whom were the most prominent in the Danish navy, as the minister, Captain Grove, Admirals Irminger, Swensen, Mickelsen, and others, seemed to be the source to them of pleasure, surprise and admiration. They were extremely impressed with everything about the ship, more especially her invulnerability, the size of the guns, the working of the turrets, and her sea-going capacity. I think there was no division of opinion upon the point that a complete revolution has been effected in naval architecture and warfare.

Next morning I had an application from the minister of marine to open the way for the visit of a government official commission, which being soon effected, they went on board and remained some time in examining the ship, and when I can be made acquainted with the substance or character of their report, I will communicate it to Mr. Fox in response to an official letter which he has addressed to me.

In the meanwhile a member of the editorial corps having applied to me for information how to have access to the ship, an editorial visit was soon arranged and made by a party of gentlemen from the principal papers of the city, and next morning the several leading journals described in glowing terms the wonderful naval machine. Public curiosity was now fairly aroused, and a little steamer plied hourly from one of the quays of the city to the Miantonomoh, with crowds of curious and informal visitors, who went everywhere through the ship at their pleasure; and this interest of the people, so far from subsiding, seemed to increase so long as she remained. These visitors would have to be numbered by the thousand.

On the third day Mr. Fox arrived, and having called on the minister of foreign affairs, the minister of marine, and the gentlemen to whom he had letters

from Mr. Raasloff, the Danish minister at Washington, on the same day, on behalf of Mr. Fox, I asked, through Count Frys, for an audience of the King, to present him and Commanders Murray and Beaumont, which was readily granted, and at the interview two days afterwards the King made many inquiries about the monitor, her structure, comforts and safety, her cost, fighting power and sea-going capacity; and upon his suggestion to Mr. Fox that he would be pleased to visit the ship, it was immediately arranged that the entire royal family would be received on board the same evening. The party were conducted by Admiral Irmingier, and consisted of the King and Queen, Prince John, the King's brother, Prince Frederic, heir apparent, Princess Dagmar, lately betrothed to the Grand Duke hereditary of Russia, the two younger children, Princess Thyra and Prince Waldemar, and several officers of the King's household, and ladies of honor to the Queen. They were received with a royal salute, and the same token of respect was tendered upon their departure. They entered upon the examination of the ship with manifest earnestness and interest, going into every part from the boiler-room to the pilot-house, Princess Dagmar remarking she had come to see and wanted to see every part of the vessel. The effect of the visit and all of its incidents were satisfactory and pleasing in the highest degree, and nothing could have been more affable and cordial than the conduct of the royal party. While on board, Prince John, in commenting upon our progress, expressed the opinion that the United States and Russia were now the two leading and most powerful nations of the earth; and to my suggestion that we would surely rank so in another generation, he insisted we were so now, and added that he hoped "two such great and friendly nations will always have a friendly care of little Denmark." I took the occasion to assure him that there were no two nations to which my government felt a more cordial attachment than to Denmark and Russia.

On taking leave, the King caused Mr. Fox, myself, Commanders Murray and Beaumont, and Messrs, Lubat and Greene (who had been received at the same audience granted to Mr. Fox) to dine with him at one of the country palaces the day after the morrow of the visit. At dinner all the royal family were present, and besides the American company there were no invited guests but Count Frys and Admiral Swensen. A fine band performed under the trees, just outside the windows of the dining-saloon, and in the midst of the festivities the "Star Spangled Banner" was performed with great taste and skill. The effect of this upon his American guests was so marked and pleasing that the King had the air repeated twice after dinner. The Queen, observing how very gratifying this was, asked me if it was a hymn, and having explained to her its origin, and the passionate love the American people have for it, I asked that I might be allowed to present her with a copy, when one deemed suitable could be obtained, to which she most readily and obligingly assented. Having no means of procuring it here, the State Department will no doubt deem it proper to enable me to redeem the promise.

By invitation of Mr. Fox, the Russian envoy, Baron Nicolay, family and suite were received on board the monitor, properly saluted, and shown through the ship. On the day following the royal entertainment, Count Frys, the Danish minister of foreign affairs, with a few attendants, visited the ship. He was received on board by Mr. Fox, properly saluted, and shown through the ship.

On the same day, having previously invited the gentlemen of the diplomatic corps to visit the ship, I accompanied them, and after the salute with which the commander of the squadron received them, they were attentively shown through the vessel, constantly giving expression to that surprise and admiration which it must excite in the minds of all who have not before seen it. The same evening I had an opportunity to present the gentlemen of the diplomatic corps to Mr. Fox, at my house, and they evidently were interested and solicitous to

have his views about naval and American affairs, and, I must add, were favorably impressed with the interview.

The very great interest felt here in the Miantonomoh as a specimen of naval architecture and machinery, and the increased and favorable attention which the ship and her successful passage over the Atlantic have evidently drawn to our own country, must excuse the details and length at which I have related the facts connected with her sojourn in the harbor of Copenhagen.

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Yeaman to Mr. Seward.*

[Extract.]

No. 32.]

LEGATION OF THE UNITED STATES,

*Copenhagen, August 16, 1866.*

Sir : \* \* \* \* \*

I have the honor herewith to enclose a copy, printed in the French language, of the new constitution for the government of Denmark. Not deeming it necessary to furnish a full and detailed translation, I have prepared, and herewith enclose, a synopsis of its leading and most important provisions.

I am informed by the minister for foreign affairs that the matter of Schleswig remains uncertain; and he thinks, apparently with much reason, that the demand now made by the Emperor of the French touching the Rhine provinces will have an unfavorable influence upon the disposition of Prussia to accept the proffered solution of the duchy question. He thinks the demand of the Emperor will not result in war between France and Prussia, but that it will greatly facilitate the aims of Prussia in consolidating Germany, by reason of the unwillingness existing among the people of all the states to yield to France any part of German territory and population.

\* \* \* \* \*

I am, sir, with the highest consideration, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Synopsis of the new constitution of Denmark, adopted and carried into effect July 28, 1866.*

The form of government is a limited monarchy, and the crown is hereditary. The legislative power is exercised jointly by the King and the Rigsraad. The Rigsraad is composed of two chambers—the Folkething and the Landsting.

The Lutheran is the national church, and sustained by the state, and the King must be of that communion. The King and princes of the royal family attain majority at eighteen.

The King is sworn to support the constitution, and provision shall be made by law for the administration in case of his minority, absence, or sickness. On failure of succession the Rigsraad shall elect a King and fix the order of succession to the throne.

The King exercises authority through his ministers. He is not responsible, and his person is sacred. His ministers are responsible for the administration, the responsibility to be regulated by law. He appoints and dismisses his ministers, and fixes the distribution of affairs among them.

The signature of the King and of one minister is necessary to the validity of a public law or resolution. Each minister is responsible for what he signs. Affairs of state are discussed in a council of state composed of ministers.

The King declares war and makes peace, and concludes and dissolves alliances and

treaties of commerce; but cannot, without the consent of the Rigsraad, cede any portion of the territory, nor contract any engagement that will change the existing public law. He may dissolve the Rigsraad entirely, or either of the two chambers. He may present to the Rigsraad projects of laws and other resolutions. He may, in vacation of the Rigsraad, and in cases of urgency, decree provisional laws, provided they be consistent with the fundamental law, and these shall always be presented to the Rigsraad at the following session.

The King has the power of pardon and amnesty. Ministers condemned by the Rigsret (the tribunal to try impeachments) shall not be pardoned, except by consent of the Folkething. He coins money conformably to law.

Electors for the Folkething are all persons of unimpeached (intact) reputation, thirty years of age; and possessed of the rights of a native, except those who, without being house-keepers, enter into the service of any individual, those who receive help as paupers, and those who have not been domiciled a year in the electoral district or city where they reside at the time of the election.

The number of the members of the Folkething is one for 16,000, and they are elected for three years. The Landsting is composed of sixty-six members, of whom twelve are named by the King, seven by Copenhagen, and the balance by electoral districts. The Rigsraad is inviolable. Whoever attacks its security and liberty, or gives or obeys any order for that purpose, is guilty of the crime of high treason. Each chamber may propose laws and present addresses to the King, and is judge of the elections of its members.

No imposts shall be established, no troops levied, no public debt contracted, nor any portion of the public domain alienated, but in virtue of a public law.

No foreigner can obtain the rights of a native but in virtue of a law.

The members of the Rigsraad are bound only by their conscience, "and not by the instructions of their electors." "Functionaries" elected to the Rigsraad do not need the "authority of government to accept the mandate of their electors."

During the sessions of the Rigsraad no member can be arrested for debt without the consent of the chamber to which he belongs, nor be imprisoned or accused unless taken in flagrant offence. The members of the Rigsraad incur no responsibility elsewhere for opinions spoken there.

Ministers have entrance to the Rigsraad and the right of discussion, but cannot vote unless they are also members of the Rigsraad. The presence and participation of a majority constitute a quorum in either chamber.

The Rigsret is composed of the members of the supreme court of the kingdom and an equal number of members of the Landsting, to be elected by that body to the Rigsret for four years. The Rigsret tries accusations brought by the King or the Folkething against ministers. The King may also, by the consent of the Folkething, cause other persons to be brought before the Rigsret for crimes which he judges dangerous to the state.

The exercise of judicial power can only be regulated by law. The judges cannot be dismissed but in virtue of a legal sentence, nor be displaced against their will except in case of a reorganization of the tribunals. A judge is retired at sixty-five, but continues to receive his salary.

The jury system is established in criminal matters and political offences.

Citizens have the right of worship and communion according to conviction, provided their doctrines and their conduct are not contrary to morality and public order. No one is compelled to contribute to the support of any other creed or worship than the one he has professed, provided every one who is not a member of a recognized religious community must pay for public instruction, as required by law, in favor of the national church. The status (position) of dissenting communions shall be regulated by a special law. No one shall be deprived of the enjoyment of his civil and political rights on account of his religion, nor exempt himself from the performance of the duties of a citizen.

The domicile is inviolable. Domiciliary visits and the seizure and violation of letters and other papers are not permitted except in virtue of a legal sentence, unless in exceptional cases prescribed by law.

The right of property is inviolable; and property cannot be taken for public use except on payment of full indemnity.

The existing restrictions upon the liberty of employment, (travail,) except such as are founded on reasons of public utility, are to be abolished by law.

All have the right to publish opinions (pensées) through the press, subject to responsibility before the tribunals. Censorship and other preventive measures shall never be re-established.

Citizens have the right to form associations for any legal end, and without previous authority. No association can be dissolved by an administrative measure.

Citizens shall have the right to assemble without arms. The police have the right to be present (assister) at all public assemblies. Assemblies in the open air may be interdicted when deemed dangerous to the public peace. In case of riot, an armed force, if not attacked, shall not interfere until the mob, in the name of the King, has been commanded three times to disperse.

All citizens capable of bearing arms are held to contribute in person to the defence of the country, according to provision of law.

All prerogative attached by law to nobility, to titles, and to rank is abolished. No fief,

succession by title or age, (*magorat*,) or trust in entail, (*fidei commis*.) shall hereafter exist in real estate, and the law shall provide rules for converting such estates, now existing, into free property.

The members of the Landsthing named by the King hold their places for twelve years, and a dissolution of the Landsthing does not invalidate their seats.

In criminal prosecutions, appeals lie as in civil cases. The accused has the right of counsel, and of introducing new proofs, on appeal, before the supreme court.

---

*Mr. Yeaman to Mr. Seward.*

No. 34.]

LEGATION OF THE UNITED STATES,

*Copenhagen, September 5, 1866.*

SIR: I am now enabled to state, what you may have learned from other sources, that by the treaty of peace between Austria and Prussia, Austria has ceded to Prussia all of her joint rights in the two duchies, with the condition that northern Schleswig is to be restored to Denmark, if the people so wish. There is little doubt that a fair and uninfluenced election will result in a restoration.

The opinion is expressed here that the sentiment of the "Scandinavian" party is gaining strength in Denmark, about which I am not sufficiently advised to speak with certainty.

I am, sir, very respectfully, your most obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Yeaman to Mr. Seward.*

No. 35.]

LEGATION OF THE UNITED STATES,

*Copenhagen, Sept. 22, 1866.*

SIR: To-day, at 1 o'clock p. m., her royal highness Princess Dagmar and suite embarked in the Danish royal yacht for St. Petersburg. She is accompanied a part of the way by the entire royal family, and the vessel in which she has embarked will be escorted to St. Petersburg by Danish and Russian men of war. After remaining in that capital for about a month, as the guest of the Emperor, the nuptials of her marriage with the heir apparent to the Russian crown will be celebrated.

The occasion of her departure was one of great interest and solemnity. Such a display of flags from shipping and from public and private buildings, and such a vast concourse of people, were scarcely ever before seen in Copenhagen. Streets, squares, quays, decks, rigging, sea-shore, batteries, and the tops of houses hardly sufficed to contain the people seeking to catch a last glimpse and to wave a last adieu to the fair young girl they were giving to the throne of the greatest empire of modern times.

The pier against which the ship was moored was set apart for Danish officers and members of the diplomatic corps and their families; and as the royal family passed through that richly-attired throng to the ship's gangway, the scene became extremely solemn and impressive. The Queen wept palpably. The King, too deeply moved to speak, passed silently along, bowing to the mute spectators, and stooping to gather from the carpet the flowers cast to his daughter. The face of the young princess showed the impress and the fresh traces of a violent spell of emotion, repressed but for a moment in the presence of the public; and without speaking a word she cordially and earnestly took leave of her friends.

The ship moved slowly out into the harbor, the princess stood upon deck by the side of the King, waving her handkerchief to the assembled thousands on shore, and the batteries pronounced the deep farewell salute to her who goes to occupy so prominent a position in a government which may prove to be the firmest and most loyal ally of our own.

There is not here so much confidence as I would have expected to find touching the result of the proposed proceedings to determine the political relations and allegiance of north Schleswig. A large, perhaps the far greater, part of the people are devotedly attached to the Danish government. But there is a counter feeling at work—a feeling averse to any division of the duchy and the desire to keep it united, no matter under what sovereignty. Speeches have been made against a division by residents of the duchy, addressing themselves to large assemblies in the Danish language, and a deputation favoring permanent annexation to Prussia has been sent to Berlin. The opinion is entertained here that these manifestations are a part of a plan and the fruits of influences under the control and direction of the cabinet at Berlin; a matter about which I have no reliable information, and am in no condition to express any opinion. It is further believed that despatches have been received by both the Prussian and Danish governments from the French and Russian governments affecting the settlement of the duchy question, but their purport and effect have not transpired.

A government commission has now under consideration the subject of the re-organization of the Danish army, a matter that will be one of the principal subjects of discussion in the next Rigsraad. One measure strongly urged before the commissioners is to require of every able-bodied citizen capable of bearing arms a given term of military service, without the right of substitution. I learn from Count Fryz, the foreign minister, that this plan is quite popular with many people, upon the idea that it equalizes all classes and fortunes, and in that regard remarking that "public sentiment here seemed to be more in favor of equality than liberty." It is uncertain what plan will be adopted.

I am, sir, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Yeaman to Mr. Seward.*

No. 39.]

LEGATION OF THE UNITED STATES,

*Copenhagen, October 22, 1866.*

SIR: There does not seem to be any increased confidence here in regard to the ultimate position to be assigned to north Schleswig; and it is possible that the disposition of the Prussian government in the matter has not been improved by the alleged representation or intercession of Sweden in behalf of the reunion of Danish Schleswig to Denmark, in view of the agitation existing for some time past in favor of the union of all Scandinavia under one government.

The leaders of the Scandinavian scheme are active and bold, more so than formerly since the manifesto of the Emperor of the French, in which he favors in so marked a manner the union of peoples on the basis of nationality, and alludes, seemingly without regret, to the probable extinction of the small states. A prominent member of the party here, an active editorial writer, has been made the recipient of an "order" from the King of Sweden. It seems contrary to the laws of Denmark for a citizen to wear the badge of an order, conferred upon him by a foreign sovereign or power, without the royal permission. The editor, who is said to have written very earnestly for some years against

titles and orders, did not decline either to receive the order, or to ask the permission of his own sovereign to wear it, and the King, of course, did not refuse the request.

Considering that the advocates of Scandinavian union or consolidation are generally very hostile to the established dynasty in this kingdom, not stopping at mere political discussion, but often indulging in objections to the royal family, and to their title to the throne; that the party is in the main identical with the party of the most advanced liberalism, and which has the ascendancy in this capital, though not in the provinces and rural districts; and considering, further, the well-understood feature of the scheme of Scandinavian unity, that the welding of the three kingdoms under one government would involve the ascendancy of the royal family of Sweden, to the exclusion of that of Denmark, this token of esteem and approval, otherwise so entirely unimportant in the eyes of a democratic observer, is not without interest in several respects that will suggest themselves and arrest attention without further allusion or comment.

There seems no doubt that this movement is favored by France and intensely opposed by Russia. At one time Russia was thought to favor it, but the apprehension now so prevalent here that late events have encouraged her to look forward to the dominion of the entire south and west coasts of the Baltic, gives rise to the belief that she would not now wish for a consolidation of Scandinavian power.

I am, very respectfully, your obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Yeaman to Mr. Seward.*

No. 40.]

LEGATION OF THE UNITED STATES,  
*Copenhagen, November 1, 1866.*

SIR: Within a few days past some of the leading journals of the different capitals of Europe have discussed with much interest and earnestness a treaty positively alleged to have been proposed between Prussia and Sweden, of most serious import to Denmark; indeed, looking ultimately to nothing less than the partition of the kingdom between them—Jutland to Prussia, and these splendid islands to Sweden.

It was affirmed, in the same connection, that Denmark had made a counter move by offering to become a member of the north German confederation, now being formed under the lead of Prussia, upon condition of having the two duchies restored to her.

Upon inquiries among those of my colleagues who would be interested, and at the Foreign Office, I am assured that no credit is attached to the report in official circles here, and that in fact it has no foundation except in the wishes of some who would like to see it accomplished, and who, as Count Frys observed, make the report in order to attract public attention to the subject and accustom the public mind to it. He is entirely confident that no danger at present threatens Denmark.

The fact that the matter has been so seriously discussed by some who believed it true, gives occasion for some reflections upon it. It cannot be denied that if such a scheme had existed or been proposed, it would have been in harmony with the desires of some, and with the discoverable apprehensions of others here. As such matters have heretofore been received and estimated, the scheme would seem to be preposterous, as all the motives which could be supposed to influence England, Russia, France, and Austria, would combine them against it,

while its consummation might strongly invite attack and absorption as against Sweden.

Yet another set of reasoners or foreboders here assert that the opposition of Russia to an increase of Scandinavian power, and to the possession of the narrow channels by any great power, and even her own closer alliance with Denmark, would all go for nothing if the dissolution of the kingdom would open or facilitate the way for Russian maritime and territorial expansion westward, by giving occasions for the execution of designs often attributed to her.

The interference of the great powers in such matters, when nothing further than to preserve the existence of a small state is concerned, does not seem to be counted upon as confidently as formerly. The comparative withdrawal of England from European affairs, the tendency of France to use diplomacy rather than force, and the growing disposition of all Europe to let the condition of Turkey come to a final solution, even if it must be by closing the European career of that great but decayed power, are all observable and indicative. The habit of interference was in great part dynastic in its instincts and objects, and dynasties are now admitted, even by those interested in their preservation, not to be so important as they were once thought to be. It has interested me to observe the representatives of some of the greatest monarchs of earth rejecting with a smile the idea that the matrimonial alliances of courts would any longer influence governments either in going to war or in not doing it.

If the modern growth of liberal and constitutional ideas, the government of a country by the country, and the unity of government on the basis of nationality of peoples, and of commercial and naval advantages, are to have many good effects, among them that of lessening both the disposition and the capacity for interference, they may also have the unpleasant one of causing the disappearance of several interesting and well-governed small powers.

It is quite plain that the late attempt at European interference on the American continent, or rather the now generally admitted failure of that attempt, has had a most beneficial effect upon European political sentiment, in depreciating the current political and personal value of a dynasty, and by impressing upon governments the fitness and profit of each one devoting its energies to its own internal affairs. The liberal party of Europe would deem it a calamity to be felt wherever their principles have a foothold, if by any means their present expectations of an early termination of that foreign occupation and interference should be disappointed.

I must disclaim all desire of making comments upon the affairs of other governments than the one to which I am accredited, any further than is needed to suggest how and in what degree their course and policy may affect the interests of Denmark, or to explain her own present and future relations to her neighbors.

I am, sir, very respectfully, your most obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

No. 41.]

*Mr. Yeaman to Mr Seward.*

LEGATION OF THE UNITED STATES,

*Copenhagen, November 13, 1866.*

SIR: Yesterday the first Danish Rigsraad under the new constitution was opened by the King—the two houses, the Landsting and the Folkething, meeting in joint session for that purpose. As the King and his ministers entered the hall the members rose and greeted his Majesty with nine cheers; they



remained standing while he read his opening speech, and greeted him with the same number of cheers as he retired.

I observed with surprise that of the members of the Folkething, a large number, possibly a majority, were laboring men. The fact of their being sturdy, industrious, domestic men, was quite apparent as they entered the hall, and I was so much struck by their appearance that I inquired if they were members, and was told they were, and that they were small farmers who worked their own land with their own hands; and my informant, himself a member for the city, added that many of them were good speakers. The proportion of such men is far greater than in the House of Representatives of the United States, and I think quite as large as I ever saw in a State legislature. This fact needs no comment to discover its healthy and hopeful indication. To my mind it was a most grateful spectacle, as an evidence of the ennobling tendency of constitutional government. You have observed, by the synopsis of the new Danish constitution which I have already furnished the department, how nearly universal suffrage is here.

To-day the minister of foreign affairs has kindly sent me a copy, printed in French, of the King's opening speech. It appears to be a fair and frank statement of the condition and prospects of Denmark, and supposing it a matter of interest to my own government. I have the honor herewith to enclose a translation.

Very respectfully, your most obedient servant,

GEORGE H. YEAMAN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

*Speech of the King of Denmark in opening the Rigsraad on the 12th day of November, 1866.*

To-day the Danish Rigsraad assembles for the first time after the definitive solution of the constitutional question. We will nourish the firm hope that its labors will bear such fruits for Denmark, and that, united in a common love of country, you will concentrate all your efforts towards a single end, that of consolidating the state and assuring its future, as well external as internal.

Our well-beloved daughter, the Princess Dagmar, has united herself by the ties of marriage with the heir of the throne of the Russian empire. The cordial sympathies which our daughter has received, as indelible proofs, in quitting Denmark, testify the lively part taken by our faithful people in the joy which that alliance has caused us, and we have a consolation in the midst of our regrets. We are convinced that our Rigsraad will vote with readiness the estimate that will be asked for on account of the outfit (trousseau) and dowry of our daughter.

Grave events have changed the political situation in the centre of Europe. Without having had to suffer the misfortune of war, Denmark has, however, been interested in these results. Prussia, at the same time that she has united north Germany under her direction, has engaged by the peace of Prague to retrocede to Denmark the north of Schleswig, if the people express a desire for it by a vote freely given. That clause has not yet been executed, but the terms of the treaty, and the natural character (principles) which have assumed the form of a European policy, are a guarantee to us that we will obtain equally the frontiers which are natural to our people and necessary for the security of our state. That is an end towards which, since the conclusion of the peace of Vienna, we have not ceased to turn our hopes, and the justice of which disinterested friendly powers have for a long time recognized, particularly the Emperor of the French, with a zeal that we profoundly appreciate. In reunion with the faithful Danes of north Schleswig, we see the accomplishment of an act of justice towards them and to the Danish nationality, and we hail it at the same time with joy as a pledge of the intention of our powerful neighbor to establish relations with Denmark upon the basis of a sincere and durable friendship.

The wars of late years have shown anew how much the independence of a state may depend upon the degree of development and solidity which it gives during peace to its means of defence. A new organization of the army and fleet, in harmony with the means of the country, is now also an urgent necessity for us, and a project of a law relative thereto will be presented as soon as possible to the Rigsraad when the commission appointed by us at the

commencement of this year shall have terminated their labors. It is not less important that our army be furnished with arms of a new construction, and answering to modern exigencies. We recommend especially to the attention of the Rigsraad the projects which will be submitted to it in regard to that matter.

Our settlement with the duchies (*liquidation*) has terminated in all that is essential. The financial situation of the country does not give occasion for any solicitude; but, on account of the extraordinary estimates which our government regarded as its imperious duty to ask for the defence of the country, there will be proposed means for augmenting the receipts of the state.

There will also be presented to the Rigsraad the project of an electoral law, which will deviate as little as possible from those which have been in vigor up to the present time, as well as several projects of laws having for their object the extension of the authority and independence of the communes.

For the realization of these plans we rely upon the energetic and enlightened co-operation of the Rigsraad. We pray the Almighty that he may bless your labors, and turn them to the profit of the country and of the people. Upon this we declare the ordinary session of the Rigsraad opened.

## SWEDEN AND NORWAY.

---

*Mr. Campbell to Mr. Seward.*

No. 35 ]

LEGATION OF THE UNITED STATES,  
*Stockholm, December, 13, 1865.*

SIR: The project of reform submitted by the King of Sweden and Norway to the Swedish Diet, a copy of which I had the honor to enclose with my despatch No. 31, of the 15th ultimo, has been adopted by that body. In an apparent minority at the commencement of the session, it gained advocates from the earnestness of the King and ministry as well as from the beneficent character of the measure itself, as discussion unfolded its merits.

In the house of peasants the vote was by acclamation, and was unanimously in favor of the proposition. In the house of burghers the vote was sixty for to five against the measure.

The opposition in the house of clergy withdrew, and those who remained voted for the proposed reform. In the house of nobles the debate on the bill was animated and able. It continued for several days, some sixty members having participated in the discussion. The Swedes (in general more apathetic than mercurial) were deeply interested in the results. Threats of revolution were freely made in case of the failure of the bill. Additional troops were stationed in and near Stockholm, and every precaution taken against popular violence. Some little turbulence was manifested. On the seventh instant the vote was taken in the house of nobles. Three hundred and sixty-one members voted for the reform, and two hundred and ninety-four recorded their votes against it. It was now the organic law of this land.

Thus has the Swedish Diet been consolidated into two houses, the electoral franchise been extended, and hereditary rights and customs have given way to more equal and popular representation, closely assimilated to our own national legislative system. An ancient nobility have voluntarily surrendered the last of their privileges for the good of their country, and before the practical and moral pressure of the age. Let it be written to the honor of the Swedes that this radical change has been effected under a monarchical form of government without violence or constraint of any kind. Who shall say that the great example of our own beneficent institutions has not had much to do with this and other liberal efforts in various directions.

In an interview with Count Manderström yesterday, I took occasion to congratulate him on the success of the reform bill. He remarked that he expected to be cordially congratulated on the adoption of so liberal a measure by the representative of the United States of America. It is due to that distinguished statesman to add that he gave to the bill his earnest support in the house of nobles, of which he is a member.

I have the honor to be your obedient servant,

JAMES H. CAMPBELL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Campbell to Mr. Seward.*

No. 37.]

LEGATION OF THE UNITED STATES,

*Stockholm, January 15, 1866.*

SIR: I had the honor to receive your several despatches, No. 21, of the 27th of November last, No. 22, of the 4th of December, No. 23, of the 12th of December, and No. 24, of the same date.

In the absence of questions in which my government may be considered as directly interested, I propose to introduce a subject in this despatch which England and France regard as of decided moment to them.

The great want of Russia is a port free from ice all the year round, with secure anchorage and abundant space; one that can be amply fortified, and command the waters of the open sea. The deep inlets and land-locked arms of the Varanger Fjord, on the Norwegian coast, between the 68th and 69th degrees of north latitude, and bordering on Sweden, combine all these advantages. This Fjord contains several capacious harbors, capable of affording shelter to large fleets, and could be fortified so as to render approach from the sea very difficult, if not impracticable. The tepid waters of the gulf stream diffuse themselves along this coast, and fleets could put to sea at all seasons of the year. Russia by the treaty of 1809 obtained the tongue of land from Norway which envelops the greater part of Finmark, and carries the Russian boundary line within some seven miles (English) of the Fjord in question, and she regards the acquisition of its waters and bays as of the first importance. England and France, and more particularly the former, look upon the so-called encroachments of Russia towards the north sea with extreme jealousy; and not without reason, so long as the interests of the powers named may be regarded as antagonistical.

With the possession of secure harbors on the Norwegian coast, Russian armaments might at all seasons deliver blows on French and English ports and shipping, within a few hours, by aid of steam, after leaving their anchorage, or, as necessity might dictate, could find protection behind forts in dangerous proximity to her antagonists. Powerful by land, her rivals in Europe, by the means herein indicated, fear that Russia may become powerful by sea as well.

Recently it was currently reported that the King of Sweden and Norway was negotiating with Russia for the cession of a part of Norway, that would enable Russia to reach the coast, and would adjust the boundary line between the two countries. England and France took the alarm, and despatches were sent to their respective legations at this court to ascertain the truth or falsity of the report.

Count Manderström denied emphatically that any such negotiation was pending, or the probability that Sweden would enter into any such negotiation. Nor can we suppose that Sweden would violate treaty obligations with England on the subject, particularly to give to a powerful and dreaded neighbor marine and other advantages of so much importance.

Conflicts growing out of alleged encroachments on the fisheries of Norway by Russian subjects on the one hand, and on the Russian territory by Swedish subjects on the other, have occurred. Fifteen years ago the Norwegian government drove away the Russian fishermen who occupied the meridional shores of the Varanger Fjord, in order to fish in Norwegian waters. By way of reprisal, the government of St. Petersburg issued orders forbidding the Swedish Laps to cross or enter the Russian territory while driving their herds of reindeer to the seacoast. These orders were not considered strictly in accordance with the convention of 1809. Yet the cabinets of Christiania and Stockholm, anxious to avoid any controversy with Russia, promised acquiescence, and issued orders accordingly. But a nomadic population, caring little about boundary lines, wandered with their herds where pasture and salt water could be found, and generally by the shortest route from point to point.

In 1863, Russia again addressed complaints to Sweden on the subject, and in consequence fresh instructions were issued by the Swedish government, and an inquiry was instituted, and a commission met at Contekis, at which Swedish, Norwegian, and Finnish Laps were examined.

The result proved that the Russian and Swedish governments had similar causes of complaint, in regard to incursions of their respective subjects on one another's territory, and the commission were at a loss to know how to get rid of the difficulty, considering very justly that the restrictions placed upon the pastoral movements of the herds and their owners were the cause of all the trouble, and that this cause would continue unless some arrangement could be made.

Thus matters stand at present. No arrangement has been arrived at—no adjustment made. We may safely conclude that Russia will make no terms that shall conduce to exclude the long cherished desire to reach the open sea, nor is it improbable that she will at an opportune moment seek to secure the coveted waters of the Varanger Fjord. There is no point in all Russia's supposed or actual expansion watched with more jealous care by England and France than her progress towards the sea on the coast of Norway.

I have the honor to be, with great respect, your obedient servant,

JAMES H. CAMPBELL.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Campbell to Mr. Seward.*

No. 45.]

LEGATION OF THE UNITED STATES,

*Stockholm, July 18, 1866.*

SIR: The Scandinavian countries of Sweden, Norway, Denmark and Finland have combined in an industrial exhibition, at Stockholm, of their respective productions in art and industry. They have succeeded to an extent that must be gratifying to themselves, as it is certainly surprising to most foreigners who have visited the exhibition. The buildings cover a large area, and combine strength and capacity with architectural beauty and lightness. From the central platform is seen a beautiful cascade in stucco, modeled by Molen, an eminent artist, and well known for his group of "The Wrestlers."

The arrangement displays much good taste. The whole exhibition has been under the general direction of Prince Oscar, who may well be considered, where progress in art and improvement is concerned, the first man in Sweden.

The articles on exhibition of iron and steel cannot be surpassed. In jewelry and porcelain, in furniture and cotton goods, the display is quite creditable. A substantial marine engine for a *third* Swedish monitor occupies a conspicuous position, while sewing machines, and implements of agriculture from American models, abound. Cigars from Swedish tobacco—for tobacco to a limited extent is cultivated in Sweden (although its quality cannot be recommended)—can be found here. Various articles made from Swedish porphyry are exceedingly beautiful, while furs of all descriptions, tastefully made up and moderate in price, are to be seen in this exhibition. The project has been well conceived and fairly sustained throughout.

Committees have been appointed to select specimens from the best articles in the various branches of manufacture, &c., for the purpose of placing them on exhibition in the Parisian fair of next year. I will take occasion to forward to the department copies of the general reports when they shall appear in print. A number of our countrymen have witnessed the exhibition. The war in

Germany has driven them from the usual routes of summer travel, and they have come north in unusual numbers. From this point they generally go to St. Petersburg and Moscow. Some cases of cholera have occurred at St. Petersburg, as well as this place, but not of a malignant type.

I have the honor to be, with great respect, your obedient servant,  
**JAMES H. CAMPBELL.**

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Campbell to Mr. Seward.*

No. 48.]

LEGATION OF THE UNITED STATES,  
*Stockholm, October 1, 1866.*

SIR: The United States squadron, composed of the double-turreted monitor Miantonomoh and steamship Augusta, under command of Captain Alexander Murray, senior officer, and having the honorable G. V. Fox, Assistant Secretary of the Navy, on board, reached its anchorage in the port of Stockholm before noon on the eighteenth ultimo. A boat was sent off for the consul of the United States, A. W. Frestadius, jr., who went on board, and received the consul's salute. Honorable G. V. Fox and Captain Murray then called at this legation, where I was pleased to receive my countrymen. We then paid our respects to Admiral Lilliehook, commanding this naval department, and subsequently called upon Count Manderström, the Swedish minister of state and foreign affairs, who received us in the most cordial manner. He remarked to me, in the course of the interview, that the reception of Mr. Fox and the American officers might "not be on so grand a scale as their Russian ovation, but that it would be none the less cordial." He informed us that the King would be at Upsala at the opening of the railroad connecting Stockholm with that place, on the following Thursday and Friday, but that upon his return he would be pleased to receive the American visitors, and he requested me to furnish him with the names and rank of those who desired presentation. I furnished Count Manderström with the names and rank of officers as requested, and at the same time intimated that the officers of the squadron would be gratified if the King and members of the royal family would visit the Miantonomoh.

We then called upon Count Platen, minister of marine, and upon M. Daschkow, the Russian minister at this court.

On the 19th ultimo I visited the vessels and received the usual salute, while Mr. Fox and some of the officers examined the Scandinavian industrial exhibition, including guns, metals and manufactures, as well as places of interest in the neighborhood.

On the 20th ultimo Mr. Fox, Captain Murray, Commander Beaumont, and several officers of the fleet, as well as Consul Frestadius and myself, availed ourselves of the invitation of Admiral Lilliehook, Captain Addlespavre, and a number of Swedish naval officers, to proceed by steamer up the Mälär lake to Shoklosten, one of the most ancient and interesting chateaus in Sweden. The company dined on board the steamer. The most friendly sentiments were exchanged, and the bonds of good feeling between American and Swedish officers strengthened.

On the 21st ultimo I received a note from Count Manderström, of which enclosure No. 1 is a copy, and on the same day, after partaking of a delightful collation with the Swedish and American naval officers at consul Frestadius', Mr. Fox, the commanders of the vessels, and others were dined by the Russian minister.

On the 22d ultimo, according to appointment, I had the pleasure to present

the Assistant Secretary of the Navy, as well as Captain Murray and Commande<sup>r</sup> Beaumont, to the King, at his palace in Stockholm. The reception was friendly and free from ceremony. The King expressed his gratification at seeing American officers in Sweden, and asked Mr. Fox questions in relation to the vessels, at the same time expressing his intention of visiting them. The interview made a favorable impression on the minds of the visitors.

At three o'clock p. m. of the same day, his Majesty, with the Crown Prince Oscar, the minister of marine and officials of his household, went on board the *Augusta*, and received the royal salute. He then proceeded with his suite to the *Miantonomoh*, and examined that vessel somewhat in detail. He conversed freely with the officers, gave one sailor some money for his family, and left, expressing himself gratified with his visit. Mr. Fox and the commanders of the vessels were on board to receive the King, and every mark of attention and respect was shown the distinguished party.

After the King had left the *Miantonomoh*, the diplomatic corps accredited to Sweden, on my invitation visited that vessel. The ministers of Prussia, France, Austria, Italy, &c., &c., with their secretaries and consuls, were received on board by Commander Beaumont and his subordinates, and every facility afforded for the inspection of an iron-clad of which Europe had heard so much.

On the same day at a subsequent hour I had the honor to dine the Swedish and American naval officers, as well as the diplomatic corps, the leading officials of the Swedish government, including Count Manderström, Count Platen and others. The health of the King of Sweden and Norway was proposed by me, and in reply Count Manderström gave the health of the President of the United States. He prefaced his toast by an allusion to the fact that Sweden had formed a treaty with the United States as early as the 3rd of April, 1783, and said we had been good friends ever since; "And now," he observed, "there is not a cloud on our political horizon." Count Manderström further spoke of Mr. Fox as a gentleman to whom Sweden was indebted for much valuable information on naval matters, as well as for courtesy to her officers, and was kind enough to say of the American minister that his influence had always been exerted to increase friendly relations between the respective governments and peoples of the two countries. Mr. Fox in reply reciprocated the friendly sentiments expressed by Count Manderström, and said the Swedes were welcome in America, where they formed a valuable portion of the population. He also paid a merited tribute to John Ericsson. As the diplomatic corps were present, I subsequently gave the health of friendly sovereigns, peoples, and governments, and said that the mission of my country was peace and progress, where these could be secured with justice and honor. Nothing transpired to mar the good feeling that prevailed among the guests.

On the 23d ultimo, Mr. Fox, Captain Murray, Commanders Beaumont and Cornwell, Lieutenant Commanders Pritchett and Stuyvesant, Dr. Scofield, and the American minister dined with the King at the palace of Ulriksdal. The Queen Louisa, Prince Oscar, Count Manderström, and Count Platen were present. The entertainment was marked by kindness and affability. Captain Murray had concluded to sail on the following day, but the King urged him to remain until Wednesday, to afford the Queen dowager Josephine, the mother of the present sovereign, an opportunity to entertain the American visitors; the King was urgent, and Captain Murray consented.

On Monday, the 24th September, Count Platen dined Mr. Fox and the Americans, as well as several distinguished Swedes. He proposed the health of Mr. Fox, and spoke of that gentleman in high terms for information the government of Sweden had derived from him, or through his instrumentality, and said he was pleased to have an opportunity to thank him at his own table, &c., &c.

On Tuesday the American officers, including Captain Murray, Commanders Beaumont and Cornwell, Mr. Fox, the American minister, as well as Count

Platen and Admiral Lilliehook, and accompanied by the King and Prince Oscar, went by steamer up the Mälär lake to the palace of Drottningholm, one of the most beautifully located and interesting palaces of Europe. The visitors were received in the most friendly and courtly manner by Queen Josephine, the King, and all the members of the royal family, nor was anything omitted in the reception, the sumptuous repast, the examination of paintings and works of art, the drive through the beautiful grounds of the palace, the friendly and general conversation that followed, to assure the guests that it was a pleasure to see and entertain them.

On Wednesday, the 26th ultimo, a dense fog prevented the squadron from sailing, but they got away early on the morning of the 27th of September, the Swedish naval department sending a gunboat to escort them out to sea.

It is but just to Consul Frestadius to say that he was unfailing in his attentions to officers and men, and that he placed a small steamer with hands and fuel at the disposal of the officers of the squadron during the whole period of the visit.

Every reasonable facility was politely afforded by Commander Beaumont for the examination of the Miantonomoh, and thousands of persons visited her daily. Her coming has been of service to my country, by impressing foreigners with the mechanical skill, enterprise, power, and resources of the people of the United States, while the intelligence, courteous bearing, and kindness of Mr. Fox, Captain Murray, and the officers generally, has made friends for America.

Mr. Fox did me the honor to make my house his home during his visit to Stockholm.

I have the honor to be your obedient servant,

JAMES H. CAMPBELL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Count Mandeström to Mr. Campbell.*

UPSALA, September 19, 1866.

DEAR SIR: I have taken the orders of the King, and his Majesty has been pleased to tell me that he wished you would present to him Mr. Fox, as well as the commanders of the two vessels of the United States, on Saturday next, the 22d instant, at 11 o'clock a. m., at his private rooms at the palace of Stockholm.

I think it well to tell you that the intention of his Majesty is to visit the Miantonomoh on Saturday at 3 o'clock p. m., and to see on Sunday at dinner the American officers you can choose to present to his Majesty, and of whom you have kindly promised to give me a list on my return to Stockholm on Friday.

Yours, most truly,

MANDERSTRÖM.

---

*Mr. Seward to Mr. Campbell.*

No. 35.]

DEPARTMENT OF STATE,

*Washington, October 23, 1866.*

SIR: I have received your despatch of the 1st instant, No. 48, in which you have given a detailed and interesting account of the late visit to Stockholm of the United States squadron, composed of the double turreted monitor Miantonomoh and steamship Augusta, under command of Captain Alexander Murray. Your proceedings on the occasion are entirely approved, and it is very gratifying to know that the officers of the fleet were received with such marked attention and courtesy by his Majesty and the authorities of Sweden.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES H. CAMPBELL, Esq., &c., &c., &c.



## SWITZERLAND.

---

*Mr. Harrington to Mr. Seward.*

No. 7.]

UNITED STATES LEGATION,  
*Berne, February 17, 1866.*

SIR: I have the honor to transmit herewith copy of a communication addressed to me by Mr. J. Allemann, the president, and Mr. Charles Beck, the secretary of a Swiss society of emigration located in Berne, formed for the laudable purpose of facilitating the movements of such worthy persons as may desire to emigrate to the United States, but who are without the means necessary for that purpose.

It will be perceived that the communication embraces two distinct propositions, the first, to enter into direct communication with the government of the United States, or with its officer the Commissioner of Immigration; and second, to obtain from the government a repayment, in part at least, of the passage money of such emigrants as may emigrate under the auspices of that society.

I transmit also copy of my reply thereto, which I trust will meet the approval of the department.

The spirit of emigration is rife throughout Switzerland, and the passports which I am daily called upon to verify indicate that a very substantial class of Swiss are seeking homes in the United States. There are many others, skilled artisans and agricultural laborers, robust, and of sober, industrious habits, who are restrained for want of the necessary means to defray the expenses of the voyage, and it is to this class that the society making the communication has reference, and whom it is their desire to aid.

I have observed in the newspapers, and have been otherwise unofficially informed, that societies have been or are being formed for the development of the resources of the country, both agricultural and mineral, by the aid of foreign labor sought and contracted for in the country of their nativity, such societies advancing in whole or in part the expenses of the passage, to be repaid by the labor of the emigrant after arrival, as contemplated by the act of July 4, 1864.

I have frequent applications for assistance or for the course of procedure to obtain assistance for emigrants, to which I can only reply that the country is open to all industrious persons desiring and able to reach our shores.

As indicated in the conclusion of my reply, I should be glad to receive from the department, or, with its sanction, from the Commissioner of Immigration, any regulations issued by him under the act of July 4, 1864, and any other information that will enable me more effectually to co-operate with the society referred to, or any other responsible parties that may hereafter apply to me for information or direction.

I take this occasion to acknowledge, under cover of despatch No. 6, the receipt of my commission, by and with the advice and consent of the Senate, for which I beg you to receive and to convey to the President my profound thanks.

I have the honor to be, with the highest respect, your obedient servant,  
GEORGE HARRINGTON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*The president and the secretary of the Swiss Society of Emigration to Mr. Harrington.*

BERNE, February 2, 1866.

SIR: A Swiss society of emigration has been founded, a few months ago, with the purpose of creating a link between the persons who take an interest in the questions relating to emigration and colonization, and in order to enhance, by working together, the influence they may exert in the way of protecting and instructing the emigrant.

The society has no other aim than to promote the interest of the Swiss emigrants: and, with a view to this object, the undersigned committee desires to enter into a direct connection with the government of the United States, or with the office appointed by the same for immigration matters, in order to receive from this authentic source every possible information concerning the advantages which the government is disposed to confer upon immigrants, either by grants of land or in any other shape.

The experience of many years shows that the emigration agents are constantly applied to by parties whose means prove, upon examination, to be insufficient to pay their voyage, and who are, therefore, obliged to give up their project, which is to be regretted not only on their own account, but also on that of the country to which they wished to go, and where immigration is desired. It seems, accordingly, desirable to find a way of removing this impediment.

We are aware that the notion of rendering emigration possible to moneyless persons inspires the American authorities with terror at the thought of being overflowed by a crowd of disabled and degenerate paupers who are a burden to their native land, of which the latter seeks to deliver itself by shifting it upon other shoulders. Therefore, we deem it necessary to declare at once that we have no such intention. We desire to bestow upon the New World only such elements as will be a real gain to the same, being fully able not only to earn their livelihood, but even to elevate themselves gradually into comparative wealth by their labor and industry. But these very people are frequently withheld, by want of the necessary passage money, from seeking beyond the seas the field of activity which is denied them by their own country, and this is the class of emigrants whom we desire to be able to assist. There are others, also, who can with difficulty bring together the cost of their voyage, but who find themselves in a sad and helpless position when they arrive at New York.

In consequence, we take the liberty of putting the question whether, and under what conditions, the government of the United States would consent to *repay such persons or families as would be especially recommended for that purpose by the Swiss Society of Emigration a part of their passage money on their landing*, or to assist in some other way those who are entirely destitute, either by a grant of land or by supplying them with some requisites for their settlement.

We feel assured that a measure of this kind, being submitted to our careful control, would produce most satisfactory results.

And hoping to be favored with an answer complying with our request, we have the honor to be, with deep respect and particular esteem, your excellency's most obedient, humble servants,

THE COMMITTEE OF THE SWISS SOCIETY OF EMIGRATION:

I. ALLEMANN, *President.*

CHARLES BECK, *Secretary.*

*Mr. Harrington's reply to the above.*

LEGATION OF UNITED STATES OF AMERICA,  
Berne, February 15, 1866.

GENTLEMEN: I have received your communication informing me of the formation of a Swiss society of emigration, having for its object "to enter into direct connection with the government of the United States, or with the office appointed by the same for immigration matters, in order to receive from this authentic source every possible information concerning the advantages which the government is disposed to confer upon immigrants, either by grants of land or in any other shape."

You further state that it is the desire of the society "to bestow upon the New World only such elements as will be a real gain to the same, being fully able not only to earn their livelihood, but even to elevate themselves gradually into comparative wealth by their labor and industry."

And, finally, you submit to me the direct question: "Whether, and under what conditions, the government of the United States would consent to repay, to such persons or families as would be specially recommended for that purpose by the Swiss Society of Emigration, a part of their passage money on their landing, or to assist in some other way those who are entirely destitute, either by a grant of land or by supplying them with some requisites for their settlement."

The high character of the officers of your association is a sufficient guarantee that the persons who may emigrate to the United States under the auspices of the society will be of a class capable of fulfilling all that is asserted in their behalf; and to all such the United States not only extends a cordial welcome, but permits them, on their compliance with the requirements of law in relation thereto, simple in form and inexpensive, to enjoy, within a limited period, the full rights of citizenship.

As a further encouragement to the emigration of the surplus worthy labor of the Old World, (paupers, as such, and criminals not being received,) the government of the United States, by authority of the national Congress, offers free homesteads, from its unoccupied and unappropriated public domain, under such liberal conditions as to place them within reach of all.

The beneficence of the government meets the emigrant immediately upon his arrival within the United States, an officer of the Bureau of Immigration holding himself in readiness at all times to furnish such information and facilities as will protect him from fraud and enable him to proceed in the cheapest and most expeditious manner to his place of destination. This protection and information is provided free of cost to the emigrant, but the law presupposes that he will have been already supplied with the means for his support and transportation, inasmuch as the government assumes no expenses whatever upon his account. And as a reply to your direct question, I will add that the government of the United States, being emphatically a government of law, is dependent upon the action of the law-making power, *i. e.*, the national Congress, in all that appertains to the levying, collection and disbursement of the public moneys, and cannot withdraw one dollar from the public treasury without the previously enacted authority of the Congress; and, as no appropriation of moneys for the purpose indicated by you has been made by Congress, it necessarily follows that *the government has none applicable thereto.*

Immigration must be voluntary, and if immediate and direct assistance is required, such must come through the medium of private societies and private parties, and not from the government.

Assuming that private enterprise would seek the skilled labor of Europe, our laws declare that any contracts made by emigrants prior to their arrival in the United States, whereby such emigrants may have pledged their wages of labor to repay the expenses of their immigration, advanced by or in behalf of the party making the contract, shall be held to be valid in law, and may be enforced in the courts of the United States, provided such contracts shall be in conformity to regulations that may be established by the commissioners of immigration.

In relation to these regulations I am unable at this time to inform you, but will address myself to the proper officer of my government for such information in relation thereto, and upon the subject generally, as he may think proper to communicate. On receipt of which it will be my pleasure again to address you.

I have the honor to be, very respectfully,

GEORGE HARRINGTON.

*Mr. Harrington to Mr. Seward.*

[Extract.]

No. 9.]

LEGATION OF THE UNITED STATES,  
*Berne, May 23, 1866.*

SIR: I have the honor to transmit herewith copy of note bearing date the 16th instant, from his excellency Mr. Knüsel, the President of the Swiss Confederation, renewing, in the name of the high federal council, the invitation of the Swiss government to the United States to become a party to the convention concluded by the International Congress of Geneva, of August, 1864, for the amelioration of the sufferings of soldiers wounded on the field of battle.

A copy of their original invitation, bearing date the 16th November, 1864, as also copies of the proceedings of the congress, of the convention as proposed, and of the convention actually concluded and agreed upon, with other papers, were transmitted from this legation on the 26th of November, 1864, (despatch No. 76.) and on the 7th of February, 1865, (No. 81.)

It will be perceived, from the papers herewith, that, in addition to the governments represented at the congress of Geneva, the following have given their adherence to the convention, under the invitation extended to them by virtue of article 9, viz: Sweden, Greece, Great Britain, Mecklenburg Schwerin, and Turkey. Of all the principal powers, neither Russia nor Austria appear to have accepted the convention.

\* \* \* \*

I have presumed that more authentic information than any I could give in relation to the threatened war would be communicated by our representatives near the several governments—parties principal to the impending conflict—and have therefore refrained from expressing what, at best, must be only deductions resulting from conversations with my colleagues.

Notwithstanding the members of the Swiss government, as well as the diplomatic corps generally, believe war to be inevitable, I have been reluctant to adopt that opinion in view of the exhausted financial condition of Austria and Italy. The Austrians have expressed themselves as anxiously fearful, the Italians as anxiously hopeful, of war; but war once declared, no one appears to have had the hardihood to predict results. Switzerland, having obtained from all the powers an acknowledgment of her neutrality, confines herself to measures necessary to prevent its infringement by any detachments of one army or the other.

A point of interest is the independent declaration of the several powers, coupled with the proviso of reciprocity, that private lawful commerce of the other belligerents shall be free from capture; and I have noticed, with some pride, that the admiral commander-in-chief of the Italian navy has selected the American-built iron-clad *Ré d'Italia* as his flag-ship.

I have the honor to be, very respectfully, your obedient servant,

GEORGE HARRINGTON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

BERNE, *May 16, 1866.*

In the interest, strictly humanitarian, of mitigating as much as possible the evils of war, deliberations were had at Geneva, in 1864, by delegates from a number of European and transatlantic states on the question of learning how the condition of wounded soldiers of armies actually in the field could be ameliorated in a lasting manner. As the final result of those deliberations we must regard the convention of Geneva, of April 22, 1864, which the Swiss federal council, to which the direction of affairs in relation to it had been confided, has had the honor to bring to the knowledge of the governments of the states interested therein, under date of November 14, 1864, while the greater portion of those states have since taken occasion to announce their adhesion, in the manner hoped for, to the convention above mentioned.

It would, however, be idle to dissemble the desire that the acceptance of the convention should be as general as possible, considering that it cannot be misunderstood as the expression of a grand reception, and that it appears also practicable in execution without any notable difficulty.

The federal council, therefore, believes that it satisfies its own want, as also that of committees existent in various countries for the progress of this philanthropic convention, in permitting itself respectfully to inquire if the minister of foreign affairs of the United States of America might not yet be induced to give a supplemental adherence to the convention of Geneva of August 22, 1864.

The federal council seizes with eagerness this occasion to renew to Mr. G. Harrington the assurances of its high consideration.

In the name of the federal council:

J. M. KNUSEL,  
*President of the Confederation.*  
SCHIESS,  
*Chancellor of the Confederation.*

*Mr. Harrington to Mr. Seward.*

No. 16.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Berne, November 3, 1866.*

SIR: The cattle plague having appeared in Switzerland, and having been completely exterminated within the space of twenty-three days, I have thought

it my duty to report to you the measures adopted, and so rigorously and successfully applied, by the Swiss authorities to accomplish that result.

In anticipation of the disease reaching Switzerland, the first step taken was to obtain, by means of special commissioners and otherwise, from the countries where the disease prevailed, precise information as to its character, the modes of treatment, and the results of such treatment.

Scientific and practical men were then called to a conference with the chief of the federal department of the interior, (Dr. Schenk,) the department having cognizance of the subject, and to whom was submitted all the information previously obtained by that department.

That information conclusively showed that "all attempts at cures heretofore made in other countries had the great disadvantage that, while they were being made, the speedy suppression of the disease, by the extirpation of the contagion, had been neglected. England and Holland have now been suffering for sixteen months from the consequences of such mistake."

The chief of the department therefore unhesitatingly decided:

1. That all attempts at cures would be worse than folly.
2. That it might be equally fatal to confine the agents appointed to act in the premises to any prescribed rules of action, thereby involving the possibility of delay for appeals to the department; and he therefore determined:
3. To give them full authority to act as, in their judgment, circumstances should demand, after expressing to them, orally, his opinion that, should the plague develop itself in any one or more of a drove or stable of cattle, the whole drove or stable should be forthwith slaughtered and buried, and the premises thoroughly disinfected.

It was made incumbent upon all persons owning or having cattle in their possession promptly to report to the nearest authorities upon the appearance of any symptoms of disease whatever such cattle, or any of them, might develop, that the character of the disease might be determined, after immediate inspection, by a veterinary surgeon; compensation to follow any loss occasioned by the execution of the orders of the authorities. Any neglect, or even delay, in making such report, involved not only a forfeiture of compensation, but rendered the delinquent liable to fine and imprisonment.

Professor Zangger was appointed the agent to carry out the views of the government, in case the pest appeared in Switzerland.

I transmit printed copy of Professor Zangger's report, (with translation,) by which it will be seen that the disease reached Switzerland and first declared itself on the 20th September, and that the last case is reported as occurring on the 13th October, with a total loss of only seventy-four animals, of which thirty-four had the disease, forty healthy having been slaughtered in consequence of association.

In a letter to the department, transmitting his report, Professor Zangger says: "We therefore desisted from all attempts at cures, and employed all our energy towards the extermination of the disease—that is, to the slaughtering of the infected, or of the animals suspected to be infected. We destroyed or buried all objects that had been soiled by contamination with refuse from the diseased; and where this could not be done, we proceeded to disinfection according to scientific principles. Until the complete purification of a stable, a place, or region, all intercourse was rigorously prohibited."

Up to the date of this despatch there have been no other cases, and the embargo to the egress of any cattle whatsoever from the infected districts into the surrounding communes and cantons, which was immediately decreed on the appearance of the plague, has, by order of the federal council, been abolished.

I have the honor to be, sir, your obedient servant,

GEORGE HARRINGTON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

*Report addressed to the federal department of the interior, by Professor Zangger, commissary special, at the appearance of the cattle plague, dated October 15, 1866.*

SIR: I have the honor to present to you a circumstantial report upon the state and the progress of the cattle plague:

1. The disease, as is known, has been introduced by a drove of cattle which, after having been purchased at the market of St. Marx, in Vienna, had been transported by the Salzburg-Munich-Augsburg railway to Schlachters, near Gindaw, and from thence driven to Bregenz. The drove consisted of thirty-two head, twenty of which belonged to a cattle dealer, Mr. Herrlemann, at Bregenz, and twelve to a butcher, Mr. Heinzle, at Gázis. In Vienna an agent had been charged with the conveyance of the cattle to a public special stable and to procure a certificate of health. The certificate comes from a veterinary surgeon named Muller, deserving but little trust, and does not present any official character. At Salzburg, according to the statement of the owners, the drove should have been examined and verified, but there is no mention of such proceeding on the certificate of health, and Professor Schumacher, at Salzburg, declares, in the official gazette of Augsburg, that the visitation and verification of the said drove are not inscribed in the registers. The twelve oxen belonging to Heinzle were placed in a separate wagon, and the twenty oxen belonging to Herrlemann in two other wagons. The first mentioned were destined for the slaughter-houses of Gázis and its neighborhood, and there is nothing known of the cattle plague having been introduced by them. As to Herrlemann's twenty oxen they have introduced the disease at Bregenz, Dornbirn, and Hohen-ems into the Vorarlberg, and from thence into Switzerland.

At the examination to which Herrlemann has been submitted at Bregenz, he declared he had sold eleven oxen destined for Switzerland. Now, according to the information taken, it has been confirmed that up to this day only three importations, of eight head of cattle, have taken place. Four head have passed the Rhine at St. Margareth on the 6th of September, and were immediately sent to St. Gall, where the butcher, Stadelmann, received them on the 7th of September in order to conduct them to Ganggrass, where they were slaughtered on the 8th, 10th, and 12th of September. Three head have passed the Rhine on the 11th of September at the same place; these animals having been transported to Au, there passed the night from the 11th to the 12th of September in the public stable of Mr. Zoller, at the vessel (Zum Schiff) at Au, from whence they were sent by railway to Coire the 12th of September. There they remained from 10½ till 11 o'clock in the stable Gur Glocke, where the butcher, Walser Son, brought them and had them immediately conducted to his stable, near his slaughter-house. One of them died on the 14th of September, and the two remaining were immediately slaughtered. One ox, who could hardly walk, has passed the Rhine on the 15th, having been transported by railway to the market of St. Gall. He was there purchased by Jacob Stadelmann, brother of the aforementioned, who slaughtered him somewhat later at St. Fiden.

2. The central points of contagion have formed themselves at Au, at Coire, and in the vicinity of St. Gall.

(a.) At Au, on the 22d or 23d of September—then about ten days after the placing of Herrlemann's oxen in the stable of the inn-keeper, Zum Schiff—at a considerable distance from the public stable, one cow fell sick. She was treated by the veterinary surgeon, Zoller, and killed in the night of the 26th in the barn of the veterinarian. The inn-keeper, Zoller, had one cow more, and having purchased another, he placed her at the side of the latter—three cases. On the 2d of October they were both killed as diseased. From the 3d to the 4th of October one sick ox, and on the 5th one cow, were brought to the veterinarian Zoller, and on the same day both were killed, together with a calf six weeks old, and a goat which had been in the same stable—four cases.

On the 26th September the veterinarian Zoller was called to the stable of the inn Zum Schiff for the delivrance of a cow at I. Mezler's, at Kobel, commune of Berneck. The cow then in treatment by Zoller had to be killed, and on the 11th October the only one cow remaining to Mezler succumbed to the cattle plague.

On the eve of the day before a new case was signaled at Jean Torgler's, hunter at Hasli-Au, a case the connection of which with the others remains to be confirmed.

Up to this day the losses sustained at Au and at Berneck amount to about ten head, among them one goat.

(b.) At Coire, in the vicinity of the stable of the butcher Walser, who kept the three oxen of Herrlemann, one cow was attacked in the stable of the father of Walser, who himself took care of the diseased animals of his son. She was killed on the 23d September.

The carrier Buol is the neighbor next to the stable of the son Walser. On the 20th September an ox belonging to the former fell sick, and was treated by the veterinarian as afflicted with "catarrhe gastrointestinal," and killed on the 23d. Already in the evening of the same day an ox fell sick. After having examined and dissected him I declared him to have been afflicted with the cattle plague.

On the 26th September the ox belonging to the knacker Salvator, employed on the 14th

and 15th for transporting to the flaying ground the ox which had died at Mr. Walser's, fell sick in the last stadium of the disease and was killed.

On the 27th September the following stables have been voided :

Walser, son, stable No. 1—two sound animals and one diseased.

The same stable, No. 2—one diseased animal.

Walser, father—two sound animals and six diseased.

Buol, carrier—five sound animals.

Felix Vanescheu, who had put to the vehicle (on the 24th) the diseased ox of Buol—one sound animal.

Total killed—ten sound animals and eight diseased.

On the 24th September a woman Baur went with seven cows, one calf and one sheep from Coire to the pasture-ground of Campodels, and met on the way the then probably diseased ox of the knacker.

On the 2d October the cow was taken ill. She was killed.

On the 3d October the remaining cattle were killed.

The contagion has thus caused to be killed at Coire five diseased heifers before the plague was ascertained; eleven ditto after the plague was ascertained—total, sixteen.

There were also killed seventeen sound head of cattle and one sheep.

Total killed—thirty-four animals.

It is to be hoped that the losses at Coire will be confined to this amount. At noon to-day the visitation of all the cattle begins. If the result is favorable we shall maintain the ban for three weeks longer, and if, during that interval, no new case appears, and another inspection shows that all the cattle are sound, the extraordinary measures may be removed.

In the Canton of St. Gall, at Gurkasenmühle, commune of Talbat, there were on the 29th September one cow and two heifers, the former belonging to the miller Egger, the two latter to a butcher, Wild, at St. Gall. These three animals were taken ill of the plague. One of the heifers died in the morning of the 30th September. All these three were put out of the way.

All that is known of the introduction of the contagion into this stable is that the butchers F. and I. Stadelmann have, until the 27th of September, kept there the oxen which they had purchased on the 24th August from the said Herrlemann. Now admitting that these animals, which were not among the infected drove, have not brought the contagion, it is a fact that Stadelmann has frequently and directly gone to the cattle kept in the mill after he had left the oxen diseased with the plague.

On the 3d October a certain Zweifel, farmer at Notkersegg, near St. Gall, had one cow taken ill. She was immediately isolated from the other five animals of the stable, killed on the 6th October, and the *post mortem* examination confirmed the diagnostic of the cattle plague.

On the 9th October two animals of the same stable were taken ill. On the 9th and 10th all five were buried.

Zweifel possesses in the same barn another stable with fifteen cows. On the 10th one cow was taken ill, and on the night of 11th to the 12th October she was buried by order of the authorities, together with the fourteen sound cows. In the vicinity Zweifel possesses another stable, safe up to this day, containing ten heifers.

Quite near the farm of Zweifel there is an estate called Zum Bogen, belonging to the Monastery of Notkersegg, with five head of cattle in one stable. On the 7th October a heifer was taken ill and died in the night of the 8th to the 9th. It was diseased with the plague. After that two other animals were taken ill, and on the 13th October the stable was voided.

The monastery possesses in the vicinity another stable with nine heifers.

The loss sustained in the vicinity of St. Gall amounts, therefore, to ten diseased heifers and twenty sound ones. Of the former two have died. Total loss near St. Gall, thirty head.

The contagion seems to have been brought to Notkersegg by the first ill cow of Zweifel, which had been driven five or six days before (28th or 29th September) to the town of St. Gall, and had remained a certain time on the public highway. It has not yet been ascertained with certainty as to where she had been infected.

The total loss, in consequence of the cattle plague, up to this day, is the following :

(a.) At Au and Berneck, ten animals, of which eight are diseased.

(b.) At Coire, thirty-four animals, of which sixteen are diseased.

(c.) At St. Gall, thirty.

Total, seventy-four animals, of which thirty-four are diseased.

(All horned cattle except one sheep and one goat.)

# JAPAN.

---

*Mr. Portman to Mr. Seward.*

No. 67.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, December 5, 1865.*

SIR: In my despatch No. 66, of the 30th ultimo, I had the honor to inform you of the results of the negotiations in which I have lately been engaged in Osacca bay, in concert with the representatives of Great Britain, France, and the Netherlands; and in my despatch No. 64, covering copy of memorandum, (enclosure No. 1,) I submitted the reasons that induced me to unite with those representatives in carrying out the instructions that had been received from their respective governments. I trust you may have been pleased to approve of those reasons. The temporary transfer of the four legations to Osacca, with the full cognizance of the Tycoon's chief advisers, was so evidently an act of peace and good will towards this government and people, that I did not hesitate in co-operating in that measure, taking also into consideration that the instructions referred to being based on the convention of the 22d October, 1864, my absence on such occasion might prove embarrassing. Under any circumstances I knew, as stated in my despatch No. 64, of the 30th October, that a golden opportunity to place our political and commercial relations with Japan on an improved basis had presented itself; the opportunity should not be missed, and the results have justified my expectations. The squadron, consisting of nine vessels, did not sail on the 31st October, as intended, but one day later, and arrived at Hiogo early on the 4th November. The anchorage at Hiogo was preferred, not only for its excellence, but principally because it was deemed prudent not to approach nearer to Osacca until the state of affairs in that city, temporarily the seat of government and the headquarters of the Japanese army, could have been accurately ascertained. Officers of the legations proceeded to Osacca on that day, bearing four letters, announcing the arrival of the four legations, and also for the purpose of arranging the preliminaries for the proposed negotiations. It was stipulated that Abe Bungo no Kami, a member of the Gorogio, held in higher estimation than his colleagues, should be charged with the negotiations on behalf of the Tycoon; he was stated to be then at Kioto, in attendance upon the Tycoon, who, on that day, in an audience of great ceremony, received the Mikado's commands to march against Chorhu and suppress his rebellion. The arrival of the legations at this juncture, as anticipated, was most opportune, as it furnished the Tycoon with sound reasons for delaying his operations against Chorhu with an army imperfectly organized and partly mistrusted—a task of great difficulty, if not impossible of successful accomplishment, particularly in this season. It also enabled him to remain near Kioto to guard his interests, which might have been in jeopardy during his absence, from the intrigues of powerful Daimios, some of whom were strongly suspected of sympathizing with Chorhu, and others of coveting the high office of Tycoon of Japan. It was conjectured that the Tycoon's departure with his forces would be the signal for a palace revolution at Kioto, leading to serious disturbances, and eventually to civil war. The political condition of Japan at that moment, from all that could be learned, may be described without exaggeration as an imperfect state of civil war. A building for conferences, with



limited accommodation for residence, had been selected at Osacca; the preference, however, was given to Hiogo, and all the conferences were accordingly held on board the British flag-ship by the British minister, Netherlands political agent, and myself, at the close of each of which the Japanese ministers proceeded on board the *Guerriere*, when the same arguments were used by the French minister, who was prevented by indisposition from joining the conferences on board the British flag-ship. This mode of proceeding had the advantage of allowing time, for however brief a space, for considering such proposals as might be made; and also for additional suggestions, it might be desirable to tender during the conferences either on board the British or French flag-ships, between whom, on such occasions, communications were kept up without intermission. Copies of the minutes of two conferences were transmitted with my despatch No. 65, of the 18th ultimo. During the evening of the 11th, Abe Bungo no Kami sent a message to the effect that, in his opinion, there was no necessity for an interview on the following day; he had fully understood all that had been stated to him, and he would hasten to rejoin the Tycoon, and urge a prompt consideration of the proposals made. I may remark here, that before leaving Yedo I had ascertained that, under any circumstances, this government would prefer the payment of the three million indemnity in full to the opening of Hiogo and the city of Osacca on the 1st January next, as proposed, and hence, that the action of the Senate on the convention of the 22d October, 1864, could in no degree be affected by any subsequent action on the part of the Japanese government.

The second conference was held with Tatshibana Idsumi no Kami, a member of the Second Council, who came in place of Abe Bungo no Kami. From the minutes of that conference (enclosure No. 2 of despatch No. 65) you will have perceived that he made the important admission that the formal sanction of the treaties by the Mikado had become a vital question for the Tycoon, and that he would undoubtedly succeed in obtaining it. He stated that fifteen days were required for considering the proposals and framing the reply; ten days from that date, however, were only granted, as being deemed quite sufficient for that purpose. Communications from subordinate officials, such as the governor of Osacca, and others of that rank, were frequently received in the mean time, but those were considered of minor importance and of doubtful reliability. On the 20th, however, a report was received through the senior naval officer commanding some seven armed vessels at Hiogo, that the Mikado had actually asserted his sovereign rights by dismissing from office the Tycoon's minister, Abe Bungo no Kami, with whom the first interview had been held, for urging the sanctioning of the treaties. Matmai Josu no Kami, another member of the Gorogio, or Tycoon's minister, had also been dismissed for the same cause. The next step might be an attempt to dismiss the Tycoon himself. This Japanese commodore evidently believed the statement he had made. His seven vessels got up steam and sailed for other ports in the inland sea; it was thought not improbable that the Mikado might attempt to dismiss foreign intercourse in an equally summary manner, and require him to carry out such a decree with the naval force under his command. The report of the naval officer was corroborated by an official statement early on the next day. It was well known, fortunately, that the material power was in the hands of the Tycoon, and all that was requisite for the removal of complications was the prompt and manly exercise of that power. Six of the ten days granted for a reply to the proposals made had nearly elapsed, and no time should be lost, therefore, if any action on the part of the foreign representatives in this emergency were deemed advisable. It was unanimously determined to address an identical letter to the Tycoon to stimulate him to action, and this was done at once. I herewith transmit (enclosure No. 1) a copy of that letter.

The precise manner in which that letter was made available by the Tycoon

could not well be ascertained. It may, however, be taken for granted that when the greatest excitement and confusion prevailed in the Kioto councils, the Tycoon, with a few thousand men, proceeded to Fusimi, near Kioto; a very respectful application was slightly pressed, the Mikado yielded, and his formal sanction to the treaties was obtained. This, of course, implies the formal repeal of those offensive laws against foreigners hitherto in force, according to the views of some native legal authorities, and as such appealed to on the various occasions when foreigners had been assassinated.

On the 24th ultimo the ten days granted for the reply expired, and in the afternoon of that day Matsudaira Hoki no Kami, the senior member of the Gorogio at Osacca, and suite announced their arrival. They produced (as they stated) the original document, the sanction of the Mikado, translation of which (enclosure No. 2) I herewith transmit. This was accompanied by an official letter from the Gorogio, transmitting a copy of the sanction, and containing the reply to the proposals made, in translation, (enclosure No. 3.)

Appended to the copy of the sanction is the translation of the written promise for its promulgation in all parts of Japan. The revision of the tariff on a uniform basis was readily granted. The Mikado's sanction smoothes the way for reforms, and this was one urgently needed. The indemnity is to be paid in preference to the opening of Hiogo and Osacca on the 1st January, 1866, which is, however, guaranteed on the 1st January, 1868, according to the terms of the extension granted by the United States.

The treaties, as well as all the acts of the Tycoon's government in pursuance thereof, have now become legalized, and the Tycoon is said to be again the supreme executive authority in this empire. It is deemed quite probable that the Chorhu rebellion will now be satisfactorily disposed of without resort to coercive measures. There is also little doubt that many Daimios desired to open ports in their provinces, with a view of collecting revenue; and that all restrictions hitherto interposed to the dealings of their agents with the foreign merchants, except through the custom-houses at the open ports, will be gradually removed by the Tycoon's government. If this be successfully accomplished, trade is likely to increase greatly. I hope soon to be able to inform you that the government is moving in the right direction, according to the promises they have made. I have the honor to transmit (No. 4) copy of my letter to the British minister in acknowledgment of the hospitality I enjoyed on board her Britannic Majesty's ship Pelorus during the entire period of the negotiations in Osacca bay, covering one month. If I had been in command of a squadron, no greater facilities could have been at my disposal than those so cordially extended to me by Vice-Admiral King and Captain William H. Haswell, of her Britannic Majesty's navy. I believe I am not too sanguine when venturing to submit it as my opinion that the formal sanction of the treaties by the Mikado, recognized by all Japanese as the real sovereign of their country, will prove an important result of the recent negotiations, due in a great measure, no doubt, to the perfect unanimity of views and action of the foreign representatives. The Tycoon is under lasting obligations to the four powers for the action taken by them so opportunely for his interests and the true interests of Japan, and by sanctioning the treaties, the Tycoon is recognized as the *de facto* chief of the government of this country. Much remains to be done, however. Several Daimios in the Kioto councils reluctantly assented; the relations newly created by this irrevocable act of the Mikado, between himself, the Tycoon, and the more or less sovereign Daimios will have to be adjusted; but a basis for such adjustment appears to have been found at last in the sanction granted, in connection with the various agreements made between the Tycoon and leading Daimios, which are now said to be in course of perfection.

I am inclined to share the hopeful views entertained of the future, and expressed without hesitation by the Yedo officials.

At an early day I hope to receive the official communication that the Mikado's ratification has been promulgated in all parts of this empire.

I have the honor to be, sir, very respectfully, your most obedient servant,  
A. L. C. PORTMAN,  
*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

No. 1.

LEGATION OF THE UNITED STATES,  
November 21, 1865.

SIRE: The formal declarations of your Majesty's minister have created the impression that the cause of the difficulties experienced in the proper execution of the treaties may be traced to the opposition made by the Mikado and some Daimios of this empire.

In order to remove this cause, which injuriously affects American interests, and which is fraught with danger for the peace of Japan, your Majesty's presence at Osacca, near Kioto, has induced me to urge in person the prompt solution of those difficulties.

By approving the obligations entered into by your Majesty with foreign powers, the Mikado and the Daimios will make an end to existing difficulties, and avert future dangers.

And in view of facilitating the execution of the convention of the 22d October, 1864, it has been proposed to your Majesty, in evidence of friendship, that two-thirds of the indemnity stipulated in the said convention would be relinquished on the three following conditions, viz:

1. The sanction to the treaties of the Mikado.
2. The opening of Hiogo and the city of Osacca within a period to be fixed by agreement.
3. The regularization of import duties on a uniform basis.

On the 14th instant your Majesty's minister stated that ten days would be required for giving an answer to those proposals, and although I had then been here ten days already, their desire was complied with.

Seven of those ten days have elapsed and the intelligence is now received that the minister who was sent to Hiogo to meet the foreign representatives has been dismissed.

In view of a measure so strange and inexplicable I beg respectfully to submit, sire, that it is clearly your Majesty's duty to settle pending questions.

A good accord between the Mikado, your Majesty and the Daimios will insure pleasant relations between Japan and foreign powers, thus promoting Japanese interests and without in the least affecting Japanese independence.

A misunderstanding between those high governing powers may lead to most deplorable consequences.

Friends as well as enemies should understand that the treaty powers are firmly resolved upon securing the faithful observance of the treaties concluded with your Majesty.

I trust, therefore, that your Majesty, by a conciliatory policy, will succeed in maintaining treaties; at all events notice is hereby respectfully given that on the 24th instant a reply to the proposals made will be expected.

Whether favorable or otherwise is for your Majesty to determine, but the reply should be in writing. If an answer be not forthcoming this will be considered a formal refusal of the proposals made.

With the most profound respect,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim of the United States in Japan.*

His Majesty the TYCOON of Japan, &c., &c., &c.

---

No. 2.

[Translation.]

The imperial consent is given to the treaties, and you will therefore undertake the necessary arrangements in connection therewith.

To IYEMOTSHI, (Tycoon's name.)

---

[Translation.]

NOVEMBER 24, 1865.

The above decree, having been just issued, shall be communicated to all the Daimios and Hatamotos, without exception.

You will be informed of the terms of the proclamation at Yeddo.

I hereby put this on record.

MATSUDAIRA HÔKI NO KAMI.

No. 3.

[Translation.]

NOVEMBER 24, 1865.

We have lately received from you several communications, to which we should have fully replied; but the great pressure of our national affairs has caused the delay, for which we express our regret. However, we now reply to them all together, and hope that you may deem this answer satisfactory.

With regard to the treaties, our Tycoon has made such strenuous efforts in his representations at Kioto that the imperial consent has been given, as you will see from the enclosure.

With regard to the opening of Hiogo, we are not prepared to discuss that subject at present. However, though we intend to open that place at the expiration of the time fixed by the existing agreements, we will open it at an earlier day if the state of affairs shall permit. As we cannot do so at present, we shall send our orders to Yedo to pay the third instalment of the Simonoseki indemnity the twelfth month of this year, as provided by convention; and we agree to carry out that convention of the 22d October, 1864, according to its stipulations. We fully consent that the tariff be amended, and shall therefore at once send instructions to Midzuno Idsumi no Kami, to conduct as satisfactorily as possible the necessary negotiations to that effect at Yedo.

Which we have to state in reply with respect and esteem.

MATSUDAIRA HOKI NO KAMI.  
MATSUDAIRA SUWO NO KAMI.  
OGASAWARA IKI NO KAMI.

A. L. C. PORTMAN, Esq.,  
*Chargé d'Affaires of the United States, &c.*

No. 4.

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, November 30, 1865.*

SIR: I take the earliest opportunity of my return to this place to request you, on my behalf, to tender thanks to Vice-Admiral King, and, through him, to Captain Haswell, commanding her Britannic Majesty's ship *Pelorus*, for the many courtesies so cordially extended to me while a guest on board of that ship during the whole period of the recent important negotiation in *Osacca bay*.

I am well acquainted with naval rules and regulations, and can therefore, to the fullest extent, appreciate those courtesies which, in the absence of a national man-of-war, enabled me to co-operate with my colleagues on that occasion in a manner consistent with the dignity of the United States.

I shall not fail to inform my government of all those courtesies, which I am sure will be duly appreciated. I can only express the hope that her Britannic Majesty's government will measure merit by success, and acknowledge that the distinguished naval officers who so largely contributed towards securing the Mikado's sanction to the treaties, which, in point of fact, is not less than their ratification, so unquestionably important and so long withheld, are no less deserving than those whose good fortune it was to command in the *Simonoseki expedition*.

I have the honor to be, sir, your most obedient, humble servant,

A. L. C. PORTMAN,

*Chargé d'Affaires of the United States ad interim in Japan.*

Sir HENRY S. PARKES, K. C. B.,

*H. B. M.'s Envoy Extraordinary and Minister Plenipotentiary in Japan.*

*Mr. Portman to Mr. Seward.*

No. 68.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, December 6, 1865.*

SIR: I have the honor to transmit herewith (No. 1) translation of a letter from the minister for foreign affairs, announcing that the Mikado's ratification of the treaties was promulgated in all parts of this empire on the 1st instant.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

I have the honor to inform you that, on the 14th instant, (the 1st December,) all Daimios and others were notified that the treaties have been ratified by the Mikado.

Which I have to state with respect and esteem.

On the seventeenth day of the tenth month of the first year of Ké Yu, (December 4.)  
MIDSUNO IDSUMI NO KAMI.

A. L. C. PORTMAN, Esq.,  
*Chargé d'Affaires of the United States, &c., &c.*

---

*Mr. Portman to Mr. Seward.*

No. 69 ]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, December 7, 1865.*

SIR : As stated in my despatch No. 66; of the 30th ultimo, I that day addressed a letter to the minister for foreign affairs, informing him of my return to Yedo, and transmitting copies of the Mikado's sanction and accompanying documents. I now have the honor to transmit enclosure No. 1, a copy of that letter, and also enclosure No. 2, a translation of his reply.

I have the honor to be, sir, very respectfully, your most obedient servant,  
A. L. C. PORTMAN,  
*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

No. 1.

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, November 30, 1865.*

I have the honor to inform your excellency of my return to Yedo, and to transmit herewith for your information copies of three documents, as follows :

No. 1. The Mikado to his Majesty the Tycoon, sanctioning the treaties.

No. 2. The minister for foreign affairs to Mr. Portman.

No. 3. With regard to the promulgation of the Mikado's sanction.

I am happy to believe that the peace and prosperity of Japan, in harmony with foreign relations, have now been placed on a lasting foundation under the strong government of his Majesty the Tycoon.

Official copies of the foregoing documents, and instructions in connection therewith, from his Majesty the Tycoon will no doubt reach your excellency at an early day, and I now have the honor to request you at once to appoint commissioners for the negotiation with the foreign representatives of amendments in the tariff, so urgently needed both for Japanese and foreign interests.

With respect and esteem,

A. L. C. PORTMAN,  
*Chargé d'Affaires ad interim of the United States in Japan.*

His Excellency MIDSUNO IDSUMI NO KAMI,  
*Minister for Foreign Affairs, &c., &c., &c., Yedo.*

---

No. 2.

[Translation.]

I have received your letter, No. 120, of the 30th November, informing me of the result of your negotiations with my colleagues at Osacca during your recent visit to Hiogo.

I am greatly obliged to you for your kindness in so promptly communicating this to me, thereby again showing your desire to promote friendly feeling between our respective countries.

I shall be prepared to enter upon the contemplated negotiations, as stated to you by the

governor for foreign affairs, Edzre Kanga no Kami, as soon as the official communication to that effect shall have been received from Osacca.

Which I have to state with respect and esteem.

The seventeenth day of the 10th month of the first year of Ke Yu, (December 4,) 1857.  
MIDSUNO IDSUMI NO KAMI.

A. L. C. PORTMAN, Esq.,

*Chargé d'Affaires of the United States, &c., &c.*

---

*Mr. Portman to Mr. Seward.*

No. 70 ]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, December 16, 1865.*

SIR: I have the honor to inform you that I have this day received a letter from the minister for foreign affairs, accompanied by an explanatory statement on his behalf by a governor for foreign affairs, to the effect that the Mikado's ratification of the treaties had been so unexpected by those whose persevering hostility to foreign intercourse had been the fruitful source of embarrassment since the opening of the ports, that he deemed it his duty to recommend that foreigners should observe due caution when meeting Japanese, among whom there were no doubt a few whose fanaticism might prompt them to reckless deeds which the government would not at all times perhaps have it in their power to prevent. Deeming it prudent not to disregard this recommendation, I addressed a letter on this subject to our consul at Kanagawa, of which I herewith transmit copy, enclosure No. 1. I also addressed similar letters to our consul at Nagasaki and commercial agent at Hakodate.

While readily believing that this government is sincere in desiring to secure the safety of the lives and property of all foreigners in Japan, I did not fail to call the governor's attention to the omission, on the part of the minister for foreign affairs, to accompany his warning with an assurance of active measures for protection or prevention having been taken accordingly.

I felt it my duty therefore to address a letter on that subject to the minister for foreign affairs, (a copy of which I herewith transmit, enclosure No. 2,) informing him that for any failure in this respect this government must expect to be held to a strict responsibility.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

No. 1.

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, December 16, 1865.*

SIR: I have the honor to inform you that I this day received a letter from the Gorogio, in which it is stated that, "although greatly rejoiced at the Mikado's sanction to the treaties having been obtained, by which the relations between the United States and Japan have been placed on an improved basis, yet their anxiety has also greatly increased in view of proceedings having for their object a rupture of friendly relations with their government, being probably contemplated by persons who feel keenly disappointed at this solemn act of the Mikado."

It is clearly the duty of the Japanese government to control such lawless persons. The Gorogio have been distinctly informed to that effect; and also, that for any failure in this respect the United States will hold their government to a strict responsibility.

I request you to make the foregoing known to all citizens of the United States within your jurisdiction, and to recommend the observance of constant watchfulness against such outbreaks.

I am, sir, your obedient servant,

A. L. C. PORTMAN.

GEORGE S. FISHER, Esq.,

*United States Consul, Kanagawa.*

No. 2.

LEGATION OF THE UNITED STATES IN JAPAN,  
Yedo, December 16, 1865.

I have the honor to acknowledge the receipt of your excellency's letter of yesterday, and in reply to inform you that it is clearly the duty of your government firmly to control all such persons who might attempt by violent means to bring about a rupture of friendly relations between the United States and Japan; and I hereby very respectfully, but at the same time most distinctly, notify your excellency that for any attempt against the life or property of any American citizen in this country the United States will hold the Japanese government to a strict responsibility.

I shall at once communicate your letter to the United States consuls at the open ports for the information of all citizens of the United States in Japan.

With respect and esteem,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim of the United States in Japan.*

His Excellency MIDSUNO IDSUMI NO KAMI,  
*Minister for Foreign Affairs, &c., &c., &c., Yedo.*

---

*Mr. Portman to Mr. Seward.*

No. 71.]

LEGATION OF THE UNITED STATES IN JAPAN,  
Yedo, December 29, 1865.

SIR: After the formal sanction to the treaties had been obtained, the British minister, instead of at once returning to his legation, proceeded on the 26th ultimo from Osacca bay through the inland sea to Shanghai. Through his interpreter, who accompanied him, he briefly communicated at Simonoseki with the Chorhu authorities, who were then informed of the Mikado's action, which they admitted to be of great importance.

On his return to his legation I received a letter from the British minister in reply to mine of the 30th ultimo, (copy of which formed enclosure No. 4 of my despatch No. 67, of the 5th instant,) of which reply I now have the honor to transmit a copy, enclosure No. 1. I also transmit No. 2, copy of a letter in continuation of that reply, and No. 3, copy of a letter of acknowledgment by Vice-Admiral King, commander-in-chief of her Britannic Majesty's forces in the east.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

No. 1.

YOKOHAMA, December 27, 1865.

SIR: In consequence of my absence from Yokohama I only received, on my return on the evening of the 25th instant, your letter of the 30th ultimo, desiring me to communicate to Admiral King your thanks for the accommodation supplied to you on board her Majesty's steamship Pelorus, in the absence of a vessel of war of your own government, during the recent expedition of the representatives of England, France, the United States of America, and Holland, to Osacca bay.

I am sure it will be very gratifying to Admiral King to receive this cordial acknowledgment of the assistance which he and Captain Haswell were able to offer you on this occasion, and I have no doubt that it will also afford her Majesty's government much satisfaction to learn that her Majesty's officers have had it in their power to render to the United States representative a service of this nature, as being not only in entire unison with the

friendly feelings entertained by her Majesty's government towards that of the United States, but also calculated to prove to the Japanese government that unity of action for the purpose of securing the fulfilment of treaties continues to be intimately preserved between the representatives of the four powers.

I have the honor to be, sir, your most obedient, humble servant,

HARRY S. PARKES,

*Her Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

A. L. C. PORTMAN, Esq.,

*Chargé d'Affaires ad interim of the United States.*

No. 2.

No. 42.]

YOKOHAMA, December 29, 1865.

SIR: In continuation of my letter of the 27th instant, acknowledging your letter of the 30th ultimo, in which you request me to convey to Vice-Admiral King, and through him to Captain Haswell, your thanks for the accommodation supplied to you on board her Majesty's steamer Pelorus, I have now the honor to forward copy of a letter received this day from Vice-Admiral King, desiring me to communicate to you the satisfaction which the receipt of your above-mentioned letter has afforded him.

I have the honor to be, sir, your most obedient, humble servant,

HARRY S. PARKES,

*Her Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

A. L. C. PORTMAN, Esq.,

*United States Chargé d'Affaires, &c., &c., &c.*

PRINCESS ROYAL, AT YOKOHAMA, December 28, 1865.

SIR: In acknowledging the receipt of your letter No. 33, of the 27th instant, forwarding a copy of another addressed to you by Mr. Portman, the chargé d'affaires of the United States, in which he is good enough to so handsomely acknowledge the service that Captain Haswell, of the Pelorus, had the pleasure to render him, and in referring in such flattering terms to the part in which it was the good fortune of the naval officers to participate in the negotiations so recently brought to a successful issue at Hiogo, I beg you will express to Mr. Portman that I was very glad to have had the opportunity of placing a ship at his disposal, and that I am much pleased to be able to convey to Captain Haswell the expression of the acknowledgments of any service he had the means of rendering.

I have the honor to be, sir, your most obedient, humble servant,

GEORGE H. VINCENT KING,

*Vice-Admiral and Commander-in-Chief.*

Sir HARRY S. PARKES, K. C. B., &c., &c., &c.

*Mr. Portman to Mr. Seward.*

No. 2.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, January 8, 1866.

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 1, 2, 3, 4, and 5, dated August 31, September 4, September 30, October 9, and October 17, respectively.

In obedience to the instructions contained in your despatch No. 3, I addressed a letter to the Gorogio, copy of which I herewith transmit, enclosure No. 1.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*



No. 1.

*Mr. Portman to Midsuno Idsumi no Kami.*LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, January 8, 1866.*

I have the honor to inform your excellency that my despatch, conveying, at your desire, to my government the expressions of sympathy and condolence of his Majesty the Tycoon and his government on learning the assassination of President Lincoln and the attack on the Hon. William H. Seward, Secretary of State, has been received and submitted to the President of the United States. The President was profoundly affected by those expressions.

While the dangers that then threatened have been averted by an All-merciful Providence, the United States is not, therefore, by any means less grateful to friendly powers for the good wishes they expressed in its behalf.

I am authorized to renew to your government the assurances of the friendship of the United States for the Emperor and people of Japan.

With respect and esteem,

A. L. C. PORTMAN,

*Chargé d' Affaires ad interim of the United States in Japan.*

His Excellency MIDSUNO IDSUMI NO KAMI,  
*Minister for Foreign Affairs, &c., &c., &c., Yedo.*

*Mr. Seward to Mr. Portman.*

No. 11.]

DEPARTMENT OF STATE,  
*Washington, February 10, 1866.*

SIR: Herewith I enclose for your information, a copy of a note\* of the 7th instant, addressed to this department by Sir Frederick Bruce, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, accredited to this government, expressing the satisfaction of her Majesty at the cordiality with which the representatives of Great Britain and the United States have co-operated in order to secure the settlement of the questions now at issue in Japan.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. L. C. PORTMAN, Esq., &amp;c., &amp;c., &amp;c.

*Mr. Portman to Mr. Seward.*

No. 7.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yokohama, February 15, 1866.*

SIR: The object of the mission of Matsudaira Hoki no Kami, referred to in my despatch No. 4, of the 14th ultimo, was to obtain an extension of the payment of the third instalment of five hundred thousand dollars of the Simonoseki indemnity, greatly desired in view of the still uninterrupted demand upon the resources of this government so largely in excess of the usual appropriations.

The Tycoon is still at Osacca; he cannot yet disband his army, or reduce it to a peace footing, and the military contingents of the Daimios will have to be continued for some time in the pay of this government, as the Chorhu difficulty has not yet been settled.

The principal motives of this prince in raising the standard of rebellion in his provinces of Suwo and Nagato were, in the first place, hatred of the Tycoon, by whom he claimed to have been betrayed when carrying out the instructions received from Kioto to fire on foreign vessels at Simonoseki, and in the second

\*For enclosure see correspondence with British legation.

place a deeply felt jealousy of the Tycoon's growing power, principally derived from the facilities he commands of procuring supplies of arms, munitions, &c., at the open ports, in which the Daimios were only allowed to participate to a limited extent.

Ever since he entered upon his hostile course, Chorhu endeavored to attract foreign trade to his provinces, in the hope of ultimately enlisting the sympathy of the treaty powers in his favor. And thus Simonoseki recently became a place of resort for steamers, where even coal could be obtained. Arms and munitions were freely sold to Chorhu's agents in the ports of his provinces, and it is asserted that such supplies have even openly been purchased for his account at Nagasaki.

With the ratification of the treaties, however, his hope vanished of obtaining foreign aid or sympathy; the encouragement he gave to individual traders was not followed, as he was led to expect, by the recognition of his sovereign rights by the treaty powers, yet it is currently estimated that Chorhu has at present about sixteen thousand men, armed with serviceable rifles, in his army, besides some rifled field artillery; and as in the event of hostilities he would necessarily act on the defensive, he is no doubt in a position to reject propositions for his unconditional surrender.

It is hard to say on which side is the greater reluctance of submitting this question to the arbitrament of the sword. Strong efforts were made to make Japan a great naval and military power and to infuse a martial spirit into the people; but as yet those efforts do not appear to have been very successful; its predilections are decidedly in favor of negotiating, and it is quite likely, therefore, that negotiations, with force in the background, will be carried on for some time yet, and until the Prince of Chorhu shall have succeeded in obtaining better terms than the Tycoon is supposed to have offered thus far.

In view of this state of things, and of the pretended inability of this government to pay the third instalment yesterday, when it became due, it has been unanimously determined to accept in lieu thereof their promissory note at three months from date for the amount named; and I now have the honor to inform you that I this day received a letter from the Gorogio to the effect that such note had been deposited with the Oriental Banking Corporation at this place.

I hope you will be pleased to approve of my action. I certainly had no authority to receive that money; neither did I feel at liberty to dissent from the unanimous opinion of the representatives of Great Britain, France, and Holland. Should you decide, after the senate shall have approved the convention, that the indemnity must be paid according to its stipulations, I beg to say that the note deposited could at any moment be discounted by the Oriental Banking Corporation, so that the total amount received thus far from the Japanese government may be said to be equal to one-half of the whole indemnity, namely, \$1,500,000 Mexican currency.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Portman.*

[Extract.]

No. 13.]

DEPARTMENT OF STATE,

*Washington, February 20, 1866.*

SIR: Your two despatches, No. 65 and 66, dated the 18th and 30th of November, 1865, respectively, have been received.

Your proceedings, as therein narrated, appear to have been discreet, and are approved. We await the details promised in your No. 66, of the late negotiations at Osacca, and in the mean time I transmit enclosed\* a copy of our late correspondence on the subject with the French government.

\* \* \* \* \*

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. L. C. PORTMAN, Esq., &c., &c., &c.

*Mr. Portman to Mr. Seward.*

No. 10.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yokohama, March 20, 1866.*

SIR: While temporarily residing at this place, for the purpose of daily consultation with the representatives of the treaty powers in reference to the negotiations for the revision of the tariff, now in progress, I soon became convinced of the great importance to our interests of establishing an American marine hospital at Yokohama.

On inquiry I found that there exists a so-called general hospital in a small building, wholly unsuited for the purpose, owned by an English physician, into which no patients are admitted except on the payment of exorbitant fees.

To this establishment it became necessary to remove some of our wounded from the Wyoming, after her action at Simonoseki in 1863. The English and French have already established national hospitals at this place; and their sick, both civil and military, receive all the care and attention they require. It is principally among our destitute seamen discharged from merchant vessels that great suffering is often witnessed, which it is not always in the power of any individual to relieve. From Dr. Vedder, formerly a surgeon in the navy, I learned that only a few days ago a seaman, one of forty recently discharged from the steam covette Fuge Yama, died from a disease which might probably have been arrested had proper accommodation and applicances been at the disposal of his physician. With the early establishment of our Pacific steamship line, and the increase of American shipping at this port, the need of hospital accommodation will daily become more apparent. How many valuable lives may not be saved, or how much suffering may not be relieved, among the officers and crews of the East India squadron, if hospital accommodation be within reach, in case small-pox or any such contagious disease should make its appearance? And on this station this is of frequent occurrence. I accordingly applied to this government for a suitable location, and I now have the honor to inform you that I received a letter from the Gorogio to the effect that the governor of Kanagawa has been authorized to grant me a suitable lot of ground on the bluffs at this place for an American marine hospital.

Admiral Bell, now at Hong Kong, has been pleased to inform me that it is his intention soon to visit Japan. On his arrival I shall not fail to call his immediate attention to this matter, and feel confident of meeting with his cordial support.

I hope you will approve of my action, and that, in view of the great importance of the establishment of a marine hospital, which indeed can scarcely be over-estimated, you will be pleased to recommend to Congress to make an appropriation for that purpose. It is estimated that a sum of ten thousand dollars, judiciously expended in the construction of the necessary buildings, and for providing medicines, surgical instruments, &c., would be sufficient. Respect-

\*For enclosure see correspondence with United States minister to France.

fully recommending the subject to your favorable consideration, I beg to suggest, that in case of approval the fleet surgeon of the East India squadron be charged with the construction and general superintendence of such marine hospital.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Portman to Mr. Seward.*

No. 13.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, April 11, 1866.*

SIR: I have the honor to transmit herewith, No. 1, copy of a memorandum signed on the 4th instant, relative to the remittance to London of the first instalment of five hundred thousand dollars (\$500,000) of the Simonoseki indemnity, at the fixed British official rate of exchange of four shillings and three pence per dollar, producing in sterling money one hundred and six thousand and two hundred and fifty pounds, (£106,250.)

Copy of the correspondence on the subject of the division of this indemnity money with Mr. Bigelow at Paris has been shown me by the British minister, and, in view also of the unanimous opinion of the representatives of Great Britain, France, and the Netherlands, I readily assented to the transfer of the amount named to the British treasury in London, where it will be held subject to the conjoint order of the four powers who were represented in the convention of the 22d October, 1864.

I transmit herewith, No. 2, copy of the joint letter addressed to the managers of the Oriental Bank Corporation, and of the chartered Mercantile Bank of India, London, and China, at Yokohama. The transfer to her Britannic Majesty's commissariat chest of the amount named has now, I learn, been made by those two branch banks.

At any moment I may receive the receipt for the full amount from her Britannic Majesty's commissariat at Yokohama, in time, I hope, for transmission by this mail.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

[Memorandum.]

The undersigned, representatives of Great Britain, France, the United States of America, and the Netherlands, having considered the communications that have passed between their respective governments, at London, Paris, and the Hague, relative to the mode in which the first instalment of the Simonoseki indemnity, amounting to five hundred thousand dollars, which was received from the Japanese government by the undersigned on the 4th of September last, should be remitted to Europe, are of opinion that the proposal of her Britannic Majesty's government that this sum should be paid into the British commissariat chest, at Yokohama, and that its equivalent in sterling money should be held available by her Majesty's treasury in London, for distribution among the four powers, is unobjectionable, and may be adopted with advantage to the interests of their respective governments.

They therefore approve of the transfer of this sum from the Yokohama branch banks of the Oriental Bank Corporation and the chartered Mercantile Bank of India, London and

China, to the British commissariat chest, at the British official rate of exchange of four shillings and three pence per dollar, the equivalent of the said sum in sterling money being accordingly one hundred and sixty thousand and two hundred and fifty pounds, (£160,250.)  
Signed at Yokohama this 4th day of April, 1866.

HARRY S. PARKES,  
*H. B. M.'s Envoy Extraordinary and Minister Plenipotentiary in Japan.*  
LEON ROCHES,  
*Ministre Plenipotentiaire de S. M. l'Empereur du Français au Japon.*  
A. L. C. PORTMAN,  
*Chargé d'Affaires ad interim of the United States in Japan.*  
D. DE GRAEFF VON POLSBROEK,  
*H. N. M.'s Political Agent and Consul General in Japan.*

*Mr. Portman to Mr. Seward.*

No. 14 bis.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, April 14, 1866.*

SIR: I have the honor to transmit herewith, No. 7, copy of a memorandum signed this day, acknowledging the receipt from the Japanese government, of the sum of five hundred thousand (500,000) dollars, the second instalment of the Simonoseki indemnity.

The memorandum is dated the 8th of January last, the day on which this money was received by the Oriental Banking Corporation at Yokohama, as stated in my despatch No. 4, of the 14th of that month; but until now no receipt from the representatives of the four treaty powers who signed the convention of the 22d of October, 1864, had been applied for.

I have the honor to be, sir, very respectfully, your most obedient servant,  
A. L. C. PORTMAN,  
*Chargé d'Affaires ad interim in Japan.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Memorandum.]

The undersigned, representatives of Great Britain, France, the United States, and the Netherlands, hereby acknowledge to have received from the government of the Tycoon the sum of five hundred thousand dollars, (\$500,000,) as the second instalment of the indemnity due to the aforesaid four powers under the convention of the 22d October, 1864, the conditions of which convention, in respect to the periods fixed for the payment of the several instalments of the said indemnity are reaffirmed by the ministers of the Tycoon in their letter addressed to the representatives of the aforesaid four powers, at Osacca, on the 24th November last.

Under these conditions, the instalment, of which the receipt is hereby acknowledged, became due on the 17th day of November, 1865, being the twenty-ninth day of the ninth month of the first year of Kei Ô.

Dated at Yokohama the 8th day of January, A. D. 1865.

HARRY S. PARKES,  
*H. B. M.'s Envoy Extraordinary and Minister Plenipotentiary in Japan.*  
LEON ROCHES,  
*Ministre Plenipotentiaire de S. M. Impériale au Japon.*  
A. L. C. PORTMAN,  
*Chargé d'Affaires ad interim of the United States in Japan.*  
D. DE GRAEFF VON POLSBROEK,  
*H. N. M.'s Political Agent and Consul General in Japan.*

*Mr. Portman to Mr. Seward.*

No. 15.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, April 16, 1866.*

SIR: I have the honor to transmit herewith, No. 1, copy of a letter received from the British minister, in reference to the recent negotiations at Osacca, and, No. 2, copy of my reply.

I have the honor to be, sir, very respectfully, your most obedient servant,  
A. L. C. PORTMAN,  
*Acting Chargé d'Affaires in Japan.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

No. 1.

*Mr. Parkes to Mr. Portman.*

YOKOHAMA, *April 14, 1866.*

SIR: I have had the satisfaction of receiving by the mail which arrived on the evening of the 12th instant the entire approval by the Queen, my august sovereign, of the negotiations recently undertaken at Osacca by the representatives of the four powers who have so continuously and cordially co-operated with each other in the maintenance of treaties and the preservation of friendly relations between western nations and Japan.

In signifying to me the above approval, her Majesty's principal secretary of state for foreign affairs instructs me to take an opportunity of assuring yourself and our other colleagues in the above negotiation that her Majesty's government most fully appreciates their zealous co-operation throughout these transactions. Her Majesty's government are of opinion that the unanimity which prevailed between the representatives of foreign powers, and their combined action, cannot fail to produce a salutary impression on the Japanese government and people, and will doubtless contribute to the development and stability of friendly relations with them.

It is with feelings of no ordinary satisfaction that I communicate to you the above opinion. The acknowledgment of mutual service and assistance cannot be regarded as a mere point of form by those who labor together for the promotion of a high and common object, and who intimately share with each other the same anxieties and are animated by the same hopes. It is, therefore, with much sincerity that I offer you this tribute on the part of my government to the important part you sustained in the above negotiations and the support which I derived from your cordial co-operation; and it is with equal earnestness that I give expression to the hope that this unity of purpose and of action, which has hitherto been attended with so much benefit to our general interests in this country, and upon which their prosperity so greatly depends, may always be maintained between all the representatives of western powers.

I have the honor to be, sir, your most obedient, humble servant,

HARRY S. PARKES,  
*H. B. M.'s Envoy Extraordinary and Minister Plenipotentiary in Japan.*

---

No. 2.

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, April 16, 1866.*

SIR: I have the honor to acknowledge the receipt of your letter, No. 45, of the 14th instant, informing me that you had received the entire approval of the Queen, your august sovereign, of the recent negotiations at Osacca, and that her Majesty's principal secretary of state for foreign affairs had been pleased to express his appreciation of the co-operation it has been my good fortune, in concert with my colleagues, to render on that occasion.

I cannot sufficiently express to you how gratefully obliged I feel for this graceful acknowledgment of my share in those proceedings, and for the manner in which you were pleased to convey it.

I cordially reciprocate your wishes for the maintenance of that perfect unanimity of action between the foreign representatives in this country, which has been productive of so much benefit. Apart from its undoubted usefulness in promoting general interests, I beg to assure you that to contribute to its maintenance is a most congenial duty to me.

At a great distance from our governments, and frequently obliged to act before instructions can have been received, or which, upon their arrival, may have been rendered partly inapplicable by altered circumstances, it is chiefly from that happy unanimity that relief is derived for the severe anxieties often experienced, and for the grave responsibility it may occasionally be necessary to assume.

The day, I trust, is not far distant when the great western powers shall be as cordially united in all matters of common interest in every part of the world as they are now in Japan, and it will then be highly gratifying for us to reflect that in some measure, however humble, we have contributed to so grand a consummation.

I have the honor to be, sir, your obedient servant,

A. L. C. PORTMAN,  
*Acting chargé d'Affaires of the United States in Japan.*

Sir HARRY S. PARKES, K. C. B.,  
*Her British Majesty's Envoy Extraordinary  
and Minister Plenipotentiary in Japan.*

---

*Mr. Portman to Mr. Seward.*

No. 19.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, April 22, 1866.*

SIR: I have the honor to transmit herewith, No. 1, translation of a letter signed by all the members of the Tycoon's cabinet in the order in which they rank when in council on foreign relations. The object of this communication is to obtain an extension of the payment of three remaining instalments of the Simonoseki indemnity; and the application, you will perceive, is with reference to article 3d of the convention of the 22d of October, 1864, in which it is stated that the object of the treaty powers was not receipt of money, but the establishment of better relations with Japan. This improvement of relations is claimed to have been secured by the Mikado's sanction to the treaties and by the revision of the tariff, the negotiations for which will, at an early day, no doubt, be brought to a satisfactory termination. To some extent the assertion is quite correct.

In this connection I also transmit, No. 2, translation of a letter from the Yedo minister for foreign affairs, covering copy of a proclamation just issued in "ratification" of the first proclamation issued in 1859, to the effect that all Japanese of the provinces of the Daimios may freely trade with foreigners at the open ports. There is already evidence that the proclamation was publicly made in some of the nearest Daimio's provinces; yet its practical value remains to be tested.

If the Tycoon's government had offered a fair equivalent for the concession applied for, or if any equivalent, yet to be tendered, denoted, an adhesion to a permanently liberal and friendly policy, I would not hesitate in such case to recommend this application to your favorable consideration.

I have acknowledged the receipt of the two letters above referred to, and informed the minister for foreign affairs that, in compliance with the desire expressed, their application would be submitted to you.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,  
*Acting Chargé d'Affaires in Japan.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

## No. 1.

[Translation.]

In our letter of the 7th day of the 10th month of the 1st year of Kei O, (November 24, 1857,) we promised that the indemnity should be paid in instalments, as fixed by the convention of the 21st day of the 7th month of the 1st year of Genji, (October 22, 1864.) But owing to the Choshu expedition our expenditure in the war department has greatly exceeded the estimates, and our finances are disturbed. We therefore find ourselves compelled to inform the four governments, although we promised to pay according to agreement, that in view of the circumstances as above set forth we desire that an extension of the payment of the three remaining instalments may be granted.

The object of the convention was the improvement of relations and increasing prosperity of trade. But the Mikado has sanctioned the treaties, which may be considered a substantial advantage, and with the object of benefiting trade the revision of the tariff is now a subject of negotiation.

We therefore, request that, taking these circumstances into due consideration, you will clearly explain the foregoing to your government in order that our desire may be complied with.

With respect and esteem. The 28th day of the 2d month of the 2d year of Kei Ô, (April 13, 1866.)

MIDSUNO IDSUMI NO KAMI.  
ITAKWEA EGA NO KAMI.  
MATSDAIRA HOKI NO KAMI.  
MATSDAIRA SUWO NO KAMI.  
OGASAWARA IKI NO KAMI.

A. L. C. PORTMAN, Esq.,

*Chargé d'Affaires ad interim of the United States of America, &c., &c., &c.*

## No. 2.

[Translation.]

Although it has been publicly made known that the people of the provinces of our Daimios shall be allowed to trade freely at the opened ports, we have once more issued a proclamation to that effect, of which we herewith transmit a copy, which we submit for your consideration.

With respect and esteem. The 28th day of the 2d month of the 2d year of Kei Ô, (April 13, 1866.)

MIDSUNO IDSUMI NO KAMI.  
MATSDAIRA SUWO NO KAMI.

A. L. C. PORTMAN, Esq.

*Chargé d'Affaires ad interim of the United States of America, &c., &c., &c.*

## PROCLAMATION.

[Translation.]

Be it known that those who may desire for purposes of trade or residence, to resort to the ports of Kanagawa, Nagasaki, Hakodate, as announced by proclamation in the year Hitusi, (1859,) shall be free to do so. Products raised in the dominions of the nobility may be freely transported and sold.

No restriction shall be interposed to the free purchase by whomsoever of steam and sailing vessels for commercial purposes, but arms, munitions, and ships of war can only be purchased after communicating with, and obtaining permission to that effect from, the custom-house, as heretofore.

The foregoing is in ratification of the first proclamation above referred to.

*Mr. Portman to Mr. Seward.*

No. 23.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yokohama, May 29, 1866.

SIR: On the 26th instant I received a letter, of which I herewith transmit copy, (enclosure No. 1,) from the acting agent of the Oriental Banking Corporation at this place, dated the 16th, informing me that the third instalment of the



Simonoseki indemnity, namely, five hundred thousand dollars, (\$500,000,) had been received from the Japanese government, and was held by him subject to the order of the foreign representatives.

The promissory note, deposited for that amount by the Japanese government, as stated in my despatch No. 7, of the 15th February, had thus been paid. The first instalment of the indemnity was remitted to London, as reported in my despatches Nos. 13 and 14, of the 11th and 13th April, respectively. The total amount thus held by the Oriental Bank at this place, for the four powers who signed the convention of the 22d October, 1864, was one million of Mexican dollars, (\$1,000,000,) making the second and third instalments of that indemnity. In view of such a large amount of money lying idle in the vaults of one single bank at this place, the representatives of Great Britain, France, and the Netherlands, in order to avoid unnecessary responsibility, desired the remittance of that money to our respective governments. Its safety being a paramount consideration I assented to this proposal, and accordingly authorized the manager of the Central Bank of Western India to receive one-fourth part of the amount named—namely, two hundred and fifty thousand Mexican dollars—from the Oriental Bank, and invest that money in undoubted sterling bank bills of exchange, payable to your order.

I transmit No. 2, copy of the joint letter addressed to the acting agent of the Oriental Bank, announcing the division of the whole amount of the indemnity money held by him.

I also transmit No. 3, copy of my letter to the acting agent of that bank, authorizing the transfer as above stated; and No. 4, copy of my letter of instruction to the manager of the Central Bank of Western India, and No. 5, copy of his reply.

The British deputy assistant commissary general, who received the first instalment of the indemnity, had no instruction to receive any additional amounts; and in the absence of instructions for my guidance, and for the purpose of securing the safe and prompt remittance of the amount belonging to the United States, I concluded to adopt the course of action as above stated.

The rate at which this remittance is made, you will perceive, is much more favorable than the British official rate, at which the remittance of the first instalment has been made. There is unfortunately stagnation in business at this place, and the sudden demand for bills for a comparatively large amount slightly depressed the rate of exchange, which, I beg to assure you, is the most favorable one for undoubted bank bills that could be procured at present.

I transmit herewith No. 6, the original account of the manager of the Central Bank of Western India, together with the seconds of six sets of bills on London, at six months, for the aggregate amount of fifty-six thousand seven hundred and seventy pounds sixteen shillings and eight pence sterling, (£56,770 16s. 8d.,) payable to your order.

The first of these bills will be sent by me by the English mail, which leaves to-morrow morning, to Messrs. Baring Brothers & Co., London, the agents of the United States, for acceptance. I enclose No. 7, copy of my letter to Messrs. Baring Brothers & Co. The thirds of these bills will be transmitted to you by the next mail, within two weeks from this date. This large amount of money had either to be kept here or remitted without delay. I adopted the latter alternative, as best subserving the interests of the United States, and involving the least responsibility, if any, and I feel confident, therefore, that you will be pleased to approve of my action.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Acting Chargé d'Affaires in Japan.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

No. 1.

*Mr. Robertson to Mr. Portman.*ORIENTAL BANK CORPORATION,  
Yokohama, May 16, 1866.

SIR: I have the honor to inform you that the sum of five hundred thousand dollars—say five hundred thousand clean Mexican dollars—is held here by this bank at the disposal of the representatives of England, France, the Netherlands, and America, in satisfaction of the third instalment of the indemnity money now due by the Japanese government.

I have the honor to be, sir, your obedient servant,

J. ROBERTSON, *Acting Agent.*

A. L. C. PORTMAN, Esq., &amp;c., &amp;c., &amp;c.

No. 2.

YOKOHAMA, May 26, 1866.

SIR: With reference to Mr. Rickard's letter of the 8th of January last to the address of the representatives of Great Britain, France, the United States of America, and the Netherlands, advising us of the receipt from the Japanese government of five hundred thousand dollars (\$500,000) on account of the above-mentioned four powers, and with reference, also, to your own letter of the 16th instant, advising us of the receipt from the Japanese government of a second sum of the same amount, making in all a million dollars (\$1,000,000) now held by you on account of the said four powers, we hereby request you to pay to the order of each of the undersigned one-fourth of the said total sum, or two hundred and fifty thousand dollars, (\$250,000.)

We have the honor to be, sir, your most obedient, humble servants,

HARRY S. PARKES,

*H. B. M.'s Envoy Extraordinary and Minister Plenipotentiary in Japan.*

LEON ROCHES,

*Ministre Plenipotentiaire de S. M. l'Empereur des Français.*

A. L. C. PORTMAN,

*Acting Chargé d'Affaires of the United States in Japan,*

D. DE GRAEF VON POLSBROEK,

*H. N. M.'s Political Agent and Consul General in Japan.*

No. 3.

*Mr. Portman to Mr. Robertson.*

LEGATION OF THE UNITED STATES IN JAPAN,

Yokohama, May 28, 1866.

SIR: With reference to the letter addressed to you by the representatives of Great Britain, France, the United States, and the Netherlands, dated the 26th instant, desiring you to pay to the order of each of them the sum of two hundred and fifty thousand dollars, (\$250,000,) being one-fourth of a sum of one million clean Mexican dollars (\$1,000,000) received from the Japanese government and now held by you on account of the said four powers, I have the honor to request you to pay into the Central Bank of Western India at this place, duly authorized by me to receive the same, the sum of two hundred and fifty thousand dollars, (\$250,000,) being the share of the United States

I am, sir, respectfully, your obedient servant,

A. L. C. PORTMAN,

*Acting Chargé d'Affaires of the United States in Japan.*

No. 4.

*Mr. Portman to Mr. Morrison.*

LEGATION OF THE UNITED STATES IN JAPAN,

Yokohama, May 28, 1866.

SIR: I transmit herewith a letter addressed by me to J. Robertson, esq., acting agent of the Oriental Banking Corporation at this place, requesting him to pay into your hands the sum of two hundred and fifty thousand clean Mexican dollars (\$250,000) received from the Japanese government for the United States and now held by him.

I have to request you to invest the amount named in your own or other undoubted bank sterling bills of exchange in the usual manner, drawn in favor of the Hon. William H. Seward, Secretary of State of the United States, and, on delivery of these bills of exchange, to furnish me with an account of the transaction for transmission by me to Washington.

I am, sir, respectfully, your obedient servant,

A. L. C. PORTMAN,  
*Acting Chargé d' Affaires of the United States in Japan.*

No. 5.

*Mr. Morrison to Mr. Portman.*

CENTRAL BANK OF WESTERN INDIA,  
*Yokohama, Japan, May 29, 1866.*

SIR: I have the honor to acknowledge receipt of your letter of yesterday's date, with enclosure for the manager of the Oriental Bank Corporation, requesting him to hold in my order the sum of two hundred and fifty thousand dollars, (\$250,000.)

In accordance with the terms of your letter now under acknowledgment, I beg to hand you herewith six sets of bills, aggregating £56,770 16s. 8d. sterling, and also memorandum of account and particulars of said bills, the receipt of which please acknowledge.

I am, sir, your obedient servant,

For the Central Bank of Western India,  
J. MORRISON, *Agent in Yokohama.*

A. L. C. PORTMAN, Esq.,  
*Acting Chargé d' Affaires of the United States in Japan.*

No. 7.

*Mr. Portman to Messrs. Baring Brothers & Co.*

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yokohama, May 29, 1866.*

GENTLEMEN: I transmit herewith the firsts of six sets of bills on London at six months, aggregating fifty-six thousand seven hundred and seventy pounds sixteen shillings eight pence sterling, (£56,770 16s. 8d.,) payable to the order of the Hon. William H. Seward, Secretary of State of the United States. These bills, all of this date, are drawn by the Central Bank of Western India, at Yokohama, on the London County Bank, London, as follows:

No. 41, favor of the Hon. William H. Seward, &c., &c.	£10,000 0 0
No. 42, favor of the Hon. William H. Seward, &c., &c.	10,000 0 0
No. 43, favor of the Hon. William H. Seward, &c., &c.	10,000 0 0
No. 44, favor of the Hon. William H. Seward, &c., &c.	10,000 0 0
No. 45, favor of the Hon. William H. Seward, &c., &c.	10,000 0 0
No. 46, favor of the Hon. William H. Seward, &c., &c.	6,770 16 8

56,770 16 8

Be pleased to cause these bills to be accepted and to advise the honorable the Secretary of State accordingly.

The seconds of the bills above mentioned, together with a copy of this letter to yourselves, will be sent by me to Washington via California by a vessel which sails from this port on the 31st instant.

I have the honor to be, gentlemen, your most obedient servant,

A. L. C. PORTMAN,  
*Acting Chargé d' Affaires of the United States in Japan.*

*Mr. Portman to Mr. Seward.*

No. 28.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, June 1, 1866.*

SIR: I have the honor to transmit herewith No. 1, translation of a letter from the ministers for foreign affairs, informing me that Japanese of all classes are

now permitted to visit foreign countries, and of the establishment of a passport system accordingly.

Another barrier of Japanese isolation has thus been removed.

I transmit No. 2, copy of my acknowledgment of that letter.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Acting Chargé d'Affaires in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

No. 1.

[Translation.]

Since the opening of the ports in our empire friendly intercourse has made steady progress, and some of our people, both officials and merchants, may now visit the countries of the treaty powers. Having learned that it is the custom to furnish persons who visit foreign countries with a permit to that effect, we have adopted that custom, and all Japanese who may wish to travel abroad shall be furnished with such a permit accordingly. We shall soon send you a form of such a permit for your government, to be compared with the permit to be shown by the Japanese; and being thus identified, we request that they may be treated with kindness, and also that Japanese not provided with such permit may not be considered as such.

We request you to make the foregoing known to your government.

With respect and esteem. The 13th day of the fourth month of the second year of Ke-U, (27th May, 1866.)

MIDSUNO IDSUMI NO KAMI.  
MATSUDAIRA SUWO NO KAMI.

A. L. C. PORTMAN, Esq.,

*Chargé d'Affaires of the United States.*

No. 2.

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, June 1, 1866.*

It is with great pleasure that I now have the honor to acknowledge the receipt of your interesting communication of the 13th day of this fourth month, informing me that you had concluded to issue passports to those of the subjects of his Majesty the Tycoon who may wish to travel in foreign countries. Such a passport, when issued by your government, being, in fact, a certificate of respectability, I do not hesitate to give your excellencies the assurance that this communication will be received by my government with much satisfaction, and that your countrymen may rely upon receiving all needful aid and protection in the United States.

With respect and esteem,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim of the United States in Japan.*

Their Excellencies MIDSUNO IDSUMI NO KAMI, and MATSUDAIRA SUWO NO KAMI,  
*Ministers for Foreign Affairs, &c., &c., &c., Yedo.*

*Mr. Seward to Mr. Portman.*

No. 20.]

DEPARTMENT OF STATE,

*Washington, July 14, 1866.*

SIR: Herewith I enclose for your information a transcript of an instruction\* of the 26th ultimo, which was addressed to Mr. Adams, at London, immediately after the receipt of your despatch No. 14, dated the 13th of April last. Mr.

\* For enclosure see correspondence with United States minister to Great Britain.

Adams has been authorized to receive the quota part of the Japanese indemnity due the United States, and to deposit the same with the Messrs. Barings to the credit of the Secretary of State.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. L. C. PORTMAN, Esq., &c., &c., &c.

*Mr. Seward to Mr. Portman.*

No. 20 *bis.*]

DEPARTMENT OF STATE,  
*Washington, July 18, 1866.*

SIR: I have received and laid before the President your despatch of April 16th, No. 15.

It contains the correspondence which has taken place between yourself and Sir Harry S. Parkes, the British plenipotentiary in Japan.

The President is gratified that, in the wise execution of instructions which left you a large discretion, you have won for yourself, and for your country, the respect and gratitude of her Majesty's government.

Your reply to the letter of Sir Harry is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. L. C. PORTMAN, Esq., &c., &c., &c.

*Mr. Seward to Mr. Portman.*

No. 21.]

DEPARTMENT OF STATE,  
*Washington, July 18, 1866.*

SIR: Your despatch of the 22d of April, No. 19, has been received. It is accompanied by a copy of an application of the Tycoon's government to the western treaty powers for an extension of the three remaining instalments provided for by the late treaty.

The President is of opinion that in the absence of any sufficient equivalent for such an extension, and also in the absence of any adequate guarantees for a more just and faithful execution of the treaties, this extension ought not to be granted. Nevertheless, the application being made to all the treaty powers alike, concurrence in their action is doubtless more important than even correctness of the decision which may be adopted.

I shall at once communicate upon the subject with the governments of Great Britain and France, making known to them the President's views as herein expressed, but with the assurance that you will be instructed to concur in such course as the European powers, with better information than can now be had here, shall conclude to adopt, and which they will make known to their representatives in Japan.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. L. C. PORTMAN, Esq., &c., &c., &c.

*Mr. Seward to Mr. Van Valkenburgh.*

No. 4 ]

DEPARTMENT OF STATE,  
*Washington, July 27, 1866.*

SIR: This department has been officially informed that the Italian steam corvette Magenta, having several learned gentlemen on board, is now, by order

of the Italian government, prosecuting a voyage of scientific exploration in the Indian, Chinese, and Japanese seas.

It is the President's desire that the Magenta and her scientific party should be treated by the diplomatic and consular agents of the United States, in the prosecution of the voyage mentioned, not only as neutrals, but as friends, in whose comfortable and successful voyage the United States feel a lively interest.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Same to United States minister to China.

---

*Mr. Van Valkenburgh to Mr. Seward.*

No. 38.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, September 18, 1866.*

SIR: I have the honor to transmit herewith, for your information, a translation of the charges preferred by the government against Prince Choshu, lord of Suwo and Nagato, to evade punishment for which he rebelled against the Tycoon.

Accompanying this paper I forward a copy of a memorandum, kindly furnished me by Sir Harry S. Parkes, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, of an interview between himself and two of Prince Choshu's officers, on the occasion of his recent visit to the straits of Simonoseki; which will be of interest as giving Choshu's story of the causes which led to the rebellion.

I also transmit a translation of an order of the Mikado, dated July 18th, 1866, directing that hostilities be commenced against Choshu, from which it appears that the Japanese government is united against him.

I have the honor to be, sir, very respectfully, your obedient servant,

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Summary.*

In the beginning, Najai Uta and others were sent to propose that the Mikado and Tycoon should be reconciled. Your master himself entertained the wish very strongly, and both Mikado and Tycoon were extremely pleased with him on that account. But, led away by a set of turbulent and disloyal men, he slew Uta and the rest, who were honest and loyal, and surrounded himself with a set of runaways and rascals. He made a hell of the two peaceful and beautiful provinces. He allied himself with proud and haughty nobles of the court, and dared to approach the sacred person. He advised an imperial progress to Yamato, set the capital on fire, and then persuaded the Emperor not to return. He then directed the course of the imperial carriage toward his own province, in order that he might get the Mikado in his power, and then be able to dictate his own will to the empire. This wicked conspiracy makes crime No. 1.

No. 2. The imperial decree for the expulsion of the barbarians on the 10th of the fifth month (June 20, 1863) had been transmitted to him by the Tycoon, and the latter also gave him orders to sweep them out if they came to attack. He pretended to carry out the imperial will, but in reality he was wickedly scheming how to annoy the Tycoon government, and therefore he fired at barbarian vessels, which were passing through in a peaceful manner, without the slightest intention of attacking. Then he persuaded some nobles of the court to come to him as envoys from the Mikado, in order that he might be able to intimidate the empire by asserting, on their authority, that what he had done was the imperial will. This makes crime No. 2.

No. 3. He, violently and without provocation, fired upon a Dutch vessel, which was not intending to attack him, and in spite of the red seal of Gongen Gama, by which the Dutch were permitted to voyage hither as our spies on foreign countries, thereby breaking one of Gongen Gama's old laws. This makes crime No. 3.

No. 4. However, as the expulsion of the barbarians had just then been decreed by the Mikado, his crime was left unpunished. Was not this a great and abundant mercy? And when the Tycoon sent an envoy, to examine into that matter, he killed the envoy without the slightest reason. This most treacherous and cowardly action makes crime No. 4.

No. 5. But the ways of Heaven are clear as the noonday. What was secretly conceived suddenly came to light. The court became suspicious of him, and he was relieved from the duty of guarding the palace gates. This order he refused to obey, and attempted to raise a tumult by the side of the imperial chariot. His Majesty, however, was firm, and sent an envoy to order the immediate withdrawal of his troops. Then he complied, and withdrew, compelling Gango and others, by threats and intimidations, to accompany him to his territories. This makes crime No. 5.

No. 6. If an army of execution had been put in motion against him, and he had been punished for the crime, he could have had no possible exculpation to make, but, instead of such a course being pursued, with unexampled clemency, time was given him to repent in. This excess of kindness he was unable to appreciate, and he continued to persist in his wicked designs. In the year 1864 Daizen and his son equipped and sent an army with regular instructions to Kiote to attack the imperial palace, while Nagato, at the head of a body of men, went by sea to Turoo, where he took up a position. This was an act of rebellion of a magnitude unknown since the days of Genand Hei. All the bamboos which grow on Nanzan would be required to inscribe it; nay, all the hairs on a man's head, pulled out, one by one, would not suffice to enumerate it. It is a crime too large to find space between heaven and earth to contain it. This makes crime No. 6.

No. 7. If this had not been intended by the prince, and really was the act of his retainers, on their own responsibility, he should have cut off the heads of the ringleaders, and come, barefooted, to submit to the Tycoon and petition for his own life; but instead, he urged the father and son on to plot in secret a division of the country. This makes crime No. 7.

No. 8. In consequence of these unpardonable crimes, and this obstinate hardness of heart, Owari Teu Dainangory was sent against him, as commander-in-chief. It was not before the advance of the army that he cut off the heads of his three retainers, and offered to submit. Such a delay was an offence in itself. His letter, offering to submit, was sent by the Teu Dainangory to the Tycoon's government for approval; but until the sentence to be passed on him by the Mikado and Tycoon could be learned, he could not consider himself free from the odium of having been declared an outlaw to all eternity. But the evil disposed gave out that the affair was already settled, in order to deceive the nation. Now, except by a decree of the Mikado and the Tycoon, how could his outlawry be remitted? This was to assume, for his own purposes, the right to decide a great law of the empire, and to set himself in direct opposition to the Mikado and Tycoon. This makes crime No. 8.

No. 9. In opposition to the Tycoon's orders, he behaved with over-impetuosity, and, making the expulsion of the barbarians his pretext, fired into barbarian ships. But when the barbarian ships came into the neighboring seas, and inflicted a severe defeat on him, he lost heart at once, and wrote a letter, sealed with his own seal, offering to submit. He falsely declared that he had been compelled by the Mikado and Tycoon to fire, against his own will. Thus did he attempt to make the Mikado and Tycoon responsible for his own crime. He also entered into relations of friendship on his own account, and permitted intercourse to take place. This makes crime No. 9.

No. 10. After this, in consequence of several suspicious occurrences, the Shogun set forth. With renewed goodness and magnanimity, he sent for three of the Cadet Daimios to Osacca, to interrogate them. They refused to come, under the pretext of illness. This was involving the honest and loyal Cadet families in his own crimes. This makes crime No. 10.

No. 11. After surpassing clemency and mercy had been exercised, the matter was referred to the Tenslie, and then the Rojm, in fulfilment of the commands of the Mikado and Tycoon, advanced toward the frontier. In order that he might have no grounds for misunderstanding, the Cadet Daimios Kikkawa and others were sent for; but he stopped them, and refused to let them come, on pretence of illness. This makes crime No. 11.

No. 12. Each of the Cadet Daimios, under pretence of sickness, sent a substitute instead; but Ghishido Bingo Noske was believed never to have really belonged to the family at all. He was suddenly adopted into it as a son, and sent as a substitute. He went to Geishu on the business of his prince, and never stated that there was anything the matter with himself; but when, on the 13th of June, he was sent for to hear the imperial decision, he complained of boils, which prevented him from sitting or standing, and sent to say that he could not come at all. This was treating the Mikado's and the Tycoon's commands with contempt—no light matter. This makes crime No. 12.

No. 13. The imperial decision was pronounced to the three Cadet families, but, on the pretence that it would excite the populace, they kept it to themselves, and did not communicate it to Daizen and his son. They, moreover, took upon themselves to write an humble petition, and to request the Geishu clan to forward it. This makes crime No. 13.

No. 14. Bingo Noske declined to attend on account of illness. As he thus neglected his office of a substitute, he was relieved from it. He was sent for to Kokudaigi, to be questioned about the suspicion attaching to his own origin; but he again refused to come, alleging sickness as an excuse. Messengers were sent to read his sentence to him on his sick-bed, and he was placed in charge of the Geishu clan; but, owing to some circumstance which prevented the Geishu troops from taking charge of him at the time, some musketeers were sent instead. He was taken in charge because he neglected to do the business with which his chief had charged him, and because of the suspicious matter connected with his origin. This measure was communicated to Mori Okumaru and to the Cadet Daimios Kikkawa, and they had no reason to say a word about the matter. They ought, rather, to have kept quiet themselves; but because some musketeers were sent on the occasion of Bingo Noske being taken in charge, they made reprisals with horse and foot, pretending that the duty of a servant to his master necessitated their acting so. Are Nagato and Suwo the dominions of Bingo Noske? or are they the hereditary dominions of the Mori family? If they are the latter's dominions, held by them since the time of their ancestors, to despatch troops on behalf of Bingo Noske to disobey the Tycoon's orders and rebel against the imperial decision, was to put their master in the position of being liable for this crime. This makes crime No. 14.

*Memorandum of interview between Sir Harry Parkes, British minister, and Katsura, governor of Simonoseki, and Ito Shunsuke, officer of Choshu, at Simonoseki, August 4, 1866.*

Sir Harry Parkes professes to speak not only for himself, but also in behalf of the French minister. Object: Information as to cause of dispute between Choshu and Tycoon, with a view of aiding in bringing about an adjustment. Why were the previous negotiations unsuccessful? Katsura states Owari's mission, in the winter of 1864-'65, supposed to have been successful. On demand, three karos (secretaries) were executed, in atonement of troubles caused at Kiote. Tycoon declined to ratify Owari's arrangement, and insisted on inflicting additional punishment. After the visit of representatives to Osacca, the Tycoon sent Najai Mondonosho (governor of Osacca, who had been connected with the Osacca negotiations) to inquire into the government of Choshu and the intercourse of its people with foreigners, being evidently suspicious that such intercourse might lead to a treaty with them.

Mondo was informed that, in virtue of the agreement entered into with the allied naval commanders in September, 1864, the Choshu people were bound to treat the foreign vessels in a friendly manner, and furnish supplies of coal, &c. It was also shown him (Mondo) that the people were well satisfied with the government of the prince. It was apparent that the occasional intercourse with foreigners was reckoned one of the crimes of the prince.

Mondo went away, and Osarawara Ike-nokami (the same who previously had notified the foreign R. R. that Yokohama should be closed by order of the Mikado) came to Hiro Smia, (an island with straits,) demanding that four members of the Choshu family be sent to meet him; these were Kikawa Kinmolsu, Mari Sakio, Mori Awagio, and Sayemonoske. The people of Choshu, looking upon Osarawara's arrival as unfriendly, sent an address praying that their peace and prosperity might not be interrupted. The petition was presented through Aki, Prince of Geishi, who was directed by Osarawara not to receive it. The relations of Prince Choshu, who met Osarawara at Hiro Shima, endeavored to make him accept it, but unsuccessfully. The four above-named relations of Prince Choshu went to Hiro Ghima in charge of Shinido Bingo Noske, one of the principal karos, (secretaries.) Osarawara then presented the Tycoon's ultimatum—sequestration of territory to the value of 100,000 koku annual revenue, and Mori Nagato (son) to retire forever, with loss of all their dignities, the Tycoon appointing their successors. After making their report, the four relatives were again sent to inquire whether the opinion of the people as to the manner in which they were governed was to be allowed to have no weight. Osarawara's reply was, acceptance of ultimatum or fight, and on the 9th day of the fifth month (January 21, 1866) he seized Ghinido Bingonoske, the chief envoy of Choshu, and threatened to attack Choshu unless he immediately submitted. No intention of submitting and waiting for the first attack from the Tycoon. On the 7th day of the sixth month (July 7, 1866) four Tycoon's steamers sailed to Osima, fired into the village, and wounded a few women. Four days afterward a more serious attack was made on the same island; troops were landed; men, women, and children were killed, houses plundered and burned, and booty carried off.

Choshu could wait no longer. The Tycoon's minister had seized his envoy and killed his people, without distinction of age or sex, and he resolved to act, all officers urging to take up arms, to unite as one man in defence of their homesteads. Orders were accordingly issued. It was known that the Tycoon's forces intended to cross his frontier at three points—Osajawa Ingeshu; Sekishin, in Iwani; and Tanaura, on the south side of the straits, opposite to Simonoseki. Choshu surprised and defeated the Tycoon's forces; Osajawa on the 25th of July, Sekishin on the 27th, and Tanaura on the 28th. At Osajawa the Tycoon's troops were driven away easily; at Sekishin about forty were killed, and inflicting a loss of ten guns; at Tanaura about sixty were killed and thirty guns captured, also a large flotilla of boats collected for crossing the straits. Choshu's loss was trifling on each occasion.



Katsura further stated, in reply to question presented, that Choshu had never promised to accept the Tycoon's terms, nor had offered to give hostages. They had met Osarawara's demands to send to Hiro Shima their principal karo, Shimido Bingo Noske, and four of the Prince's nearest relatives. They were sent to confer with Osarawara, but not to accept the severe and impracticable conditions of the Tycoon, and Osarawara abused the confidence by treacherously arresting the karo. They deeply regretted the hostilities, and greatly appreciated the motives of the English and French ministers in desiring to see Japan at unity and at peace; but they had been attacked; they had to defend themselves, and overtures for an arrangement could not be made by them, but should come from the Tycoon. The Tycoon had to engage them single-handed. The support he received from other Daimios was faint, as they regarded his conduct as oppressive, and so did the people of Choshu. Choshu felt strong in the support of his people; he sought no foreign aid; hoped none would be given to the Tycoon. Choshu did not dispute the superior authority of the Tycoon, whom he recognized as the delegate of the sovereignty of the Mikado; but he believed that, in his case as in many other matters, the Tycoon acted beyond and independently of the orders of the Mikado. The Tycoon had never informed him that the sentence he wished to impose had received the approval of the Mikado; but he knew, on the contrary, that the Mikado had instructed the Tycoon to give an equitable judgment, instead of which he intended to enforce an oppressive one. As long as the Tycoon acted in that spirit there would be no chance of an adjustment of difficulties being arrived at. Katsura informed Sir Harry Parkes that he would at once inform Prince Choshu, then at his residence at Yamaguchi, thirty-five miles in the interior, of the willingness of the minister to meet him at some convenient place, if he desired it, and that his reply might be expected on the 5th of August.

JULY 18, 1866.

The judgment passed upon Mori Daizen and son was communicated to them after having been reported to the Mikado. They have, notwithstanding, disregarded it, and the Tycoon has now represented to us that he is going to proceed with military force to inquire into his offences. This measure has been approved by the Mikado. His Majesty is pleased to express his thanks to the Tycoon for his prolonged stay at Osacca; and, as he may now take the field, he hopes that he will meet with honorable success in his campaign, and thus put the imperial mind at rest. The attacking forces of the various Daimios are to be informed of this.

This is the mandate of the Mikado.

*Mr. Van Valkenburgh to Mr. Seward.*

No. 39.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, September 20, 1866.*

SIR: On the 18th of July, as stated in my despatch No. 38, of date of September 18, the Mikado issued to the Tycoon an order directing him to commence hostilities against Prince Choshu, who for some time had been in a state of rebellion against the government.

In compliance with this order the Tycoon at once made preparations to move upon Choshu's forces, and on the 24th of July a communication was received by W. P. Mangum, esq., United States consul at Nagasaki, from the governor of that place, (a copy of which is herewith transmitted,) requesting that he issue to American citizens a notice that they must not anchor in the ports of Suwo and Nagato, and giving the reasons for this request being made to him by the governor. This letter of the governor of Nagasaki was referred to the legation.

On the 1st and 4th of August, despatches were received from the Gorogio, by Mr. A. L. C. Portman, then chargé d'affaires, requesting that he would issue a notification forbidding the anchorage of American vessels in the straits of Simonoseki or their passage through those straits.

In compliance with the request of the Gorogio, as expressed in these two communications, Mr. Portman at once issued to each of the United States consuls in Japan a notice, a copy of which is herewith enclosed, and communicated his action to the Gorogio. On the 7th of August a similar notification

was issued by Mr. Von Polsbroeck, H. N. M's political agent and consul general a copy of which is herewith transmitted.

On the 10th of August, Choshu sent a communication, announcing that war had actually broken out, and requesting that American ships might not approach the coasts of Suwo and Nagato by night, and that they would always show their colors in order that they might not be mistaken for enemies. About the same time a notification, especially intended for the people of the disaffected districts, was circulated from the Japanese war department.

On the 28th of August I had a long interview with Sir Harry S. Parkes, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, and we came to an understanding, in pursuance of which he issued, at the times on which they bear date, the three several notifications enclosed herein.

In pursuance of the same understanding and in furtherance of Mr. Portman's notification of August 4, I issued on the 11th of this month the enclosed notice and regulation for the guidance of American citizens during the pending hostilities.

I have the honor to be, sir, very respectfully, your obedient servant,  
R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

I have the honor to suggest to you that as Moori Dizen, the Prince of Nagato, has failed in obeying the order of our government, so there will be a war to try his crime as soon as our troops are ready. For the above reason it is certain that our Gorogios at Yedo will discuss with the representatives of the treaty powers so as to prevent the foreign vessels from anchoring in the ports of those provinces, viz., Nagato and Suwo, and from passing through the straits of Simonoseki. Accordingly I have received the despatch from a member of the Gorogio at Kokura, ordering that, as Nagasaki is so distant from Yedo, while the notification is not yet circulated to all the foreigners, most probably, on the other hand, the war will have been declared at that place, it is necessary to request you will please give the notice to all the subjects to abstain from anchoring at those ports and passing through those straits until further suggestions shall be made by me.

With compliments.

NOZE OSMI NO KAMI.

12th of 6th month of 2d Kaiao.  
WILLIE P. MANGUM, Esq.

[Translation.]

We have the honor to inform you that we already desired you that you would give a notice to your people that vessels of your country shall not anchor in the strait of Simonoseki, in Nagato, for we have been told that some vessels, though we know not to what country they belong, have often anchored in the places above mentioned. Now, as two provinces, Nagato and Suwo, have become the seat of war, and as hostilities will soon be commenced, it is not unlikely that some accident will happen during the campaign. We wish, therefore, that you will soon declare that vessels of your country shall not anchor on the coast of these two provinces.

With respect and esteem,

INOWEYE KAWATSI NO KAMI,  
MATSU DAIRA SUWO NO KAMI.

20th day of 6th month of 2d year of Kaiao.  
His Excellency A. L. C. PORTMAN, Esq.,  
*Chargé d' Affaires of the United States of America.*

[Translation.]

We have the honor to make the following communication: We believe that you have already executed our wishes to give a notice to your people that vessels of your country

shall not anchor in the harbors of the provinces of Nagato and Suwo, because these two provinces have become the seat of war. Now we desire you will again declare that vessels of your country shall not pass those coasts, as the troops of both sides are marching to those provinces and there is great confusion there, and if any accident should happen to the foreign vessels it might cause bad feeling between them and us. Though we are sorry to give you the trouble twice, we are obliged to write this, as we are very uneasy on the subject.

With respect and reverence,

INOWEYE KAWATSI NO KAMI,  
MATSU DAIRA SUWO NO KAMI.

23d day of 6th month of 2d year of Kaiao.

His Excellency A. L. C. PORTMAN, Esq.,  
*Chargé d'Affaires of the United States of America.*

LEGATION OF THE UNITED STATES,

*Japan, August 4, 1866.*

SIR: I received two communications from the Gërogio, in quick succession, informing me that the forces of this government are now closing in upon Choshu, and urging, with a view to avoiding complications, the immediate issue of a notice requesting American shipmasters to give the coasts of Suwo and Nagato a wide berth pending those military and naval operations. In compliance with the desire expressed I have now to request you to make the foregoing known to all American citizens within your consular jurisdiction.

I have the honor to be, sir, your obedient servant,

A. L. C. PORTMAN, *Chargé d'Affaires*

GEORGE S. FISHER, Esq.,  
*United States Consul at Kanagawa.*

LEGATION OF THE UNITED STATES,

*Japan, August 4, 1866.*

I have the honor to acknowledge the receipt of your two communications, dated the 20th and 23d day of this year, 6th month, respectively, and to inform your excellencies, in reply, that, in compliance with the wish expressed, I have at once issued a notice to American shipmasters, desiring them not to approach the coast of Suwo and Nagato.

With respect and esteem,

A. L. C. PORTMAN,  
*Chargé d'Affaires of the United States.*

Their Excellencies INOWEYE KAWATSI NO KAMI,  
MATSU DAIRA SUWO NO KAMI.

[Translation.]

NOTIFICATION.

KANAGAWA, *August 7, 1866.*

The war operations of his Majesty the Tycoon against Mori Daizen, Prince of Suwo and Nagato, having commenced, commanders and masters of Netherlands men-of-war and merchantmen are earnestly warned, by desire of the Japanese government, not to anchor off the coasts of those provinces or to pass the strait of Simonoseki.

D. DE GRAEFF VON POLSBROECK,  
*H. N. M.'s Political Agent and Consul General in Japan.*

[Translation.]

SECOND DAY OF THE 7TH MONTH—(*August 10, 1866.*)

Though the warm weather is nearly over, I hope you will continue in good health. I have to inform you that the Tycoon will commence war, and that, in consequence, the population of Boshu and Choshiu (Suwo and Nagato) are necessarily united in repelling those hostilities. I have to request, therefore, that your ships of war and merchant vessels will not approach the coasts of those provinces by night, and that they will not pass through the straits of Simonoseki, but that they will always show their colors in order to prevent their being mistaken for enemies.

Which I have to state with respect.

CHOSHIU BASHIKI BUNGYO,  
KATSU URAGORO.

His Excellency the AMERICAN MINISTER.

[Translation.]

## NOTIFICATION.

WAR DEPARTMENT, *August, 1866.*

The attacking forces have now been directed to advance, because Daizen, father and son, have been prevented, by evil persons, to behave penitently, although they have before reported themselves undergoing submission.

This expedition is only directed against those evil-doers whose opposition to the judgment of the government is only contemplated to make the offences of Daizen and son worse. As this expedition is intended to punish these men only, those that remain orderly in the interest of the country have nothing to fear. Even those that have plotted together with the evil-doers but repent of their offences and submit themselves shall be pardoned, and those that indicate the whereabouts of the evil-doers shall be duly rewarded. Peasants and citizens shall remain undisturbed and continue their usual occupations and professions. Old men and children should be removed for a time from the scene of battle, to a place of safety where no harm shall reach them.

The above notification is to be circulated among the people of the two provinces of Suwo and Nagato without exception, and they are carefully to bear it in mind.

## OFFICIAL NOTIFICATION.

HER BRITANNIC MAJESTY'S LEGATION,

*Yokohama, September 1, 1866.*

In view of the state of war which now exists between the Tycoon of Japan and the lord of the Japanese provinces of Nagato and Suwo, otherwise known as the Daimio Choshu, the undersigned, her Britannic Majesty's envoy extraordinary and minister plenipotentiary in Japan, deems it advisable to draw the attention of all her Majesty's subjects in Japan to the undermentioned sections of the order of her Majesty in council of the 9th day of March, 1865:

## "SECTION 81.

"If any British subject commits any of the following offences, that is to say—

"1. In China, while her Majesty is at peace with the Emperor of China, levies war or takes part in any operations of war against the Emperor of China, or aids or abets any person in carrying on war, insurrection, or rebellion against the Emperor of China:

"2. In Japan, while her Majesty is at peace with the Tycoon of Japan, levies war or takes part in any operations of war against the Tycoon of Japan, or aids or abets any person in carrying on war, insurrection, or rebellion against the Tycoon of Japan:

"Every person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be liable (in the discretion of the court before which he is convicted) to be punished by imprisonment for any term not exceeding two years, with or without hard labor, and with or without a fine not exceeding \$5,000, or by a fine not exceeding \$5,000 without imprisonment.

"In addition to such punishment every such conviction shall of itself and without further proceedings make the person convicted liable to deportation; and the court before which he is convicted may order that he be deported from China or Japan to such place as the court directs."

## "SECTION 92.

"All trade of British subjects in, to, or from any port of Japan, except such ports and towns as are for the time being opened to British subjects by treaty between her Majesty, her heirs or successors, and the Tycoon of Japan, is hereby declared unlawful.

"If any person engages in such trade as a principal, agent, ship-owner, shipmaster, or supercargo, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to be punished (in the discretion of the court before which he is convicted) by imprisonment for any term not exceeding two years, with or without hard labor, and with or without a fine not exceeding \$10,000, or by a fine not exceeding \$10,000 without imprisonment."

## "SECTION 94.

"The officer commanding any of her Majesty's vessels of war, or any of her Majesty's naval officers authorized in this behalf by the officer having the command of her Majesty's naval forces in Japan, by writing under his hand, may seize any British vessel engaged or reasonably suspected of being or having been engaged in any trade by this order declared unlawful, and may either detain the vessel with the master, officers, supercargo, crew, and other persons engaged in navigating the vessel or any of them, or take or cause to be taken the vessel and the master, officers, supercargo, crew, and other persons aforesaid, or any of them, to any port or place in Japan or elsewhere convenient for the prosecution of a charge for the misdemeanor alleged to have been committed.

HARRY S. PARKES,

*Her Britannic Majesty's Envoy Extraordinary  
and Minister Plenipotentiary in Japan.*

## OFFICIAL NOTIFICATION

The undersigned, her Britannic Majesty's envoy extraordinary and minister plenipotentiary in Japan, having been officially informed by the ministers of the Tycoon that the forces of the government of Japan have been moved against Mori Daizen, the lord of the Japanese provinces of Nagato and Suwo, and the navigation of the strait of Simonoseki being endangered by the hostilities that have already commenced between the parties abovenamed, the undersigned, in the exercise of the powers vested in him by section 95 of the order of her Majesty in council of the 9th of March, 1865, has this day made the following regulation, which he hereby notifies to all subjects of her Majesty for their information and guidance.

As coal, wood, water, and fresh provisions cannot, during the period that this regulation remains in force, be obtained as hitherto at the town of Simonoseki, British ships are hereby informed that they may purchase supplies of this nature at the town of Kokura, near the western entrance of the straits :

*Regulation.*

From this date and until further notice, every British merchant vessel passing through the strait of Simonoseki must do so without anchoring or stopping in the waters of the said strait, which, for the purpose of this regulation, shall be held to be comprised between a line drawn on the western side of the strait from Entrance Head to the eastern extremity of the town of Kokura, and a line drawn on the eastern side of the strait from Cape Kusi Saki to the eastern extremity of the town of Tanoura, or such other limits as may from time to time be indicated by the commanding officer of any of her Majesty's ships.

Furthermore, on being warned by the officer commanding any vessel of war of her Majesty that the passage through the said strait is unsafe, every British merchant vessel must abstain from entering the said strait until informed by the said commanding officer that she can do so without danger.

Any British merchant vessel committing an infraction of this regulation forfeits all claim to her Majesty's protection, and, as provided by the 97th section of the order in council aforesaid, may be compelled by the said commanding officer to desist from violating the above regulation, or may be seized and detained at the place of seizure, or may be taken to any port or place in Japan or elsewhere where the offence so committed may be most conveniently prosecuted.

In addition to the above proceedings against the vessel, every person convicted of a breach of this regulation may be punished by any of the penalties named in the eighty-sixth section of the order in council aforesaid, viz :

Imprisonment for any term not exceeding three months, with or without hard labor, and with or without a fine not exceeding five hundred dollars, or a fine not exceeding five hundred dollars without imprisonment.

Given under my hand at the British legation in Japan, at Yokohama, this 1st day of September, A. D. 1866.

HARRY S. PARKES,  
*Her Britannic Majesty's Envoy Extraordinary  
and Minister Plenipotentiary in Japan.*

## OFFICIAL NOTIFICATION.

By virtue of the powers vested in the undersigned by the 95th section of the order of her Majesty in council, dated the 9th day of March, A. D. 1865, and with the view of avoiding acts of disturbance or violence which might endanger the maintenance of peaceful relations between the government of Great Britain and Japan, the undersigned has made, and hereby promulgates, for the information and guidance of her Majesty's subjects in Japan, the following regulation relating to the navigation of the strait of Simonoseki by British ships :

*Regulation.*

The conveyance by British ships through or into the strait of Simonoseki of troops or armed Japanese, or of Japanese passengers, in any larger number than may be authorized in each instance under the hand and seal of one of her Majesty's consuls in Japan, or of arms and munitions of war, is from this date, and until further notice, strictly prohibited.

Every British merchant vessel must display her colors while passing through the said strait, and must not enter or pass through the said strait at night, and must also follow such other directions as may be given with the view of preventing danger or disturbance by the officer in command of any of her Majesty's ships.

The limits of the strait of Simonoseki are those described in the regulation made and issued by the undersigned on the first day of the present month.

Any British merchant vessel willfully infringing the above regulation forfeits all claim to her Majesty's protection, and, as provided by the 97th section of the order in council aforesaid, may be compelled by the said commanding officer to desist from violating the above regulation, or may be seized and detained at the place of seizure, or may be taken to any port or place in Japan or elsewhere where the offence so committed may be most conveniently prosecuted.

In addition to the above proceedings against the vessel, every person convicted of a breach of this regulation may be punished by any of the penalties named in the 86th section of the order in council aforesaid, viz:

Imprisonment for any term not exceeding three months, with or without hard labor, and with or without a fine not exceeding five hundred dollars, or a fine not exceeding five hundred dollars, without imprisonment.

Given under my hand at the British legation at Japan, at Yokohama, this fifth day of September, A. D. 1866.

HARRY S. PARKES,  
*Her Britannic Majesty's Envoy Extraordinary  
and Minister Plenipotentiary in Japan.*

#### NOTIFICATION.

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, September 11, 1866.*

In furtherance of the notification issued on the 4th of August last by this legation, through the consulates at the open ports, requesting American shipmasters not to approach the coasts of Suwo and Nagato pending the then contemplated hostilities between the Tycoon of Japan and the Daimo of said provinces, and in view of the authenticated report now received that such hostilities have actually commenced, and with the desire of preventing acts which might affect the relations now existing between the government of the United States and Japan, the undersigned, minister resident of the United States in Japan, by virtue of the power vested in him by the act of Congress approved June 22, 1860, decrees and promulgates, for the guidance of his countrymen, the following

#### *Regulation.*

American merchant vessels or steamers will not stop or anchor at any port or roadstead in this country, except the three opened ports, viz., Kanagawa, (Yokohama,) Nagasaki, and Hakodate, unless in distress or forced by stress of weather, as provided by treaty. Masters of vessels committing a breach of this regulation render themselves liable to prosecution and punishment, and also to forfeiture of the protection of the United States, if the visit to such non-opened port or roadstead involves either a breach of treaty, or may be construed as an act in aid of insurrection or rebellion.

The undersigned further calls the attention of the citizens of the United States in Japan to the following extracts from the law approved June 22, 1860, above referred to:

SEC. 15. *And be it further enacted,* That murder and insurrection or rebellion against the government of either of the said countries [China or Japan] with intent to subvert the same, shall be capital offences, punishable with death.

SEC. 24. *And be it further enacted,* That capital cases for murder or insurrection against the government of either of the countries [China or Japan] hereinbefore mentioned by citizens of the United States, or for offences against the public peace amounting to felony under the laws of the United States, may be tried before the minister of the United States in the country where the offence is committed, if allowed jurisdiction, and it shall be competent for each of the said ministers to issue all manner of writs to prevent the citizens of the United States from enlisting in the military or naval services of either of the said countries, to make war upon any foreign power with whom the United States is at peace, or in the service of one portion of the people against any other portion of the same people, and he may carry out this power by a resort to such force as may at the time be within his reach belonging to the United States.

[L. S.]

R. B. VAN VALKENBURGH,  
*Minister Resident of the United States in Japan.*

*Mr. Van Valkenburgh to Mr. Seward.*

No. 41.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, September 27, 1866.*

SIR: I have the honor to transmit herewith the latest official intelligence, received by me on the 16th of September, concerning the illness of the Tycoon.

It is generally reported and commonly believed that he died of dropsy in the latter part of August, and that Hitotsbasi has been appointed his successor; but this cannot, by the laws of the empire, be made known until the choice of the new Tycoon has been approved by the Mikado, and a decree has been issued announcing him.

There are also reports in circulation that three powerful Daimios, whose territories lie contiguous to those of the Choshu, and who have hitherto remained neutral, have not only sent in their adherence to Hitotsbasi, but have sent their contingents of troops to aid him. If these rumors are true I have no doubt that the war will soon be ended, either by a treaty or by the subjugation of Choshu, for it is generally believed that it was brought about in great part by the personal hostility between the late Tycoon and Choshu, and it is known that Hitotsbasi is personally friendly to Choshu, and that he is a man of decision and promptness.

I have the honor to be, sir, with great respect, your obedient servant,

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

[Translation.]

His Excellency Hon. R. B. VAN VALKENBURGH,

*Minister of the United States :*

We wish to send to you, for your information, the enclosed document, which has been issued in regard to the illness of his Majesty the Tycoon.

With respect and esteem, the 8th day of the 8th month of the 2d year of Kaiào, (September 16, 1866.)

INOWEYE KAWATSI NO KAMI.  
MATSU DA IRA SUWO NO KAMI.  
MATSU DA IRA NO OIE NO KAMI.

---

[Enclosure.]

His Majesty the Tycoon, having been unwell for some time, finds himself growing worse and worse daily, and it has been officially announced that in case of his Majesty's death Hitotsbasi Chio-onagon will be his successor. Hitotsbasi has been ordered to command the army as the representative of his Majesty, and he has been directed to carry on with vigor offensive operations against Choshu.

---

*Mr. Van Valkenburgh to Mr. Seward.*

No. 42.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, September 28, 1866.*

SIR: I have the honor to inform you that on my arrival at Yokohama, on the 12th of August, I found the Italian frigate *Magenta* in the harbor, whose captain was accredited as envoy extraordinary and minister plenipotentiary, as I was informed, with full powers to conclude a treaty with Japan. About the 1st of September, I learned from public rumor that a treaty had been concluded with Italy by the Japanese government, and about that time the Italian frigate left the harbor of Yokohama.

On the 14th of this month, having received from the Gorogio no communication relative to this subject, I addressed them a letter calling their attention to the fact that five years ago the Japanese government had desired the then minister of the United States to request his government to notify Austria, Brazil, Denmark, Italy, Spain, and Sweden, that treaties could not then be made, and sug-

gesting that I be informed officially that a treaty had been concluded with Italy, and that the United States government be requested to inform the other five powers that the Japanese government was then prepared to enter into treaty relations with them.

Immediately I was called upon by one of the governors of foreign affairs, in order that the matter might be explained. In the course of the conversation he told me that Denmark had applied, through Mr. Van Polsbroeck, H. N. M. political agent and consul general in Japan, to make a treaty with the Japanese government, and that the Hawaiian government had also applied to enter into treaty with Japan, through Mr. E. M. Van Reed, consul general of the Hawaiian islands in Japan.

The governor gave as a reason for not notifying me that they were ready to enter into treaty relations with the five other powers; that the Japanese government was at war, and they desired to defer the treaties until peace should be restored. However, on my explaining to him that courtesy, both to the United States government and from the United States government to the government of these other countries, required such a communication should be sent, he promised to forward it at once, and on the 27th instant I received the enclosed communication, which I have the honor to forward as requested by the Gorogio.

This government will make treaties with these powers whenever ministers shall arrive properly accredited for that purpose, but they prefer to defer it until peace shall be restored to the empire.

I have the honor to be, sir, very respectfully, your obedient servant,

R. B. VAN VALKENBURGH.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, September 14, 1866.*

With reference to your archives, your excellencies will perceive that more than five years ago a letter was transmitted from your government, at your request, through this legation, by the government of the United States to the governments of Austria, Brazil, Denmark, Italy, Spain, and Sweden, to the effect that his Majesty the Tycoon was not then prepared, owing to the state of affairs in this country, to enter into treaty relations with them. The recent conclusion of a treaty with one of those powers, namely, Italy, is a pleasing evidence of the removal of the difficulties set forth in your circular letter; though I must express my regret, while cheerfully acknowledging the progress made by Japan since that letter was written, that after the friendly action of my government above referred to, your excellencies have omitted to inform me officially of the conclusion of your treaty with the kingdom of Italy. As it was at the request of your government that the government of the United States notified the six powers above named that treaties could not be made, now the treaty with Italy having been concluded and the disabilities mentioned in the circular letter having been removed, would it not be expedient for your government, without delay, to request the government of the United States to use its friendly offices with the governments of Austria, Brazil, Denmark, Spain, and Sweden, on your behalf, and announce your desire to enter into treaty relations with them, as international courtesy would seem to require?

When announcing the conclusion of your treaty with the kingdom of Italy, I shall of course inform my government that the disabilities mentioned in your circular letter of 1861, are removed, and that you are probably prepared to enter into treaty relations with the five other powers, to whom such circular letter was addressed, though I hope that on a careful and prompt consideration of the matter to which your attention is now invited, you will at once enable me to convey to the five powers named the pleasing intelligence of your readiness to conclude treaties with them, in precisely the same manner as adopted by you in 1861, when, through the considerate courtesy of my government, you were enabled to convey to them the unpleasant intelligence that you were not prepared to do so.

With respect and esteem,

R. B. VAN VALKENBURGH,  
*Minister Resident of the United States in Japan.*

Their Excellencies the **MINISTERS FOR FOREIGN AFFAIRS,**  
*&c., &c., &c., Yedo.*



[Translation.]

SIR: We have the honor to make the following communication:

Lately an ambassador was sent from the Italian government, who applied to make a treaty, but we intended to refuse to treat, as we troubled the former minister of your country to give information to the government of each power that we were obliged to decline to make treaties with any foreign powers, except those with whom we were already in amity, until our realm became quiet and in peace; and Italy is one of those powers, and our government has not become quiet. However, the reason that the ambassador gave was not only for the benefit of commerce, but was, this: that when Italian men-of-war, which are in the eastern seas, may be in peril, they would have no port in which to take refuge unless the treaty was made, and Italy was now engaged in war with Austria. This reason made it unavoidable for us to consent, and in compassion we could not refuse, and so the treaty was concluded at last.

We give you this particular account of this, as we troubled the former minister of your country on the subject. On the application of her ambassador we made the treaty with Italy. Now, our government is willing to make a treaty with other powers, but at present we are busy raising an army and transporting ammunition, and engaged in war in Nagato and Suwo, and we have many other troubles.

We prefer to wait for making treaties with other powers until peace be restored in our country. We hope that you will understand our condition, by which we are compelled to say this, although it is unpleasant to us, and will report it properly to your considerate government.

With respect and esteem.

The sixth day of the eighth month of the second year of Kaiiao, (September 14, 1866.)

INOWEYE KAWATSI NO KAMI.  
MATSU DA IRA SUWO NO KAMI.  
MATSU DA IRA NOO-IE NO KAMI.

His Excellency R. B. VAN VALKENBURGH,  
*Minister Resident of the United States of America.*

---

*Mr. Van Valkenburgh to Mr. Seward.*

No. 46.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, October 6, 1866.*

SIR: I have the honor to transmit herewith a copy of a communication from the Gorogio which I received yesterday, announcing the death of the late Tycoon on the 20th day of the 8th month, (September 28th,) and the appointment of Prince Hitotsbasi to be his successor, with the title of Nye Sama, (his majesty.)

I have the honor to be, sir, very respectfully, your obedient servant,

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

SIR: We have to inform your excellency that it has been published that his Majesty the Tycoon is dead, and herewith send you a copy of that proclamation.

Which we state with respect and esteem, on the 27th day of the eighth month of the second year of Kaiiao, (October 5, 1866.)

INOWEYE KAWATSI NO KAMI.  
MATSU DA IRA SUWO NO KAMI.  
MATSU DA IRA NO-EO NO KAMI.

His Excellency R. B. VAN VALKENBURGH,  
*Minister Resident of the United States of America.*

[Translation.]

Kubo Sama (his Majesty the Tycoon) got sick and did not recover, and died at Osacca on the 20th instant, at 6 o'clock in the morning.

As previously announced, Hitotsbasi Chunangong Sama (his highness Prince Hitotsbasi) succeeds to the throne, and since the 20th instant is styled Nye Sama, (his majesty.)

*Mr. Van Valkenburgh to Mr. Seward.*

No. 50.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, October 15, 1866.*

SIR: It is almost impossible to learn from the government any facts connected with the pending war in this empire. They either do not know, or, knowing, prefer not to communicate. I wrote you in my despatch No. 41, under date of September 27th, that it was generally "reported and commonly believed that the Tycoon died of dropsy, in the latter part of August," and enclosed to you in my despatch No. 46, under date of October 6th, the official notification, announcing his death on the 20th day of the 8th month, (September 28th.) I believe he died in the latter part of August, and that his body was yesterday received for burial in this city. Acting Rear-Admiral H. H. Bell, commanding Asiatic squadron, has this day forwarded to me extracts from the report to him by commander R. H. Shufeldt, of the Wachusett, who left Yokohama for Hong Kong, *via* the inland sea, on the 13th of September last, as follows:

"I made no stay at Simonoseki, because it was quite evident that Choshu had complete possession of both sides of the straits; the southern shores presenting a scene of entire desolation. The Tycoon's steamers are all here, (Nagasaki,) as their anchorage became unsafe from the batteries on the northern bluffs, and they do not seem disposed to force a passage through. For twenty-five miles south from Simonoseki, in the Tycoon's territory, we saw burning villages. Indeed, Choshu seems to be advancing quite rapidly, and here at Nagasaki they are beginning to apprehend an attack from him.

"At Simonoseki the Choshu steamers, five in number, dipped their flags as we passed; as it was the national flag of Japan, I returned the salute."

The Japan Herald of Saturday, October 13th, published at Yokohama, contains what purports to be names of all the Daimios furnishing contingents of troops to the new Tycoon, together with the number of such troops, the names of their generals, and the revenue of each of such Daimios.

Choshu's troops are said to be well armed, and are evidently making a strong opposition to the government.

I have the honor to be, sir, very respectfully, your obedient servant,  
R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Van Valkenburgh to Mr. Seward.*

No. 53.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, October 26, 1866.*

SIR: I have the honor to transmit herewith No. 1, copy of a letter from the British minister, informing me that in view of the prior claims of the United States, France, and the Netherlands to compensation for special injuries, Great Britain had received, of the 2d and 3d instalments of the indemnity money received for the four powers named from the Japanese government, a sum of thirty-five thousand dollars (\$35,000) in excess of her proper share, and that therefore the senior British commissariat officer at Yokohama had been instructed to pay to me, for the United States, one-third of the amount named, *viz*: eleven thousand six hundred and sixty-six dollars and sixty-six cents, (\$11,666 66.)

I transmit herewith No. 2, copy of the letter of the British commissariat officer, and Nos. 3 and 4, copies of my replies to the British minister and the commissariat officer respectively. When the remittance of one-fourth of the 2d and 3d

instalments of the indemnity money, namely, two hundred and fifty thousand dollars, (\$250,000,) was made in May last, the mode of division between the four powers, as adopted in London or Paris, was not known, nor had any instructions on that subject been received at this legation; and the first instalment of the indemnity remitted through the British commissariat was deemed sufficient to meet any balance that might have to be adjusted between the four powers.

I now understand the above account to stand as follows: A prior claim of one hundred and forty thousand dollars (\$140,000) each for the United States, France and the Netherland, on the total amount of the indemnity of three millions dollars, (\$3,000,000,) having been admitted, it appears to have been agreed that one-sixth of the total prior claim, amount of four hundred and twenty thousand dollars, (\$420,000,) namely, seventy thousand dollars, (\$70,000,) shall be first in equal shares apportioned between the United States, France and the Netherlands; the balance remaining of each of the six instalments of five hundred thousand dollars, (\$500,000,) namely, four hundred and thirty thousand dollars, (\$430,000,) to be then equally divided between the four powers, who signed the convention of October 22d, 1864.

In this manner only can I account for the difference of \$11,666 66, now stated to be due to the United States. Instructions in accordance with those received by the British minister being no doubt on the way, I did not hesitate to receive the amount of \$11,666 66 named, for which I purchased a bill of exchange on London, at the current rate of four shillings seven pence, at six months after sight. I now enclose the third of this bill of exchange, for two thousand six hundred and seventy-three pounds twelve shillings and two pence sterling, (£2,673 12 2,) drawn by the Oriental Bank Corporation at Yokohama on the Union Bank, London, in favor of the honorable Mr. Adams, our minister in London, to whom, in obedience to the instructions contained in your despatch No. 20, of the 14th July last, I transmit the first of this bill by this mail, and the second of the same I shall send to London, similarly addressed, by the next mail, which leaves Yokohama on the 13th proximo.

I also transmit, No. 5, copy of the receipt given by me to the British assistant commissary general, and, No. 6, copy of my letter to Mr. Adams.

I have the honor to be, sir, very respectfully, your obedient servant,

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Sir H. Parkes to Mr. Van Valkenburgh.*

YOKOHAMA, October 8, 1866.

SIR: I have the honor to inform you of my having been instructed by my government that in receiving, on account of Great Britain, \$250,000 as one-fourth share of the second and third instalments of the Simonoseki indemnity, in accordance with the understanding arrived at with Mr. Portman, as United States chargé d'affaires, in conjunction with our colleagues the representatives of France and the Netherlands, we omitted to consider the prior claims of France, the United States, and the Netherlands to compensation for special injuries to the amount of \$70,000 on each instalment, which had already been recognized by her Majesty's government.

Deducting, therefore, the last-mentioned sum from each of the aforesaid instalments, the amount remaining to be divided equally between the four powers was \$360,000, instead of one million dollars, and the share to be received by each power (after payment of the special compensations) was \$215,000, instead of \$250,000.

Great Britain having accordingly received \$35,000 in excess of her proper share, the senior commissariat officer in Japan has been instructed by her Majesty's treasury to adjust this matter by paying the sum of \$11,666 $\frac{2}{3}$  to each of the representatives of France, the United States, and the Netherlands, in completion of the amount to which they were respectively entitled.

I have the honor to be, sir, your most obedient, humble servant,

HARRY S. PARKES.

General VAN VALKENBURGH, &c., &c., &c.

*Mr. Murray to Mr. Van Valkenburgh.*

COMMISSARIAT OFFICE,  
Yokohama, No. 103, October 18, 1866.

SIR: Having received instructions from the lords commissioners of her Majesty's treasury to pay to the representative of America the sum of eleven thousand six hundred and sixty-six dollars and sixty-six cents, (\$11,666 66,) being the amount received into the treasury chest here in excess of the proportion due to her Britannic Majesty's government of the second and third instalments of the Japanese indemnity, I have the honor to request that your excellency may be pleased to inform me when it will suit your convenience to receive this amount. Payment will be made by check on the Oriental Bank Corporation.

I have the honor to be your excellency's most obedient, humble servant,

JAMES W. MURRAY,  
*Assistant Commissary General.*

*Mr. Van Valkenburgh to Sir Harry Parkes.*

LEGATION OF THE UNITED STATES IN JAPAN,  
Yedo, October 22, 1866.

SIR: I have the honor to acknowledge the receipt of your despatch of the 18th instant, informing me that the senior commissariat officer of her Majesty's government has been instructed to pay to the representative of the United States the sum of \$11,666 66, being the amount received into the treasury chest at Yokohama in excess of the proportion due to her Britannic Majesty's government of the second and third instalments of the Simonoseki indemnity. I have received a communication from Major Murray, requesting to know when it would be convenient for me to receive the money, and I have notified him that I would receive it soon at Yokohama.

I have the honor to be, sir, your most obedient, humble servant,

R. B. VAN VALKENBURGH,  
*Minister Resident of the United States in Japan.*

Sir HARRY S. PARKES, K. C. B.,  
*Her Britannic Majesty's Envoy Extraordinary  
and Minister Plenipotentiary in Japan.*

*Mr. Van Valkenburgh to Major Murray.*

LEGATION OF THE UNITED STATES IN JAPAN,  
Yedo, October 22, 1866.

SIR: I have the honor to acknowledge the receipt of your communication of the 18th instant, informing me that you have been instructed to pay to the representative of the United States the sum of eleven thousand six hundred and sixty-six dollars and sixty-six cents, (\$11,666 66,) being the amount received into the treasury chest at Yokohama in excess of the proportion due to her Majesty's government of the second and third instalments of the Japanese indemnity. I will call at your office, or send an order, for the check soon.

I am, sir, respectfully, your obedient servant,

R. B. VAN VALKENBURGH,  
*Minister Resident of the United States in Japan.*

Major J. W. MURRAY,  
*Assistant Commissariat General, Yokohama.*

YOKOHAMA, JAPAN, October 23, 1866.

Received from Assistant Commissariat General Murray the sum of eleven thousand six hundred and sixty-six dollars and sixty-six cents, (\$11,666 66,) equivalent in sterling to £2,479 3s. 4d., being excess of the proportion of second and third instalments of the Simonoseki indemnity received by the British government.

£2,479 3s. 4d.

(Signed in duplicate.)

R. B. VAN VALKENBURGH,  
*Minister Resident of the United States in Japan.*

Witness: A. L. C. PORTMAN.

*Mr. Van Valkenburgh to Mr. Adams.*

LEGATION OF THE UNITED STATES IN JAPAN,  
Yedo, October 26, 1866.

SIR : In obedience to instructions, of which you are no doubt apprised, I have the honor to transmit herewith the first of a bill of exchange for two thousand six hundred and seventy-three pounds twelve shillings and two pence sterling, (£2,673 12s. 2d.,) at six months after sight, drawn in your favor by the Oriental Bank Corporation at Yokohama on the Union Bank, London, representing, at the rate of four shillings seven pence, the amount of eleven thousand six hundred and sixty-six dollars and sixty-six cents, (\$11,666 66,) Mexican currency, being one-third of thirty-five thousand (35,000) dollars received by her Majesty's government in excess of their proper share of the second and third instalments of the Simonski indemnity. The third of this bill will be sent by this mail to the honorable the Secretary of State, to whom I also send a copy of this letter, and the second of the same I shall send to you by the French mail which leaves Yokohama on the 13th proximo.

I have the honor to be, sir, very respectfully,  
R. B. VAN VALKENBURGH,  
*Minister Resident in Japan.*

Hon. CHARLES FRANCIS ADAMS,  
*Envoy Extraordinary and Minister Plenipotentiary, London.*

*Mr. Van Valkenburgh to Mr. Seward.*

No. 54.]

LEGATION OF THE UNITED STATES IN JAPAN,  
Yedo, November 5, 1866.

SIR : I am informed by the governors of foreign affairs that during the fifty days of mourning prescribed for the late Tycoon there is a cessation of hostilities between the government forces and those of the rebels. That this cessation was proclaimed by the Mikado, and that Choshii, the leader of the rebel forces, acquiesced in it. As soon, however, as these days have passed active operations will again be resumed. This proclamation of the Mikado was issued about four weeks ago, so that more than half of the time has already elapsed.

The body of the late Tycoon was brought from Osacca and has since been lying in state in the temple of the Tycoons in this city, until the burial, which took place on the last day of October.

In consequence of this war, and perhaps of a small decrease in the quantity of rice raised, the poor people are suffering for the want of provisions, and rice riots, like the flour and bread riots of more civilized countries, are frequent. Mobs at times have paraded the streets breaking into rice warehouses, and committing other crimes attendant upon such *emeutes* of the people. I had, on the 26th ultimo, a slight experience in this way. Some guests and myself rode out to Ogee, a distance of twelve miles, in the morning, and, on our return in the afternoon, by another route, near the temple of Osaxa, rode into a crowd of these poor rice rioters. We were not aware that riots were then raging in the city. It was impossible to retreat, but we were compelled to go forward, and, for two miles or more, we found the narrow streets thronged with dense crowds, sometimes in procession with banners, and again entirely unorganized. At two points they threw some stones at us, but our Japanese guard behaved bravely, charging in upon the crowd and driving them back until we came through safely.

I am sorry to say three of the guard were slightly hurt with stones and clubs, and that probably two of the rioters were killed by the swords of our escort.

At daylight next morning two of the governors of foreign affairs called upon me to explain and apologize, and to express the regrets of the government.

They told me the government was building houses and purchasing rice for the purpose of relieving as much as possible the necessities of the poor, and they hoped in a few days that all would be quiet. I took the occasion to urge upon them the importance of permitting their people to purchase of foreign merchants

rice and provisions, and to sanction it by proclamation. Foreign rice can be imported from China and sold at one-half the cost of Japanese rice as it now sells in market.

Their own rice has raised in price from one cent per pound to about five and a half cents per pound.

I have the honor to be, sir, very respectfully, your obedient servant.

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Van Valkenburgh to Mr. Seward.*

No. 56.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yedo, November 10, 1866.*

SIR: I have the honor to transmit herewith (No. 1) the translation of a communication received on the 7th instant from the ministers for foreign affairs, together with the form of a passport adopted by them under the proclamation of the Japanese government, dated May 23d, 1866, and the tenth article of the convention of Yedo, dated June 25th, 1866.

I have the honor to be, sir, very respectfully, your obedient servant,

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translation.]

We have to inform you that the form of passport to be issued to any Japanese, without distinction of class, either official or merchant, who may wish to travel abroad for purposes of study or trade, has been determined upon, and herewith send you a specimen copy of the same, which we request you to communicate to your government. We have further to say that such passports, when issued at Kanagawa, Nagasaki, or Hakodate, shall be partly stamped with a seal of the local governments, the counterpart of the seal to remain on record at the port of issue.

Stated with respect and esteem, the 29th day of the ninth month of the second year of Ke W., (November 6, 1866.)

INOWEYE KAWATSI NO KAMI.  
MATSU DAIRA SUWO NO KAMI.  
MATSU DAIRA NIU NO KAMI.

His Excellency R. B. VAN VALKENBURGH,

*Minister Resident of the United States of America.*

No. —.

Limited years; birthplace; name of the person; &c.; &c.; &c.

Age, ; stature, ; eyes, ; nose, ; mouth, ;  
face, ; scar, .

This passport is supplied to the above-mentioned person upon his request to go to ——— country for the purpose of study [trade] of ———.

It is requested to the authorities of every government to permit safely and freely to pass him on any country which he will travel, and in case of need to give him the lawful aid and protection.

FOREIGN OFFICE, JAPAN, — day of — month of the year —.

# TURKEY.

*Mr. Morris to Mr. Seward.*

No. 135.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, December 15, 1865.*

SIR: I have the honor to acknowledge the receipt of despatch No. 97, and to transmit herein enclosed translations and copies of the new regulations relative to the sale, importation, and manufacture of tobacco in the Ottoman empire.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Aali Pacha to Mr. Morris.*

[Translation.]

SUBLIME PORTE, DEPARTMENT OF FOREIGN AFFAIRS,  
*December 2, 1865.*

SIR: I have the honor to transmit to you (here enclosed) some copies of the new regulations, modifying the old ones, concerning the sale and fabrication in Turkey of native and foreign tobacco under every form.

These regulations will be put in force in three months after the date of their promulgation, to wit, the 1st of December, 1865, (N. S.)

I beg you, sir, to be so good as to communicate these new regulations to those of the American merchants as are interested in the matter, so that they may be strictly governed by them.

Accept, sir, assurances of my perfect consideration.

AALI.

Mr. MORRIS,  
*Minister Resident of the United States of America.*

[Translation.]

*Regulation relating to snuff, chewing-tobacco, cigars, or tumbeki, imported either from foreign countries, or from Moldo Valachia and Servia, promulgated as a modification of the old regulation on the same subject, and applicable within three months from the date of its promulgation.*

ARTICLE 1. Cigars and chewing-tobacco, the produce of foreign countries, will be admitted by the custom-houses of the Ottoman empire on the payment of an *ad valorem* duty of 75 per cent. ; this duty will be without discount, and in money of good alloy as par on the calculation of 100 piastres to the medjidich of gold, in the same manner as is established for the reception of the customs duties payable upon all articles of commerce. There will be collected on foreign snuff a duty of 25 piastres the oke whenever its value amounts to 25 piastres the oke or less, and whenever the snuff is of a greater value the duty demanded will be equal to its current price.

ART. 2. The estimation of the value of the merchandise will be according to the invoice presented by the proprietor, and fixing the cost of the merchandise and the expenses of its transportation incurred as far as the bureau of the custom-house at which it is imported. In case there is no invoice the value will be fixed according to the note which the owner shall hand in sealed or signed by himself.

ART. 3. If the value named in the invoice or the note is considered inferior to the real value, the administration of the customs will be free to estimate the merchandise. In case the owner shall refuse to pay the duty on the basis of this estimation the merchandise will be retained for the state at the price indicated in the invoice or note, with an augmentation of ten per cent. The amount will be paid to the owner on his receipt.

ART. 4. The invoice or the note produced by the owner will be retained in all cases by the custom, whether he has paid the duty and received the goods, or whether, after a contest upon the duty claimed, the goods have been retained for account of the state.

ART. 5. The venders of snuff, or chewing-tobacco, or cigars, who have paid the duties, must, be their nationality whatever it may, submit to the arrangements and the taxes which shall be established for the sale in magazines and shops of smoking-tobacco, snuff, or cigars, the produce of the oil, or the industry of the Ottoman empire.

ART. 6. It is well understood that the concession granted is exclusively limited to the cigars already made and to the snuff and chewing-tobacco. The importation into the Ottoman empire of foreign tobacco in leaves or in canats, or in any other form whatsoever, for the purposes of having them made up into cigars, snuff, or smoking-tobacco, will not be allowed under any pretence.

ART. 7. The tumbeki, snuff, cigars, and chewing-tobacco produced of the oil, and the industry of Egypt, of Moldo-Valachia and of Servia, will also be subject to the preceding arrangements; however, the amount of the duty will only be sixty-seven per cent. for tumbeki, the cigars, and chewing-tobacco. There will also be allowed in snuff a reduction of eight per cent. on the amount of duties established in article one.

ART. 8. The snuff, cigars, chewing-tobacco, and the tumbeki, retained for account of the state according to the provisions of article three, shall be sold at public auction, and the produce of the sales carried to the receipts, with a special note of the case.

The agents of the customs will give all attention and exactness possible to the estimating of the merchandise, so as not to surpass the real value, as the interests of the treasury would be evidently injured if the product of the sale should not cover the price at which the merchandise was retained for account of the state, and the custom duties fixed in the present regulation.

RYIB 13, 1282, (November 19—December 1, 1865.)

[Translation.]

*A regulation relative to the mode of collecting the duty called rouhsatie on all kinds of snuff manufactured in the Ottoman empire, promulgated as a modification of the ancient regulation on the same subject, and applicable within three months from the date of its promulgation.*

ARTICLE 1. Every individual, an Ottoman subject, or that of any foreign power, is free to undertake the manufacture and sale of snuff prepared with *tumbeki*, or smoking-tobacco, produced in the Ottoman empire. He will, however, be held to pay, conformably with the terms of the established regulations, the license tax, in the place where this article is made or offered for sale, and another of *rouhsatie*, conformably with the following rules, in case the same article be transported to another locality.

ART. 2. Snuff prepared in the cities, towns, or other localities in which there are officers of the excise, of tobacco destined to be sent to other parts, must pay, when transported, an uniform duty of five piasters per oke, of every kind. A printed *teskere* or permit will be delivered to the vendor.

ART. 3. Snuff not accompanied with *tezkere* will be considered as prepared with tobacco or *tumbeki* produced in a locality where there is no excise bureau, and as not having paid the transport duty, (*mourourié*.)

Consequently, this snuff will be taxed, on its arrival at a locality in which such an officer exists, at seventeen piasters per oke, representing the tax (*mourourié*) of tobacco which has served in its manufacture, and the tax *rouhsatie* or snuff. A permit of transportation (*imrarié teskeressi*) will be then delivered to the owner, if the snuff is destined for exportation elsewhere, or a permit of sale (*rouhsatie teskeressi*) if it be for sale on the spot.

ART. 4. The *teskeres* of transportation, or of sale, issued on the preceding regulations, on the payment of the tax of *rouhsatie*, will be everywhere valid. No tax will be claimed, under the title of custom-house duties, or any other denomination, on the quantity of snuff stated in the above-mentioned *teskeres*, either on the transportation of this tobacco from one point of the empire to another or at the moment of exportation.

ART. 5. All the other rules to be observed with regard to snuff will be conformable with the analogous regulations contained in these in force regarding tobacco. In the same manner, snuff coming from foreign parts, or from tributary provinces of the Sublime Porte, the importation of which is allowed, will be subject to the special dispositions of the regulation relative to cigars, to chewing tobacco, and to snuff.

RYIB 13, 1282, (19 November—1 December, 1865.)



*Mr. Seward to Mr. Morris.*

No. 100.]

DEPARTMENT OF STATE,  
*Washington, December 18, 1865.*

SIR: For your information, I enclose herewith a transcript of an instruction of the 14th instant,\* addressed to the consul general of the United States at Alexandria, upon the subject of the apprehended renewal of the expedition from that place of Nubian negroes to be engaged on the part of France in the war waged between that country and Mexico. A copy of the assurance of Mr. Drouyn de Lhuys, to which reference is made therein, is also herewith enclosed.

Should circumstances require it, you will communicate a copy of the instruction to Mr. Hale to the Sultan's government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., &c., &c., &c.

---

*Mr. Morris to Mr. Seward.*

No. 136.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, December 23, 1865.*

SIR: I have the honor to acknowledge the receipt of despatches Nos. 98 and 99, and to transmit, enclosed, a translation of a note from the Sublime Porte, relative to the sanitary congress about to assemble at this capital, and inviting the government of the United States to send delegates to the same. Although no date has yet been fixed for the assembling of the members of this body, it is generally understood that it will take place towards the close of January or in the early part of February.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

[*Ali Pacha to Mr. Morris.*]

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS OF THE SUBLIME PORTE,  
*December 20, 1865.*

SIR: I have the honor to inform you that the Sublime Porte has hastened to adhere to the proposition of the imperial government of France relative to the reunion of an international sanitary conference for the purpose of ascertaining and pointing out the precautionary measures to be taken against the cholera and its propagation.

This conference, which is not at all of a diplomatic character, and is composed of competent men, will be held at Constantinople, and the execution of the sanitary measures pointed out by it, as well as the choice of the agents who shall be charged with them, will be exclusively reserved to the governments in whose territory they may be applied.

We have just learned that the greater number of the powers have already accepted this basis, and are disposed to take part in this work of public utility. Consequently, Saïh Effendi, the former chief physician of the imperial court, a functionary of the first class, and now the director general of the imperial medical school, and Doctor Bartholetti, a member of the council of health, have been chosen by the Sublime Porte to take part in the conference, as imperial commissioners, in which they are to be aided by a delegate named by his Highness the Pasha of Egypt.

---

\* For enclosure see correspondence with the consul general of the United States at Alexandria, Egypt.

Be so good, sir, as to request his excellency the minister of foreign affairs to have the goodness to appoint commissioners on the part of the government of the United States of America, and to furnish them with instructions, the basis of which we feel convinced will be conformable to the principle already admitted by the greater part of the cabinet.

I need not, sir, add that you may assure his excellency the minister of foreign affairs that these delegates will receive from the Sublime Porte the most cordial and earnest welcome.

Accept, sir, the assurance of my perfect consideration.

AALI.

*Mr. Morris to Mr. Seward.*

No. 137.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, January 5, 1866.*

SIR: As considerable changes have taken place in the Turkish navy since a previous communication in relation thereto, I have the honor to submit the following correct statement as to its present condition. The Turkish navy is composed of the following vessels:

*Screw steamers.*

One three-decker, armed with 110 cannon, mostly Armstrong guns; three two-deckers, of 95 cannon each; three frigates, armed with 80 cannon each, mostly Armstrong; nine corvettes, 25 cannon each; six brigs, of 10 cannon each, and four schooners, with 5 cannon.

*Of wheel steamers.*

There are four corvettes, of 30 guns each; one brig, of 12 guns; six despatch boats, 4 to 6 cannon each; also ten small brigs, of from 4 to 6 cannon, stationed at various seaports and islands of the archipelago.

*Iron-clads.*

Five frigates. These splendid vessels are completely iron-clad, with rams, and are armed with 40 cannon of the latest invention, rifle barrelled. Of these, three have already arrived from England, and are stationed in the Bosphorus; a sixth frigate, which will also be iron-clad, is under construction at Constantinople. She will have a battery of eight 150-pounder Armstrong guns; upon the poop two cannon of the same calibre, and upon the bow an enormous piece of 600. When this vessel is completed the Turkish navy will have six of the most formidable iron-clad frigates in the world, equipped with the latest inventions, and built in the most perfect style, both as to sailing and fighting qualities.

*Wheel steam yachts.*

These are five in number, of which three, of large dimensions and sumptuously fitted up, of an average speed of about 15 miles per hour, were built in England for the special use of the Sultan; a fourth belongs to Prince Murad, the successor to the throne, and the fifth is in the service of the high functionaries of the Porte.

*Sailing vessels.*

One three-decker, a solid vessel, carrying 120 cannon, of which the upper series are rifled and of large calibre; one two-decker, of 80 guns; two corvettes, of 30 guns each; four brigs of 20 guns each. To these must be added five other brigs, and more than ten cutters carrying from 6 to 12 guns, chiefly used as guard-boats in the seaports of the empire.

*Transport steamers.*

Of these there are eight wheel steamers of various sizes, and six screw steamers. There are also of sailing transports, two frigates, eight corvettes, twenty brigs, and four small cutters. There are twelve wheel steamers of various sizes used for postal purposes and as despatch boats, and also 18 steamers used for carrying passengers on the Bosphorus, but which may be used for subordinate naval purposes in time of war.

There are under construction, also, one two-decker and two corvettes, all screw-vessels, and six other steamers of which one is a frigate. Two paddle-wheel corvettes, and three screw brigs, are being built in the imperial dock-yards of Nicomedia and the Black sea.

The whole number of naval vessels in the Turkish service is at present about 180, carrying in all about 2,600 guns.

It will be seen from the above table that the Turkish navy has already grown into quite formidable dimensions.

It is, I understand, the intention of the government to yet further increase this force, as the finances of the empire will permit.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 138.]

LEGATION OF UNITED STATES OF AMERICA,  
*Constantinople, January 10, 1866.*

SIR: I have the honor to enclose a copy of a communication from two of the American missionaries in Syria, relative to an outrage by certain persons in the locality where they reside. On the receipt of the same, in conformity with my request, instructions were issued by the Porte to Daoud Pacha, governor of the Lebanon, to enforce redress of the grievances complained of. The offending parties, I presume, are Maronite or Armenian Christians.

I am happy to be able to inform you that, in consequence of the adoption of the measures which I deemed it my duty to request of the Porte, for the arrest and punishment of Mustouk Pacha, governor of the district of which Alexandrette is the port, and who abetted and protected the murderers of the Rev. Mr. Cofing, the whole of that part of Syria has been at last brought under the authority of the Porte, and purged of the numerous bands of brigands who infested it. The mountain region, inhabited by Kurd and Turcoman tribes, over which this pacha and his relatives ruled supreme, is traversed by defiles, through which pass the great routes of travel to one of the richest sections of Syria. The suppression of brigandage in such a district is a benefit of no ordinary character to the trading and agricultural populations of that part of the empire.

The beys of this mountain region, comprising the Kozan Dagh, the Ghiaour Dagh, Kurd Dagh, &c., and of which Mustouk Pacha was one of the principal, are all of the same family of Tchoban Oghlou, (shepherd's son). One of their ancestors, a simple shepherd, found an enormous diamond in the Indjé river, in the canton of Teitch, which he presented to the sultan of that time. In return, the Sultan gave him the whole of this region as an hereditary fief. The diamond is yet preserved in the imperial treasury, under the name of Tchoban Tach, (shepherd's stone.) The descendants of the shepherd prince continue to inhabit the country where their ancestor fed his flocks. They have ruled over it, nominally as feudatories of the sultan, but their authority eventually became so great that

they refused further to pay tribute, and became altogether independent of the imperial government. Their mountains were the asylum of assassins and robbers, and their followers, abandoning peaceful pursuits, gave themselves up to expeditions of robbery, murder, and pillage against travellers and the surrounding inhabitants. Although calling themselves Mussulmans, they had the audacity on several occasions to plunder the caravan of the Suré Emini, (the Sultan's annual gifts to the sacred shrine of the Caaba,) while on its way to Mecca. The trading interests of this part of Syria were nearly ruined, and there was no security for life or property on the great routes of Aleppo, Aintab, and Kilis.

Many attempts had been made in vain to reduce them to submission. They successfully resisted Ibrahim Pacha of Egypt, and a few years since they inflicted a humiliating defeat on the Ottoman troops under command of Aziz Pacha. When I found that Mustouk Pacha was the protector of the assassins of the Rev. Mr. Coffing, I insisted on his deposition from office, taking the position that the Porte really governed that part of the country, or it did not; that if it did, I had a right to claim of it the removal of a provincial governor who gave asylum to the assassins of an American citizen. After repeated instances on my part, the Porte finally, and even at the risk of kindling a rebellion among the mountaineers, ordered the governor of Adana to seize Mustouk Pacha and send him and his family to Constantinople. This was done, as related in despatch No. 68, but, unfortunately, one of the sons of the Pacha escaped the general arrest, and raised the standard of rebellion. Other chiefs rose with him, and the revolt became so serious that the Porte was obliged to take the most energetic measures for its suppression. An expedition of 5,000 men, under Dervish Pacha, was organized, with orders at every hazard and cost to put down the insurrection; to seize the insurgent chiefs, and to bring them to the capital.

Dervish Pacha, the commander of the expedition, was in the late war with Montenegro, where he showed himself perfect master of the art of mountain warfare. For this reason he was selected for this most difficult undertaking. By skilful measures, and after a series of desperate combats, he succeeded in carrying the mountain fastnesses, and in capturing or enforcing the surrender of all the insurgent beys. They have since been transported here, and their country is occupied by detachments of troops. New governors have been appointed in their stead, and guard-houses built in the defiles for the protection of travellers. For the first time in a quarter of a century the roads are secure, and murder and brigandage have ceased to be rife. The conscription has also been enforced, and the annual tribute collected.

This brief narrative will tend to show the wretched condition of the interior of the Turkish empire, and the difficulty of procuring the enforcement of law and order, and proper provisions for the security of foreign citizens resident within its limits. My action in this instance has fortunately resulted in a great public good. I have thus been incidentally the instrument of the government which I have the honor to represent, in restoring tranquillity to one of the most disturbed divisions of the empire, and of throwing efficient protection around the pathway of the traveller and trader in Syria. I have reason to believe that this course of action has materially increased the respect in which the American government is held in Turkey, and has yet more strongly confirmed the opinion generally entertained of its far-reaching power and influence.

I am, sir, with great respect, your obedient servant,

E. JOY MORRIS.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

ABEIH, September 27, 1865.

DEAR SIR: It becomes our duty to bring to your notice a case of flagrant outrage upon our rights as American citizens residing in the Ottoman empire, and to ask that you will take such action as you shall deem best in the circumstances.

On the 30th of July last, as we were conducting religious worship in our own hired house in the village of Duma, we were rudely and grossly interrupted by an individual named Nassel Camall, said to be from Bukflayah.

On the evening of the same day the said Nassel Camall, with his brother Constantine and Girkuis Morahd, of Tamoureen, came to one of our houses with a company of the villagers whom they had stirred up, armed with guns, pistols, &c.

An assault was made upon the person of Dr. Post, who received a very severe blow on the shoulder. They were prevented from further carrying their design into execution, but continued to utter threats of violence until we were compelled to ask aid from our vice-consul at Tripoli. The issue of the whole matter is, that for the peace and safety of ourselves and our families we have felt constrained, at a very considerable expense and much trouble, to leave that part of the mountains, the account of which is enclosed. Justice to the inhabitants of the village of Duma impels us to say that we had until that time lived among them in great quietness, and that we had no reason to suppose that they would have molested us unless they had been excited by the individuals already mentioned.

As the government has thus far, we believe, been unable to secure the persons of the guilty individuals, we embrace the opportunity afforded us by the expected speedy return of his excellency Daoud Pacha to ask that you will make such representation of the case to his excellency as you shall deem proper, assured that he with his known love of justice will take such steps as shall result in the proper discipline of the offenders.

Our professions as well as our personal inclinations lead us not to push matters as rigidly as we might lawfully do, and this fact we would like you to keep in mind in all your intercourse with his excellency.

With sentiments, &c.,

GEORGE E. POST.  
SAMUEL JESSUF.

J. AUG. JOHNSON, Esq.,  
*United States Consul for Syria and Dependencies.*

*Mr. Morris to Mr. Seward.*

No. 142.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, February 1, 1866.*

SIR: I have the honor to acknowledge the receipt of despatches Nos. 100, 101, 102, 103, and 104. The instructions of No. 100 relative to the negro troops raised in Egypt for the service of Maximilian will be executed, should the suggested occasion for their application arrive. As I observed in a previous despatch, the first expedition of negro troops from Egypt to Mexico was a surreptitious transaction between the Emperor Napoleon and Said Pacha, viceroy of Egypt, without the cognizance or consent of the Sultan. As such, it was in contempt of the authority of the imperial government, the suzerainty of which over Egypt France is bound by treaty to respect. The proposed second expedition, although brought to the knowledge of the Porte, after the present viceroy had been compromised by previous pledges, was regarded with marked disfavor by it.

The policy of the Sublime Porte in foreign affairs is a very cautious and sagacious one, and towards no government does it invariably exhibit a more friendly feeling than to that of the United States. Of this I have had occasion, in several instances during my residence here, to give practical proof. Nothing could be more significant in this respect than the unwonted energy it displayed, regardless of expense, and at the risk of provincial war, to bring to justice the assassins of the Rev. Messrs. Merriam and Coffing, and their abettors and protectors. Its action also, at my request, in excluding the rebel cruisers from the ports and waters of Turkey, notwithstanding the opposite course of other governments of Europe, was another striking example of its desire to gratify the government of the United States, and to entertain with it the most friendly relations.

I have the honor to be, very respectfully, your obedient servant,  
E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 144.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Constantinople, February 17, 1866.*

SIR: I have the honor to acknowledge the receipt of despatch No. 105. As the proceedings of the Cholera International Conference are of universal importance, I transmit enclosed herein a report of the first meeting of that body, from the *Levant Herald*.

An insurrection of considerable importance has broken out in Syria. It is chiefly owing to an indiscreet attempt by Daoud Pasha, the governor general of the Lebanon district, to enforce the collection of taxes, arrears, and current, without regard to the actual condition of the people. The population of that part of the empire, owing to the ravages of the cholera, the failure of crops, and the interruption of trade, is in a state of general destitution and distress. In the progress of the forcible measures attending the collection of taxes, it was found necessary to arrest some of the leading members of the family of Joseph Karam.

This person was compromised in the trouble of 1860, and in his capacity of native chief of an ancient family in the Lebanon region; he took an active part in the religious war of that period. In consequence of this conduct he was exiled. He was pardoned this year on the intervention of the French government, the protector of his fellow-sectaries the Maronites, and was permitted to return to Syria. On being apprised of the arrest of members of his family, he endeavored to seek an interview with the Pasha for their liberation, and with the view also of dissuading him from the dangerous course of action in which he had embarked. His friendly remonstrances were regarded as hostile demonstrations, and being himself attacked, he repelled force by force, and open war against the authority of the Pasha has ensued. Several actions have taken place of a doubtful result for both parties, and the insurrection has recently assumed such proportions that Karam has now under his orders more than a thousand men, and is able to oppose a formidable resistance to the imperial forces under Daoud Pasha.

As insurrection is contagious in the Turkish empire, the Porte has taken the alarm, and large bodies of troops have been despatched from the capital, with orders to put down the rebellion at all hazards. Its suppression must take place sooner or later, but it will be accompanied by acts of violence that will inevitably sow the seeds of future troubles. It is suspected that foreign intrigues are connected with this movement, in order to give a pretext for foreign intervention. Never was the population of this empire in such a wretched condition as at the present time. Discontent prevails everywhere, and this is increased by the necessity in which the government finds itself, from its financial embarrassments, of securing the payment of the taxes. For the most part, the taxes on articles of consumption are disposed of by contract for terms of years to bidders, who have the right to claim the assistance of the local authorities in their collection. Great abuses grow out of such a system, but they are trivial in comparison with those attending the mode of enforcing government dues by the governors and caïmakans of the provinces. In many cases the people are obliged to pay much more than the sums legally due, and the government and its subjects are thus both robbed by functionaries who appropriate these illegal gains to their own uses. These vexatious practices are the cause of most of the insurrections in this empire, and they are in part connected with the present rebellion in the Lebanon.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*The Cholera Conference.*

This conference was formally opened yesterday at Galata-serai, by Aali Pasha. Shortly before 2 p. m., the hour fixed for the meeting, his highness reached the medical school, and the members arriving about the same time, he at once proceeded to open the sitting. In doing so, he said :

GENTLEMEN: I am happy to express to you, in the name of my most august sovereign, the pleasure with which his imperial Majesty sees you assembled in his capital.

The eminently philanthropic mission confided to your intelligent deliberations will, we feel persuaded, be productive of the results which the august courts represented in this hall, and humanity at large, anticipate will flow from it.

Permit me to add, gentlemen, that we regard this assemblage as an incontestable proof of the immense progress which civilization has made in our age. Human fraternity, that fundamental law of all progress, gains more and more by the mutual guarantees which civilized nations continue to give each other. And what greater guarantee could be offered to all humanity than that to which we have now under our eyes, namely, than to see the governments which march at the head of civilization concurring, by the choice of persons so distinguished and so competent, in the attempt to trace out measures of preservation against a scourge which desolates the human race.

I conclude by informing the conference that its sittings are opened from this day, and that, in order to facilitate the record of the voting, it has been agreed that two votes sh all be accorded to each state.

Count Lallemand, the senior French representative, said that as the suggestion for this inquiry had originated with his government, he took leave to assure his highness that himself and the whole of the other members heartily shared the hope of the Porte that this investigation might result in the adoption of such measures as would, if not altogether save the countries represented from future visitations of the cholera, at least mitigate its virulence in case it again appeared.

After a few further remarks from the minister of foreign affairs and other members, the Pasha withdrew, and the conference then proceeded to elect Salih Effendi, the senior Turkish representative, president. Some other *pro forma* details having been settled, a sub-committee was named to draw up a programme of the proceedings. This done, Count Lallemand proposed that as several months must necessarily elapse before any measures decided on by the conference could be carried into effect, and as a return of the epidemic was possible in the interval, some provisional precautions should be taken with the collective sanction of the governments represented. With this view, he said, Dr. Fauvel, his colleague, had drawn up a short suggestive statement which he would read to the conference. Doctor Fauvel then read an excellently written sketch of the early history of the late visitation, tracing it clearly to the Hedjaz, and advising as a corollary, that in the event of the disease showing itself around Djeddah, Mecca, or Medina, during the coming spring, the Ottoman commission lately despatched to those cities should be empowered to stop communication by sea between the Arabian ports and Egypt, until at least fifteen days after all trace of the disease shall have disappeared. Communication by land, he considered, involves no danger whatever, the curative effects of a long and tedious journey through northern Arabia effectually checking any spread of the epidemic by land travellers. After some discussion, a recommendation to the Porte in this sense was agreed upon, and the instructions to Ahmet Effendi and his colleagues will probably be extended accordingly.

The conference broke up after a sitting of nearly three hours, and in consequence of the intervention of Bairam, it will not meet again till Thursday, the 22d instant.

The following is a complete list of the countries as yet represented, and of their delegates: Turkey, represented by Salih Effendi and Dr. Balotelli; England, by Hon. W. Stuart and Drs. Goodeve and Dickson; France, by Count Lallemand and Dr. Fauvel; Austria, by M. Vetchera and Dr. Sotto; Prussia, by M. Krauser and Dr. Muhlig; Russia, by Drs. Pelikan, Lintz, and Bykoff; Italy, by M. Vernoni, and Drs. Bosi and Salvatore; Spain, by M. Segovia and Dr. Monlau; Portugal, by M. Pinto de Soubtral and Dr. Gomes; Sweden, by M. Stenersen and Dr. Hübsch; Greece, by M. Kalergi and Dr. Paspati; and Egypt, by Dr. Lautner. The United States, Belgium, Holland, and the Papal government have also been invited to take part in the conference, but have not as yet named their representatives.

---

*Mr. Morris to Mr. Seward.*

No. 145.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Constantinople, February 28, 1866.*

SIR: I have the honor to transmit enclosed a translation of a note in French, which, in common with my colleagues of the diplomatic corps at this capital, I

have addressed to the Porte. Although the commerce of the United States in the Black sea is inconsiderable, I have nevertheless deemed it my duty to cooperate in a movement the object of which is to procure proper protection to life and property on this tempestuous sea. Many lives and ships are annually lost near the mouth of the Bosphorus for the want of the precautions and life-saving apparatus in use on stormy coasts by all other governments. It is possible that the Porte may be induced to take some action in the matter from the combined movement of the diplomatic corps. Separate intervention by the individual members of the corps would lead to no practical result.

I have the honor to be, your obedient servant,

E. JOY MORRIS.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Aali Pacha.*

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, February 23, 1866.*

HIGHNESS: The representatives of foreign powers at the Sublime Porte have been deeply concerned by the maritime disasters which are annually renewed at the entrance to the Bosphorus, and which occasion the death of a great number of seamen, and serious material losses.

They have, therefore, deemed it necessary to advise on the most efficacious means of "preventing these misfortunes, and of attenuating, as much as possible, their fatal consequences."

While I reserve the honor of conversing with your honor on the subject of the practical means recognized as the most useful in such cases, other than the establishing of light-houses, so as to facilitate to navigators the entrance of the Bosphorus, which is so dangerous in foggy weather and during the night, I limit myself at the present time to the calling of your highness's attention to the necessity of establishing the means of preserving the lives of shipwrecked seamen, who, saved from the sea, find themselves abandoned, without aid or shelter, on a bleak and desert coast, exposed to other dangers, and to new sufferings. It will suffice, I am convinced, to point out to your highness the present painful sketch of things, so as to impress your highness with the urgent necessity that exists of remedying the evil.

In this view, I take the liberty of proposing—

1. The construction along the coasts neighboring the entrance of the Bosphorus, of huts for the sheltering of the shipwrecked mariners.

2. The establishing of batteries, projecting fuzes of preservation, as well as of all the measures generally adopted in similar cases by maritime powers.

I flatter myself that, thanks to your highness's intervention, the Ottoman government will be pleased to take this proposition into serious consideration, be dictated by sentiments of humanity, as well as in the view of promoting the interests of commerce and international navigation.

In the hope of receiving a favorable reply, I embrace the present opportunity of offering to your highness assurances of my high respect and most distinguished consideration.

E. JOY MORRIS.

---

*Mr. Morris to Mr. Seward.*

No. 146.] LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, February 28, 1866.*

SIR: By this mail I transmit a copy of the *Levant Herald*, containing the details of the revolutionary movement in the Danubian principalities, and which has led to the deposition of Prince Couza. As the prince of the principalities must be a tribute-paying vassal of the Sultan, it will be difficult to find any prince of a reigning family who would accept such a subordinate position.

While the question of the succession remains open there is reason to apprehend serious embarrassments to the Porte from domestic and external intrigues. It was always understood that Prince Couza enjoyed the special protection of



the Emperor Napoleon, and that his governmental policy was modelled after that of his patron, and in conformity with his suggestions. His fall is a blow to French influence in that part of the empire.

The two provinces of Moldavia and Wallachia united under the name of the government of the Danubian principalities, containing over 4,000,000 of inhabitants, and are capable of maintaining at least 6,000,000. Their productions are chiefly pastoral and agricultural. It is chiefly from these provinces that the supplies of grain are derived which attract such great numbers of vessels to the Danube from all parts of Europe. They are the outward ramparts of Turkey against Russian aggression, and it is of great importance that a tributary state should exist there capable of maintaining its own existence. The absorption of the principalities by Russia would put that power in possession of all the available routes of access to Constantinople, and would render it almost impossible to defend the capital with any prospect of success.

The war in Syria still continues, and this in connection with the revolution in the principalities gives serious inquietudes as being likely to re-open the eastern question, and to lead to complications among the protecting powers. It will require unusual wisdom and sagacity to solve successfully the perplexing questions growing out of these different movements. Large expenditures of money will be required, also, at a time when the Turkish treasury is in a state of extreme penury.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Mr. Seward.*

No. 148.] LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, March 9, 1866.*

SIR: I have the honor to transmit enclosed a translation copy of the note of the minister of foreign affairs of the Sublime Porte, in reply to my despatch relative to the proclamation of President Johnson on the abolition of slavery in the United States.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Aali Pacha to Mr. Morris.*

[Translation.]

SUBLIME PORTE, MINISTRY OF FOREIGN AFFAIRS,  
*March 8, 1866.*

SIR: I have had the honor to receive the note which you were pleased to address me, containing the proclamation of his excellency President Johnson, announcing the abolition of slavery throughout the entire territory of the United States of America.

In thanking you for this communication, I take great pleasure in tendering through you the most cordial congratulations of the Sublime Porte to the government and people of the United States on the adoption of such a grand social measure, and which reflects upon them infinite honor.

I beg you, sir, to accept the assurance of my perfect consideration.

AALI.

Mr. E. JOY MORRIS,  
*Minister Resident of the United States of America.*

*Mr. Morris to Mr. Seward.*

[Extract.]

No. 149.]

LEGATION OF THE UNITED STATES,  
*Constantinople, March 17, 1866.*

SIR: \* \* \* \* \*

The Cholera International Conference held its seventh meeting on Thursday of last week. A committee was appointed to consider and report on the four following questions: First The nature and origin of cholera. Second. Its transmissibility. Third. The measures of prevention against it. Fourth. The form to be given to the resolutions of the conference. Another meeting will not be held until the committee is ready to report. The only decision as yet arrived at by the conference is that of the suspension of all intercourse by sea with the Arabian coast between Djeddah and Egypt in the event of another outbreak of the epidemic during next summer. Such a measure of sanitary police, which it is proposed to enforce by Ottoman or "allied" men of war, would force all the pilgrims to return by land, and the risk of the propagation of the disease it is supposed would be greatly diminished. This measure was denounced by the Ottoman and Persian delegates as impracticable, and there is no probability of its adoption by the Porte. The cholera for the most part has been propagated in the east by land, and the returning pilgrim caravan of last year scattered the epidemic all along its route from Mecca to Aleppo and Damascus. The cholera is now raging violently in Kurdistan, and is evidently making its way with steady progress to Mesopotamia and the heart of Persia. Quarantine measures by land and sea are indispensably necessary, but entire cessation of communication cannot be effected.

The conference, with the exception of the Russian delegation, is composed of two delegates from each power represented, one diplomatic and the other medical. Both of the Russian delegates are medical men, and it is to be regretted that all the delegates are not such. The result of the deliberations of the conference can only be submitted in a recommendatory form to the Porte, and it is doubtful if it will be able to suggest any measures which the Porte will be willing to adopt. The sessions may last a few weeks longer. The general impression here is unfavorable to the conference. It is not considered as a practical body, and there is a strong suspicion that it is in some degree the creature of political intrigue.

I am, with great respect, your obedient servant,

E. JOY MORRIS.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Morris.*

No. 109.]

DEPARTMENT OF STATE,  
*Washington, March 31, 1866.*

SIR: Your despatch of the 28th of February, No. 145, has been received. It is accompanied by a copy of a note which, in concurrence with the representatives of other foreign powers, you have addressed to the minister of foreign affairs on the subject of the protection of commerce in the Black sea.

With reference to states of the character of Turkey, communication, advice, and solicitation, in regard to matters of internal administration, fall, as I believe, within the habits of all the Christian powers.

The only limit which it seems necessary to assign to that form of interven-

tion are—first. That there shall be a necessity in the cause of humanity. Second. That such communication shall not be dictatorial, but courteous; and third, the circumstances to be such as to induce the belief that such communications would be kindly received. You have confined yourself within these limits, and your proceedings are therefore approved and commended.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., &c., &c., &c.

*Mr. Morris to Mr. Seward.*

[Extract.]

No. 150.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, April 11, 1866.*

SIR :

The unsettled state of affairs in the Danubian principalities, and the apprehension of war in that quarter, has led the Porte to despatch all its available forces to the Danubian frontier. Troops are constantly passing through the capital to Shumla and Silistria, and munitions of war and army supplies are being despatched thither in great quantities. In these two fortresses, which are regarded as the keys to Constantinople on the north, a force of over 60,000 men will soon be concentrated. The appearance of large masses of Russian troops in Bessarabia, in the immediate vicinity of the Turkish frontier, has excited the fears of the Porte, and it seems to have good reason to believe that the safety of the empire requires prompt and efficient measures of defence on the Danube and at the Shumla pass of the Balkan.

Opinions are divergent as to the proper policy relative to the Danubian principalities. The Porte desires the separation of Moldavia and Wallachia into distinct governments, and Russia also favors the same, but for reasons special to herself. The Porte apprehends their continued union may lead to absolute independence, and Russia hopes, in case of a separation of the provinces, to secure as hospodars in each secret partisans of her own. France insists on the union of the provinces under one government, as the only means of preventing them from being absorbed by Russia, and as a necessary precedent to the complete independence which she desires for them. It is her policy to create a new state out of these provinces as a barrier against Russian aggressions on Turkey. It will be difficult to reconcile these conflicting views, as reasons of state, affecting the balance of power in Europe, lie at the bottom of the whole question. For the moment, this question is overshadowed by the graver one that has grown out of the Schleswig-Holstein difficulty, but it is full of danger, and may of itself disturb the peace of Europe, and reopen (and possibly for a final settlement) the oriental question.

Should war occur between Austria and Prussia, there is but little doubt that Russia will find a cause of quarrel with Turkey, and that these two powers will be engaged in war. The issue of such a struggle pending a Germanic war, and the general complications to which it would give birth, might be seriously detrimental to Turkey. Never was a country more illy prepared for war than Turkey now is. Her credit has sunk to such a degree that it is almost next to impossible to negotiate foreign loans but at ruinous rates. In case of war, she could not raise a dollar in any European capital, and a resort to paper money would be an absolute necessity. The treasury is empty, and the government is sustained by loans, as there is a large annual deficit from the lack of revenue.

But for the expedient of loans, the annually accruing interest on the public debt could not be paid. In the midst of all the embarrassments and perils, I regret to be obliged to state that the Sultan gives evident proof of positive mental imbecility and incapacity.

I am, sir, with great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Mr. Seward.*

No. 151.] LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, April 25, 1866.*

SIR: In despatch No. 128 I had the honor to communicate to the department a note from his highness Aali Pacha, relative to certain books issued by the American missionaries, and the sale and circulation of which had been arrested in Syria.

Notwithstanding the terms of the note of the minister of foreign affairs, I deemed it my duty to request the removal of all restrictions on their circulation. I was induced to take this step from a personal knowledge of the contents of the books in question, and of the fact that they were not obnoxious to the objections urged against them. I was also desirous of proving to his highness that the American missionaries in this as in all other instances scrupulously observed the laws of the empire. For this reason, in a personal interview with him, I reviewed the subject-matter of these books, and requested him to subject them to a careful examination, as the honor and good faith of the missionaries in relation to the Turkish government had been called in question by the interdict that had been laid on their circulation. He seemed to be convinced that their true character had been misrepresented, and he promised to give them a candid and impartial investigation.

From time to time the subject has been further discussed, and I am now happy to be able to state that my statements have been found correct, and the accusations against the missionaries perfectly groundless. The books have been at last acknowledged to be, what they really are, manuals of religious instruction merely, and permission has been given for their free sale and circulation throughout the empire.

I beg leave to add that the Turkish government is morbidly sensitive on questions of religious controversy, and that it requires great delicacy in the treatment of all matters connected with sectarian propagandism. My action in this and similar instances has been guided by what I conceive to be sound policy and justice, and I am pleased to know that it has been uniformly successful.

I am, sir, very respectfully your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Mr. Seward.*

No. 152.] LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, May 17, 1866.*

SIR: I have the honor to acknowledge the receipt of despatches Nos. 108 and 109.

In view of war in central Europe, and the complications incident to the ques-

tion of the Danubian principalities, the Turkish government is preparing all its military and naval forces for immediate action. One hundred thousand men are already concentrated in European Turkey from the Danubian frontier to the Adriatic, and measures have been taken to double this force in case of necessity in a few weeks. These troops are all armed with rifled cannon. Including the reserves and the contingents from the vassal states, the disposable force of the empire amounts to five hundred thousand men.

The Ottoman navy afloat, including ships of the line, frigates and corvettes, all steam vessels, mounts twelve hundred cannon. Three iron-clad first-class frigates are the most formidable vessels of the navy. Three other iron-clad frigates are under construction and nearly finished in England. The Turkish navy, while it is admirable for the quality and construction of the vessels composing it, is much inferior to the navies of the great maritime states of Europe in the discipline and efficiency of its crews. The dock yards are night and day employed in putting the whole navy in the most efficient condition, and the transport ships are already in a state of readiness.

Beyond the apprehension of war in central Europe, the unsettled state of affairs in the Danubian principalities gives the Porte most anxious concern. The election of a foreign prince to the throne of Romania, his acceptance of the proffered crown, and the confirmation of his election and proclamation as reigning prince by the provincial parliament, are regarded by the Porte as acts of direct hostility against its prerogatives. The union of the two provinces of Moldavia and Wallachia under one government never received its assent as a permanent organization. Since the revolution against Prince Couza, and which was undoubtedly instigated by foreign influences, the Porte has insisted on separate government for Moldavia and Wallachia, with native hospodars in each, elected for life. Should the election of Prince Hohenzollern be adhered to, the Porte will advance its troops into the principalities and take possession of them. It is to be apprehended that such a proceeding would be followed by a similar advance by the Russians, and by armed resistance on the part of the Romanians. Out of such a conflict would grow troubles that would set the whole empire in a flame.

The division of the principalities is the more especially desired by the Porte as it is well aware that a longer continuance of their union will lead to independence. Their independence would be a train of power that would involve all Turkey in Europe in a conflagration, and would probably detach from the Ottoman empire all the territory comprised between the Black sea, the Archipelago, Greece, and the Adriatic.

While this dangerous question is pending, troubles of such a serious nature have broken out in Crete that a division of the fleet, with a large military force, has been despatched thither. All these troubles unfortunately arrive at a time when the credit of the empire is greatly impaired and its finances in a sad state of confusion.

With great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 153.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, May 22, 1866.*

SIR: The present pacha of Egypt and his two immediate predecessors have, at various times, endeavored to procure from the Sultan a change in that article

of the imperial firman of 1841 establishing the family of Mehemet Ali on the throne of Egypt, by which the right of succession is restricted to the oldest male descendant, to the exclusion of the lineal heir of the reigning pacha. These efforts, heretofore fruitless, have at last been crowned with success, owing to the pecuniary necessities of the Porte, and a similar question in the imperial family.

The Sultan has abrogated this article of the firman, and has determined that hereafter the succession to the pachalik of Egypt shall descend in direct line from the reigning viceroy to his eldest son. In consideration of this concession, Ismael Pacha obliged himself to increase the annual tribute of Egypt to the Porte (\$1,333,000) 250,000 Turkish livres. It having been suggested that it would be more agreeable to the Sultan, if, instead of this annual increase, the sum of 5,000,000 Turkish livres should be paid over to the Porte, the proposal was accepted. A loan of this amount, about twenty-two million of dollars, by authority of the pacha, was negotiated through Nubar Pacha, his minister of foreign affairs, at Paris, and the above sum, as soon as realized, will be paid into the imperial treasury. This relief will enable the Turkish government to pay the next semi-annual interest on its debt, of which heretofore there had been great doubt, and also to sustain the extraordinary expenses to which it is subjected by the military operations in progress.

It is understood that the representatives of the protecting powers have unofficially signified that their governments would not interpose any objections to the proposed change. The reason assigned for their assent is, that under the old system the viceroys devoted their energies exclusively to the acquisition of wealth, to the great detriment of Egypt, for the purpose of enriching their immediate descendants. As a necessary consequence, every succeeding pacha, on his entrance to office, found the treasury exhausted, while the children of his predecessor were revelling in wealth, the spoils of a plundered and oppressed people. By the change adopted it is believed that a better government will be secured to the country, as the pacha will naturally have a stronger interest in preserving and improving an estate which is to pass to his own lineal descendants, than if it were to continue to be transmitted to collateral heirs.

It is generally understood that a similar change in the order of succession to the imperial throne is soon to be made. For this purpose the heads of all the rival parties have been called to power, in order to conciliate them into acquiescence with this radical innovation on the immemorial usages and laws of the empire. As the eldest son of the Sultan is only about eight years of age, it is under consideration to appoint Fuad Pacha grand vizier, and the new Captain Pacha, Mehemet Ali, brother-in-law of the Sultan, for life to their respective offices, that they may act as regents during the minority of the Sultan's son, should his father die before he attains his majority.

There is no doubt but that lineal succession in the imperial family will be preferable to the present system—a system which has frequently been the cause of civil war, fratricide, and the most infamous crimes. When the throne descends from father to son the imperial heir will be carefully educated and trained for the duties of the high office he is to occupy; whereas, under the existing system, not only is the education of the heir apparent neglected, but he is purposely kept in a state of ignorance, and every effort is made to brutalize him morally and mentally. Until he ascends to the throne his life is rendered miserable by the jealous aversion manifested against him, and he is constantly in fear of losing his life through poisoning or assassination, that the son of the Sultan may supersede him in the succession. Were there any public opinion in Turkey this change of a canonical as well as civil law could not take place; since the destruction of the janissaries and the daring reform of Mahmoud the Second, it

may be said that public opinion has ceased to exist in Turkey, and such a measure, subversive as it is of a law derived from the Koran itself, may be carried into execution with little or no opposition.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Mr. Seward.*

No. 154.]

LEGATION OF THE UNITED STATES,  
*Constantinople, May 22, 1866.*

SIR: On Thursday last, after a special council of ministers, orders were issued to the commander of the Turkish forces at Rouskhok to cross the Danube into the principalities and advance to Bucharest, and in case of opposition from the troops of the provisional government, to put down resistance by force. This decision was taken in conformity with the recommendation of the conference of the great powers at Paris.

The policy of such a movement may be questioned, as it will in all probability provoke a conflict between the troops of the principalities and the Turkish army. It will also create alarm in Servia of an invasion of that country, and may lead to a general rising through the principalities, Servia and Montenegro. It will be construed into an attempt to destroy the autonomy which those countries now enjoy, as the Turks have not entered the interior of these regions, except in the late war in Montenegro, since 1851. Such a movement takes place at a most unpropitious moment, when apprehensions of a general European war have already produced among these populations aspirations after complete independence and a strong desire to sever all connection with the Porte.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Mr. Seward.*

No. 156.]

LEGATION OF THE UNITED STATES,  
*Constantinople, May 25, 1866.*

SIR: Since my last despatch relative to the issuing of orders for the marching of the Turkish troops into the Danubian principalities, Prince Hohenzollern has arrived at Bucharest, and has been installed as prince or hospodar of the united provinces of Moldavia and Wallachia. Immediately on his arrival, he addressed a respectful message to the Sultan, recognizing his suzerain authority, and assuring him of his faithful allegiance as a vassal prince.

Soon after orders had been despatched for the occupation of the principalities by the Turkish troops, the Porte found itself obliged to countermand these orders, in consequence of intelligence respecting the arrival of Prince Hohenzollern, and it is now at a loss what course of action to adopt. It is apprehended that the entrance of the Turkish troops into the principalities under present circumstances would lead to resistance, and that out of such a conflict a war would ensue that might extend to Servia, Montenegro, Bosnia, and Albania. As the people of Roumania seem determined on a continuance of the union of the provinces, and a foreign prince as ruler, notwithstanding the opposite views

of the conference at Paris and of the Porte, nothing but military intervention can put down such a purpose. The policy of resorting, however, as the question now stands, to extreme measures of this kind is a very questionable one, and it would seem as if the Porte would find itself obliged to yield to circumstances and to recognize the election of Prince Hohenzollern as a *fait accompli*, after the usual formalities of protestation and reservations to the protecting powers.

Russia has a strong interest against the union of the principalities and the election of a foreign prince, as both of these measures tend to the consolidation of the country and to its future independence. An independent state, such as Roumania, existing between her confines and those of the Porte, will baffle her designs on Constantinople, as it is across this territory lies the direct route to the Turkish capital. Russia will not willingly consent to the consummation of the recent proceedings in Roumania, interfering as they do with political projects of her own of the highest significance, and it is supposed she will urge the Porte to measures which may compromise the peace of all the northern frontier of the empire. Owing to a community of opinion on this particular question, a strong feeling of sympathy has of late grown up between Russia and Turkey, and strange as it may seem, the two governments have entered into close confidential relations. This fact has excited the suspicion of France and England, but their counsels seem to have less weight than those of the habitual enemy of Turkey. Altogether the question of the principalities is a very perplexing one for both the Porte and the protecting powers, and, unless treated with the wisest caution, may of itself become the source of another European war on the oriental question.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Mr. Seward.*

No. 157.]

LEGATION OF THE UNITED STATES,

*Constantinople, June 8, 1866.*

SIR: I have the honor to acknowledge the receipt of despatch No. 110.

Since my last despatch important changes have taken place in the imperial cabinet; Fuad Pacha has been removed from the office of grand vizier and Mehemet Ruchdi Pacha appointed his successor. Riza Pacha, formerly minister of war under Abdul Medjid, has been made minister of war. The new grand vizier has of late held the post of president of the grand council of state. He has been minister of war, as well as grand vizier on two different occasions. He is well versed in military matters, having entered the army in the ranks of the regular troops instituted by Sultan Mahmoud. He is conversant with European tongues, and is distinguished for his liberal principles and superior capacity.

These and other changes in the ministerial offices are attributed chiefly to the recent return to power of Mehemet Ali Pacha, brother-in-law of the Sultan, and formerly grand vizier and captain pacha, or minister of marine. The latter post he now holds in the cabinet. He enjoys the unlimited confidence of the Sultan, and his influence at the present time is omnipotent. He is remarkable for his energy of character, force of will, and natural strength of mind. These traits in some degree supply his deficiency in culture, which is exclusively oriental.

The recent modification of the cabinet is generally interpreted as significant of increased energy in the action of the government on international questions,



and of the final success of certain projects to which the Sultan is strongly attached, chief among which is the proposed change in the order of succession to the imperial throne, referred to in a previous despatch. It is also suggested that, owing to the necessities of the government, the issue of paper money will again be resorted to.

Notwithstanding the inaction of the Paris conference on the Danubian principality question, the Porte seems determined on a military occupation of Roumania and the expulsion of Prince Hohenzollern. A force of over thirty thousand troops has been despatched to the Danubian frontier in addition to that previously on duty there, and Omer Pacha has been appointed commander-in-chief. The entrance of the Turkish troops into the principalities give rise to grave complications. The Porte, however, has reason to believe that the security of the capital depends on the maintenance of its suzerain authority in Roumania, and it seems determined to enforce its supremacy at all hazards. It apprehends also that the conference about to assemble at Paris may propose the annexation of some of the frontier provinces to Austria or Russia in the scheme of territorial adjustment it is likely to adopt. To all such plans it is firmly opposed, and will not peaceably consent to the surrender or loss of a single province now forming part of the Ottoman empire. The Viceroy of Egypt has pledged to his sovereign all the military and naval resources which he possesses for the maintenance of the integrity of the empire, and already eight thousand of the Egyptian contingent has arrived. They will be followed in a few days by a much larger number of soldiers. The whole naval force of Egypt is also placed at the disposal of the Sultan.

The empire is in a critical state. Discontent prevails generally in the interior; the finances are in a sadly disordered condition; the treasury has not for many years been at such a low ebb as it now is. The extraordinary expenses to which the Porte is now subjected by the military movements on foot increase the financial difficulties, and oblige the government to suspend the payment of the army and navy and civil employés. With its credit shattered abroad, and its resources crippled at home, it is not in a condition to successfully sustain the burdens of domestic or foreign war—a fact of which its enemies are fully cognizant, and of which they seem disposed to take advantage.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 158 bis.]

LEGATION OF THE UNITED STATES,  
*Constantinople, June 27, 1866.*

SIR: In a previous despatch having referred to the change in the order of succession to the vice-regal throne of Egypt as authorized by the Sultan, I now have the honor to enclose a translation of the firman regulating the question of a regency in that government. It is not improbable under the new system, in case of failure of heirs in the direct line, that Egypt may again constitute a province of the empire, entirely subject to the imperial authority, as it was before the rebellion which established the family of Mehemet Ali on the vice-regal throne.

I am, sir, very respectfully, your obedient, servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Translation of supplement to the imperial firman, changing the order of succession to the viceregal throne in Egypt, and providing for a regency.*

With a view of providing all the necessary guarantees for the new order of succession of the vilayet of Egypt, already settled by a previous firman, in case the throne of Egypt should become vacant, with the heir-apparent a minor, the council of regency for the government of the country shall be formed as follows:

If the throne become vacant, and the heir-apparent, who must always be the eldest son, be a minor, that is to say, shall not have attained the age of eighteen years—although it must be understood that an imperial firman shall immediately recognize his accession, and that the deceased viceroy shall have previously designated for the administration of the vilayet a regent and formed a council of regency, by a written instrument bearing his signature and countersigned by two high Egyptian functionaries as witnesses—this regent and the council of regency will immediately assume the reins of government, taking care to acquaint the Sublime Porte with the accession of the regent and of the council of regency, who must be recognized and confirmed by an imperial firman.

In case the viceroy should die without a regent and council of regency having been named, the ministers of the interior, of war, finance, and foreign affairs, the president of the Egyptian grand council of justice, the commander-in-chief of the troops, and the mufti of Egypt, will constitute a special council, and elect a regent thus:

The special council, on immediately meeting and deliberating, will select a regent from among their own body, unanimously, or by a majority of votes. If there be an equal division of votes, whoever occupies the most important position, commencing with the minister of the interior, and in pursuance of the order of nomenclature hereinbefore set forth, shall be elected. The remaining functionaries will continue to constitute the council of regency and to administer the affairs of the vilayet under the presidency of the regent. A report, announcing the nomination of the regent and the formation of the council of regency, must be sent to my imperial government in order that it may be sanctioned by a firman.

Whether the viceroy shall have designated a regent and formed a council of regency as above mentioned, or whether, as in the second case provided for, the regent shall have been chosen by the functionaries aforesaid, the regent and the members of the council of regency cannot be changed until the heir-apparent shall have attained his majority. If, during the regency, one of the members of the council shall die, his colleagues will at once fill up the

vacancy by selecting his successor from among Egyptian functionaries, and if the regent himself shall die, his successor shall be sought for among the members of the council of regency, who will fill up the place thus vacated by an Egyptian functionary. As soon as the heir-apparent shall have attained the age of eighteen years, that is to say, his majority, he will himself govern the vilayet in like manner as his predecessor. Such is my wish, and let it be done as it is said in the present firman.

2 SEPHER, 1283.

*Mr. Morris to Mr. Seward.*

No. 160.]

LEGATION OF THE UNITED STATES,

*Constantinople, July 4, 1866.*

SIR: The usual annual reception of the diplomatic corps by the Sultan, on the anniversary of his accession to the throne, took place on the 25th of June last. Heretofore all the imperial princes were present. On this occasion none of them appeared. His Majesty's countenance was very dejected, and he seemed to be laboring under indisposition or great depression of spirits. It is generally understood that the melancholy condition of the empire, and the serious perils by which it is menaced, have made a deep impression on the mind of the Sultan. His face, of late, betrays much anxiety of mind, and the more so, as the new cabinet have felt it their duty to conceal nothing, and to make his Majesty acquainted with the actual state of the empire, and with the embarrassments by which they find themselves surrounded.

When the Sultan approached me, after the customary felicitations were exchanged, I said to him "the government and people of the United States cherished the kindest feelings towards the government of his Majesty for its sympathy during the late civil war, and for the many acts and expressions which manifested its desire for the preservation of the American Union; that

whatever might happen during the present crisis in European affairs, it was our earnest wish that the Ottoman empire would suffer no harm." The Sultan seemed to be extremely gratified with these remarks, bowing to me repeatedly as they were translated in Turkish to him by the minister of foreign affairs. At the close he saluted me with the expression "*Memnoun oldoum*"—I thank you!

I deemed it proper to avail myself of this occasion, and of a period of general despondency, to utter a few words of sympathy, and the more so, as none such had been pronounced by any other member of the diplomatic corps. I retain a lively sense of gratitude to the Sultan and his ministers for the firm stand they took from the start in behalf of the Union cause, and for the resolution with which they resisted the counsels of certain of the great powers who desired to inoculate the Porte with their own hostility to the American Union. Governments as well as individuals have a keen sensibility to the reciprocation of friendly acts and sentiments.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 161.]

LEGATION OF THE UNITED STATES,  
*Constantinople, July 9, 1866.*

SIR: I have the honor to acknowledge the receipt of despatch No. 112.

In a conference of the representatives of the great powers recently held here, it was decided to recommend the Porte to refrain from its contemplated project of a military occupation of the Danubian principalities. This resolution was adopted, as well from a conviction that such an occupation would lead to difficulties among the protecting powers themselves, as from the assurance that it would be resisted by the Roumanians.

The Porte, although it has concentrated an army of 80,000 men in the fortified camps of Shumla and Raustchouk, on the Danubian frontier, for the purpose of invading the principalities, has, in compliance with the suggestion of the great powers, renounced this intention, at least for the present. How long these powers will continue to agree in opinion on this subject it is difficult to surmise, but in all probability no longer than their respective interests require it. Prince Hohenzollern, it is here generally believed, was proffered and accepted the Roumanian crown at the instigation of France and Prussia, and that, acting as their agent, he will facilitate certain schemes of territorial compensation which it may be necessary to adopt in behalf of Austria in the readjustment of the relations of that power with Prussia and Italy. In the meanwhile he is counselled to perform the full measure of his duties to the suzerain power and to abstain from any infraction of the treaty-defined prerogatives of the Porte. This counsel he will adopt, as it proceeds in the first instance from his confidential friends and patrons, the sovereigns of France, Italy, and Prussia. For the present, apprehensions of war from this ever-renewing source of trouble may be regarded as allayed.

In consequence of the excited state of public feelings in Greece, and the manifestation of hostile dispositions by the Montenegrins, the Porte has lined the Greek frontier with strong detachments of troops, and has concentrated a force of 75,000 men on the northwestern frontiers. The Greeks cherish the hope of being able, by force of arms, or political complications, to acquire the Turkish provinces of Albania and Thessaly, the majority of the population of

which profess the Greek religion and speak the Greek language. Whenever war occurs between the great states of Europe, this ambition develops itself with an intensity that renders it almost impossible for the government to preserve the peace between the two countries. Under Turkish rule these provinces suffer, as all the other provinces of the empire, from the misrule and corruption of the local governors; their resources are but partially developed, and industry and trade are crippled for the want of roads, harbors, and an enlightened public policy. Incorporated in the kingdom of Greece, they would open new fields of enterprise to its active and industrious population, and under Christian influences they would rapidly increase in numbers and wealth. As it is, they have the appearance of countries desolated by a pestilential scourge. Outside of the towns, in the open country, but few houses are to be seen, insecurity prevails to such an extent that every one goes armed to the teeth, and vast tracts, for want of culture, have returned to a state of nature. The blight of misgovernment has fallen with withering effect on these fair regions, and they must continue to suffer so long as political policy shall require them to be sacrificed to considerations of international expediency.

In times of general commotion, the Montenegrins also never fail to exhibit a spirit of discontent, and aspirations for independence and territorial extension. The province of Montenegro occupies a singular position, surrounded, as it is, by Turkish territory, and separated in front from the sea by a narrow strip of Austrian Dalmatia. Unlike the slaves of Albania, Bosnia, and Herzovinga, the heroic little population of Montenegro have always refused to renounce Christianity for the Mussulman faith. On their mountain ridges and plains, for five centuries, they have successfully resisted the efforts of the Turks to reduce them to a state of absolute subjugation. After various vicissitudes of disasters and success, they still maintain a qualified independence of the Turkish yoke. Even this, light as it is, sits heavily on the hearts of this brave race of mountaineers, and they are constantly seeking to shake it off, either by new sacrifices of blood or by negotiation. Taking advantage of the crisis in European politics, the government of Montenegro has recently sent a deputation to the Porte for the purpose of making the following demands: 1. The evacuation of the small piece of Montenegrin territory, on which stands Novosello, and which has been occupied by a detachment of Turkish troops for the past three years. 2. The demolition of the fort of Vischotitza and of the block-houses raised after the last campaign of Omer Pacha. 3. The effective carrying out of article 5 of the convention of Cettigne, which provides for the tenure of land in Turkey by native Montenegrins or an indemnity for such of the latter as have suffered through the non-execution of this provision. 4. The substitution of the present Turkish commissioner, Hafiz Bey, by some other. In case of non-compliance with these demands, hostilities may again be directed against the Porte by the Montenegrins. As they are the representative element of the slavic population of Turkey, the flame of insurrection kindled in their mountains might extend to all the neighboring region of Turkey inhabited by slaves. Through Austrian aid, they have been furnished with artillery, munitions of war, and such an abundance of arms that the whole population may be said to be armed to the teeth. Should general peace be established, they will, however, hardly attempt a war with Turkey, unless they are stimulated by foreign intrigues.

In Syria there is likewise trouble. The irrepressible Joseph Karam, the Maronite chief, has again taken up arms against Turkish authority. His present movement does not seem to be a formidable one, and unless some very serious mistake is committed by the local government, will soon be suppressed.

From the above representation of the state of affairs, it will be seen that the embarrassments of the Porte are such as to render it very difficult to maintain domestic peace and escape the foreign war. As for perfect internal tranquillity, that seems to be impossible. Provincial misgovernment and foreign intrigues

keep up a constant spirit of discontent in the provinces. Should the war in Europe, which is now in a state of suppression, be revived, I fear Turkey will be disturbed either by civil war in European Turkey, or by questions leading to foreign war. The necessity, under present circumstances, of keeping her forces on the war-footing, adds grievous burdens to an already over-taxed and impoverished country, and to a treasury depleted almost to exhaustion. Altogether, the condition of the empire is one calculated to awaken the keenest solicitude among all who believe that its integrity and independence are essential to the well-being of the many races of antagonistical faiths who live under the government of the Sultan, as well as on the part of those who apprehend that the fall of the Ottoman empire will be the prelude to one of the greatest and most disastrous war in European history.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 162.]

LEGATION OF UNITED STATES OF AMERICA,  
*Constantinople, July 13, 1866.*

SIR: The Turkish government having failed to make provision for the payment of the semi-annual interest on the general debt falling due on this day, has issued the following notice to the public. The imperial finances are in great disorder, and unless prospects of general peace shall permit large reductions in military and naval expenditure, I fear that the promise made for October will not be redeemed. This failure to sustain its credit in time of peace must have a disastrous effect on the credit of the government, and will render it impossible to negotiate foreign loans in case of war. A resort to paper money seems to be the last expedient; the current resources are not sufficient to pay the navy and army and civil employes, and meet obligations to foreign creditors. Should the empire be plunged in war by outside complications and influences, its power of self-defence will be seriously crippled through the want of monetary resources.

To avoid further trouble and expense, the Porte has consented to recognize Prince Hohenzollern as hospodar of Moldavia and Wallachia. He will soon repair to Constantinople to do homage to his suzerain, the Sultan.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

[Extract.]

No. 164.]

LEGATION OF UNITED STATES OF AMERICA,  
*Constantinople, August 3, 1866.*

SIR: I have the honor to enclose an abstract of the new constitution of the Danubian principalities as adopted by the legislative chambers just adjourned, and also a French translation of the imperial firman changing the order of succession to the vice-royal throne of Egypt.

\* \* \* \* \*

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Abstract of the new constitution of Roumania.*

It begins with a direct abnegation of the rule laid down by the Porte, that the principalities are constitutionally separate. The constitution, on the contrary, commenced by asserting that "the united Roumanian principalities form one indivisible state, under the name of Roumania." The Roumans are to have "liberty of commerce, liberty of teaching, liberty of the press, and liberty of public meeting." They could scarcely ask more. It remains to be seen if these two last liberties are to exist in more than name. They were supposed to exist under Couza, who had a troublesome habit, notwithstanding, of suppressing what he called "disagreeable journalism." None, excepting Christians, can obtain the privilege of naturalization, which is to be granted by the legislature. All persons of Rouman birth, born under another government, can, however, claim naturalization by a simple declaration that they renounce all other protection. All Roumans are equal before the law, and no class privileges are permitted. Roumans alone are admitted to civil and political rights. Personal liberty is guaranteed; none can be detained in prison except by judicial order, to be obtained at furthest twenty-four hours after the arrest. No law shall be permitted to authorize the confiscation of property. This provision shows that the Roumans, as well as more enlightened nations, imagine that one legislature can bind its successors. The domicile is inviolable, as is property of every kind. The punishment of death is abolished. The public have the full right of usage of navigable rivers. The rural law, which enfranchises the serfs with an indemnity to the proprietor, is confirmed. The liberty of conscience is declared to be absolute, and all worship tolerated which does not interfere with public morality or with good manners. The orthodox eastern religion is that of the state, and is declared independent of all foreign jurisdiction, retaining at the same time its unity of faith with the Ecumenic orthodox church. With regard to education, the constitution is especially stringent. Primary schools, giving gratuitous instruction, are to be opened in every commune, the attendance at which is compulsory. This is a little piece of Prussian legislation, in accordance, no doubt, with the views of our new hospodar. On the difficult subject of publication and public speaking, the law allows every one the full right of printing or uttering his opinions, with due responsibility if the effects are injurious. The determination of this point is left to the jury, and neither caution-money for the journals nor the censorship are permitted. The press is not to be made liable to the system of "advertisements," and no journal or publication is at any time to be suspended or suppressed. The liberty of the press, you see, can scarcely be carried further. The people may meet at any time, unarmed, without authorization, except in public places, which are regulated by the police. The liberty of association is granted, as is the privilege of prosecuting public officers by private persons who may consider themselves aggrieved or injured.

This is the social part of the arrangement, and in theory assuredly carries liberty to its extreme point. The state constitution provides a prince, a senate, and a chamber of deputies as a legislative body, either of the three having the right of initiating laws. The sittings of the legislative assemblies must be public, but either assembly, on the demand of the president, may form itself into a secret committee. Members appointed by the government to any salaried office whatever must be re-elected, an extension of the English principle perfectly intelligible in Moldo-Wallachia. Any member may address questions to the ministers, and any citizen may present petitions to the legislature. The full right of expression is allowed to members, and their persons are inviolable, except under accusations of gross crimes. The electoral body in each district is divided into four colleges. Persons possessing a yearly revenue of three hundred ducats or more belong to the first, those with revenues from one hundred to three hundred ducats belong to the second, traders paying eighty piastres taxes are placed in the third. The two first each elect a deputy for their own electoral district. The third category elects fifty-eight members, six at Bucharest, three at Jassy and each of six other towns, and two at each of six smaller towns. The fourth college is composed of all who pay taxes, of whatever amount. Fifty of them choose a delegate, and the delegates choose a representative. The chambers are elected for four years. For the senate, each district nominates two members, one for the country, the constituency being land proprietors of at least three hundred ducats yearly, and the other for the chief town of the district, the constituency being house proprietors of the same amount. The universities of Jassy and Bucharest nominate to the senate a member each. Senators must be forty years of age and possessed of an income of eight hundred ducats yearly. This qualification is not enforced for officers in the army or persons who have been members of the ministerial or diplomatic bodies.

In applying the constitution to the throne, the Porte is again ignored. Charles of Hohenzollern is declared hereditary prince, failing whose male issue the right of succession reverts to his brothers or their descendants. These failing, the prince may choose his successor from one of the reigning families of Europe, subject to the national approval. The rights are defined with some minuteness, but they are precisely those of any ordinary constitutional sovereign. Coming to the executive, the constitution provides that no member of the reigning family shall be a minister. One minister at least must be present during the debates of the assembly, which may require the attendance of the whole body. The ministers may be prosecuted by the —, and cannot be pardoned by the prince if found guilty, except on the

demand of the assembly itself. All taxes must be voted by the assembly, and an annual budget presented. The remaining regulations refer to matters of form, and are in some instances merely temporary. One is deserving of notice, by which every Roumanian is declared to belong either to the regular army, the militia, or the national guard. This is assuming the principle of conscription as innately applicable to every inhabitant of the provinces.

*Mr. Morris to Mr. Seward.*

No. 169.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, September 20, 1866.*

SIR: The United States corvette *Ticonderoga* sailed from this port on the 18th instant, after a stay of eleven days. On the 17th instant I had the honor of presenting Commodore Steedman and his officers to the Sultan. His Majesty received them with a few cordial words of welcome; expressed his gratification at the visit of courtesy made by the *Ticonderoga* to his capital; rejoiced that the late devastating war in the United States had terminated in the preservation of the integrity of the Union; and, in conclusion, said that he should always be happy to reciprocate the good will and friendly sentiments which the United States had ever manifested to Turkey.

During the sojourn of the *Ticonderoga* in the Bosphorus I presented Commodore Steedman to all the members of the diplomatic corps, as well as to the grand vizier, the minister of foreign affairs, and other members of the cabinet. They all visited the commodore on board his vessel and received, on leaving, the salutes due to their respective ranks.

Before his departure, I dined with the commodore at the British ambassador's and the Russian minister's. On the 15th instant a grand banquet was given in honor of the visit of the *Ticonderoga*, by the Captain Pacha, on board the line-of-battle ship *Mahmondieh*, which, on this occasion, was decorated with the American and Ottoman colors. During the dinner, which was of the most sumptuous character, the national airs of "Hail Columbia" and "Yankee Doodle" were admirably played by a Turkish band. The Captain Pacha, in the course of the banquet, rose and greeted the commodore in terms of hearty feeling, and proposed the health of his Excellency the President, and the prosperity and happiness of the people of the United States. In response, I reciprocated to the Captain Pacha his friendly sentiments to the President and people of the United States, and proposed the health of his Majesty the Sultan, and the peace, progress, and prosperity of the Ottoman empire. The commodore briefly but appropriately returned thanks for the distinguished honor with which he had been received by the Turkish authorities, and proposed the health of his highness the Captain Pacha.

The visit of the *Ticonderoga* which has thus so happily terminated was a continued ovation from beginning to end; not a single untoward incident happened during her stay. Her commander and officers reflected credit on the gallant profession to which they belong by their gentlemanly bearing; and the conduct of the crew was so exemplary as to excite the commendatory notice of the police authorities.

I have dwelt at large on the particulars of this naval visit, as the *Ticonderoga* is the second United States man-of-war which has been admitted to Constantinople since the formation of the treaties excluding war vessels above the size of naval despatch boats from the Dardanelles and the Bosphorus. The moral and political effects of the visit cannot fail to be of the most salutary character; and it is the more remarkable as no vessel of her dimensions belonging to any European power is admitted to pass through the straits to Constantinople.

I have the honor to be, with great respect, your obedient servant,

E. JOY MORRIS.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Morris.*

No. 119.]

DEPARTMENT OF STATE,

*Washington, September 25, 1866.*

SIR: I have received and have read with much interest your communication of August 28th, concerning the inhabitants of Crete, I have also received from Mr. Stillman a despatch relating to the same subject, which is accompanied by the address to which you refer.

The sentiments of sympathy which you express for a brave and suffering people are very natural, and I see no impropriety in your consulting with the representatives of other Christian powers at the Porte, with the view, through the use of your good offices, of ameliorating the unhappy condition of the inhabitants of Crete.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., &c., &c., &c.

*Mr. Morris to Mr. Seward.*

[Extracts.]

No. 170.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Constantinople, September 29, 1866.*

SIR: I have the honor to acknowledge the receipt of despatches Nos. 116 and 117. The instructions contained in the same will be complied with.

The insurrection in the island of Crete cannot, to all appearances, continue much longer, as the insurgents have recently suffered a severe defeat, and the Porte is constantly despatching troops to the island for the purpose of crushing resistance by an overwhelming superiority of numbers. The sympathies which the Cretans have naturally aroused in Greece, and practically manifested in the shipment of arms and ammunition and in expeditions of armed bands to Crete, have given rise to earnest protests on the part of the Porte. The relations between the Hellenic government and that of Turkey are in a very critical position, and an open rupture is probable unless the insurrection soon comes to an end. King George manifests no disposition to restrain the practical demonstrations of sympathy which his subjects are making in behalf of a people with whom they are related by ties of blood, religion, and language. However widely separated, the Greek people are united by a fellow-feeling which binds them together as closely as if they were all gathered into one nationality. This feeling neither time nor oppression by stronger rulers has ever been able to extinguish, and it is this, also, which renders the government of such a people so extremely difficult by the Turks, with whom they never have assimilated, and never can. They are proud of their name, their language, their descent, and their history, and devoutly attached to their religion, and can never be moulded in the general mass of Turkish subjects, so as to lose their distinctive features as a people. Faults they have—such faults as belong to all people who have been the slaves of a foreign despotism for ages—but they have virtues and capacities also, calculated to make them, when united in a common nationality, one of the most enterprising, powerful, and promising races of the age.

The island of Crete has suffered more than any other part of the empire the evils that seem inseparable from provincial governments. It has been too often regarded as a field of plunder for rapacious pachas, who have enriched themselves by the most infamous practices, at the expense of the people they were sent to govern. \* \* \* \* \*



I deemed it my duty, at one time, to represent to Lord Lyons that facts of which I was cognizant justified me in asking his interference with the Porte to procure the recall of Ismael Pacha, as its own interests would be seriously compromised by his retention in office, through an open insurrection to which he was forcing the Cretans. Although Lord Lyons was fully advised of the situation of affairs in the island, I deemed it my duty, in the general interests of humanity, and out of friendship to the Porte, to make the above representation to him, and the more so because I have no right of direct interference myself in domestic questions of this empire. This governor has been at length recalled, and is now in disgrace; but unfortunately he was not removed from office till he had, by his vicious government, goaded the Cretans into hostilities with the Turkish government. Up to the present time more than two thousand lives have been lost in the combats which have taken place, hundreds of families have left the island, the olive crop has been ungathered, and such ruin and desolation have been inflicted upon this beautiful and fertile island that it will not recover from the effects of the same in ten or twenty years to come.

\* \* \* \* \*

Although rumors of trouble prevail, of disturbances in Epirus and other provinces, they have not been confirmed by any reliable authority. It is a fact, however, that the feeling of disaffection to the Porte is constantly spreading among the Christian subjects, while its pecuniary and military embarrassments are daily increasing, and to such a degree as to paralyze the power of the government to maintain its authority. Indeed, it seems, unless a change for the better soon takes place, that the great powers who have an interest in the preservation of Turkey must eventually interfere to save the empire from the ruin with which it is menaced.

I am, sir, with great respect, your obedient servant,

E. JOY MORRIS.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 173.]

LEGATION OF UNITED STATES OF AMERICA,

*Constantinople, November 2, 1866.*

SIR: The recognition of Prince Hohenzollern as hospodar of the Danubian principalities, has finally taken place. After several months of negotiation, the difficulties which had prevented this event were removed and the Prince was invited to the capital. He arrived here last week in an imperial steamer which had been dispatched to Varna for his conveyance. Immediately on his arrival he was received in audience by the Sultan, who extended to him a cordial welcome. After a profession of homage by the Prince to his Suzerain, the Sultan stated the conditions on which he ratified the choice of the people of Moldavia and Wallachia, which were as follows: The princship to be hereditary in the direct line; the army of Roumania may be raised to the maximum strength of 30,000 men; the government of that country may coin money with the impress of the imperial cipher; that the tribute shall be increased to a sum hereafter to be determined, and that the Prince shall observe the treaty obligations which connect him with the Porte. These conditions the Prince formally gave his consent to, and his pledge to observe.

Subsequently the Prince interchanged visits with all the members of the diplomatic corps and with the Greek Patriarch. I found him a young man of about 27 years of age, of genial manners, of superior intelligence, and apparently pure and single minded, and animated by sincere intentions to promote the wel-

fare of the country which he has been called to govern. He was quite enthusiastic in the expression of his admiration for the power, material and moral, of the United States, and for the successful working of our political institutions. He hoped to see the United States extending its influence in the east, in which it must eventually have much larger interests, by the increased development of its commerce through the opening of the Suez canal. He seemed much pleased at the creation of a United States consulate general at Bucharest, and expressed his desire to see that post soon filled by an incumbent. So far as the fortunes of Roumania depend on Prince Hohenzollern, I think there is but little hazard in predicting that they will be all that her most sanguine patriots can desire. The position is, however, one of great difficulty, owing to the foreign intrigues of which Bucharest is the centre, and which are inspired by Austria and Russia, in their rival aspirations for the eventual possession of the rich and fertile region covered by the provinces of Moldavia and Wallachia. France, which was one of the most active parties in placing Prince Hohenzollern on the throne of Roumania, encourages the creation of an independent kingdom in the principalities, as a barrier on the Turkish frontier against Muscovite aggression. This project is of course not regarded with a favorable eye at St. Petersburg, as it throws serious obstacles in the way of Russian progress to Constantinople, and it is therefore questionable if Roumania will enjoy, even under Prince Hohenzollern, the tranquillity and repose necessary to its development into an independent national existence.

At all events, it is settled that Turkey will not go to war, as was threatened, about Roumania, and the Sultan, in recognizing a Prince whom he once threatened to expel by force of arms, has given another proof of the deplorable state of imbecility to which the Ottoman empire has of late sunk.

With great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Morris to Mr. Seward.*

[Extract.]

No. 174.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Constantinople, November 2, 1866.*

SIR: Notwithstanding the reported successes of the Turkish troops in Crete, the insurrection in that island still continues. It seems hardly possible that it can be much longer sustained, such is the disparity of numbers between the insurgents and the Turkish forces; but the bitter animosity existing against Mussulman rule is so strong that it will be protracted as long as there is the faintest ray of hope. That the movement should not have been suppressed before this is surprising, considering the fact that there are over 40,000 of the best Turkish troops in the island, and that all its ports are closed by an efficient blockade, sustained by a large part of the Turkish navy.

\* \* \* \* \*  
With great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

No. 177.]

LEGATION OF UNITED STATES OF AMERICA,

*Constantinople, November 15, 1866.*

SIR: I regret to be obliged to announce the reappearance of cholera at Constantinople. It broke out a few days since at Ortakeui, a neighboring village on the Bosphorus, and out of twelve cases reported from that locality up to this date, eight have terminated fatally. Four cases and two deaths have also occurred at the arsenal on the Golden Horn, whence it extended itself, in the summer of 1865, over the whole city. One death of the apoplectic or "fondroyant" cholera is reported from Bebek. The disease at present threatens to take an epidemic form. If it should become epidemical, it must be very fatal, as the winter here is generally rude in temperature, and much suffering exists in consequence among the population, the great bulk of which live in miserable tenements and are scantily clad, and illy provided with the necessaries of life. It is to be hoped we are not to witness a repetition of the horrors of 1865, when fully 50,000 people were swept off in six weeks by this scourge of humanity.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Morris to Mr. Seward.*

[Extract.]

No. 179.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Constantinople, November 22, 1866.*

SIR: I have received the enclosed declaration on the part of the leaders of the revolutionary movement in the island of Candia, which I deem it my duty to transmit to the department. Notwithstanding the telegraphic reports to the contrary, systematically disseminated over Europe by the Turkish government, the insurrection in Crete continues in full vigor, and the island has neither submitted nor shown any signs of submission. To all appearance the struggle will be prolonged through the winter. In this case it will lead to similar movements elsewhere—particularly in Thessaly and Albania—which will put in jeopardy the integrity if not the existence of the Turkish empire. A dangerous ferment exists generally in the provinces, in which the Greek population is in the ascendancy, and serious preparations are evidently making by that class of the Sultan's subjects to throw off the Ottoman yoke. Volunteers, arms, and relief of all kinds are pouring into Crete, and it would seem as if the struggle there is regarded as a breach by which all the enemies of Turkey may hope to penetrate into and overthrow the empire.

The application for relief to their families made by the Cretans in the enclosed address is very natural. Their wives and children are perishing from want, cold, and other sufferings incident to the rigors of winter and of war, I may say, by hundreds. Common humanity justifies their relief, non-combatants as they are. If an American merchant vessel were sent to their relief, I am sure the Turkish government would not object to their being carried away to Greece. It would be a noble act of Christian charity if the United States government would authorize me by telegraph to employ such a vessel for such a purpose, or if it would give equivalent instructions to Admiral Goldsborough.

\* \* \* \* \*

I am, with great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

CANDIA, (APOCORONA,) November 9, 1866.

**EXCELLENCY:** The people of Candia have several times taken up arms to throw off the Ottoman yoke, which prevents them from following the march of modern civilization.

From 1821 to 1830 they followed the war of Hellenic independence with exemplary patience and courage. Unfortunately, diplomacy separated Crete from emancipated Greece and placed it under the government of Mehemet Ali, with the stipulation that its people should not be subjected to the same treatment as the rayas, (native subjects.) This condition having been violated, the Candiotes convoked a general assembly in 1833, and addressed a formal protest to the great powers. The result was the hanging of the most distinguished men of the island.

In 1841 the people, being unable any longer to suffer the daily increasing acts of violence, took up arms again, and demanded of Europe their annexation with the Hellenic government. On this occasion, also, diplomacy turned them a deaf ear.

In 1858 the principles of the Hatti Humayoum not having been put in execution, another appeal to arms was made, and after great effort we gained in writing some of the privileges of this imperial charter. This pledge, however, having been as little respected as previous ones, the people of Candia sent a protest to the Turkish government, to which the Sultan replied that he was not bound by the decisions of his predecessors.

In 1866 our sufferings reached their climax, and the people again presented their complaints to the Porte against the insupportable tyranny to which they were subjected. Instead of taking them into consideration the Sultan sent troops to the island, who, according to their custom, massacred women, children, and the aged, and burned the villages. It was only after this that the people flew to arms to defend their honor and their lives, and they are resolved to perish rather than again to submit.

Notwithstanding the victories which the Candiotes have obtained over the Ottomans, (at Bresses, Vamon, Allegans, Therissori, Candanas, Retimo, &c.,) Mustapha Pacha has circulated the report that the island will be soon subdued. We take the liberty of assuring your excellency that the Candiotes have taken a firm resolution to terminate this struggle by liberty or death, and that all the reports to the contrary disseminated by the Turks are entirely false.

What afflicts and touches us the most acutely is, that our families are wandering in the mountains, exposed to the cold of winter and the cruelty of the barbarians. We most respectfully implore the Christian powers to come to their aid.

Awaiting a favorable answer, we have the honor to be your most humble and obedient servants,

The general assembly of the people of Candia:

[SEAL.]

[Signatures, some twenty.]

*Mr Morris to Mr. Seward.*

No. 181.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Constantinople, November 30, 1866.*

**SIR:** I have the honor to transmit enclosed a translation of a note of his Highness Aali Pacha, relative to the recent arrival and settlement of a colony of American emigrants in Palestine, in the vicinity of Jaffa.

In the early part of the present year I received two communications, one from Hon. L. M. Morrill, of the United States Senate, and the other from Rev. Mr. Adams, the head of this colony, asking for a grant of land from the Sultan for its uses. The negative answer made by the minister of foreign affairs to the prayer of the applicants was transmitted to Mr. Morrill, and Mr. Adams before the departure of the colonists from the States, which I supposed it would have prevented.

The policy of the Turkish government does not favor the acquisition of real estate by foreigners, and the laws of the empire do not authorize the granting of fee-simple titles to foreigners. If the Porte were to give its consent to the establishment of the colony in question, it would sanction a violation of the standard policy and legislation of the empire, and would establish a precedent for the creation of similar settlements by subjects of other countries also. It is under the apprehension of the consequences of its expressed or tacit authorization of the establishment of the American colony in question that it deems it its duty to officially declare that it does not meet its consent.

The laws of the empire, I beg to add, are very liberal to that class of emigrants who propose to become subjects of the Sultan, conferring on them grants of land, and exempting them from taxes for a certain term of years.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Aali Pacha to Mr. Morris.*

[Translation.]

SUBLIME PORTE, BUREAU OF FOREIGN AFFAIRS,  
*November 28, 1866.*

SIR: The governor of Jerusalem has recently informed the Sublime Porte that some forty American families have arrived at Jaffa, for the purpose of establishing a colony in that neighborhood.

It is unnecessary, sir, to remind you that the imperial government has always manifested an earnest desire to grant all possible facilities to strangers who resort to this empire as travellers, or for the purpose of engaging in industrial or commercial pursuits, but the object of the emigration of such a number of families at the same time is evidently with a view to the colonization of a part of the empire, and to the acquisition of landed property. On the other hand, if such a precedent should be admitted, the proprietorship of the soil and the agriculture of one of the most important provinces of the empire would inevitably, to the great detriment of the native population, pass into the hands of the new colonies, that would not fail to follow the first.

The imperial government therefore believes it to be its duty, in regard to the interests of the population of the empire, to notify the legation of the United States that it cannot give its consent to the establishment of these families in Palestine.

AALI.

Mr. E. JOY MORRIS,  
*Minister of the United States of America.*

# EGYPT.

---

*Mr. Seward to Mr. Hale.*

No. 17.]

DEPARTMENT OF STATE,  
*Washington, December 14, 1865.*

SIR: I have had the honor to receive your despatch dated November 16th, 1865, and also a copy of certain correspondence which you have had with the minister of foreign affairs of his Highness the Pacha, upon the subject of an apprehended renewal of the expedition from Alexandria of Nubian negroes to be engaged on the part of France in the war waged between that country and Mexico. The only result of the correspondence seems to be, that the Egyptian government still holds the question open for further consideration, while it expresses a desire that the United States may be content with an ultimate embarkation of such belligerents, if it shall be insisted upon by the Pacha. Simultaneously with these papers I have received, through Mr. Bigelow, our representative in Paris, an assurance from Mr. Drouyn de Lhuys to the effect that the imperial determination against the embarkation of Egyptian forces to join the French army in Mexico, which had before been announced to us, remains unchanged. The President is of opinion that we may properly rely upon this assurance of Mr. Drouyn de Lhuys. In that view of the case there is no necessity for your continuing your discussion with the Egyptian minister of foreign affairs. It may nevertheless happen that the assurance referred to is unauthorized, or may be retracted. If such correction or retraction should occur, contrary to our present expectation, then it will be proper for you in that case to inform the minister for foreign affairs that the United States protest against any embarkation of negro troops or forces to be engaged in hostilities against the government or people of Mexico, whatever may be the special character of the levies or the circumstances under which the expedition is to be made. In the opinion of the President, negroes, natives of Africa, cannot rightfully be employed as soldiers in any way to subvert established political institutions, or disturb society on the American continent.

For your information I give you a copy\* of the assurance of Mr. Drouyn de Lhuys to which I have referred. I also give a copy of this despatch to Mr. Bigelow, that its contents may be communicated to the French government, if it should become necessary, or withheld if the assurances of Mr. Drouyn de Lhuys should be confirmed. I give a copy of the same also to Mr. Morris, at Constantinople, to be communicated to the Sultan or not, as circumstances shall require. It may be as well for you to enquire of Mr. Bigelow by telegram concerning the actual situation of the question at Paris before making any further communication to the minister of foreign affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES HALE, Esq., &c., &c., &c.

---

\* For these enclosures see Diplomatic Correspondence for 1865, Vol. III.

*Mr. Hale to Mr. Seward.*

No. 49.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, December 25, 1865.*

SIR: I have the honor to enclose several tables of statistics in relation to the recent visitation of cholera in this country. A part of the information they contain is in continuation of those transmitted with my despatch No. 38, but as the official reports have been revised I have thought it best, while completing the tables, to repeat, with the corrections in their proper places, the figures previously sent.

The tables herewith transmitted, marked A and B, show the number of deaths from cholera and from other diseases at Alexandria and at Cairo, according to the official reports for each day from the time of the outbreak of the cholera at each place, until its disappearance in the former city on the 19th of August, and in the latter on the 17th of September.

The tables marked C and D show in like manner the number of deaths from cholera for each day, according to the official reports, at Damietta and at Rosetta, in which towns the ravages of the pestilence were the most fatal in proportion to the population.

And finally, the table marked E gives in a single view the official report for the whole of Egypt under the heads of the principal towns and provinces, divided according to sex and also according to religion.

The officers who have made these reports have undertaken to state the population of the whole of Egypt with numerical exactness, before the outbreak of the cholera, as four million eight hundred and forty-one thousand six hundred and seventy-seven. The number of deaths from cholera is reported at sixty-one thousand one hundred and ninety-two; being in the proportion of twelve and six-tenths in a thousand.

The population of Alexandria is reported somewhat more, and that of Cairo somewhat less, than the estimated numbers given in my previous despatch. The proportion of deaths from cholera to population, according to the figures now given, varies very little from twenty-two in a thousand at both places.

At Damietta the proportion is forty-two in a thousand, and at Rosetta rises as high as one hundred and eight in a thousand, or more than ten per cent.

The official report sets down six hundred and seventy-eight of the deaths at Alexandria as occurring in the Christian community, and three thousand two hundred and ninety-nine in the Mahomedan. If this division be correct, and if it likewise be true that the Christian population of Alexandria is two-fifths of the whole, it would appear that the relative mortality among Christians was less than one-third than among Moslems, being nine and four-tenths in a thousand among Christians, and thirty in a thousand among Moslems.

In submitting the tables herewith transmitted, although they are derived from official reports, I must not omit to say that there is a very wide-spread belief that the actual mortality exceeded the numbers made known to the public. After giving some examination to the matter, however, I am inclined to the opinion that this belief has no substantial foundation excepting so far as may result from these two considerations, namely:

1. It is admitted that on the day of the greatest mortality at Cairo, to wit, the fourth of July, of which the record includes the morning of the fifth, the whole machinery of recording broke down, and that not only were many burial certificates issued without record, but that probably some interments took place without certificates. It is quite impossible to say what correction should be made to the number of deaths on this account. One hundred and twelve have been added in the official revision. This augmentation of the original report is perhaps not enough.

2. An examination of the tables would indicate that, as the cholera became less fatal, the average daily number of deaths from ordinary causes also diminished, a circumstance which may lead to the opinion that a part of the deaths ascribed to "other diseases" during the prevalence of cholera might not unfairly have been included with those caused by the epidemic.

It is for this reason that in the tables transmitted with my previous despatch, and in those herewith sent, covering the reports for Alexandria and Cairo, pains have been taken to include not only the deaths reported from "cholera," but those from "other diseases;" and it will be noticed that the addition has the effect to augment the mortality by about one-half for the sixty-nine days that the disease prevailed in Alexandria, and to double the mortality for the ninety-two days that the disease prevailed in Cairo. That is to say, the average daily mortality at Alexandria and Cairo during the time that the cholera prevailed in those cities was equal to the proportion of about one hundred and eighty in a thousand per annum, while the average annual death-rate for Paris is less than thirty in a thousand, for London twenty-three in a thousand, and for Boston and other cities in the United States, not more than twenty in a thousand.

The experience obtained here last summer, so far as I am aware, added very little to the sum of certain knowledge respecting this mysterious disease, although the advocates of every particular theory may find something in it upon which to found arguments in support of their views.

It may, however, be affirmed with confidence that the disease is not contagious in the ordinary acceptance of that word; that those suffering under it may receive the attentions of their physicians and friends, and of the benevolent, without danger to those ministering to them; that nothing is gained by a policy of isolation or domestic quarantine; that the disease always gives premonition of its coming to the patient by internal symptoms, which, if promptly heeded, allow it to be thrown off; and that the best and only preventives or precautions are the avoidance of exertion and fatigue, of all irregularities (much more of excesses) in diet, and of interruptions in normal, steady, and quiet habits of life.

The cases in which medical skill prevails against cholera are almost invariably those in which the disease is taken early in hand by the physician. When he fails, it is generally because the patient has neglected the premonitory symptoms. It is almost superfluous to add that the greatest mortality occurs in those towns or parts of towns where the habits of the people are filthy, and where, from want of good drainage or other causes, impurities prevail in the atmosphere.

I have the honor to be, sir, very respectfully, your obedient servant,

CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*



TABLE A.—*Alexandria, (population 180,796.)*

1865.			1865.				
	Deaths from cholera.	From other diseases.	Total.		Deaths from cholera.	From other diseases.	Total.
June 12	4	44	48	July 17	21	33	54
13	12	38	50	18	18	37	55
14	34	30	64	19	10	47	57
15	38	17	55	20	12	51	63
16	34	29	63	21	10	30	40
17	53	28	81	22	8	30	38
18	61	30	91	23	4	26	30
19	94	21	115	24	2	34	36
20	101	51	152	25	4	31	35
21	159	42	201	26	5	24	29
22	145	36	181	27	4	33	37
23	159	39	198	28	2	29	31
24	141	37	178	29	5	54	39
25	183	50	233	30	2	51	33
26	193	48	241	31	1	27	28
27	208	50	258	Aug. 1	4	24	28
28	214	45	259	2	0	38	38
29	209	43	252	3	0	24	24
30	197	40	237	4	0	27	27
July 1	184	85	300	5	0	32	32
2	196	83	219	6	1	30	31
3	228	37	265	7	0	31	31
4	176	40	216	8	1	38	39
5	118	39	157	9	0	43	43
6	132	44	176	10	2	26	28
7	142	35	177	11	2	28	30
8	94	29	123	12	1	27	28
9	91	31	122	13	2	37	39
10	64	37	101	14	1	28	29
11	55	44	99	15	0	20	20
12	61	33	94	16	0	34	34
13	48	33	81	17	1	24	25
14	21	41	62	18	0	32	32
15	23	45	68	19	1	21	22
16	22	45	67				
Totals.....					4,018	2,360	6,378

TABLE B.—*Cairo, (population 282,348.)*

1865.			1865.				
	Deaths from cholera.	From other diseases.	Total.		Deaths from cholera.	From other diseases.	Total.
June 17	1	61	62	July 16	109	89	198
18	2	61	63	17	107	64	171
19	2	65	67	18	100	83	183
20	2	46	48	19	80	90	170
21	2	52	54	20	72	73	145
22	2	68	70	21	54	63	117
23	3	52	55	22	58	79	117
24	17	55	72	23	48	69	117
25	21	75	96	24	35	52	87
26	71	74	145	25	25	90	115
27	85	93	178	26	28	64	92
28	93	75	168	27	16	66	82
29	136	65	201	28	23	74	97
30	216	84	300	29	16	63	79
July 1	329	77	406	30	13	77	90
2	306	80	386	31	14	76	90
3	382	112	494	Aug. 1	16	48	66
4	457	84	541	2	8	80	86
5	468	63	531	3	7	66	63
6	355	82	437	4	5	74	79
7	365	87	452	5	10	90	100
8	389	90	479	6	7	66	73
9	347	97	444	7	3	63	66
10	252	103	355	8	3	77	80
11	226	84	310	9	2	68	71
12	204	98	302	10	3	75	77
13	156	97	253	11	5	56	61
14	149	104	253	12	3	69	72
15	151	101	252	13	4	51	55

TABLE B.—Continued.

1865.			1865.				
	Deaths from cholera.	From other diseases.	Total.		Deaths from cholera.	From other diseases.	Total.
Aug. 14.....	6	57	63	Sept. 1.....	1	48	49
15.....	2	71	73	2.....	1	50	51
16.....	1	65	66	3.....	1	54	55
17.....	2	51	53	4.....	4	48	52
18.....	1	67	68	5.....	0	52	52
19.....	0	53	53	6.....	4	49	53
20.....	0	69	69	7.....	4	62	66
21.....	0	49	49	8.....	0	52	52
22.....	4	66	70	9.....	2	50	52
23.....	2	67	69	10.....	0	47	47
24.....	4	58	62	11.....	1	52	53
25.....	5	59	64	12.....	1	53	54
26.....	6	57	63	13.....	0	42	42
27.....	2	57	59	14.....	0	43	43
28.....	2	44	46	15.....	0	31	31
29.....	2	52	54	16.....	0	49	49
30.....	1	52	53	17.....	2	50	52
31.....	1	65	66				
Totals.....					6,104	6,240	12,344

TABLE C.—Damietta, (population 57,000.)

1865.		1865.		1865.	
	Deaths from cholera.		Deaths from cholera.		Deaths from cholera.
June 26.....	1	July 11.....	102	July 26.....	11
27.....	9	12.....	112	27.....	12
28.....	35	13.....	73	28.....	7
29.....	133	14.....	73	29.....	13
30.....	67	15.....	79	30.....	3
July 1.....	83	16.....	50	31.....	5
2.....	107	17.....	43	Aug. 1.....	2
3.....	142	18.....	42	2.....	4
4.....	157	19.....	21	3.....	4
5.....	172	20.....	18	4.....	2
6.....	171	21.....	14	5.....	2
7.....	169	22.....	13	6.....	3
8.....	166	23.....	7	7.....	1
9.....	172	24.....	10	14.....	1
10.....	121	25.....	8		
Total.....					2,374

TABLE D.—Rosetta, (population 21,130)

1865.		1865.		1865.	
	Deaths from cholera.		Deaths from cholera.		Deaths from cholera.
June 19.....	1	July 3.....	122	July 17.....	9
20.....	6	4.....	109	18.....	4
21.....	6	5.....	102	19.....	5
22.....	22	6.....	75	20.....	1
23.....	39	7.....	60	21.....	2
24.....	69	8.....	57	22.....	1
25.....	87	9.....	32	23.....	2
26.....	135	10.....	21	24.....	1
27.....	141	11.....	15	25.....	0
28.....	193	12.....	15	26.....	0
29.....	279	13.....	11	27.....	0
30.....	221	14.....	13	28.....	1
July 1.....	158	15.....	7		
2.....	122	16.....	7		
Total.....					2,167

TABLE E.—*Showing the number of deaths from cholera in 1865 in the principal towns and provinces of Egypt, according to sex and religion; showing also the duration of the malady, with date of beginning and ending in each place.*

[Population of Egypt before the appearance of the cholera, 4,841,677; total number of deaths from cholera, 61,192.]

Towns.	Males.	Females.	Total.	Moslems.	Christians.	Jews.	Duration of the malady.		
							From—	To—	Days.
Alexandria .....	2,263	1,755	4,018	3,299	678	41	June 11	Aug. 19	69
Cairo .....	3,400	2,704	6,104	5,487	548	69	June 17	Sept. 17	92
Ramleh .....	43	40	83	70	13		.....	.....	.....
Agiami .....	16	2	18	18			.....	.....	.....
Aboukir .....	13	10	23	23			.....	.....	.....
Rosetta .....	1,069	1,099	2,168	2,166	2		June 19	July 28	39
Damietta .....	1,128	1,246	2,374	2,307	67		June 26	Aug. 14	49
Port Saïd .....	50	10	60	6	54		June 28	July 3	34
El-Arich .....	19	16	35	34	1		July 5	Sept. 26	83
Suez .....	48	9	57	18	39		June 26	Aug. 7	42
PROVINCES.									
Belhera .....	1,204	1,037	2,242	2,240	2		June 20	Sept. 19	91
Garbié .....	5,805	4,376	10,181	10,064	117		June 20	Sept. 12	83
Menoufié .....	1,444	1,204	2,648	2,644	4		June 29	Sept. 12	74
Dakalié .....	3,858	3,498	7,356	7,272	84		June 22	Aug. 3	42
Charkié .....	1,903	1,688	3,591	3,479	112		June 21	Aug. 16	56
Galoubié .....	392	307	699	699			June 25	Sept. 5	72
Ghizi .....	810	663	1,473	1,473			.....	.....	.....
Benisonéf .....	513	518	1,031	1,031			July 2	.....	.....
Fayoum .....	718	588	1,306	1,306			.....	.....	.....
Minié .....	946	820	1,766	1,509	257		June 30	Sept. 2	63
Osiüt .....	2,293	2,094	4,387	4,387			.....	.....	.....
Girgé .....	2,930	2,845	5,775	5,775			.....	.....	.....
Kéné .....	1,581	1,503	3,084	3,084			July 23	.....	.....
Cosseir and Esné .....	408	305	713	713			.....	.....	.....
Total .....	32,854	28,338	61,192	59,104	1,978	110	.....	.....	.....

*Mr. Hale to Mr. Seward.*

No. 52.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Cairo, Egypt, January 18, 1866.*

SIR: I have the honor to report that after posting my despatch No. 51, yesterday, I was able to obtain an interview with his excellency Nubar Pacha, the new minister of foreign affairs, in which he evinced, with great cordiality, a most satisfactory feeling. He expects to be able, after taking the orders of the Pacha, to give me an official assurance in the name of his Highness that no more troops shall be sent hence to Mexico, unless a new application should be received from France insisting on the further fulfilment of the understanding of 1862 and 1863. He made no attempt to conceal the fact that he has always disliked the Mexican expedition.

I have the honor to be, sir, very respectfully, your obedient servant,  
**CHARLES HALE.**

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Hale to Mr. Seward.*

No. 53.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, February 24, 1866.*

SIR: I have the honor to transmit to you herewith a copy of a letter addressed to the "American committee in Paris" describing the celebration by Americans in Egypt of the recent anniversary of Washington's birthday.

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

AGENCY AND CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, February 24, 1866.*

GENTLEMEN: Your circular of the 27th January was received here on the 16th. The idea which had already been entertained of a celebration of Washington's birthday by Americans in Egypt, was of course strengthened by the intimation that the day would be generally observed in the European capitals.

A considerable number of our countrymen having returned from the Nile voyage to Cairo a few days previously to the 22d, and most of these being about to start thence for Syria on the morning of the 23d, and also being myself summoned upon official business to Cairo, (which is always the seat of government during the winter months,) that capital was deemed the most suitable place for the celebration. The few necessary arrangements were undertaken by a committee composed of Messrs. Marshall Jewell, S. R. Spaulding, and Alexander Strong. Invitations were extended to all the Americans in Egypt who were accessible to assemble at the Hotel des Ambassadeurs in Cairo on the evening of the 22d.

The principal parlor of the hotel happened to be in the possession of a French gentleman, but was kindly placed by him at my disposition for the purposes of the evening.

With a very few exceptions all the Americans within reach of the invitation were able to respond to it by their presence. The company, which included ladies, was composed of Americans, or those connected in some way with our country, with the addition of the distinguished traveller, Mr. W. Gifford Palgrave, who, happening to hear of the proposed observance of the day, and expressing a very kindly interest in it, accepted an invitation to be present.

The company having assembled, upon motion and vote the agent and consul general was called to the chair. Prayer was offered by the Rev. George Washburn, of the American missionaries from Constantinople. A brief address was made by the chairman, who proposed the regular toasts voted below. In the course of the evening brief speeches were also made by the Rev. Messrs. Atterbury, Tiffany, and Appleton, and by Mr. Melville, and a number of patriotic songs were sung by the company.

The regular toasts were the following, the first two drunk in silence by the company, standing:

1. The memory of George Washington.
2. The memory of Abraham Lincoln.
3. The President of the United States.
4. His Highness the Pacha of Egypt.

Two other toasts were also proposed by the chairman, namely: "The Queen of England," with reference to the presence of the guest above mentioned, and "The King of Italy," with reference to the presence of a lady of American parentage whose husband holds a diplomatic appointment in the service of that sovereign. Mr. Palgrave made a kindly and interesting speech, closing with a sentiment of cordial compliment to the country. At the end of the evening the Rev. Mr. Washburn proposed the health of the consul general.

The toasts were drunk in champagne, and afterwards coffee was served. The number of the party was twenty-one; it is not often that so numerous a gathering of Americans can be assembled here. About as many more of our countrymen are still upon the Nile, and an equal number again have already left Egypt this winter for Syria.

The meeting lasted until midnight, and I believe was thoroughly enjoyed by all who were present.

Some of the details I have mentioned are no doubt superfluous, but I have thought a description of the manner in which the anniversary was observed here the best answer in my power to make to the request contained in your circular. I quite agree with you in the opinion that no day in our national calendar is more suitable for celebration in foreign countries than Washington's birthday.

I am, gentlemen, respectfully, your obedient servant,

CHARLES HALE.

*Mr. Hale to Mr. Seward.*

[Extract.]

No. 55.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, April 30, 1866.*

SIR: The Pacha and all the ministers of state came from Cairo to Alexandria on the 21st instant. On the 25th was celebrated the festival of Courvan Beiram, when all the members of the consular body were received by his Highness at the palace of Ras-el-Tin, and to-day it is reported that he has already left Egypt in one of his steamers, probably for Constantinople.

The government bureaus were established at Cairo from the 23d of August last until last week, a period of eight months, during which his Highness did not make even the briefest visit to Alexandria or any place in its vicinity.

The principal business of the winter was the negotiation and conclusion of several arrangements relative to the Suez canal. This subject engrossed the attention of his Highness and his ministers to a degree which caused serious embarrassment and delays in the transaction of all other business. It was no doubt to facilitate the completion of these arrangements that Nubar Pacha was named minister of foreign affairs, in place of Cherif Pacha, on the 16th of January, as reported in my despatch No. 51 of that date. The several papers which complete the arrangements in Egypt bear date on the 30th of January, 19th and 22d of February, and on the 19th of March. The whole arrangement received the approbation of the Sultan at Constantinople.

I obtained access to the papers in Cairo, and copies were in course of preparation in my office here for transmission to you, a work which has occupied a considerable time, when all further trouble in this regard is saved by their publication in full in the bulletin of the canal company printed at Paris, two copies of which are sent you herewith.

Instead, therefore, of the voluminous manuscripts which were in preparation, I content myself with a brief statement of the nature of these arrangements, which are regarded as conclusive of the subject-matter in hand as far as it can be affected by diplomacy, and of their relation to the previous condition of the work.

You are aware that the project of piercing the Isthmus of Suez, which divides the western waters from the inland seas, has previously been viewed with the utmost jealousy by the government of Great Britain, and that no expedient has been neglected on its part which diplomacy could suggest for putting obstacles in the way of the work. Without undertaking to say that there has been any change in the feeling of Great Britain in this respect, it may be affirmed that the death of Lord Palmerston and the recall of Sir Henry Bulwer from his post as ambassador at Constantinople have rendered the application of its policy less active; and Mr. Gladstone is even believed to be favorable to the enterprise.

The work of the Suez canal was begun about ten years ago by M. de Lesseps under a concession obtained by him from the Egyptian government, then in the hands of Saïd Pacha, the predecessor of the present viceroy, Ismail Pacha. This concession was wholly unauthorized by the Porte at Constantinople. The work, if viewed with jealousy by Great Britain, was approved with equal cordiality by France.

The great lever of diplomacy against the canal employed by the former of the Sultan's western allies and protectors has been to remind him of his position as suzerain while this work was going on, as it was begun without his imperial sanction. But the Sultan has never ventured so far to strain either his authority over the Pacha of Egypt or his good relations with the Emperor of

the French as to insist on the discontinuance of the work, and he has now at last given it his formal approval in an imperial firman.

The adroitness of M. de Lesseps has enabled him actually to convert into facilities almost all the embarrassments successively thrown into his way by British interference, and this remark holds good to the last, for in the imperial firman, now granted, he would seem to have obtained a new guarantee for the successful prosecution of his enterprise.

It remains to point out the essential principles underlying the arrangements recently concluded.

You will recollect as the last previous phase of the business, that the questions at issue between the Egyptian government and the canal company (questions no doubt raised by outside interference) had been referred to the arbitration of the Emperor Napoleon, who rendered an award under date of July 6th, 1864. This award, in effect, admitted the objections which had been made to the large concessions of land to the company, and ordered their retrocession to the government; but on the other hand, called upon the Pacha to pay a heavy indemnity for them. It provided that the company should possess no more lands than should be necessary for the legitimate purposes of their work, and undertook to set out the quantity thus necessary with considerable minuteness of detail.

It was soon made manifest that this arrangement would not be suffered to become final without one more effort against the work. It was represented at Constantinople that the company still enjoyed too much land, and the Sultan was again invoked to interpose his imperial authority. In the course of a correspondence which ensued, it is said, however, that it became evident that the Emperor of the French would not allow an arrangement to which he had lent his assistance to be set aside on any trivial grounds, nor would he permit even his imperial Majesty of the Sublime Porte to call in question the competency of the Egyptian government to the extent which the Emperor of the French had seen fit to recognize it, namely, as possessing so many of the powers of an independent government as to be competent to make a concession for a canal and to vary the terms of the original concession on the award of his imperial French Majesty.

The position, therefore, was sufficiently difficult. On the one hand England was against the recognition of the Emperor's award; on the other, France insisted upon it.

In pursuance, as is understood, of arrangements informally made in private communications, it was agreed in an autograph correspondence between the Sultan and the Emperor that four commissioners, to be appointed, one each by the Turkish, Egyptian, and French governments, and by the canal company, should come to Egypt to mark out upon the ground itself the lands necessary for the purposes of the work. These commissioners arrived in Egypt in January and completed their task by allowing to the company altogether 6,665 hectares of land on the African bank of the canal, and 3,549 on the Asiatic bank, while the quantities allowed in the Emperor's award had been 6,892 and 3,372 respectively. The total quantity marked out by the commissioners is 10,214 hectares, while the Emperor had awarded 10,264, so that in respect of quantity the award was substantially confirmed.

I understand, however, that while the quantities remain nearly the same, the limits assigned by the commissioners are such as to more strictly confine the canal company to its legitimate business in the enjoyment of its lands, and to prevent any usurpation of the open roadstead in the harbor of Suez.

Meanwhile, by a separate arrangement, negotiated between the Pacha and M. de Lesseps, the canal company retroceded to the Egyptian government the Wady estate, (comprising the scriptural "land of Goshen,") together with the fresh-water canal leading from Cairo to the isthmus, and thus removed from the

arena of discussion two subjects for plausible complaint. For the Wady estate the Egyptian government agrees to pay the canal company ten millions of francs, but by an alteration of the terms of payment in the indemnity previously awarded, this is added so as to make no addition to the capital sum to be paid.

You will not fail to observe the adroitness with which these arrangements, satisfying, or appearing to satisfy every reasonable objection, paved the way for a convention in which no very substantial difference appears from the award of the Emperor, but to which the Sultan might consistently, as he has done, give his imperial consent.

And this result has been attained with the happy incident of pleasing everybody. To begin with, all parties are gratified that an adjustment has been reached, which appears to be final so far as governmental interference is concerned, removing the work from the arena of diplomatic discussion and leaving it on the footing of an ordinary business enterprise. The canal company and the Pacha are, of course, gratified to have an imperial firman confirming their proceedings; nor is the granting of this sanction, for reasons already intimated, now to be regarded with so much disfavor by Great Britain as it might have been formerly. Meanwhile, Colonel Stanton, the British agent and consul general here, acting through the Turkish commissioner, succeeded in incorporating in the arrangements several provisions which I am bound to say are generally in the interest of the commerce of the whole world. As for the Sultan himself, it is not probable that he takes any such interest in the canal as would induce him to view it either with favor or disfavor, and he must be heartily glad to have removed from his court a bone of contention between his two western allies which was perpetually pressed upon his notice in a way to endanger the permanency of the very convenient relations existing between himself and the Pacha of Egypt.

It is on the Pacha of Egypt, as holding the longest purse, that the arrangements press most heavily. Although his Highness receives back the lands generously granted to the company by his predecessor, he pays handsomely for them. The sum total of the engagements of the Egyptian government in respect of the enterprise is no less than thirty-five millions of dollars, at least two-thirds of the whole available means of the company; and if it may be permitted to entertain doubts of the genuineness of the French subscription to its capital stock, the proportion of the cost of the great work thus assessed on the resources of Egypt is even larger, while its benefits, if it succeeds, will be enjoyed at least in large degree by the commercial nations. The Egyptian government, however, is fain to content itself with a confident hope that it may be forever free from any demands for the canal beyond the amounts now settled, and that the company will go into the market as a borrower for the means necessary to complete the work, in case those in hand prove insufficient.

In the negotiation of the convention of 22d February, M. Ruyssenaers, the very able and intelligent consul general here of the kingdom of Holland, is understood to have been largely concerned as a friendly mediator between both parties, and the Emperor of the French has marked his sense of the value of M. Ruyssenaers's services by conferring upon him the decoration of officer of the legion of honor. Similar decorations were at the same time bestowed by the Emperor upon Nubar Pacha, who signed the convention on the part of his Highness, and also (probably to avoid any probable jealousy) on Cherif Pacha, whom Nubar replaced in the cabinet for this purpose.

Having thus stated the substantial principles which enter into the late arrangements, I forbear a review of the details, which would swell this despatch beyond proper proportions. It may be enough to mention that one clause relating to laborers, without precisely annulling the previous arrangements which prohibited the use of forced labor on the works, is believed to give the company some facilities in the employment of native workmen, and thus relieves it from the

most serious drawback which has lately been felt. Other clauses conserve the rights of commerce in the harbors of Port Saïd and of Suez, and accord to any individual, of whatever nation, with the preliminary authority of the Egyptian government, the right of making an establishment for business purposes upon the canal, and provide that if any differences arise they shall be decided according to the established usages and the treaties, thus preserving the privileges of exterritoriality to foreigners.

\* \* \* \* \*

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES HALE.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hale to Mr. Seward.*

No. 56 ]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, May 4, 1866.*

SIR: Much alarm has lately been felt in Alexandria on account of the frequency of acts of violence perpetrated in the public streets. It is known that those concerned in these offences are generally foreigners, chiefly Greeks and Italians, and their audacity is no doubt due in considerable degree to the difficulty experienced by the local police in maintaining order while the powers of government are distributed among so many different authorities, there being no less than eighteen consulates general which exercise jurisdiction over the subjects of their respective nationalities. Some of the inconveniences incident to this state of things were mentioned in one of my earlier despatches, No. 3, under date of October 22d, 1864, but the project of a municipality at that time brought forward failed of execution.

Very lately the Russian consul general was beset in a public street, little more than an hour after dark, and almost within sight of his own door; he was severely beaten and robbed of his watch and purse. Several outrages of the same kind occurring within a few days, the Egyptian government was led to undertake some special measures for the public security. In addition to a police force of nine hundred and eighty-five effective men, two regiments of the army were quartered near the town. The government then sought the co-operation of the consuls general, who, upon the invitation of the minister of foreign affairs, assembled on the 26th and again on the 28th ultimo, to hear the propositions of the government. The result of the proceedings appears in the proces-verbal, of which I have the honor herewith to transmit a copy, accompanied by a translation.

It will be observed that the government wishes to send away from Alexandria foreign vagabonds without visible means of support here, whose presence endangers the security of the town, and that according to the plan accepted by the consuls general, this deportation, when agreed to, is to be carried into effect by the representative of the government to whose jurisdiction the individual in question may belong, and that in case of any difference between the Egyptian government and the consul-general as to the necessity or propriety of the proposed removal, the question is to be referred to a committee of the consular body.

Some of the governments most largely interested, by the great number of their subjects here, as the French and Italian, are accustomed to carry into effect such deportations, when satisfied of the propriety of the measure, at the mere request of the local police. The proposition to refer the question, in case of a



difference of opinion, to a committee of the consular body, appears to afford a security that no demand shall be capriciously or improperly made for the exercise of the power.

As an abstract question, there might be some doubts of the right of the Egyptian government to order the expulsion of any foreigner whose government should choose to insist upon his remaining in the country. It is, however, clearly understood that the arrangements to which the consuls general have assented do not touch the abstract question. They amount only to this: that the consuls disclaim desiring to keep here individuals of the class described as prejudicial to public security, and that, in case of difference of opinion, they will take the advice of their colleagues, or of a committee of the number. In any case, it is the consul general who has finally to act. In determining his action he will naturally be governed by the instructions he may have received from his own government.

In view of the great alarm in the public mind here, and the necessity under which the government found itself of vigorous action, and especially of invoking the assistance of the representatives of foreign governments in this matter, I concurred with my colleagues in assenting to the measure proposed, after it had been reduced to its present shape, explaining, as did others, that of course it could not be pretended that my government would be bound by my signature any further than concerns the present emergency.

It is believed to be a settled principle of public law that no government is bound to tolerate the presence within its territory of such foreigners as it may choose to exclude; but how far this principle may be affected by the rights of extritoriality enjoyed by Christian nations in the east, and to what extent you would wish your representative here to oppose an exclusion in a particular case, are questions which it would be unbecoming in me to attempt to decide in anticipation of instructions. But I have not thought that you would wish me to refuse my signature to the present arrangements, as such refusal would seem quite unnecessarily to imply an eagerness on the part of the United States government to insist in advance that a vagabond belonging to our country, should any such be found here, must stay, in spite of the wish of the Egyptian government for his exclusion, even if he were plainly guilty of misbehavior prejudicial to the public welfare. In view of the usual good behavior of our people, cases are not likely to arise in my jurisdiction. Should any case arise, it would of course be carefully considered.

Should the expulsion of a vagabond American, having no means of support here, be demanded by the local government for causes approved by the committee of the consular body and by myself, the mode of action which I should prefer to adopt would be simply to notify him that after a certain day I should decline to interpose my authority for his protection, leaving the local government free, unless he voluntarily withdraw from Egypt in the interval, to execute the expulsion in its own way, warning the minister at the same time that notice would be taken of any unnecessary harshness in the proceeding. But if there were particular circumstances attached to the case, I should wish to hold the matter open for special instructions.

The second point suggested by the local government, namely, the granting of power to the local police to enter public houses in pursuit of criminals, is believed to be of such obvious propriety as to require no explanation. The power granted does not attach to the private domiciles of foreigners, which remain under the exclusive jurisdiction of their consulates, and even as regards public houses it is only to be exercised in cases of necessity, and always by a special officer (*preposé*) of police, while notice must be given to the consulate as soon as possible, and at least within twenty-four hours, in every instance of its exercise.

Since these vigorous measures were taken a number of arrests have been made, and the public mind has become much more tranquil. None of the parties

arrested have been Americans, although one, an Englishman by birth, had previous to his arrest claimed and received my assistance on the ground of service in our army. He had no papers whatever, and did not pretend to have been naturalized in the United States. He was tried in the British courts, and, his guilt being clearly proved, he received a severe sentence.

The meeting of the consuls general took place after the despatch of last week's mail, and I thus avail myself of the first opportunity in forwarding to you the enclosed paper by to-morrow's packet, via Marseilles.

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

[Translation.]

MINISTRY OF FOREIGN AFFAIRS,  
*Alexandria, April 30, 1866.*

SIR: I have the honor to transmit you an authentic copy of the resolutions taken at this ministry the 28th instant, which have been already communicated to the department of the interior, in order to receive prompt execution, imperatively demanded by circumstances.

Entertaining no doubt of your energetic co-operation to this effect, I present you, sir, &c., &c.

The minister of foreign affairs *ad interim*,

RAGHEB. [SEAL.]

Mr. CHARLES HALE,  
*Agent and Consul General of the  
United States of America, Alexandria.*

[Translation.]

In consequence of certain facts, quite serious as regards the public security, and which have attracted the full attention of the government of his Highness the Viceroy, justly concerned with everything affecting the general tranquillity, and desirous of assuring it by all proper measures—

His Excellency Raghet Pacha, minister of foreign affairs *ad interim*, has, by instructions of his Highness, convoked the members of the consular body at his ministry in Alexandria, this 28th April, 1866, at 10 o'clock in the morning, and after having explained that it is necessary on the part of the government to expel from its territory foreigners without means of existence, and whose conduct might compromise the morality or the security of the public, has asked that the representatives of foreign powers would be good enough to give their assistance to the Egyptian government, which is entirely disposed to surround the application of this measure with every desirable guarantee of conciliation and legality, and has invited their opinion on the subject of such guarantees.

After deliberation, the members of the consular body have come to an agreement with his Excellency Raghet Pacha, that in case there should arise occasion for applying this measure, the local government will address itself first to the proper consul; if any disagreement arises, the difficulty shall be submitted to a committee of the consular body, which shall judge of the fitness of the measure; the expulsion, if judged necessary, should be executed by the proper consul, but without prejudice to rights established by treaty.

The committee above mentioned shall be composed of nine members, selected by agreement between the government and the proper consul; it shall decide by a majority of votes.

This first point established, a second point is brought forward by his Excellency Raghet Pacha, at the same meeting; in reference to which second point the members of the consular body have come to an agreement with him that the local police has the right, at any hour, and without requiring the assistance of the consulates, to enter coffee-houses, eating-houses, and other similar places. These visits, and arrests in such cases, must be made by an officer specially appointed (*preposé*) by the police, under instructions to proceed with all necessary precautions. The consuls will take care that persons living under their jurisdiction shall put no obstacles in the way of the proceedings of the police above described.

In all cases notice must be given as soon as possible, and within not more than twenty-four hours, to the consulate of any arrest which may have been made of the person of any body under its jurisdiction.

Signed by Raghet Pacha, minister of foreign affairs, and all the consuls general.

*Mr. Hale to Mr. Seward.*

[Extract.]

No. 57.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, June 2, 1866.*

SIR: It is officially announced that the imperial sanction of the Sublime Porte has been accorded to a change in the succession to the vice-regal throne of Egypt in favor of the family of the present Pacha, Ismail, grandson of Mehemet Ali.

Heretofore, under the settlement made in 1841, the succession has been hereditary in the family of Mehemet Ali, not passing always from father to son, but to the next oldest male member of the family. Thus after the death of Mehemet Ali, who outlived his son Ibrahim, his grandson Abbas, the nephew of Ibrahim, succeeded; he was followed by Saïd, uncle of Abbas; and Saïd was followed by Ismail, nephew of Saïd.

Including Ibrahim, who ruled during the closing years of his father's life, the succession has been Ibrahim, Abbas, Saïd, Ismail. The relation of each to his predecessor has been son, nephew, uncle, nephew, consecutively; the relation to Mehemet Ali, founder of the dynasty, has been son, grandson, son and grandson again.

According to this rule the next in succession would be Mustapha, a brother of Ismail, and like him a grandson of Mehemet Ali; and next after him Halim, a brother of Saïd, and himself a son of Mehemet Ali. There are also other members of the family who would succeed upon the failure of either of these, but they are all set aside by the new rule, which grants the succession to the family of Ismail Pacha.

I believe that the oldest of the sons of Ismail has thirteen years; but it has not as yet been announced here whether this son or another may be indicated for the succession. It is understood that the European powers, which were parties to the settlement of 1841, have expressed their acquiescence in the new arrangement.

It is generally believed that Ismail Pacha has paid heavily for this favor to his family. Besides private bribes the annual tribute of Egypt to the Porte is to be doubled, and a heavy contingent is to be provided for immediate service in the Turkish army in the principalities.

The arrangement, while it prevails, is a new guarantee for the separate political existence of Egypt, and is likely to prove advantageous to the country by consolidating the interests of the reigning family with those of the people. But its probable advantages are subject to two contingencies, namely, the quiet acquiescence of the parties excluded from the succession, and the life of the present Pacha until his son shall have attained an age to enable him to hold the reins of power. Plots and intrigues to restore the old order of succession, which to Moslems is the more natural, would have a baleful effect on the prosperity of the country. Worse results would follow if the demise of Ismail Pacha should happen at a period to require a regency. Imperial satraps sent from Constantinople would quickly devour the substance of Egypt, wipe out its hardly acquired civilization, and reproduce here the dull level of anarchy and lethargy which characterizes the purely Turkish provinces, and from which the genius of Mehemet Ali raised and freed this country. For the moment, however, we are at liberty to hope that no untoward accident may happen, and that the best results which are anticipated may follow from the new arrangements.

I recently made an excursion to the line of the Suez canal, and have formed a very favorable opinion of the works, which are prosecuted with energy, method

and industry. The whole is under contract to responsible parties, of large means and experience, who expect to finish their work within prescribed periods, under heavy penalties for delay, and handsome premiums for acceleration. At Port Said, the western terminus of the canal, a considerable town has grown up. A safe anchorage has already been established there, while the artificial harbor, when completed—a superb work—promises to vie in safety and in convenience of access with some of those most frequented in the Mediterranean. The commerce of Suez has likewise greatly increased, and the great dry-dock at that port, built wholly of stones brought for the purpose from France, is now finished. Leaving out of view for the present the use of the ship canal, it cannot be doubted that there will be considerable traffic between Suez and Port Said, a route of only ninety miles, while the distance between Suez and Alexandria by way of Cairo is two hundred and twenty miles. It is even proposed to make a railway upon the canal bank between Suez and Port Said.

\* \* \* \* \*

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hale to Mr. Seward.*

No. 59.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, June 25, 1866.*

SIR: On Wednesday last, 20th instant, his Highness the Pacha returned to Alexandria from Constantinople, and for three nights the palaces, public offices, consulates, and the houses of the principal inhabitants were illuminated in his honor. On Thursday the consuls general visited him at his palace of Ras-el Tin, and again on Saturday morning, by his invitation, to hear publicly read the firmans of the Sublime Porte according the succession in Egypt to his family, and settling the regency in case of his demise before his own attained majority. Finally there was a diplomatic dinner at the same palace on Saturday evening, at which his Highness himself presided, and proposed the first toast to the foreigners and chiefs of government in friendly relations with him.

The next day, his Highness, who has been much pressed with questions of business since his return, went to Cairo, whither he has to-day summoned his principal ministers.

The financial panic in England produced distress here, but since his return the Pacha has made promises which it is hoped will result in substantial relief.

I enclose a copy of the reply made by his Highness to the address made by Mr. Testa in behalf of the consular body.

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

[Translation.]

I thank the diplomatic body for the felicitations which it addressed me.

Since my accession, the constant object of my efforts has been the progress of Egypt, its prosperity, and the stability of its happiness for the future. The principle sanctioned by my sovereign, and to which the friendly powers and allies of the Sublime Porte have had the goodness to give their assent, satisfies this honest ambition and consolidates the work of my grandfather, Mehemet Ali.

*Mr. Hale to Mr. Seward.*

No. 63.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, October 17, 1866.*

SIR: The United States steamer Ticonderoga arrived in this port on the 6th instant. The next morning I accompanied Commodore Steedman in making a visit to Zoulfikar Pacha, the governor of Alexandria, and his excellency returned the visit on board the steamer the following day.

The same afternoon I accompanied Commodore Steedman to Cairo, where a special audience was given us by his Highness the Pacha, in his camp at Abassia, near Cairo. The next afternoon, that is the 9th, his Highness received us under canvass. His manner was extremely cordial, and he took evident interest in conversing with the commodore.

The commodore was able to tell his Highness of having seen his illustrious grandfather, Mehemet Ali, and his father, Ibrahim Pacha, and of having watched with interest the manœuvres of the Egyptian fleet, on occasion of visiting Alexandria thirty years ago as a midshipman under Commodore Eliot. His Highness remarked in the course of the conversation that he had ordered some muskets for his army to be altered to breech-loaders, according to a system invented in America.

Commodore Steedman and myself returned from Cairo on the 11th. Before going thither we called on the representatives, in Alexandria, of the principal foreign powers, and upon the others after our return, and several of these gentlemen, namely, the agents and consuls general of Italy, England, and France, and the consuls general of Sweden and Norway, Russia and Portugal, returned the commodore's visit on board, but the briefness of his visit prevented this in other cases.

Before leaving Cairo we received an intimation that the Russian community in Alexandria wished to tender a banquet to Commodore Steedman and his officers, but the shortness of his stay compelled the commodore to decline this distinguished compliment. He received a deputation of the Russian residents, however, on Saturday, accompanied by the acting consul general, who made an address marked by courtesy and good will, to which, at the request of Commodore Steedman, I made a brief response in the same spirit.

Commodore Steedman granted permission to his officers to go to Cairo in two parties, and Zoulfikar Pacha wrote to inform me that carriages in the railway trains would be placed at their disposition. This mark of courtesy on the part of the Egyptian government was duly appreciated by the officers, nearly all of whom went to Cairo, and, notwithstanding the great height of water just now, from the overflow of the Nile, made the journey across the valley somewhat difficult, visited the pyramids.

Great interest was taken here in the visit of the Ticonderoga, and much regret has been expressed that her stay was so short. She sailed on the afternoon of the 13th.

The armament of the Ticonderoga at present consists of five large Dahlgren guns and two field pieces. This is not sufficient, under the rules of the Navy Department, to allow her to fire salutes. I understand that lately a strict observance of the rule has been enjoined on Commodore Steedman by the admiral. The fact that so large and powerful a war vessel as the Ticonderoga did not salute naturally excited remark and required explanation, and I cannot refrain from calling attention to the inconvenience of the rule.

I have the honor to be, sir, very respectfully, your obedient servant,

CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Hale to Mr. Seward.*

No. 66.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, November 27, 1866.*

SIR: I have the honor to report that, in consequence of a telegram received via Constantinople from Mr. King, United States minister at Rome, and of several letters received from Mr. Winthrop, United States consul at Malta, (the Mediterranean wire being, unfortunately, broken between Malta and this place,) I have this day arrested a man calling himself Walters, dressed in the uniform of a zouave, who arrived at Alexandria on the 23d instant in the steamship Tripoli from Naples, and who is believed to be John Harrison Surratt, one of the conspirators for the assassination of President Lincoln.

The telegram and some of the letters having been delayed in transmission, I was fortunate in finding the man still in quarantine among the third-class passengers, of whom there is no list whatever. It was easy to distinguish him among seventy-eight of these by his zouave uniform, and scarcely less easy by his almost unmistakable American type of countenance. I said at once to him, "You are the man I want; you are an American." He said, "Yes, sir; I am." I said, "You doubtless know why I want you. What is your name?" He replied promptly, "Walters." I said, "I believe your true name is Surratt," and in arresting him mentioned my official position as United States consul general. The director of quarantine speedily arranged a sufficient escort of soldiers, by whom the prisoner was conducted to a safe place within the quarantine walls. Although the walk occupied several minutes, the prisoner, close at my side, made no remark whatever, displaying neither surprise nor irritation. Arrived at the place prepared, I gave him the usual magisterial caution that he was not obliged to say anything, and that anything he said would be at once taken down in writing. He said, "I have nothing to say. I want nothing but what is right." He declared he had neither passport, nor baggage, nor money except six francs.

His companions confirm his statements in this respect. They say he came to Naples a deserter from the Papal army at Rome. I find that he has no papers, and no clothes but those he is wearing.

The appearance of the prisoner answers very well the description given of Surratt by the witness Weichmann, at page 116 of Pittman's Report, officially sent to me by the government, and is accurately portrayed in the likeness of Surratt in the frontispiece of the same volume. Mr. King and Mr. Winthrop speak in confident terms of the identity of the zouave Walters with Surratt, and, after seeing the man, I have not a shadow of doubt of it.

According to the well established public law of this place, as the prisoner avowed himself an American, and submitted, without objection, to arrest by me on my statement that I acted for the United States, and especially as he has no paper to suggest even a *prima facie* claim for belonging to any other jurisdiction, there is no other authority which can rightfully interfere here with his present custody; and I have good reason for saying that no attempt at interference will be set on foot by any authority, whatever pretensions he may make. The prisoner's quarantine will expire on the 29th; he will then be received into the prison of the local government, which cordially gives me every assistance.

It will readily occur to you that the only convenient way of transferring the prisoner to the United States will be by an American man-of-war, and I earnestly hope that one may soon come here to receive him.

Although the arrest was finally made with ease, I ought to say that the necessary precautions to avoid possible failure caused some anxiety to the con-

sulate general, and that I received valuable and faithful assistance from my clerks, Messrs. Edwards, Elias, and Charles Chevrier.

I have the honor to be, sir, very respectfully, your most obedient servant,  
 CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hale to Mr. Seward.*

[Telegram received at War Department, Washington, D. C., December 2, 1866, from cable, December 2, 1866—6.15 p. m.]

OFFICE U. S. MILITARY TELEGRAPH.

To SEWARD, *Washington :*

Have arrested John Surratt, one of President Lincoln's assassins. No doubt of identity.

HALE, *Alexandria.*

---

*Mr. Seward to Mr. Hale.*

[Telegram.]

DEPARTMENT OF STATE,  
*Washington, December 3, 1866.*

SIR: Your course in regard to Surratt is approved. Measures will be taken for bringing him to the United States, of which you will be advised.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES HALE, Esq., &c., &c., &c.

---

*Mr. Seward to Mr. Hale.*

No. 25.]

DEPARTMENT OF STATE,  
*Washington, December 4, 1866.*

SIR: The Secretary of the Navy has instructed Admiral Goldsborough to send a proper national armed vessel to Alexandria to receive from you John H. Surratt, a citizen of the United States, who is in your custody as an arrested fugitive, charged with the crime of assassination of the late Abraham Lincoln, President of the United States, and of an attempt to assassinate William H. Seward, Secretary of State of the United States, in the month of April, 1865. You will deliver the before-named to the commanding officer of the vessel upon his reporting to you his arrival at Alexandria.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES HALE, Esq., &c., &c., &c.

*Mr. Hale to Mr. Seward.*

No. 68.]

AGENCY AND CONSULATE GENERAL  
OF THE UNITED STATES OF AMERICA,  
*Alexandria, Egypt, December 4, 1866.*

SIR: On the 29th ultimo John Harrison Surratt was transferred, under a sufficient guard, from the quarantine grounds to the government prison, where he remains in safe confinement.

He maintains his demeanor of reticence.

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES HALE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*



# ARGENTINE REPUBLIC.

*Mr. Kirk to Mr. Seward.*

No. 145.]

LEGATION OF THE UNITED STATES,

*Buenos Ayres, December 27, 1865.*

SIR: Since my last, nothing of importance has transpired in reference to the army. The position of the belligerents is nearly the same. It is said the principal part of the Paraguayan army is at what is called the "Paso de la Patria," on the Parana river, where it is supposed President Mitre intends crossing with his army into Paraguay.

The allies have complete control of the river immediately above Corrientes. The Paraguayans are shut out from the rest of the world, and of course must rely on their own resources, which it is thought are nearly exhausted.

The mail of yesterday brought the news from Montevideo of a rupture between that government and Mr. Lasterriá, the Chilean minister accredited there. As near as I can get at the facts, they are as follows:

In the month of November Mr. Lasterriá asked permission of the government of Uruguay to bring whatever prizes the Chilean corsairs might take belonging to Spanish merchantmen into the port at Montevideo, in order that they might be sold.

The government in reply declined granting this request, and refused to permit these prizes being brought into any ports of the republic. That although they deeply sympathized with Chili, and hoped for a speedy and honorable termination of the war with Spain, they could not lay aside the principles of neutrality. Many letters passed on this question, until the government of Uruguay sent Mr. Lasterriá his letter of credence, and suspended all further communication with him. After having examined the correspondence, I am satisfied the government was right, and the minister wrong. Enclosed I send a Spanish copy of the correspondence.

I had a conversation with Dr. Ransom this morning, (minister of the interior;) he says that Mr. Lasterriá is urging the same thing on this government, but they will be compelled to refuse his application, notwithstanding their deep sympathy for Chili. In the same conversation he informed me that Semmes, of the Alabama, had applied through their minister in England for a position in the Argentine navy. Their minister has indorsed the application, but the government declined the honor. He said many such applications had been made by confederates, but they had all been declined. He also remarked that men who had fought against so grand a government as ours could not be safely trusted in any republic.

I am, sir, your obedient servant,

ROBERT C. KIRK.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Kirk to Mr. Seward.*

No. 152.]

LEGATION OF THE UNITED STATES,

*Buenos Ayres, February 24, 1866.*

SIR: I have spent the last ten days in the country; the summer has been fearfully hot, and I felt that a few days out of the city would be of much benefit to me.

On the 31st of January there was quite a battle at what is called the "Paso de la Patria," between a part of the allied and Paraguayan armies, and it is almost impossible at this distance to determine which was victorious. This government claims a victory, but Minister Ransom informed me that it was dearly bought.

On the 10th instant they had a similar engagement, and from what I can learn it was more decidedly in favor of the allies. Thus far the fighting on the part of the allies appears to have been done by the Argentine and Uruguayan troops, and I think it has produced a rather bitter feeling against the Brazilians.

Mr. Washburn was at Corrientes, only a few miles from the scene of action, and I have no doubt has given you a detailed account of these battles or of their results.

The admiral of the Brazilian fleet at Corrientes (a list of which I enclose) has at last left this city to take command, and it is positively asserted that active operations will immediately commence; but if we are to be governed by what has taken place, it is impossible to say with any degree of certainty how long this war will last; it may terminate suddenly, but it looks to me as if it would be a long, hazardous, and certainly very expensive war. The business interests of this city gain by it, but I fear a heavy debt will be imposed upon this government, which it is not very able to sustain.

The United States war steamer Shawmut is now in this port, and has been for some days; her commander, Captain Walker, as well as his officers, are a credit to our government, and I can assure you I have a pride and pleasure in saying so, for in times past it was not always the case.

I am, sir, your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

P. S.—On the 22d instant the United States war steamer Shawmut fired a salute, also the Italian war steamers, one Brazilian war steamer, and a salute was fired by this government from a battery on shore in honor of the day.

K.

*Mr. Kirk to Mr. Seward.*

No. 155.]

LEGATION OF THE UNITED STATES,

*Buenos Ayres, March 12, 1866.*

SIR: The situation of the belligerents is the same as when I wrote to you last; it is confidently expected that within a few days the attempts will be made to pass by Humaita, and the army will cross the river at Paso la Patero; should the allies be successful in this, it is generally supposed that Lopez must fall.

Some time ago I noticed an item of news in an English paper to the following effect: "Herald, December 30th.—The other great South American trouble was also, according to the Paris Patrie, in a fair way for settlement, the Paraguayan president having intimated to the American minister at Buenos Ayres his willingness to come to terms. It is to be noted, however, that direct advices received in this city from Buenos Ayres, of a later date than those received in Europe, make no mention of this matter." Of course, you know there is no truth in this. I have never had any communication with President Lopez, directly or indirectly; if I had, you would have been informed immediately. On looking over the archives of this legation, I have long since come to the conclusion that our ministers here have never succeeded very well in any kind of mediation. Consequently I have no desire to interfere in their troubles. As

far as I am able to judge, there is no prospect of peace. The allies cannot possibly recede from their original intention, to wit, the overthrow of Lopez. Yet I can see plainly there is no feeling of friendship here for the Brazilians, but rather a feeling of contempt amounting to hatred. Nothing but the cause in which they are engaged binds them together.

Mr. Washburn and wife left this city for Corrientes last Tuesday. He expects to cross the lines with a flag of truce tendered him by the Argentine government. I have just learned that the steamer in which he started has run aground some twenty leagues from here, and the passengers have been taken by another steamer to Rosario.

I am, sir, your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Kirk to Mr. Seward.*

[Extract.]

No. 156.]

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, April 11, 1866.*

SIR: The Paraguayan war does not appear to progress very fast. About this time it is supposed something of a decided nature must take place; from advices received yesterday, the allies were to make the attempt to cross the river at the Paso la Patria on the 7th instant; whether they succeed or not remains to be seen. If they do not it will almost paralyze their army. In the latter part of last month the Brazilian squadron went up the river to near the pass, and met with considerable loss among their men. The Paraguayans attacked the iron-clads with two boats, which they call chutas; they are, from what I can learn, something like our common flat-boats, from forty to sixty feet long, with one 68-pounder midships, and are managed with oars, kept close to shore in shallow water, then, in connection with a small fort, made the attack, and, strange as it may appear, caused much disaster. One shell entered the square tower of the iron-clad Tamandure, killing and wounding mortally twenty-seven men, officers, the commander being among the killed. From the information received the squadron suffered severely, and gained no reputation.

\* \* \* \* \*

The capitol question will come before the coming congress, which convenes this May, and many think it will be removed from Buenos Ayres.

I fear ugly complications with Brazil will grow out of the present war.

I am, sir, your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Kirk.*

No. 104.]

DEPARTMENT OF STATE,  
*Washington, April 21, 1866.*

SIR: We have learned with much surprise that Charles A. Washburn, esq., minister resident of the United States to the republic of Paraguay, has been hindered and detained at or near Corrientes, on the Parana river, by the allied

armies engaged in the war against Paraguay, on his return, after a leave of absence, to Asuncion, the capital of Paraguay.

I give you for your information a copy of \*instructions which have been sent to him in this emergency. We sincerely hope to learn that the President of the Argentine Republic has neither ordered nor approved of this hindrance to the passage of the diplomatic representative of the United States, so disrespectful in itself, and so entirely inconsistent with the law of nations.

You will bring the subject to the notice of the government of the Argentine republic, and ask an explanation.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT C. KIRK, Esq., &c., &c., &c.

Same to Mr. Webb, No. 170.

*Mr. Kirk to Mr. Seward.*

[Extract.]

No. 158.]

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, April 25, 1866.*

SIR: This city has been the scene of much excitement since yesterday morning in consequence of the news having arrived that the allied army had succeeded in crossing the river, and landing safely in Paraguay; as this had been effected without much loss of life, (contrary to the expectation of every one,) it has produced much joy among the people.

Now that the allies have established their headquarters in Paraguay, it is predicted that the war will be brought to a speedy close, but the future alone will answer this question. \* \* \* \* \*

Yesterday brought me a letter from Mr. Washburn, who is still in Corrientes; it is known that Admiral Tamanderi has positively refused him permission to pass the lines. When Mr. Washburn wrote to me he was quite sick, and said he had much to write to the department, but was too sick to attempt it.

I expect to leave here on the 12th of May, and go in the French packet as far as Rio, where I will take passage in one of the steamers belonging to the United States and Brazil Mail Line Company for New York.

On the 23d instant news reached here of the bombardment of Valparaiso, which created universal indignation. Many regret that Commodore Rodgers did not prevent it, but I suppose he understands his duty.

I am, sir, your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington. D. C.*

*Mr. Kirk to Mr. Seward.*

[Extract.]

No. 159.]

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, May 5, 1866.*

SIR: \* \* \* \* \* Enclosed you will please find the protest of the government on the bombardment of Valparaiso.

I am, your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington. D. C.*

\*For enclosures see instructions to Mr. Washburn, Nos. 43 and 45.

*Protest of the Argentine government on the bombardment of Valparaiso.*

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,  
*Buenos Ayres, April 27, 1866.*

The Argentine people have been painfully affected with the news that on the 31st March the city of Valparaiso was bombarded and deliberately set on fire by the naval forces of her Catholic Majesty blockading that port.

The civilization of modern times has established the principle that the operations of war should be limited to such as can bear upon the issue of the struggle, condemning those measures which are only calculated to do a wanton injury to the enemy by way of a cruel and bootless revenge.

By bombarding and setting on fire a city purely commercial and unprepared for resistance of any kind, when such extreme severity can neither give any advantage nor weaken the enemy, much less hasten the end of the war, the government of her Catholic Majesty has openly violated this principle, which is regarded as a guarantee among civilized nations.

The government of her Catholic Majesty is aware of the interest with which the government of this republic has watched the course of the events which have been unfortunately taking place in the Pacific.

Bound as the Argentine nation is with the Spanish people by a recent treaty which strengthens our friendly relations by an extensive commerce, and an increasing and laborious emigration constantly flowing in from Spain; connected, on the other hand, with the people of Chili in similar relations, and, moreover, by the lively traditions of our common dangers and glories in the war of independence, our government, without entering into an investigation of the motives which have arrayed two friendly nations in war, hitherto confined itself to deploring its inability to avoid the evils consequent on so terrible a conjuncture, fulfilling strictly the obligations of a strict neutrality, which we hope has been duly appreciated by her Catholic Majesty's government.

The Argentine government feels that the special nature of its position authorizes and justifies its addressing that of her Catholic Majesty to protest against the adoption of measures which it considers contrary to the sacred principles of the law of nations, as also for the injuries that may be already or hereafter so caused to Argentine citizens and their properties, whose indemnification shall be demanded in due time; and, finally, to manifest the difficulties that must arise to a continuance of the friendly relations that at present exist between Spain and the Argentine republic, (which on our part we labor to cultivate and strengthen,) if the Spanish government persist in using these measures of war with the towns of America.

Your excellency will hand a copy of this note to his excellency the minister of state of her Catholic Majesty.

May God preserve you many years.

RUFINO DE ELIZALDE.

His Excellency D. MARIANO BALCANCE,  
*Plenipotentiary near her Catholic Majesty.*

*Mr. Kirk to Mr. Seward.*

[Extract.]

No. 161.]

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, May 12, 1866.*

SIR:

On Sunday, the 6th instant, Congress convened in his city, and agreeably to invitation I was present at the opening. I send by this mail one copy of the vice-president's message in Spanish, and its translation, as published in the English paper. I have marked the part which refers to the United States, (and which is as follows:)

"The successful conclusion of the American war has caused joy to all free countries. The Argentine Republic regards it as a triumph of democratic institutions, and laments the horrible crime which cut off the President of the United States, and communicated to the Hon. Mr. Kirk, resident minister, the national grief caused by this act. Abraham Lincoln, for his lofty virtues, and for the grandeur of the work which he completed for his country and humanity, merits the homage and veneration of the world.

“President Johnson has received our minister to the States with the most marked attention. The object of this mission to the States is not merely to bind more firmly our friendly relations, but also to study the institutions, and try if possible to discover the secret which in such a short space of time has secured for the Union such unexampled prosperity.”

On the 2d instant the belligerents had a severe engagement in Paraguay, and from what I can learn the allies (although they claim a decided victory) suffered much more than the Paraguayans. I will not attempt to give you the details of the matter. Mr. Washburn who is near the scene of action, will be able to give you more reliable information.

The most of the day has been spent in making official calls; the vice-president and his ministers expressed the warmest feelings of friendship for our government, and for me personally, and tendered me a barge to take me to the steamer, which I thought it policy to accept.

I have the honor to be your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Kirk to Mr. Seward.*

[Extract.]

No. 165.]

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, May 29, 1866.*

SIR: The 25th instant, being the national independence day, was celebrated by a grand *Te Deum* in the cathedral, to which all foreign ministers were invited, and, of course, I attended.

Mr. Paz, the vice-president, but now the acting president, (during President Mitre's absence with the enemy,) tendered his resignation to congress; but it has not been accepted, and I judge, from a conversation I had with Minister Ransom, it would not be.

On the 24th instant there was a battle in Paraguay, and it is supposed to have been the greatest battle which has ever taken place in South America. It is said the Paraguayans attacked the allied army with twenty-five thousand men, and fought with wonderful desperation, but were repulsed with the loss of four thousand killed and a large number wounded; and from a private letter I learn the allies lost three thousand in killed and many wounded. It is considered a great victory here. It is very difficult to form a correct opinion from the various reports in circulation. Many are of the opinion that the war will soon be over, and Lopez overthrown; but at this distance it is impossible to say with any exactness. Dr. Ransom informs me that fifteen per cent. of the army are sick.

Enclosed I send you a copy of President Mitre's letter to Vice-President Paz.

\* \* \* \* \*

I have the honor to be your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

THE LAST BATTLE.

[General Mitre's official despatch.]

[Translation.]

CAMP OF VICTORY AT TAGUITY, *May 24, 1866.*

To the VICE-PRESIDENT:

I have the honor to inform you that to-day the allied arms achieved a complete victory over the enemy, who, having made a sally from their fortified lines, attacked our positions in

such a manner that I was enabled to attack theirs. The result has been a complete repulse of the enemy in all their line, leaving dead on the battle-field 4,000 men, and taking back a large number of wounded, according to the declaration of the runaways and prisoners. Remaining in our possession are guns, armaments, and prisoners; the number it is, at this moment, impossible to say, not having as yet received the official reports of the generals of divisions, and there being no time to obtain them previous to the departure of the mail. Our loss has been comparatively small. The enemy has again shut himself up in his fortified camp, and escaped being totally routed owing to the nature of the ground, which prohibited pursuit.

I shall shortly send you the army boletin, which shall be published when I get the reports respecting this glorious victory. Meanwhile I congratulate you and the allied nations on the victory, which guarantees the result of the campaign. complying, at the same time, with my duty to bear testimony to the valor of General Flores and Marshal Osorio, who distinguished themselves in the first lines, and also all the officers and men of the three arms, who nobly did their duty.

God preserve your excellency!

BARTOLOME MITRE.

*Mr. Seward to Mr. Asboth.*

No. 3.]

DEPARTMENT OF STATE,

*Washington, June 27, 1866.*

SIR: On the 8th of February last Charles A. Washburn, esq., resident minister of the United States in Paraguay, wrote to this department that he had been hindered and prevented by the military authorities of the Argentine Republic and the military authorities of Brazil from passing up the river Parana to Asuncion.

The President having taken cognizance of these discourteous proceedings, special instructions were given to Mr. Washburn and to Admiral Godon for their government in case the hindrance should be continued. You were, at the same time, instructed to bring the transaction to the notice of the government of the Argentine Republic, and to ask for an explanation. A similar instruction was given to Mr. Webb, United States minister in Brazil. We have now received a despatch from Mr. Washburn, written at Corrientes on the 27th of April, by which we are informed that the hindrance was not only continued but renewed at that time by the direct action of the President of the Argentine Republic, and also of the admiral commanding the Brazil fleet on the Parana river. Of course you will perceive that at the time that despatch was written neither of the before-mentioned instructions from this government to Mr. Washburn, to Admiral Godon, to Mr. Webb, and to yourself could have reached its destination. I am obliged to write, therefore, in ignorance of the present condition of affairs in South America; nevertheless, the sovereignty and honor of the United States will admit of no hesitation or delay in the matter. Mr. Washburn is, therefore, now instructed to return at once to the United States, if the hindrance before alluded to shall not have ceased through some proceeding of the governments concerned.

In the possible case that you shall have put into execution the before-mentioned instruction, which was given to you by this department on the 21st of April last, and shall not have received the satisfactory explanation which you were instructed to ask from the government of the Argentine Republic, you will now demand such explanations peremptorily. If they shall not be given to you within eight days, you will ask for passports to return to the United States.

Should you find it necessary to execute this instruction, you will read it and give a copy of it to the minister for foreign affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

*Mr. Kirk to Mr. Seward.*

[Extract.]

No. 166.]

LEGATION OF THE UNITED STATES,

*Buenos Ayres, July 7, 1866.*

SIR: The 4th of July passed quietly. I had, as usual, calls from the ministers of government and foreign ministers. The United States war steamers Shamokin and Kansas fired a salute in honor of the day, which was returned by this government.

Since my despatch of May 29, nothing of particular importance has occurred. The army occupies the same position now it did then. I suppose Mr. Washburn has fully advised you of everything in regard to its movements, he being in that locality.

This government, since my residence here, has lost no opportunity to show its friendship for the United States; and their great ambition is to adopt our institutions as near as possible. Several of our leading works have recently been translated into Spanish, the last, just published, being Curtis on the Constitution.

\* \* \* \* \*

I am, sir, your obedient servant,

ROBERT C. KIRK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Asboth.*

No. 10.]

DEPARTMENT OF STATE,

*Washington, September 24, 1866.*

SIR: The long detention of Mr. Washburn on his return to Paraguay has become a source of extreme irritation and annoyance. At the same time it has been impossible to maintain any regularity of correspondence upon the subject with the allies, or even with Mr. Washburn himself, during the past year.

I have now before me a copy of a definitive correspondence which has taken place between this department and the Brazilian government, which leads me to hope that long before this reaches you the difficulty will entirely have ceased. But among the papers which the record presents is a letter written by President Mitre to Mr. Washburn on the 24th of July last, which distinctly asserts and maintains the right of the allies to make that detention endure according to the pleasure of the allies. The President of the United States cannot consent to hold relations of peace and friendship with even friendly nations, when they make their own interests the rule of exposition, instead of the law of nations.

You are therefore instructed to protest with due seriousness against President Mitre's letter to Mr. Washburn, and to say that this government cannot acquiesce therein.

You will read this despatch to the minister of foreign affairs, and give him a copy if he shall desire it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

P. S.—I transmit herewith copy of the correspondence\* between this department and Mr. Webb, as well as of the letter of President Mitre to Mr. Washburn on the same subject.

\* For enclosures, see correspondence with the United States minister to Brazil.



*Mr. Seward to Mr. Asboth.*

No. 12.]

DEPARTMENT OF STATE,

*Washington, October 15, 1866.*

SIR: It has been intimated to this department that the good office of this government might be acceptable towards putting an end to the war between Paraguay and the allies. Although we have never been eager to interfere in controversies abroad which lead to wars, or in accepting the part of mediator for the purpose of arresting hostilities, we have a natural desire, as an American power, that peace should prevail in this hemisphere whenever it can be maintained consistently with the honor and interests of the countries, whatever may be the form of their government. By indulging this desire so far as to aid in restoring tranquillity to the interesting regions of the La Plata and Parana, we would not, it is conceded, justly incur a charge of impertinent intermeddling. We would not prematurely, at least, hazard an opinion upon the points of difference between the parties. If, however, all or either of them shall ask for our good offices, they will be bestowed with a full appreciation of the delicacy and responsibility of the trust, and with a single desire to render impartial justice and to terminate the ravages of war.

You may informally or otherwise make known these views to the minister for foreign affairs of the Argentine Confederation, and you will inform the department as to the manner in which they shall be received by his government.

An instruction to the same effect has been addressed to Mr. Webb at Rio de Janeiro and to Mr. Washburn at Asuncion.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

---

*Mr. Asboth to Mr. Seward.*

[Extract.]

No. 8.]

LEGATION OF THE UNITED STATES,

*Buenos Ayres, October 21, 1866.*

SIR: I have the honor to inform you, in connection with my report of the 15th instant, marked No. 1, that on the day following my arrival in this capital—that is to say, on the 15th instant—I addressed a note to Señor Dr. Don Rufino de Elizalde, minister for foreign affairs of the Argentine Republic, a copy of which I beg leave to enclose, marked A, requesting that he would be pleased to ascertain the wishes of his Excellency the President as to the delivery of my letter of credence, as minister resident of the United States of America. Two days after, on the 17th instant, I received in answer, from the secretary for foreign affairs, an official note, a copy of which I also beg leave to enclose, marked B, appointing Saturday the 20th instant, at 1 o'clock p. m., for the interview solicited.

At the appointed hour, the assistant secretary for foreign affairs, Señor Don Delfin B. Huergo, with an aide-de-camp of his excellency the vice-president, called upon me, and placing the state carriage at my disposal, escorted myself, accompanied (in several other carriages) by Captains P. Crosby and C. H. Wells, of the United States navy, with several of their officers, also by Mr. Hinton Rowan Helper, United States consul, and Mr. Thomas Livingston, interpreter to the national government house, where a guard of honor, with a military band of music, and a large number of citizens, densely crowding the surroundings of the hall of audience, awaited us.

I was formally received by the vice-president, Dr. Don Marcos Paz, surrounded

by several military and civil officers, and presenting my credential letter, I addressed his excellency as follows :

“Mr. PRESIDENT: I have the honor to present my credentials as minister resident of the United States of America, and in doing so I beg leave to state to your excellency that it shall be not only my duty but my highest pleasure to uphold and foster, both officially and personally, the friendly relations which have hitherto so long and so happily subsisted between the two sister republics.

“Permit me also to express the confident hope of the government I have the honor to represent, and my own heartfelt desire, that the wise administration of your excellency may secure and promote the blessings of peace and prosperity among all the people of the Argentine Confederation for many, very many, years to come.”

The vice-president replied as follows :

“Mr. MINISTER: With the utmost pleasure I receive the despatches accrediting you near the Argentine government as resident minister for the United States of America.

“Before your arrival, you had already a clear and fine road open to you for the easy and agreeable fulfilment of your mission; for it is well known how much sympathy and respect the Argentine nation feels towards the great republic of the north, which has served as the model for our political institutions; and it is our noble ambition to reach one day the point of liberty and progress from which your country looks down at present on an astonished universe.

“Be assured, Mr. Minister, that the Argentine nation accepts with pride the title of ‘sister republic,’ with which you just saluted us, and this title moreover expresses the mutual esteem that binds our countries together, and tends to strengthen the ties of amity and commerce, which have always happily been loyal and sincere.

“May Heaven guard these friendly relations for successive ages, and favor our country, as you desire, with the same blessings of peace and liberty that it has so prodigally bestowed on the United States.

“Regarding yourself, personally, Mr. Minister, you come among us preceded by a high and honorable reputation, and I trust that you will be a worthy successor of Mr. Kirk, whose noble character has left profound sympathies among us.”

A very friendly conversation followed, in which several of the ministers present joined. We retired from the reception hall, being escorted back to my hotel by the assistant secretary for foreign affairs and the aide-de-camp of his excellency the vice-president.

The whole affair passed of very pleasantly, and argues a long continuation of friendly relations between the two nations.

\* \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

A.

*Mr. Asboth to Señor Elizalde.*

HOTEL DE PROVENCE,

*Buenos Ayres, October 15, 1866.*

SIR: I have the honor to inform you of my arrival at this capital under commission as minister resident of the United States of America to the government of the Argentine Republic, and would request that you may be pleased to ascertain the wishes of his Excellency the President as to the delivery of my letter of credence. At the same time I beg leave to en-

close for his Excellency the President the letter of recall of my predecessor, the Hon. Robert C. Kirk, as well as a certified copy of my own credentials and the wording of my intended address.

I have the honor to be, with distinguished consideration, your obedient servant,  
A. ASBOTH.

His Excellency Señor Dr. Don RUFINO DE ELIZALDE, &c., &c., &c.

---

B.

*Señor Elizalde to Mr. Asboth.*

[Translation.]

Buenos Ayres, *October 17, 1866.*

The undersigned has had the honor to receive your excellency's note of the 15th instant, requesting that a day and hour might be appointed that you might present your credentials accrediting you as minister resident of the United States of America near the government of the republic.

His excellency the vice-president of the republic, to whom I sent your excellency's note, has appointed Saturday, the 20th, at 1 o'clock, to receive your excellency, and will then have the pleasure to answer your address, the duplicate of which your excellency enclosed.

The undersigned has the honor to offer to your excellency the assurances of his highest consideration.

RUFINO DE ELIZALDE.

His Excellency A. ASBOTH, &c., &c., &c.

---

*Mr. Seward to Mr. Asboth.*

No. 13.]

DEPARTMENT OF STATE,

*Washington, October 22, 1866.*

SIR: I trust that long before this time you will have recovered from the illness which detained you in London, and may have reached your post at Buenos Ayres, which was left uncovered by the retirement of your predecessor, Mr. Kirk.

This government, as you will have learned, has been very much embarrassed by the delay and detention of Mr. Washburn on his way to resume his official functions at Asuncion. These difficulties have doubtless been unavoidably increased by the accidental illness which caused your own failure to reach Buenos Ayres at the time anticipated when you received your instructions from this department.

I give you herewith a copy of Mr. Washburn's most recent despatch,\* namely, of the 12th of September, and of my reply\* thereto.

These papers are sent to you, confidentially, in the hope that in some way you may facilitate the solution of a trouble which, though unimportant in itself, has become one of much concern to the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

---

*Mr. Asboth to Mr. Seward.*

No. 9.]

LEGATION OF THE UNITED STATES,

*Buenos Ayres, October 24, 1866.*

SIR: I have the honor to inform you, in connection with my report dated Rio de Janeiro, Brazil, October 6, 1866, that having been formally received, on

\* For enclosures, see correspondence with the United States minister to Paraguay.

the 20th instant, by the vice-president of the Argentine Republic, Dr. Don Marcos Paz, as minister resident of the United States of America, and having been next day, by a decree in the government organ, the "Nacion Argentina," officially announced as such near the Argentine government, as fully reported in my despatch No. 8, dated October 21, I hastened to address, on the next day, the 22d, a note to Señor Dr. Don Rufino de Elizalde, Argentine minister for foreign affairs, in relation to the obstructions to the passing of our minister resident, the Hon. Charles A. Washburn, to his post of duty near the government of Paraguay. The full contents of this my note to Señor Elizalde I beg to give here, as follows :

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, October 22, 1866.*

SIR : I have the honor to inform your excellency that while on my way from the United States of America to this capital an official despatch was handed me in London, on the 6th of September, dated at the Department of State, Washington, April 21st, 1866, and addressed to my predecessor, the Hon. Robert C. Kirk, but received by him only on the 5th of September. This despatch, unfortunately much delayed, contains the information "that the government of the United States has learned with much surprise that the Hon. Charles A. Washburn, minister resident of the United States to the Republic of Paraguay, has been hindered and detained at or near Corrientes, on the river Parana, by the allied armies engaged in war against Paraguay, on his return, after a leave of absence to Asuncion, the capital of Paraguay, and that the United States government sincerely hopes to learn that the President of the Argentine Republic has neither ordered nor approved of the hindrance to the passage of the diplomatic representative of the United States, so disrespectful in itself, and so entirely inconsistent with the law of nations."

In connection with this information, my predecessor was instructed "to bring the subject to the notice of the government of the Argentine Republic, and to ask an explanation."

On my arrival at this capital, on the 14th instant, under commission as minister resident of the United States of America to the government of the Argentine Republic, I found the Hon. Charles A. Washburn, the regularly accredited minister resident of the United States to Paraguay, still in this city, prevented, as he informs me, by the allied armies of the Argentine Republic, Brazil, and Uruguay, from proceeding to his post of duty. Day before yesterday, however, I had the honor to receive, in the reply of his excellency the vice-president to my introductory address, the kind assurances of sympathy and respect the Argentine nation feels towards the United States of America ; also of the sincere desire of his excellency that Heaven may guard the friendly relations of the two sister republics for many successive ages.

Furthermore, I see with satisfaction from an official communication of General J. Watson Webb, the United States minister plenipotentiary to Brazil, dated August 26th, 1866, to the Hon. Charles A. Washburn, (a copy of which I beg to enclose, marked A,) that instructions have been issued by the Brazilian government to their representatives in the river Plate, and its vicinity, withdrawing all obstructions to the passing of the Hon. Charles A. Washburn to his post of duty, as minister resident near the government of Paraguay. General Webb, also informed Rear-Admiral S. W. Godon, commanding the United States squadron on the east coast of South America, in an official letter, (a copy of which I beg to enclose, marked B,) that all obstructions on the part of the allied fleet to the repairing of the Hon. Charles A. Washburn to his post of duty had been removed, and Admiral Godon, presuming that the president of the Argentine Republic, had also issued similar orders, has instructed Commander Crosby, of the United States steamer Shamokin to receive the Hon. Charles A.

Washburn, whenever requested to do so, on board his vessel, and to convey him to his official residence at Asuncion. A copy of the official communication to that effect I beg to enclose herewith, marked C.

In consideration of this favorable solution of the complications which have existed for the last six months, I cannot doubt that the Argentine government will be disposed to provide the Hon. Charles A. Washburn, United States minister to Paraguay, with a letter of safe conduct, in order that he may be able to leave on the United States steamer Shamokin without further delay—such a letter, at the same time, as will be an assurance that he will not again be interfered with on his way to Asuncion.

I beg leave also to express my confident hope that the Argentine government, imbued as it is with just and generally recognized principles of international law, will help to strengthen still more the ties of amity between the United States of America and the Argentine Republic, by enabling me to forward the satisfactory explanation which I was instructed by my government to ask from the government of the Argentine Republic. At the same time, I consider it my pleasant duty to assure your excellency that the government of the United States, so far as in it lies, will neglect nothing to secure permanently to both countries the mutual advantages of lasting friendship.

I have the honor to be, with distinguished consideration, your obedient servant,  
A. ASBOTH.

His Excellency Señor Dr. Don RUFINO DE ELIZALDE,  
*Minister for Foreign Affairs.*

Well assured of the friendly feelings of the Argentine people and its government towards the United States, which sentiments were so warmly expressed by the vice-president in his reply to my introductory address, I thought it proper to make the first official demand of the United States representative near this government, in accordance with the instructions given in your despatch No. 104, to my predecessor, the Hon. Robert C. Kirk, as lenient as possible, fully determined, however, that in case the answer of the Argentine government should not be satisfactory for the sovereignty and honor of the United States, I would at once make my demand more peremptorily, in obedience to your subsequent orders directed to me, June 27th, marked No. 3, and received on my arrival here.

On the same day, the 22d instant, I received an invitation from the minister for foreign affairs, Señor Dr. Don Rufino de Elizalde, to meet him the following day, the 23d instant, at one o'clock, at the government house, for the purpose of holding a personal conference with him. A copy of this note I beg to enclose, marked D.

I accepted the invitation, and in the conversation, a memorandum of which I beg leave also herewith to enclose, marked E, Señor Elizalde stated that he was quite surprised to learn from my letter that the Brazilian government had given orders to their representatives in the river Plate to remove all obstructions to the passing of the Hon. Charles A. Washburn up to Asuncion, as at present he feels only authorized to offer Mr. Washburn a vessel to go as far as the Paso la Patria, and from there be conveyed through the lines under a flag of truce to Lopez' encampment, from whence transportation to Asuncion would be easy. Señor Elizalde added, however, that he would consult the Brazilian minister, and if the Brazilians had no objection to Mr. Washburn's passing in a United States war ship, the Argentine government would certainly not object. I expressed the hope that Señor Elizalde would honor me with an early official reply to my letter in relation to the detention of the United States minister to Paraguay which would be satisfactory to the sovereignty and honor of the United States. I also informed Señor Elizalde that I am under additional orders from my government, more imperative, respecting the affair, but that I refrained from

giving them in my first address, well assured as I am of the friendly intentions of the Argentine people towards the United States.

A few hours after this interview, I received, yesterday afternoon, a despatch from the minister for foreign affairs, a copy of which I beg herewith to enclose, marked F. In this official communication the Argentine government gives the required explanation and concessions, with a letter of safe conduct as asked for, a copy of which letter of safe conduct I beg to enclose, marked G, also a copy of a note addressed by Señor R. de Elizalde to the Hon. Charles A. Washburn, in answer to a letter of his of the 13th of August ultimo, and offering him the means of conveyance to his post of duty, a copy of which letter I beg to enclose, marked H. I communicated this important result at once to the Hon. Mr. Washburn by letter, a copy of which I beg to enclose, marked I, placing with it an official copy of the said communication of Señor de Elizalde, as well as the original paper of safe conduct in the form of a letter to his excellency the President of the Argentine Republic, and commander-in-chief of the allied armies, General Bartolome Mitre, into the hands of our minister to Paraguay, the Hon. Charles A. Washburn, and he sailed accordingly this day at noon on the United States war steamer Shamokin.

Thus I consider the long annoyances of our minister to Paraguay, the Hon. Charles A. Washburn, of nearly a year's standing, at an end, and the question of his passing the allied lines finally arranged with due regard and full satisfaction to the sovereignty and honor of the United States.

In conclusion, I beg leave to enclose a copy of the orders from Rear-Admiral S. W. Godon to Captain Peirce Crosby, commanding the Shamokin, marked K.

I have the honor to be, very respectfully, your obedient servant,

A. ASBOTH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

THURSDAY, *October 23, 1866.*

P. S.—I beg leave to annex to my above report a newspaper extract from the "Standard" of this morning, relative to the departure of the Hon. Charles A. Washburn, marked L.

A. ASBOTH.

---

A.

*Mr. Webb to Mr. Washburn.*

LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, August 26, 1866.*

SIR: I have the honor to inform you that instructions have been issued by the Brazilian government to their representatives in the river Plate and its vicinity withdrawing all obstructions to your passing to your post of duty whenever it shall be your pleasure to repair thereto.

Very respectfully, your obedient servant,

J. WATSON WEBB

His Excellency CHARLES A. WASHBURN,  
*United States Minister Resident to Paraguay.*

---

B.

*Mr. Webb to Admiral Godon.*

LEGATION OF THE UNITED UNITED,  
*Petropolis, September 16, 1866.*

SIR: In reply to your official note of yesterday, received at 7 p. m. this evening, I have the pleasure to communicate for your information that on the 22d of August I advised Mr.

Washburn officially that all obstructions on the part of the allied fleet to his repairing to his post of duty had been removed.

I have the honor to be, very respectfully, your obedient servant,

J. WATSON WEBB.

Acting Rear-Admiral S. W. GODON,  
*Commanding United States South Atlantic Squadron.*

C.

*Admiral Godon to Mr. Washburn.*

SOUTH ATLANTIC SQUADRON, FLAG-SHIP JUNIATA,  
*Rio Janeiro, October 5, 1866.*

SIR: I have been officially informed by General Webb, our minister to this court, that all obstructions to your passing the military lines of the allies into Paraguay have been removed, and that he has so informed you.

Presuming that the President of the Argentine Republic has also given you the same answer to your demand to that effect, I have instructed Commander Crosby, of the Shamokin, to receive you and your family, on your requesting it in writing, on board his vessel and to convey you to your official residence.

I am, very respectfully,

S. W. GODON,  
*Rear-Admiral United States Navy.*

Hon. C. A. WASHBURN,  
*American Minister Resident to Paraguay.*

D.

[Received October 22, 1866.—Translation.]

OFFICE FOR FOREIGN AFFAIRS,  
*Buenos Ayres, October 22, 1866.*

The minister for foreign affairs has the honor to invite General Alexander Asboth, minister resident of the United States of America, to a conference at his office to-morrow, the 23d instant, at 1 o'clock p. m.

E.

*Memorandum of a conversation that took place between the United States minister resident, General A. Asboth, and the Argentine minister for foreign affairs, Dr. Don Rufino de Elizalde, October 23, 1866, at Buenos Ayres.*

Dr. Elizalde remarked that he received the general's letter only after his interview with Mr. Washburn, and immediately upon its receipt wrote a note requesting an official interview with the general.

General Asboth said that he regretted the delay, as he intended the letter should have been delivered to Mr. Elizalde before the interview with Mr. Washburn.

Mr. Elizalde said that upon reading the letter from the general he was confused, as therein he found copies of letters from General Webb, United States minister at Rio de Janeiro, and Admiral Godon, both officially stating that the Brazilian government had given orders to their representatives in the river Plate to remove all obstructions to the passing of Mr. Washburn to his official residence at Asuncion, and that he would consult the Brazilian minister to ascertain whether he had received any such orders. As far as already authorized, he had prepared an answer for Mr. Washburn, offering him a vessel to go as far as the Paso la Patria, and from thence be conveyed through the lines under a flag of truce to Lopez's encampment, from whence transportation to Asuncion would be easy.

General Asboth expressed the hope that Mr. Elizalde would honor him with an early official reply to his letter in regard to the detention of the United States minister to Paraguay, which would be satisfactory to the sovereignty and honor of the United States. He also informed Señor Elizalde that he is under additional orders from his government, more imperative, respecting the affair, but he refrained from giving them in his first address, well assured of the friendly intentions of the Argentine government towards the United States.

Señor Elizalde answered that the Argentine government was always inclined to allow Mr. Washburn to pass to his post, and if the Brazilians had no objection to Mr. Washburn's passing in a United States war vessel, the Argentine government would certainly not object.

General Asboth remarked that Mr. Washburn had been detained now for nearly a year, and it was no wonder that he felt somewhat irritated.

Mr. Elizalde replied that he understood Mr. Washburn's position, but that it was not the fault of the Argentine government, but of the Brazilian.

General Asboth concluded with the wish to see sister republics always act in proper accord.

The above I certify to be a correct account of the interview to which it refers.

A. ASBOTH.

F.

*Señor Elizalde to Mr. Asboth.*

[Translation.]

OFFICE FOR FOREIGN AFFAIRS,  
*Buenos Ayres, October 23, 1866.*

Mr. MINISTER: I have the honor to say, in answer to your note of the 22d instant, that the Argentine government has acted in relation to Mr. Washburn's passing up to Paraguay in the most friendly manner, making use of its rights when it thought that the interests of the war in which it is engaged against Paraguay demanded them, and making concessions when it considered it compatible, never omitting proofs of good will towards Mr. Washburn. I have now the pleasure to inform your excellency that the Argentine government, in accord with the Brazilian government, makes Mr. Washburn the offer contained in the accompanying note, and expects a note of acquiescence also from the Oriental government.

But if Mr. Washburn prefers going in the manner you indicate, since there is no objection on the part of the Brazilian government, according to the notes your excellency has enclosed, the Argentine government consents with pleasure, and to that effect encloses the necessary orders.

I improve this opportunity to manifest to your excellency that the Argentine government will omit no effort to strengthen the friendly and sincere relations with the United States, and express to your excellency the sentiments of my esteem and high consideration.

RUFINO DE ELIZALDE.

His Excellency General ALEXANDER ASBOTH,  
*Minister Resident of the United States of America.*

G.

*Señor Elizalde to General Mitre.*

[Translation.]

OFFICE FOR FOREIGN AFFAIRS,  
*Buenos Ayres, October 23, 1866.*

SIR: The legation of the United States of America near this government having stated that, on the part of the government of his Majesty the Emperor of Brazil, there was no objection to the passing up to Paraguay of a United States war steamer conveying the Hon. Charles A. Washburn, United States minister resident, the Argentine government, on its part, has consented also, and hopes that your excellency will adopt the necessary measures in order that no obstacle be put in the way.

God preserve your excellency many years.

RUFINO DE ELIZALDE.

His Excellency Brigadier General Don BARTOLOME MITRE,  
*President of the Argentine Republic, General-in-chief of the Allied Armies.*

H.

*Señor Elizalde to Mr. Washburn.*

[Translation.]

OFFICE FOR FOREIGN AFFAIRS,  
*Buenos Ayres, October 23, 1866.*

SIR: In answer to your excellency's note of the 13th of August ultimo, I have the satisfaction to say that the allied governments of his Majesty the Emperor of Brazil and the



Argentine Republic, engaged in war against the Paraguayan government, wishing to give a proof of friendship to the government of the United States of America, and in view that the war may continue some time longer, have agreed to offer your excellency the means to convey you to your post of duty.

In accordance, I offer means which will transport you as far as the Paso de la Patria, from whence you will be provided, by his excellency the general-in-chief, Bartolome Mitre, with conveyance to pass the military lines of the allied armies to the army of Paraguay.

I have not yet received the answer of the government of the republic of Uruguay, but expect it momentarily, when I will communicate its contents to your excellency.

I have the honor to reiterate to your excellency the assurances of my most distinguished consideration.

RUFINO DE ELIZALDE.

His Excellency Mr. CHARLES A. WASHBURN,  
*Minister Resident of the United States of America near the Government of Paraguay.*

---

I.

*Mr. Asboth to Mr. Washburn.*

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, October 23, 1866.*

SIR: I have the honor to inform you that, in reply to my note of yesterday to the Argentine minister for foreign affairs, Señor Dr. Don Rufino de Elizalde, a copy of which I have already had the pleasure to transmit to you for your information, I have this day received an official communication containing the required explanations and concessions, with the letter of safe conduct asked for; and, while herewith transmitting to you an official copy of the said communication, as well as the paper of safe conduct, in the form of a letter to his excellency the President of the Argentine Republic, and commander in chief of the allied armies, General Bartolome Mitre, I confidently hope that your long annoyances may now end; and further, that you may soon safely reach your post of duty at Asuncion.

Very respectfully, your obedient servant,

ALEXANDER ASBOTH.

Hon. CHARLES A. WASHBURN,  
*United States Minister, &c., &c., &c.*

---

K.

*Admiral Godon to Commander Crosby.*

SOUTH ATLANTIC SQUADRON, FLAG-SHIP JUNIATA,  
*Harbor of Rio, October 5, 1866.*

SIR: On application in writing from our minister resident at Paraguay, Mr. Washburn, to whom I have written this day, you will proceed with him and his family in the Shamokin, under your command, to Paraguay, and land him in Asuncion.

You will make the best of your way up the river, and on reaching the blockading squadron you will inform the commanding officer of your orders to convey our minister to his official post, and will not delay your journey.

Permit no passengers, letters, or packages, to be sent up in your vessel, except such as belong to the minister. Observe the strictest neutrality between the belligerents. You will under no circumstances give to Lopez or any Paraguayan a passage in your vessel on your return.

After remaining a reasonable time at Asuncion, you will make the best of your way to Buenos Ayres.

If Mr. Washburn has gone up the river to Corrientes, you will go there and carry out these instructions.

Respectfully,

S. W. GODON,  
*Rear-Admiral, Commanding South Atlantic Squadron.*

Commander PEIRCE CROSBY,  
*United States Navy, Commanding Shamokin.*

---

L.

DEPARTURE OF THE HON. MR. WASHBURN—GREAT OVATION.

THURSDAY, October 25, 1866.

Yesterday at about quarter to 10 o'clock a. m. the saloons of the Hotel Provence were thrown open to receive the friends of the Hon. Mr. Washburn and lady, who, according to

arrangement, were to leave at 10 o'clock sharp for Paraguay. The rooms were crowded with some of the leading men of Buenos Ayres. We noticed present Major General Asboth, United States resident minister; H. R. Helper, esq., United States consul; Viscount Beaumont, French legation; Messrs. Thomas Armstrong, Samuel B. Hale, H. J. Ropes, F. Elortondo, V. Sagastume, J. F. Gowland, T. B. Coffin, B. Coffin, John Naulty, William Livingstone, William Thompson, Steward, Tay, Gilbert, Upton, E. H. Folmar, Thomas Livingston, secretary of legation, and several others whose names we did not know. After about half an hour's conversation the whole party formed in procession, Major General Asboth, with Mrs. Washburn on his arm, taking the lead. The people of Calle Cangallo and Paseo Julio were of course astonished to see at so early an hour such a highly influential procession, and when we arrived at the stairs at the mole-head there was an immense throng awaiting us.

The boats of the Shomokin were in waiting to convey the party on board, but it being a business day, only some few of the immediate friends of the minister pushed off to the Shamokin. It is a remarkable fact, that when Mr. Washburn left some seven or eight months ago, precisely on the same mission, only one or two friends accompanied, but yesterday his departure was little short of an ovation.

We are happy to say, we learn on good authority that on Tuesday night the Argentine government, possibly influenced by the example of the Rio cabinet, passed a note to the American resident minister, which, although we have not seen, removes any impression which may have been entertained as to the free passage of Mr. Washburn to Paraguay; indeed, we believe that much too great importance has been attached to the matter, and we congratulate the Argentine government on the good sense it has displayed in waiving points and thus arranging the question.

---

*Mr. Asboth to Mr. Seward.*

No. 10.]

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, October 25, 1866.*

SIR: In compliance with a note of the Hon. Charles A. Washburn, United States minister resident to Paraguay, a copy of which I beg to enclose, marked A, I have the honor to forward a memorandum of the conversation that passed between him and the Argentine minister for foreign affairs, Señor Dr. Don Rufino de Elizalde, at an official interview on the 22d of October, 1866, in this city.

The memorandum is marked B.

I have the honor to be, very respectfully, your obedient servant,

A. ASBOTH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

A.

*Mr. Washburn to Mr. Asboth.*

BUENOS AYRES, *October 22, 1866.*

SIR: On the 20th instant I received an invitation from the minister of foreign affairs, Señor Elizalde, to meet him at the Government House at one o'clock to-day, for the purpose of holding a personal conference with him. I accepted the invitation and have the honor herewith to enclose a memorandum of the conversation that passed between us, in order that you may be fully informed of the nature and exact position of the question which we had under discussion.

I have to ask that, in giving your report of your own action on this affair to the Secretary of State, you will forward with it this memorandum, as under the pressure of occupation previous to my leaving for Paraguay, I find it impossible to give a full account of all that has transpired of an official character affecting the interests of our government within the last few days.

I have the honor to be, sir, your obedient servant,

CHARLES A. WASHBURN.

General ALEXANDER ASBOTH,  
*United States Minister Resident, Buenos Ayres.*

## B.

*Memorandum of a conversation that took place between Hon. Charles A. Washburn and Dr. Rufino de Elizalde, in an official interview, on the 22d of October, 1866, at 1 p. m.*

Dr. Elizalde, the Argentine minister for foreign affairs, commenced by stating that he had requested the present conference in order to say to Mr. Washburn that, in answer to a note he had written to the Brazilian government, requesting a written document authorizing him to give permission to Mr. Washburn, in the name of the allies, to pass up to his official residence in Paraguay, it had been received with the required authority, producing the documents; he also said that on last Saturday, the 20th instant, he had written to the Oriental government, soliciting a similar document from that government, which he had not yet received, but expected to do so in a day or two, when he would be able to inform Mr. Washburn officially that all obstructions to his passage up the Asuncion had been removed.

Mr. Washburn, the United States minister to Paraguay, said, in answer, that, as he had been detained already so long here, he intended leaving on the following day, the 23d instant, at 11 a. m., in the United States steamer Shamokin, and that any document that Mr. Elizalde might wish to send him could be sent through the United States minister, General Asboth, as, in all probability, it would take six or eight days to go as far as Corrientes, as the steamer would not steam at night; and any document might be sent to him there.

Mr. Elizalde asked him to postpone his departure for one day longer, as, by his doing so, he would be enabled to send him an official order to the allies to allow him to pass, and that the manner he proposed to convey Mr. Washburn to Paraguay was by putting here a vessel at his disposal, which would take him as far as the Paso la Patria, and there he and his baggage would be landed and conveyed in a carriage, under flag of truce, to Lopez's encampment, where there were also carriages and conveniences which could take him as far as Asuncion.

Mr. Washburn answered that such a proceeding was not in accordance with his instructions from his government, and could not accept them.

Mr. Elizalde again requested him to remain a day longer, and then, in answer to the note and proposed mode of conveyance, he might give a written answer, saying that he could not accept that mode of transportation, naming his reasons, and, in turn, mentioning the mode he should adopt in going up to Asuncion; and, if they considered that they were in accordance with the law of nations, they should give their permission; if not, Mr. Washburn might do as he thought best, and they should protest, and then the matter became more serious, as, in all probability, he would be stopped by the blockading squadron of the allies.

Mr. Washburn stated that he did not consider any blockade existed; he did not recognize the blockade, and never had.

Mr. Elizalde then asked why all the notes had been passed from Mr. Washburn asking permission to pass into Paraguay, if he did not recognize the blockade; that before, Mr. Washburn not only asked permission to pass, but also requested a safe conveyance for himself and family into Paraguay; but that now, as he needed neither, he might do as he felt disposed, but that the rights of the United States were those of all nations, and that should he endeavor to force the blockade they would demand reparations.

Mr. Washburn stated that during his stay at the Estero Bellaco, some eight or nine months ago, he would have been willing to have gone on horseback alone, with a carpet-bag, and left his wife at Corrientes, but that now, after waiting so long, he wanted a more convenient mode of going up; besides, he had very little discretion in the matter, and his instructions from his government were imperative.

Elizalde said that the Brazilians had been against Mr. Washburn's going up all along, and that when the matter was proposed a special session was convened at Rio, and it was decided that Mr. Washburn had no right to go up.

Mr. Washburn said that he was informed by General Webb that the Brazilians had never been opposed to his repairing to his post of duty, but that the Argentine government was the only one opposed.

Elizalde answered by saying that must have been a mistake, as the Argentine government have been willing from the commencement, and that if he, Elizalde, had the power over the allies, he should not only allow Mr. Washburn to go up, but endeavor in every possible way to expedite his departure, as he was well aware of the influence Mr. Washburn's presence in Paraguay would have on the war; he, Mr. Washburn, knowing the exact position of both armies and affairs would be consulted by Lopez, and his advice taken, which could not help being favorable to the allies.

Mr. Washburn stated that, unless he should go up to Paraguay in an American vessel of war, a good deal of the influence he now had would be lost; his reception then by Lopez would not be so cordial as by his going up any way, or by the means proposed by Elizalde; it would appear as if Mr. Washburn had been acting in combination with the allies.

Mr. Elizalde's opinion was to the contrary; and Lopez would only be too glad to get him and consider him as "an anchor of hope," that some arrangement might be made between himself and the allies.

Mr. Washburn stated that during all his official visits to the Estero Bellaco, to General Mitre, he had always thought that he, General Mitre, had been acting in good faith, and still thought so, and desired him to pass to his post of duty at Asuncion, but that the Brazilians were opposed to his passing.

Elizalde said he knew it to be the case.

Mr. Washburn stated that he did not know whether he would be able to go up all the way in the United States steamer Shamokin, on account of the obstructions in the river, but that he should go up as far as Corrientes, leaving this port on Wednesday, the 24th instant, at 11 a. m.

Mr. Elizalde mentioned, unofficially, leaving the point in question aside, that the most convenient way, in his opinion, for Mr. Washburn to get to Paraguay would be by going up as far as the Paso la Patria by water, then land and go by carriage to Lopez's encampment, his baggage and provisions be taken by a schooner as far as allowed by Lopez, and then taken, also by water, up to Asuncion by a vessel of Lopez's.

Mr. Washburn said that his baggage would be considerable, as he could not go into a country like Paraguay without taking a good stock of provisions for himself and family, as he did not know how long the war might last—it might last two months or a year; and finally concluded by saying that he should ask for the anchor of the Shamokin to be weighed on Wednesday, the 24th instant, at 11 a. m.—the interview having lasted precisely one hour.

The above I certify to be a correct account of the interview to which it refers.

CHARLES A. WASHBURN.

---

*Mr. Asboth to Mr. Seward.*

No. 11.]

LEGATION OF THE UNITED STATES,

*Buenos Ayres, October 27, 1866.*

SIR: I have the honor to transmit for your information, in connection with my report of the 24th instant, a copy of a note which I have addressed this day to the Argentine minister for foreign affairs, Señor Dr. Don Rufino de Elizalde, in reply to his letter of the 23d instant, (already forwarded to your department with my report above alluded to,) and announcing that the Argentine government, in unity with the Brazilian government, have actually removed all obstructions to the passing of the Hon. Charles A. Washburn to his post of duty at Asuncion.

I also beg leave to inform you that I have advised, on the 25th instant, both Rear-Admiral S. W. Godon, United States navy, as well as General J. Watson Webb, our minister plenipotentiary at Rio de Janeiro, of the satisfactory arrangement of the long-pending difficulties relative to the passage of the Hon. Mr. Washburn, through the military lines of the allied armies, to Paraguay.

I have the honor to be, very respectfully, your obedient servant,

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Asboth to Señor Elizalde.*

LEGATION OF THE UNITED STATES,

*Buenos Ayres, October 27, 1866.*

SIR: I have the honor to acknowledge receipt of the note of the 23d instant, which you have been pleased to address me in reply to my note of the 22d instant, notifying me that the Argentine government, in unity with the Brazilian government, have removed all obstructions to the passing of the United States minister resident to Paraguay, the Hon. Charles A. Washburn, to his post of duty at Asuncion, through the lines of the allied armies, engaged in war against Paraguay, and enclosing a letter of safe conduct for him to his Excellency the President of the Argentine Republic, and commander-in-chief of the allied armies, General Bartholome Mitre, manifesting at the same time that the Argentine government will omit no efforts to strengthen the present friendly and sincere relations with the United States.

In reply, I beg leave to state to your excellency that it was with great pleasure and satisfaction that I at once forwarded this document to Washington as a pledge for the continu-

ation of mutual and lasting friendship between the two sister republics; and I am firm in the conviction that the United States government will fully reciprocate this sentiment. For myself, attaching as I do great value to the bonds of sympathy and common interests which are destined to unite more closely the republics of South America with the United States of America, I confidently hope that the sincere and faithful relations of these governments will not only continue, but acquire even additional strength and durability.

Meanwhile, to your excellency, personally, I beg to express the sentiments of my sincere esteem, and the high consideration with which I have the honor to be your obedient servant,

A. ASBOTH.

His Excellency Señor Dr. Don RUFINO DE ELIZALDE,  
*Minister for Foreign Affairs.*

*Mr. Asboth to Mr. Seward.*

[Extract.]

No. 14.]

LEGATION OF THE UNITED STATES,  
*Buenos Ayres, November 19, 1866.*

SIR: I have the honor to inform you, in connection with my report No. 9 of last month, that the United States war steamer Shamokin, which left this port, under command of Captain Peirce Crosby, on the 24th of October, bound up the river Plate with the Hon. Charles A. Washburn on board, returned yesterday evening, after having safely landed our minister beyond the Brazilian squadron, on Paraguayan soil, at Cumpaity.

Captain Crosby handed me this morning a package containing an official letter addressed to the State Department, which letter I have the honor herewith to forward, and also a note to myself, from which I beg leave to enclose an extract (marked B) for your information. This note explains, that although Viscount Tamandare, the Brazilian admiral in command of the blocking squadron, had, according to his statements, received no instructions from his government relative to the passage of our minister to Paraguay, and had no other official information on the subject than what was contained in my demand to Señor R. Elizalde, the Argentine minister for foreign affairs, (see my report No. 9, above alluded to,) and General Webb's letters to the Hon. Mr. Washburn and Admiral Godon, copies of which supported my demand, nevertheless he (Viscount Tamandare) thought it proper not to oppose force but to let the Shamokin pass up through the blockading squadron "under protest," which protest, however, seems to me only calculated for a precautionary demonstration against eventual attempts of other maritime powers represented here, as the British, French, and Italian, to pass through the allied lines up the Paraguay river.

\* \* \* \* \*

I have the honor to be, very respectfully, your obedient servant,

A. ASBOTH.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

B.

*Mr. Washburn to Mr. Asboth.*

HUMAITA, November 6, 1866.

MY DEAR GENERAL: At last we are on Paraguay soil, though, by reason of the obstacles in the river, we did not come above Cumpaity in the Shamokin. When we got to the Tres Bocas we were boarded by the commander of a blockading gunboat and told we could not go up. Captain Crosby said his orders were to go up, and he was going. The officer said he would communicate with the admiral, and Captain Crosby sent a letter by Mr. Pendleton to inform Admiral Tamandare that he had a minister on board, and his orders were to take him to Asuncion. The admiral told Mr. Pendleton he had received no instructions in the matter,

and the Shamokin could not go up. He said, however, that he would pay us a visit the next day and try to arrange it so I could go through. The next day at 10.30 he came, and at first seemed a good deal excited—said he had received no orders from his government and had no information on the subject, except what was contained in your letter to Elizalde and General Webb's letter to me, of which copies were sent to him in the package that you gave me just as we were starting. But we told him we were going through his lines, though he offered to give me a steamer to take me, my family, and effects through, under a flag of truce, till I could be transferred to a Paraguay vessel. I told him that would not do after all the notoriety of the affair; that I would have gladly accepted any way to get through the lines when I had come backed up only by my right as a minister, but that now I must go on a national vessel. Captain Crosby told him his orders were to land me in Paraguay, and he should do so if he were not stopped by force. The admiral then gave way and said we might pass, and he should only protest; so we sent off a messenger, Mr. Pendleton, to take a letter through to Lopez, requesting him to furnish us a pilot after we had passed the Brazilian lines; and the admiral gave him a steamer and sent him to Porto Alegres, whence he passed over and had a conference with Lopez, who told him that there were so many obstacles in the river he could not remove them, but would be prepared to receive us at Cumpaity; so we had to disembark, thus coming up through the whole squadron without interruption. There we found a coach ready to bring us to this place, and reached here about eight o'clock last evening. Our trunks and stores were brought up in carts and were all here this morning, and were put on board a steamer that will leave for Asuncion as soon as we are ready.

Sincerely yours,

CHARLES A. WASHBURN.

General ALEXANDER ASBOTH,  
*United States Minister Resident,*

# BRAZIL.

*Mr. Lidgerwood to Mr. Seward.*

[Extract.]

No. 5.]

LEGATION OF THE UNITED STATES,

*Rio de Janeiro, January 2, 1866.*

SIR : \* \* \* \* \*

I have hitherto refrained from referring to the expected great immigration to this country from the United States, and especially from those States that were recently in a state of rebellion.

Immigration of the North Americans has been the leading topic of the journals throughout this empire for several months.

Great advantages have been predicted from the influx of a hard-working, provident, virtuous, and intelligent population, who would bring with them capital, labor-saving implements, and machinery, and who would in a short time supply the present want of laborers, and by their example and energies soon create a prosperity only surpassed by that of the United States.

Representatives from the southern States of the United States of America, professing to be agents to locate lands for hundreds and thousands of people, have stated, that not only thousands of families, but that even an hundred thousand families, would come to Brazil. These agents have been sent to the interior of several provinces at the expense of this government, have been received with the utmost distinction possible to high dignitaries by the presidents and officials of same, and every effort to induce the promised great immigration has been made by the general government. - So far, however, to but little or no effect, as but small numbers have arrived. A few worthy men, with professions, have found employment by the government; some families which arrived several months ago, the heads of which swore that they would rather starve in Brazil than live in wealth in the United States, after losing several members by death, and making fruitless struggles with their own labor as agriculturists, have now applied to the consul and to the American Benevolent Association for money to assist them back to the United States. A number of families still remain.

My impressions are, therefore, that no immediate large immigration will take place, but that in time, by constant arrivals in small numbers, many of whom will not have money enough to return, there will, eventually, be quite a population of voluntarily expatriated Americans in this country.

They state that "they have experienced suffering enough in the late rebellion, and hereafter wish to live in peace." Influenced by that motive, they will not become naturalized Brazilian citizens, in order to avoid military duty to this government. They generally leave the United States without passports. They leave the United States (as they intend) forever, and many of them here boast that they are secessionists, and of their hatred to the Yankees.

As far as any service due by them to the government of the United States is concerned, they are, with few exceptions, "*de facto*" just as much rebels to-day as when in arms against it.

At the present moment, almost any breach of peace, or violation of Brazilian law by an American, would be overlooked; but should there be a reaction of sentiment towards them, consequent upon the non-fulfilment of the promises by the representatives of immigration companies, the treatment might be different.

Many Brazilian officials, and specially of the lower order, are men of African descent; and the American immigrant from the southern States, especially if congregated in any number, being accustomed to order men of color, would soon make himself obnoxious to this class, and difficulties would ensue; and under such circumstances, though he had left the United States without a passport, intending never to return to it, cursing our country and its institutions, he would remember in his time of need that he was born an American citizen, and would call upon the representatives of the United States to protect him, and would take the oath of allegiance, regarding it merely as a matter of form.

The laws of Brazil are probably not excelled by our own, but in some places, far in the interior, they are not always executed or carried out as they should be.

I submit these remarks to your excellency, as possibly by requirements in the United States that passports shall only be issued to loyal citizens who would be obliged to prove themselves such, in addition to taking the oath, and no others to be considered as citizens, difficulties might be avoided, which I fear may occur here should this immigration continue, by obligations to protect as citizens former bitter enemies, who still retain their animosity and are "de facto" not citizens.

The immigrants whom I have met and are worthy men, I have treated with kindness.

\* \* \* \* \*

I have the honor to be, with great respect, your obedient servant,  
 WILLIAM VAN VLECK LIDGERWOOD,  
*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Lidgerwood to Mr. Seward.*

[Extract.]

No. 7.]

LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, March 3, 1866.*

SIR: \* \* \* \* \*

At an interview yesterday with the under secretary of state, Senhor do Amaral, at the Foreign Office, he expressed much solicitude to learn if any communication had been received by me from the Department of State concerning a special salute to the Brazilian flag in the harbor of Bahia.

The Chambers will convene within a few days, but it is merely a continuation of the adjourned session of last year. The question of the Florida affair may, however, be brought up and information required of the ministry.

On the first of May the Chambers will commence their regular session, when it will be requisite that the report should be made. The government sincerely desires to be able to report that the Florida affair is satisfactorily settled.

Assuring Senhor do Amaral that I had received no instructions from the Secretary of State, who was absent from the United States, and that General Webb had been dangerously ill from his arrival in Washington until after the date of Secretary Seward's departure, and that as the subject would no doubt receive early consideration, I preferred not to enter upon it further than to assure him that I would bring to the notice of my government the position and wishes expressed by this government.

I have the honor to be, sir, your obedient servant,  
 WILLIAM VAN VLECK LIDGERWOOD,  
*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*



*Mr. Seward to Mr. Lidgerwood.*

[Extract.]

No. 169.]

DEPARTMENT OF STATE,  
*Washington, April 18, 1866.*

SIR: I have received your despatch of the 3d ultimo, which is not numbered. (No. 7.)

With reference to the special salute to the Brazilian flag in the harbor of Bahia, referred to therein, I have to inform you that the Secretary of the Navy issued the proper instructions on the subject to Admiral Godon some months since, with which he will no doubt comply upon receipt of the same.

\* \* \* \* \*

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM V. V. LIDGERWOOD, Esq., &c., &c., &c.

*Mr. Lidgerwood to Mr. Seward.*

No. 10.]

LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, May 4, 1866.*

SIR: By the last American and Brazilian steam mail packet I had the honor to inform you of the birth of a son to their highnesses the Duke and Duchess of Saxe. I now have the honor to advise you that on the 8th of April, ultimo, in the imperial chapel, in the presence of the highest dignitaries of the Brazilian court and the members of the diplomatic corps, the infant prince was baptized, receiving the names of Pedro Augusto Luis Maria Miguel Gabriel Raphael Gonzaga. At the conclusion of the ceremony the Emperor and imperial family held a state levee at the imperial palace.

In my unofficial note of the 3d ultimo I enclosed an article from the *Jornal do Commercio* of that date, giving an account of the capture and bringing into this port by the Peruvian iron-clad steamer *Huascar* of the Spanish polacca *Dorothea*. This government intimated to the commandant of the Peruvian squadron that the prize must leave the port before 2 p. m. of the 6th of April. At 1 p. m. it was towed beyond the bar by a tow-boat, accompanied by a Peruvian steam-launch. The tow-boat and launch returned, leaving the polacca on fire near the island of Palos. At 8 p. m. the burning vessel was still visible, though wrapped in flames.

As a subject of interest to the commercial community, I have the honor to place before you a translation of a decree, No. 3631, of the 27th of March, 1866, from the minister of the treasury, granting to foreign flags the right to the coasting trade of the empire in common with vessels under the Brazilian flag, as follows:

“MINISTRY OF FINANCE.—*Decree No. 3631, of the 27th of March, 1866, permitting foreign vessels to take freights coastwise up to the end of December, 1867.*—In virtue of the authority granted under paragraph 4 of Article 23 of the law No. 1177, of the 9th of September, 1862, we are pleased to decree the following:

“ARTICLE 1. Foreign vessels are permitted to perform the coasting trade between the ports of the empire where there may be custom-houses established, carrying merchandise of all descriptions, until the end of December, 1867, during which time the rules, as indicated in article 686 of the custom-house regu-

lations, which accompanied the decree No. 2674, of the 19th of September, 1860, shall be suspended.

“ARTICLE 2. All regulations to the contrary are hereby revoked.

“Joao da Silva Carrao, of our council, minister and secretary of state for financial affairs, and president of the tribunal of the national treasury, shall so understand and execute it.

“Palace of Rio de Janeiro, on the 27th of March, 1866, and forty-fifth of the independence of the empire.

[Signature of the Emperor.]

“JOAO DA SILVA CARRAO.”

In Congress the bill to subsidize a steam line from Belem do Para to the island of St. Thomas was not approved.

*War with Paraguay.*—The following items with regard to the war against Paraguay in which Brazil is at present engaged may be of interest, and I have the honor to send you by this mail a map of the seat of the late warlike operations, and three newspapers and one bulletin, containing ample details of the recent events, by which we are informed that on the 23d of March, ultimo, the vice-admiral in command of the fleet ordered a reconnoissance of the river, both to the right and left—one up the Paraguay, the other up the Parana. This division of the fleet found so many obstacles in the way, of shoals, &c., that they were obliged to return. Both going and returning they were fired into from the fort of Itapine, (*vide* map,) and by flatboats with 68-pounders mounted on them, which, sheltered by a reef of rocks running out from the fort, they succeeded in annoying the Brazilian vessels very much. The iron-clad monitors and gunboats being brought up within range of them, drove them back several times, and finally succeeded in destroying them all. A shell, however, from the fort entered the porthole of the iron-clad Tamandare, while discharging the gun, and bursting, killed ten or twelve men, and shattered the leg of the commander, a most gallant and distinguished young hero, the son of one of the late cabinet ministers, who died a few hours after amputation of the limb. The fighting lasted from the 23d to the 30th of March.

On the 10th of April, Lieutenant Colonel Carvalho, having gone on shore on the island, (marked in the map with a cross in pencil,) concluded that that was the first position to make use of before the troops could land on the Paraguayan side of the river, and that same night took nine hundred men, volunteers, with nine 12-pound La Hitte guns and several mortars, erected a battery, and next morning at daylight they made their presence known, and, aided by the fleet, continued to fire into the fort opposite, and into the camp of their enemies. On that night (the 11th) fifteen hundred men of the Paraguayans, in fifty large canoes and several flatboats, attempted to surprise the island; were warmly received, lost six hundred and forty men, killed, thirty canoes, about seven hundred muskets and rifles, on the island. Nearly all the rest were lost in attempting to cross over to the mainland, being fired into from the gunboats. The fort was totally destroyed, and, without much resistance, eleven thousand men passed over and made stand on the Paraguayan territory. General Lopez is at the encampment with about twenty thousand men. Barao do Porto Alegre, Brazilian, with eighteen thousand men, crossed the river some two hundred miles further up the Parana, with a view to take the enemy in the rear.

Subsequently to the baptism of the infant Prince Pedro, the news of the death of the former Queen of the French, Maria Amelia, put the imperial family and court into deep mourning.

Yesterday, the 3d instant, at the closing of the third and the opening of the fourth session of the twelfth legislature of the general legislative assembly, his

Imperial Majesty Don Pedro II addressed the senate and members from the Chamber of Deputies as follows :

*“ August and most worthy representatives of the country :*

“ Your assembling to-day is more than ever a motive for the entertainment of flattering hopes on the part of Brazil as an aid of great reliance to the government. Most joyfully do we announce to you the birth of the Prince Don Pedro, happy fruit of the marriage of my very dear daughter, the Princess Leopoldina, and of my dear and highly esteemed son-in-law, the Duke of Saxe.

“ We congratulate ourselves, in unison with yourselves, on the public tranquillity which has continued uninterrupted during this war. The exaction of satisfaction to the offended honor of the country from the President of Paraguay will not yet allow us to lay aside our weapons, but we are happy to acknowledge that the efforts of all have been incessant in aiding in the discharge of that most sacred duty.

“ A treaty of alliance, offensive and defensive, has been entered into between this empire and the Argentine and Oriental Republics. That alliance has been sustained between the contracting parties with entire loyalty.

“ The province of Rio Grande do Sul having been invaded by Paraguayan forces, we judged it to be our duty to go there so as to aid, by our presence and example, in the defence of the integrity of the empire. Our dearly beloved sons-in-law, moved by the same feelings, accompanied us. The surrender of Uruguayana, by subverting the plans of the invader, made our continued presence there unnecessary.

“ The province of Matto Grosso, by its patriotic action, has preserved its capital and the greater part of its territory free from the enemy's invasion. Our army, navy, national guard, patriotic volunteers, prove every day their courage and discipline so as to merit the thanks and gratitude of the nation. We regret and lament most profoundly the precious lives sacrificed in this war, but our pride cannot be expressed when we contemplate the heroism which accompanied the Brazilian name, and the glory which immortalizes the memory of so many valiant men. The allied flags are floating on the enemy's territory. With the protection of Divine Providence and a firm reliance in the courage and discipline of our army and navy and in our allies, we hope to see this war brought to a close briefly.

“ Our relations with all foreign nations continue unaltered. Diplomatic relations have been re-established between the empire and Great Britain. It is with sincere satisfaction that we communicate this important fact to you, brought about by the efforts and perseverance of the august mediator, the King of Portugal, our dearly beloved nephew.

“ Deeply affected, we communicate to you the death of the King of the Belgians. It is a tribute of gratitude which we owe to the memory of that constitutional king and friend.

“ The state of our finances is embarrassing. We call your special attention to this matter, and beg that you will earnestly endeavor to better our circulating medium, guarantee and secure our credit on a firm basis, and maintain an equilibrium between the revenue and the expense.

“ August and most worthy representatives of the nation, we thank you for the means granted during the past session to the government for its public necessities, and, relying on your wisdom and patriotism, we hope that during the present one you will enable the government to meet its responsibilities both in its ordinary and extraordinary duties, taking into consideration at the same time those subjects which have reference to the administration of justice and the development of the public wealth. The third session is closed, and the fourth of the twelfth legislature is opened.”

Having had the honor of placing before your excellency the most important items of news that have occurred since my last,

I have the honor to be, sir, yours, most obediently and respectfully,  
 WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Lidgerwood to Mr. Seward.*

No. 11.]

LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, June 2, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch No. 169, conveying to me the decision of the government with reference to the special salute to the Brazilian flag in the harbor of Bahia, in reply to my note of the 3d of March, (the number of which should have been 7.)

On the 1st instant I visited the Foreign Office, and in the absence of the minister of foreign affairs communicated to the under-secretary of state, Conselheiro do Amaral, the information conveyed to me, that the Secretary of the Navy some months since issued the proper instructions to Admiral Godon, with reference to the special salute to the Brazilian flag in the harbor of Bahia; and I at the same time informed the Conselheiro do Amaral that upon the arrival of the United States steamer Shamokin at Montevideo, which vessel should reach that port on or about the 10th instant, and that Admiral Godon would leave via Saint Helena for Bahia, Pernambuco, and Rio de Janeiro. Senhor do Amaral expressed much solicitude that the admiral should arrive at Bahia before the Chambers should call for information upon the subject, and that to avoid drawing attention to it in their annual report, they felt it necessary to make no reference whatever to the United States.

The party opposed to the ministry, however, have confined their attacks hitherto chiefly to financial measures, and the conduct of the war. I assured him that, although the duties of the squadron required it to touch at St. Helena, I believed that by the 1st of July, or thereabouts, Admiral Godon would arrive at Bahia.

At an interview with Consello Paulo Souza, minister of commerce, agriculture, and public works, I informed him of the decision of Messrs. W. E. Dodge & Co., and others, who at present do not deem it advisable to make proposals for the continuation of that part of the coast telegraphic line of Brazil which has not yet been commenced, upon the terms desired by the Brazilian government.

He informed me that a proposition of Messrs. Collins & Co. has been referred to the proper department, but has not yet been acted upon. I assured him that my government would regard with favor any steps taken toward the accomplishment of international telegraphic communication, and with special favor that connecting Brazil with the United States.

He replied that the commerce between the two countries would thereby be largely increased, and that the products of Brazil could then be placed in the United States markets in a few weeks after the receipt of a telegraphic order, and the industrial fabrics of the United States returned in the same time.

I then begged him to compare the whole trade between Brazil and the United States with the trade between the island of Cuba and the United States, which was largely in favor of Cuba, the area of which was insignificant in comparison to that of Brazil, and its population not one-fourth; and added, that the United States is self-sustaining with reference to the most important requirements of

life, and only requires from foreign countries such tropical products as they consume, the greater portion of which would be imported from Brazil, were there telegraphic communication between the two countries to facilitate business. He remarked that his great desire for immigration from the United States was to develop the resources of his country, when I observed that there were cases where individuals had represented themselves as having been officers high in rank in the so-called confederate service, and as the representatives of thousands of discontented families from the southern part of our country; and who also, being at the time guests of the state, and naturalized by an act of the Chambers, had promised to return and bring thousands of families, whom they represented, to settle upon the lands chosen by them, and had not only failed to return, but also renounced their quondam Brazilian citizenship; but, notwithstanding, I ventured to hope that such conduct might not militate against the really worthy Americans, both from the northern and southern sections of the United States, who were still remaining *in* and might come to Brazil.

Upon my reading an extract from an American newspaper, containing a statement of facts analogous to the foregoing allusion, he smiled, and replied that hospitality in Brazil was the custom of the country, and that the expenses incurred amounted to but a few centos of reis, and that *he*, however, had not been deceived in the character of the individual alluded to, but trusted that the person mentioned there would state facts as he had seen them, which would be of much benefit to the country, and that he would not allow the acts of that man to prejudice him against others.

*War in Paraguay.*—On the 2d of May last, the division of the allied forces under General Flores, while meditating a surprise on the Paraguayan troops encamped a short distance from them, beyond a thick forest, were surprised themselves by the troops they intended to attack, and were obliged to fall back on the main body, in much confusion, and with very considerable loss. They then rallied again, and re-enforced by General Osorio, the Brazilian commander-in-chief, they succeeded in driving back the Paraguayans, killing and wounding over a thousand men, but losing four field pieces, which the Paraguayans had captured at the first charge.

Nothing of moment has since transpired, except the concentration of the allied forces, both naval and army, with a view to a decisive attack ere passing up the river to Humaita.

The time consumed by the steamers between Rio de Janeiro and New York is so great that letters forwarded by them are not received in New York until after the departure of the outward bound steamer, thereby defeating one of the very objects of the establishment of the line—as answers to letters sent from Brazil to New York can be received just as soon via Europe.

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Webb.*

No. 171.]

DEPARTMENT OF STATE,

*Washington, June 27, 1866.*

SIR: On the 8th day of February last, Charles A. Washburn, esq., resident minister of the United States in Paraguay, wrote to this department that he had been hindered and prevented by the military authorities of the Argentine Republic, and the military authorities of Brazil, from passing up the river Parana to Asuncion.

The President having taken cognizance of these discourteous proceedings,

special instructions were given to Admiral Godon and to Mr Washburn for their government in case the hindrance should be continued.

Mr. Kirk was at the same time instructed to bring the transaction to the notice of the government of the Argentine Republic, and to ask for an explanation.

A similar instruction was given to you regarding the government of Brazil.

We have now received a despatch from Mr. Washburn, written at Corrientes on the 27th of April, by which we are informed that the hindrance was not only continued, but renewed at that time by the direct action of the President of the Argentine Republic, and also the admiral commanding the allied fleet on the river Parana.

Of course you will perceive that at the time that despatch was written neither of the other before-mentioned instructions from this government to Mr. Washburn, to Mr. Kirk, to Admiral Godon, and to yourself, could have reached its destination.

I am obliged to write, therefore, in ignorance of the present condition of affairs in South America. Nevertheless, the sovereignty and honor of the United States will admit of no hesitation or delay in the matter. Mr. Washburn is, therefore, now instructed to return at once to the United States if the hindrance, before alluded to, shall not have ceased through some proceedings of the governments concerned.

In the case that you shall have put into execution the before-mentioned instruction, which was given to you by this department on the 21st day of April\* last, and shall not have received the satisfactory explanations which you were instructed to ask from the government of Brazil, you will now demand such explanations peremptorily. If they shall not be given to you within six or eight days you will ask for your passports to return to the United States.

Should you find it necessary to execute this instruction you will read it, and give a copy of it, to the minister for foreign affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., &c., &c., &c.

*Mr. Lidgerwood to Mr. Seward.*

No. 12.]

LEGATION OF THE UNITED STATES,

*Rio de Janeiro, July 2, 1866.*

SIR: I have the honor to communicate to you that on the 28th June ultimo Rear-Admiral S. W. Godon read to me a despatch, received by him from the Navy Department, conveying the instructions concerning the special salute to be fired in the harbor of Bahia, which intelligence relieves me of a slight embarrassment, caused by the delay in the receipt by him of the original instructions upon the subject, also received by this mail.

He also placed before me the views of the government relative to the refusal of the allies to grant permission to the American minister to Paraguay to pass through their lines when on his way to his post of duty, as being both erroneous and unfriendly, and the instructions to himself accompanying same.

After due deliberation with the admiral I proceeded at once to the foreign office, and, in the absence of the minister, had an interview with the under-secretary of state, Conselheiro do Amaral, and informed him that I had called upon two subjects, one an agreeable one—I having the pleasure to communicate to him that Admiral Godon, commanding United States squadron on the coast of Brazil, had just received the delayed instructions, via Valparaiso, concerning the special salute to be fired in the harbor of Bahia. The other subject was one

\* See instruction No. 104 to United States minister to the Argentine Republic.

much less agreeable, but, as appreciating the sentiments which I felt confident actuated this government in giving to me unofficial information of the unprovoked assault upon the employé of the Brazilian government by part of a boat's crew from a United States ship of war, I had in like manner called to inform him unofficially that the expressions of Admiral Godon to Señor Octaviano, at Buenos Ayres, as to his belief that the government of the United States would consider the act of the allies in refusing a pass through their lines to the minister of the United States to Paraguay, while endeavoring to proceed thither to fulfil his mission, as erroneous and unfriendly, had been *thus* considered by the government of the United States.

Conselheiro do Amaral expressed the opinion that nothing official bearing upon the subject had been received at the foreign office, but that he would make an examination of all documents received from November last forward, but that private letters to Conselheiro Saraiva might have been received, which referred to it.

I desired to learn if reference to Mr. Washburn had been made since the allied forces moved forward across the Parana river, as I understood that thereafter all objections to Mr. Washburn's passing the lines would then be removed. He replied, "None that he was aware of;" and also expressed the desire to avoid the approach to any unpleasantness of feeling, remarking that diplomatic questions, often easy of satisfactory arrangement, were frequently made difficult by the improper manner in which they were presented, and in this case much depended upon how it was presented there, (meaning the river Plate.) I replied that as yet the subject could not have been presented there, and that to prevent and anticipate an official presentation I had with the kindest intentions, and with frankness, acting with the concurrence and advice of the admiral, who participates in my feelings, and to whom instructions had been sent by our government on the subject, and feeling confident that I would be met in the same spirit, I had called to see the minister, and now requested that he should be made acquainted with the position of the case, and that he should appoint an hour when he would be pleased to confer with the admiral and myself upon the subject.

He answered that he would have a reply sent to me at my residence; then, apparently remembering something, he withdrew, as he said, to examine a document which, when brought by him, was marked on the enclosing wrapper "June 5th, receipt only to be acknowledged, not answered, in cabinet." He said it was private correspondence to the minister, Saraiva, accompanying which were copies of letters from Viscount Tamandare (commanding the Brazilian squadron) and from President Mitre to Mr. Washburn. The latter I requested to be read. The subjects of same were the reasons why it is at present (April) not advisable for Mr. Washburn to go through the lines; sympathy for the great republic, &c., &c. He said he would enclose the papers to Minister Saraiva for his examination at once, and that Conselheiro Saraiva had, unfortunately, allowed them to be overlooked upon his table. At eight in the evening I received a note from the minister appointing 11 a. m. of the ensuing day, at his residence, for an interview.

I immediately despatched a messenger to the flag-ship to the admiral to that effect. On the 29th the admiral and myself were received by the minister of foreign affairs, Conselheiro Saraiva, at the appointed time and place.

I informed him that the order for the special salute at Bahia had finally been received, the delay having been caused by its having been sent to Valparaiso through error, to which Conselheiro Saraiva replied, that as the United States had recognized the violation of their rights, as committed in the harbor of Bahia, and had agreed to the restitution of the Florida, (which by a casualty was rendered impossible,) also to the punishment of the offending commander, a fact which the Brazilian government had dispensed with, not desiring the punish-

ment of individuals, therefore the government had felt it necessary to insist that the only remaining act of settlement agreed upon should be performed, in order to justify itself before the nation.

The admiral replied that he, personally, did not consider the mere burning of powder or saluting of much importance, and especially as he had fired several salutes at Bahia, still, as a matter between nations, it was different, and he had therefore written for instructions on the subject, which, though miscarried in the first instance, he had now received, and then inquired if any communication had been received from Señor Octaviano concerning the United States minister to Paraguay, Mr. Washburn, and was answered only unofficially, when the admiral stated that Señor Octaviano had desired an interview with him, which took place, and at which he, the admiral, informed him that he considered the blockade at Corrientes, being in the Argentine Confederation, one of the allied powers, as of no effect, but that if in waters conquered from Paraguay it would be a proper blockade. He, however, also added that the refusal by the allied forces to permit the American minister to Paraguay to pass their lines, although they might have the right, would still be considered by the government of the United States as an act neither friendly nor amiable, and that this conversation should have been placed before the Brazilian government by Señor Octaviano, and desired to know if he had done so. Conselheiro Saraiva replied that it had *not* been. The admiral, continuing, said that without entering upon the question of the rights of the allies to prevent the passage of a minister of a friendly power to his place of duty in Paraguay, still, the United States government had also the right to send their representative to a nation with whom they are on terms of friendship, and asked the Conselheiro Saraiva if that was not *his* opinion; he bowed assent. The admiral stated further that he had received orders from his government to send a vessel, if necessary, to convey the American minister to Paraguay to his place of destination, and that he would do so; but that, to avoid a clash of conflicting views which might arise therefrom, with all frankness and with sentiments of friendship he desired that the allies should give immediate orders that a safe conduct through their lines should be given to Mr. Washburn, and desired the minister to give an answer at once. He said it would be impossible to give an answer on that point without previously consulting his colleagues, but that it should be given before the sailing of the steamer to the river Plate on the 4th instant.

The object of our visit, to prevent any misunderstanding, was appreciated by the minister, and the earnest and straightforward remarks made by the admiral received his serious and anxious attention.

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Lidgerwood to Mr. Seward.*

No. 14.]

LEGATION OF THE UNITED STATES,

*Rio de Janeiro, July 5, 1866.*

SIR: I have the honor to inform you that the chief of the scientific expedition from the United States to Brazil, Professor Louis F. Agassiz, left Rio de Janeiro for New York on the 2d instant, having, during his sojourn in this empire, besides subdividing the expedition formed by himself into small parties, and directing them in their researches in the interior provinces, made a personal exploration of the great Amazonian region, part of the province of Ceara, and Rio de Janeiro. From his arrival in Brazil until his departure he has been the



honored recipient of the gracious attention, consideration, and interest in his requirements of his imperial Majesty Don Pedro II.

The imperial government placed at his disposal a steamer to ascend the Amazon and its affluents, while the presidents of those vast but sparsely inhabited riparian provinces vied with each other in personally rendering to Professor Agassiz aid in his labors by every possible means.

The example of the Emperor and imperial government, in thus honoring and aiding the professor, met, throughout the empire, with a hearty response, and wherever the explorers of the expedition journeyed, whether near the sea-coast or far in the mountains or plains of the interior, they were welcomed and assisted by the authorities and people in the prosecution of their researches.

The national aid and hospitality thus bestowed upon the Agassiz expedition enabled it to accomplish in a year more than, unassisted, it could have performed in five, and to increase the scientific collections of the museum at Cambridge to such an extent as to make them at least *equal*, if not superior, to any in the world.

Upon the 25th June I invited a number of Brazilians of highly eminent position, and members of the imperial government, to take leave of Professor Agassiz, and to partake of a "*dejeûner à la fourchette*," which would enable me to express to the imperial government the high appreciation in which the services rendered by it to the scientific expedition would be held by the government of the United States, and would also afford an opportunity to Professor Agassiz to convey personally to the ministers of the cabinet, by whom the favors were conferred, his deep sense of gratitude for the honors and aid he had received, and for the invaluable services rendered to the expedition. It was also my desire that the councillors of the Emperor should have the pleasure and benefit of hearing, socially and informally, a description of the Amazonian region from a *savant*, the representative, almost the embodiment, of the science of America, who, by his convincing truthfulness, frankness, and, excepting his desire to see Brazil advance in progress and increase in prosperity, disinterestedness would recount what he had seen and discovered, and his impressions as to the means to be employed in making some beneficial modifications, counteracting present difficulties, which I was confident would have the effect of convincing them of the necessity of granting the free navigation of the Amazon, for Brazil to avail itself of the great, though at present comparatively valueless, wealth of the northern riparian provinces.

Among those present were his excellency the Marquis of Olinda, minister of the empire, (formerly regent of the empire,) and his colleagues, Conselheiro Saraiva, minister and secretary of state for foreign affairs, Conselheiro Paula Souza, minister of commerce and public works, Conselheiro do Amaral, under-secretary of state for foreign affairs, and the honorable Tavares Bastos, advocate of the opening of the Amazon and member of the Chamber of Deputies.

After the usual formalities several hours were spent socially. Professor Agassiz, to the great pleasure of all present, described the magnitude and immense resources of the region of the Amazon, the great advantage to be gained by Brazil from the immigration there of an active and intelligent population, with his views relative to the means to be employed to accomplish it, first of which was the free navigation of the river.

Prior to the offering of the toast—"The imperial government of Brazil"—I made a few remarks in Portuguese, of which the following is the substance:

That it was scarcely a year since the scientific expedition of Professor Agassiz left the United States with the view of exploring the scientific treasures which lie hidden, and nearly unknown, in the empire.

The expedition upon its departure from the United States was accompanied by the heartfelt wishes of thousands of the good and distinguished men of our country for its success and safe return; and though entirely a private under-

taking, it still assumed more or less of a national character, from the valuable results that were expected to accrue from its labors, and from the President of the United States having, in his message at the last opening of Congress, made special mention of it, and from the governor of the State of Massachusetts having written a letter of thanks to his Majesty the Emperor of Brazil for the kind reception it had met with.

Animated by the knowledge of the scientific acquirements of the Emperor, and of the numerous scientific societies honored and protected by him, and confiding in the proverbial hospitality of Brazil, it was not a matter of surprise that our countrymen should have expected to have been received with welcome and aided in their views.

Those expectations have been infinitely more than realized, and it is with sentiments of sincere gratitude that I desire to express my high appreciation of the deep interest and inestimable aid accorded to the expedition by all concurring with the wishes of his Majesty the Emperor, from whom emanated instructions for the proper conveyance and requirements of its members.

The result of an expedition thus fostered and aided will be of incalculable magnitude, whether considered from a commercial point of view or from a scientific one; and the interest which will be awakened in the United States will attract the attention to Brazil of those whose position and means will enable them to develop, with great benefit to both of our countries, the treasures and illimitable resources of this magnificent empire.

It has already created a new and strong tie between the two countries, attaching them yet more by a sentiment of common interest and sympathy, which will last as long as the language we speak. Indeed, the discoveries made by this commission are already facts of history.

Profoundly thanking his Majesty the Emperor, and the imperial government, for the aid and gracious reception extended to the scientific expedition in *its* name, and as the representative of my government, I proposed the toast above alluded to—"The imperial government of Brazil"—which was responded to by the Marquis of Olinda, who proposed, in his turn, "Our great and good friend, the government of the United States."

Other toasts followed, appropriate to the occasion, and closed with the customary one of "His Majesty the Emperor."

The minister for foreign affairs expressed a regret that Professor Agassiz could not remain any longer, as he might by so doing be the bearer of a decree opening the Amazon to the navigation of all nations, which he hoped would soon be passed.

Admiral Godon, commanding the United States South American squadron, and Captain Patterson, of the flag-ship, came before the party separated, in time to be presented to the members of the cabinet who were present, but having only arrived from Montevideo the evening previous, their duties had prevented them from being present at an earlier hour.

I have reason to believe that all the objects of the entertainment were accomplished.

The imperial pleasure was again made manifest by the Marquis of Olinda, minister of the empire, courteously conveying Professor Agassiz, on the day of his departure, from his residence to the imperial navy yard, where the imperial barge was in waiting to carry him to the mail steamer.

Professor Agassiz proceeded in the imperial barge to the United States flag-ship, and thence in Admiral Godon's barge to the United States and Brazil mail steamer.

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Lidgerwood to Mr. Seward.*

[Extract.]

No. 15.]

LEGATION OF THE UNITED STATES,

*Rio de Janeiro, July 8, 1866.*

SIR: In my despatch No. 12 I had the honor to place before you an account of an interview between the minister of foreign affairs, Admiral Godon, and myself relative to the detention of Mr. Washburn, United States minister to Paraguay.

\* \* \* \* \*  
After reading to him part of despatch No. 170, I stated to him that it had been only received the evening before, and that it would now be necessary to ask the imperial government for an official explanation of the hindrance of Mr. Washburn while returning to Paraguay.

Conselheiro do Amaral was formerly Brazilian minister resident at Montevideo, and his experience and observation while there and in the riparian states do not inspire him with confidence in their allies.

It is the impression of Admiral Godon and myself that the orders to pass Mr. Washburn through the military lines were sent to the river Plate by last steamer. There is a supposition that there is one citizen of the United States in Asuncion.

Until within three months, when active operations were commenced on the Parana, Mr. Washburn would have had no difficulty in reaching Asuncion.

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Lidgerwood to Mr. Seward.*

[Extract.]

No. 16.]

LEGATION OF THE UNITED STATES,

*Rio de Janeiro, July 9, 1866.*

SIR: I have the honor to acknowledge the receipt, upon the 5th instant, of your despatch No. 170, of April 21, 1866, with its enclosure, a copy of despatch of 21st April, No. 45, to Charles A. Washburn, esq., Paraguay.

In compliance with the instructions received therein, relative to the hindrance and detention of Charles A. Washburn, esq., minister resident of the United States to the republic of Paraguay, at or near Corrientes, on his return, after a leave of absence, to Asuncion, by the allied forces in the war against Paraguay, I brought the subject to the notice of the imperial government in a note to the minister of foreign affairs, dated July 7, 1866, and herewith enclose a copy of same, marked W.

The despatch No. 170 arrived three days after the arrival of the English mail steamer, and several days after United States mail packet. Its envelope bore no post-mark, and was brought to me by private hands.

\* \* \* \* \*  
I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

W.

*Mr. Lidgerwood to Mr. Saraiva.*LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, July 7, 1866.*

The undersigned, acting chargé d'affaires of the United States, has the honor to communicate to his excellency José Antonio Saraiva, councillor to his imperial Majesty, minister and secretary of state for foreign affairs, &c., &c., that the government of the United States has learned with much surprise that Charles A. Washburn, esq., minister resident of the United States to the republic of Paraguay, has been hindered and detained at or near Corrientes, on the Parana river, by the allied forces engaged in the war against Paraguay, on his return, after a leave of absence, to Asuncion, the capital of Paraguay, and, at the same time, expresses the sincere hope to learn that the Emperor of Brazil had neither ordered nor approved of this hindrance to the passage of the diplomatic representative of the United States, which is regarded as wanting in that respect due to the United States, and is entirely inconsistent with the law of nations.

Complying with the instructions received from the government which the undersigned has the honor to represent, he desires that the subject may be brought to the notice of his imperial Majesty the Emperor and the imperial government, and deeply regrets that an occasion should have arisen which makes it his duty to ask for an explanation, but which he does with a feeling of confidence that no ill-advised act of any of the officers of the allied forces could be approved by the imperial government which was in the slightest degree lacking in consideration for a minister of the United States, between which nation and the empire of Brazil there exists such a mutually friendly and growing interest.

The undersigned is happy to avail himself of this opportunity to express to his excellency Conselheiro Saraiva the renewed assurances of his personal esteem and most distinguished consideration.

WILLIAM VAN VLECK LIDGERWOOD.

His Excellency JOSÉ ANTONIO SARAIVA,  
*Minister and Secretary of State for Foreign Affairs, &c., &c., &c.**Mr. Seward to Mr. Webb.*

No. 174.]

DEPARTMENT OF STATE,  
*Washington, July 28, 1866.*

SIR: I have to acknowledge the receipt of despatch No. 12 of Mr. Lidgerwood, of the 2d of July. It contains an account of certain conversations which took place between himself, joined with acting Rear-Admiral Godon, and the Brazilian minister for foreign affairs, on the subject of the obstruction, by the Allies, of the passage of the United States minister (Mr. Washburn) to Paraguay.

The conversation which has thus been reported to this department as maintained, on the part of the United States, in those interviews, by Mr. Lidgerwood and the admiral, is approved by the President.

We wait with serious interest for information of the decision of the Brazilian government upon the subject discussed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., &amp;c., &amp;c., &amp;c.

*Mr. Lidgerwood to Mr. Seward.*

No. 17.]

LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, July 31, 1866.*

SIR: I have the honor to inform you that upon the 17th instant I received a reply from the minister of foreign affairs (Conselheiro José Antonio Saraiva) to my note to him dated 7th instant, asking for an explanation relative to the

hindrance of the United States minister to Paraguay, and his detention at or near Corrientes by the allied forces.

I enclose a translated copy of Senhor Saraiva's note of 17th instant, marked S.

In his reply, Senhor Saraiva refers to a note that his excellency Don Bartolome Mitre, President of the Argentine Republic and general-in-chief of the allied armies, addressed to Mr. Washburn, on the 9th of April of the present year, and in which document are rehearsed the principal circumstances of the fact in question, and the two phases it presents discriminated.

Not having a copy of General Mitre's note, I requested that one might be furnished to me. Copy of request, marked J, I herewith enclose.

I received the copy upon the 28th instant, a translated copy of which, marked C, also enclosed.

On the 22d instant I addressed a note to R. C. Kirk, United States minister at Buenos Ayres, upon the same subject, and enclose a copy of same, marked K, and have therefore deemed it advisable not to reply to the argument contained in Conselheiro Saraiva's note of the 17th instant until information shall have been received of the decision taken by the allies consequent upon the advices sent forward by this government bearing upon this subject.

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

S.

*Senhor Saraiva to Mr. Lidgerwood.*

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,

*Rio de Janeiro, July 17, 1866.*

The undersigned, councillor to his Majesty the Emperor, and his minister and secretary of state for foreign affairs, received a note which, under date of the 7th instant, Mr. William Van Vleck Lidgerwood, chargé d'affaires of the United States of America, addressed to him.

In that note Mr. Lidgerwood asks for an explanation of a fact which, to his government, appears to be wanting in respect towards the United States, and incompatible with the international laws.

Mr. Washburn, the American minister at Asuncion, has been detained or delayed at the city of Corrientes, or in its vicinity, by the allied forces at present at war with Paraguay, and impeded in his passing onward to his post of duty.

The undersigned conveyed Mr. Lidgerwood's note to the notice of the imperial government, and at the present moment has the honor of replying to it.

Brazil is not the only one concerned in the affair at present under consideration. Notwithstanding, the government of his Majesty does not hesitate to express its opinion on the subject at once, giving thus to the United States a proof of the amicable sentiments which actuate it, and of the sincerity with which it desires to remove all cause of misunderstanding.

Without doubt Mr. Lidgerwood is cognizant of a note which his excellency Don Bartolome Mitre, President of the Argentine Republic, and general-in-chief of the allied armies, addressed to Mr. Washburn, under date of the 9th of April of the current year. In that note are resumed all the principal circumstances of the fact under contemplation, and both of the phases which it presents discriminated.

That objections were made to the transit of Mr. Washburn to Asuncion is true, but it is also true that in February he would have met with every facility he could have desired on his way to that city, but notable events transpired between those two dates which rendered the renewing of a permit to pass onward impossible. True, those events did not happen nor depend upon the volition of Mr. Washburn, nor are the allied generals responsible for their occurring. Mr. Washburn was so very much delayed in his passage from Buenos Ayres to Corrientes that he did not arrive at the latter point while there was yet but a simple though effective blockade, even supposing that he could have passed onward to his mission at that time.

In April the squadron was already in front of the Paraguayan positions, and on the eve of

commencing decisive operations. The objections made by the allied generals were imperatively based upon this change in the movements and progress of the war towards its termination.

Such are the heads of this question, and the undersigned believes that the explanation sought by Mr. Lidgerwood will be found by their perusal.

The government of his Majesty the Emperor is obliged, unavoidably, to differ from the United States as to the manner of application to this case of the international laws. It holds that from the right to make war upon its enemy, and to effectively blockade his waters, arises the right to impede the transit even of the diplomatic agent of a neutral power. The exercise of that faculty may, it is true, temporarily embarrass interests foreign to the war, but the importance of those of this war are such that sound reason will give to them the preference. The harm which, to the belligerents, would supervene from the mere satisfaction of its friendly feelings is much greater than that which would happen to neutrals were a contrary course pursued.

The right to oppose the passing of its line of operations, be they decisive, or only a simple blockade being established, (and the imperial government is assured that it has that right,) it follows that from the exercise of that right no intent to offend can be inferred to the United States, nor does it offend them. The temporary hindrance to Mr. Washburn is the effect of the imperative exigences of a war to which Brazil, the Argentine, and Oriental Republics of Uruguay have been most unjustly provoked, together with all the enormous sacrifices it is costing them.

The government of his Majesty the Emperor deplures, and undoubtedly its allies sympathize with it in that regret, that even with such well-founded reasons for so acting, it has not been expedient for them to allow the ingress to the enemy's territory of the representative of a neutral power, to whom they are attached by the closest bonds of friendship and sympathy.

The undersigned is assured that by this sincere declaration, which, without question, will be accepted in the same spirit in which it is offered, he has said all that he could to satisfy the desire manifested by Mr. Lidgerwood, in the name and by order of his government; adding, furthermore, that the allied generals will unquestionably take advantage of the first opportunity that may occur in the various events of war to pass Mr. Washburn on to his post.

The undersigned avails himself of this opportunity of assuring Mr. Lidgerwood of his very distinguished consideration.

JOSÉ ANTONIO SARAIVA.

---

J.

*Mr. Lidgerwood to Mr. Saraiva.*

LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, July 19, 1866.*

The undersigned, acting chargé d'affaires of the United States of America, has the honor to acknowledge the receipt of the note dated the 17th July, 1866, of his excellency José Antonio Saraiva, councillor to his imperial Majesty the Emperor, minister and secretary of state for foreign affairs, &c., &c., &c., in reply to the note dated 7th instant, of the undersigned, and in which especial reference is made to a communication dated 9th April, of the current year, directed to C. A. Washburn, esq., United States minister to Paraguay, by his excellency Sr. Don Bartolome Mitre, president of the Argentine Republic and general in-chief of the allied armies.

The undersigned not being in possession of a copy of General Mitre's note, requests that Conselheiro Saraiva may favor him with one: and avails himself of this opportunity to renew to his excellency the assurance of his great personal respect and most distinguished consideration, and has the honor to be, sir, your most obedient servant,

WILLIAM V. V. LIDGERWOOD.

His Excellency JOSÉ ANTONIO SARAIVA,  
*Minister and Secretary of State for Foreign Affairs, &c., &c., &c.*

---

C.

*President Mitre to Mr. Washburn.*

[Translation.]

PASSO DE LA PATRIA, *April 9, 1866.*

Subsequently to the conference which I had with your excellency, and having deliberated thereon with the allied chiefs, Admiral Tamandare also being present, I have the honor to confirm what I had previously manifested to you when you did me the honor of visiting me

at my quarters, viz: that I did not think that there would be any objection offered to your passing onward to the Paraguayan territory, (although there was a blockade in operation,) in the prosecution of the mission on which your government had sent you to that of Paraguay, but that I referred the subject to the Argentine government, in accordance with the allied governments. Your excellency having returned to Buenos Ayres and had an interview with the minister of foreign affairs of the Argentine Republic, who previously had come to an understanding with the Brazilian minister at Buenos Ayres, the said minister of foreign affairs stated to you that there was no hindrance to your proceeding on your voyage in a neutral vessel to the first military post in Paraguay, notwithstanding the state of the blockade which might oppose it. That was when there was but a simple blockade and not a line of war, and happened about the end of February.

In virtue of this you decided upon going, and on the 2d of March left Buenos Ayres on the steamer Paysandie, which, having run aground *en route* and remained aground for more than twenty days, only arrived at Corrientes about the end of March, I having only just had an interview with you to-day, 9th of April.

Had the steamer in which you came arrived in time—that is, while there was yet but a simple blockade—no obstruction whatever would have arisen to prevent the continuation of your voyage; besides, you would have found the allied squadron then at Corrientes prior to the opening of decisive operations of a warlike nature. But it did not happen so, and you have found the allied fleets in front of the Paraguayan positions, on the eve of commencing warlike operations; so that that which before would not have been an obstacle had now become an impracticable barrier, as the passing of it would establish a precedent through which all other neutrals would become possessed of the right to pass up or down, which of course would turn our line of operations into matters of no account, and would deprive us of what is incontestably a right of belligerents in analogous cases. Circumstances, therefore, having varied and changed completely, and the arrangement under which you started on your voyage to Paraguay having become so modified that it seems to me to be as well for your excellency to reconsult the Argentine government as to the best means of getting over this difficulty, so that we, acting in concert with our allies, may adopt a line of proceeding in this emergency; hoping that in the meantime your excellency will deign to suspend all action, either remaining at Corrientes or at Buenos Ayres, where I will make it my duty to impart to you whatever may transpire. Admiral Tamandare had an interview with the admiral of the United States, in which it was declared to him that, had the United States minister arrived at Corrientes before the allied fleets ascended the river to open military operations, he would not have encountered any difficulties whatever in continuing his way; but naval evolutions having commenced against the enemy, and the line of war extended, it was no longer possible for his excellency to go forward; to all of which the United States admiral agreed, adding, moreover, that the allies only made use of an unquestionable right in prohibiting any one from breaking the line of offensive operations.

Your excellency, therefore, not having been enabled to arrive just at the right opportunity, the previous arrangement, under which you supposed you would arrive at your destination having changed, it becomes void from the fact of its very base being different, and what was foreseen as likely to happen by Admiral Tamandare, and acquiesced in by the admiral of the United States, has occurred; and, in consequence, that which is most prudent and dignified for all concerned is that your excellency should again consult with the Argentine government, so that *it* and the allies being agreed as to what is to be done, it shall be intimated to us what *we* are to do, and I have no doubt that that intimation will be what is the most proper and expedient, considering the sympathy and friendship which we profess for the great republic of the United States, as well as the rights of the belligerents, compromised in this war to which they have been provoked.

With regard to your excellency, I flatter myself that you abound in feelings of a similar friendly nature, and that you will most cordially agree to this temporary delay which I propose to you, and which at the same time does homage to the dignity of all governments friendly to ourselves and to the legitimate rights of the belligerents—rights neither questioned by your excellency nor by the United States admiral.

I salute your excellency with my most distinguished consideration.

BARTOLOME MITRE.

His Excellency the MINISTER PLENIPOTENTIARY of the United States, &c.

Correct:

JOAQUIN THOMAS DO AMARAL.

K.

Mr. Lidgerwood to Mr. Kirk.

LEGATION OF THE UNITED STATES,  
Rio de Janeiro, July 22, 1866.

SIR: I have received a despatch dated April 21, 1866, No. 170, from the Hon. Secretary of State relative to the detention at or near Corrientes of the United States minister to Para-

guay, on his return after a leave of absence, with instructions to the representative at Rio de Janeiro to ask of this government an explanation.

A similar despatch has no doubt been addressed to yourself, as a reference to it is made in a copy of a note dated April 21, 1866, No. 45, to C. A. Washburn, esq., also received by me.

I am unofficially informed that, as yet, no official request or demand has been made by the minister of the United States to Paraguay for permission to pass the allied forces, as neither Admiral S. W. Godon, commanding United States South American squadron, nor the department of state of this government, has received any official communication whatever from or concerning Mr. Washburn.

If, however, a refusal to an official request by Mr. Washburn *has been* or should be made, I would thank you to inform me of the fact, that I may bring the same to the notice of Admiral Godon; as at our last interview he expressed himself to me that although he did not consider it his duty, at a sacrifice of the interests of state, to consult the personal comfort of Mr. Washburn, however much might have been his desire so to do, still, when the dignity of the United States minister was to be sustained he would furnish a vessel to convey the United States minister to Asuncion.

The allies are very desirous that a United States vessel should not pass the blockade, and it would be as well not to precipitate matters, especially if by not precipitating matters Mr. Washburn could give them an opportunity to act friendly and courteously, passing him through their military lines, (advice from the Brazilian government to that effect, I believe, having been sent to the commander-in-chief of the allied forces per last packet,) and which course I believe is the wish of the United States department.

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

Hon. R. C. KIRK,

*United States Minister Resident, Buenos Ayres, Argentine Confederation.*

---

*Mr. Lidgerwood to Mr. Seward.*

No. 18.]

LEGATION OF THE UNITED STATES,

*Rio de Janeiro, August 1, 1866.*

SIR: I have the honor to inform you that, upon the 23d of July, 1866, Commander F. B. Blake, commanding the United States steamer Nipsic, in compliance with the instructions received by him from acting Rear-Admiral S. W. Godon, fired a salute to the Brazilian flag in the harbor of Bahia for the capture of the Florida in that port.

I enclose a translated copy of an article taken from the *Diario da Bahia* of July 22, 1866, which has been in all the Brazilian newspapers.

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Translated extract from the Diario da Bahia of the 22d July, 1866.*

The Nipsic man-of-war anchored in our port yesterday, sent by the government of the United States to give a complete satisfaction to us for the offence against the dignity of the empire, committed by the capture of the Florida by the steamer Wachusett.

Full of inexpressible joy we announce to the public of this city the magnificent scene of to-morrow; at 12 m. the above-mentioned steamer will hoist to her mainmast-head the Brazilian standard, and will salute it with twenty-one guns.

It is thus that a powerful nation assumes the eminent position which its civilization has attained for it. It is thus that a great and spirited people give, in the face of the civilized world, a public and solemn proof of the sincerity of its professions of the sacred principles of justice. We cannot deny ourselves the pleasure of proclaiming to the public of this capital the despatch which, upon that subject, was addressed to his excellency the vice-president by the illustrious commander of the Nipsic:

UNITED STATES STEAMER NIPSIC, HARBOR OF BAHIA,

*July 21, 1866.*

SIR: The undersigned, commanding the steamer Nipsic, has the honor to inform your excellency of his arrival in this port, and to make known to your excellency that the principal object of the visit of the undersigned at this time is to carry out the instructions of the



government of the United States to fire a salute of twenty-one (21) guns to the flag of Brazil, and thus to make the "amende honorable" for an offence committed by a United States officer, which was at once disavowed by the government of the United States.

Ever prompt to do justice, the government of the undersigned, so long ago as October 28, 1865, issued the above instructions, but which, from some irregularity, were sent to Valparaiso, and were only received by the commander-in-chief of the United States squadron on this station on the arrival of the late mail.

Therefore, if it be agreeable to your excellency, the undersigned will hoist the Brazilian flag at the foremast-head of this vessel, and fire a salute of twenty-one guns, at noon to-morrow, the 23d instant.

The undersigned, in executing this duty, begs leave to express to your excellency the undersigned's sincere hope, that with the dying echoes of the last gun will also expire any unkind feelings that may exist in Brazil from the cause which has given rise to this ceremonial.

The undersigned avails himself of this opportunity to offer to your excellency the assurances of the high consideration with which the undersigned has the honor to be your excellency's most obedient servant,

FRANCIS B. BLAKE,  
*Commanding United States Steamer Nipsic.*

ANSWER OF THE PRESIDENT.—FIRST SECTION.

PRESIDENT'S PALACE OF THE PROVINCE OF BAHIA,  
*July 21, 1866.*

I have just had the happiness of receiving a despatch which Mr. Francis B. Blake, commanding the United States steamer Nipsic, at anchor in this port, addressed to me, communicating that the principal object of his visit is to comply with the instructions of his government saluting the Brazilian flag with twenty-one (21) guns, in satisfaction for an offence perpetrated by a naval officer of his country, whose conduct had been disapproved of by his government, which, ever ready to act justly, had already, on the 28th of October of last year, issued its instructions upon that point. but which, through error, had been sent to Valparaiso, and only came to the hands of the commander-in-chief of the United States squadron on the Brazil station by the last mail, and declaring furthermore that on the 23d, at 12 m., the imperial flag shall be hoisted to the main topmast-head of the ship under his command, and that that flag shall be saluted with twenty-one guns; stating, moreover, that he nourishes the sincere hope that with the dying echoes of the last gun will likewise vanish all idea or remembrance of resentment which may yet exist on the part of the empire.

It behoves me, in reply, to state to Mr. Francis B. Blake, commanding United States steamer Nipsic, that I am cognizant of the fact that the principal motive of his visit to this port is to salute the Brazilian flag, and I am much pleased to see that the government of your country, appreciating the justice due to this empire, did not hesitate to give a public satisfaction for an offence committed against it while at ease, in the most perfect cordiality; and believing in the sentiments which Mr. Francis B. Blake manifests, I have only to assure him that the offended honor of the country having been thus satisfied, not a vestige of resentment can remain against a government which, in so solemn a manner, proclaims to the civilized world that it does not measure the right of the offended to a satisfaction by his power to exact it, but, on the contrary, highly appreciates the just rights of a people which has so well known how to value the close bonds of friendship and consideration which have hitherto attached, and will continue to attach still more, two nations which inhabit the same continent.

I avail myself of this occasion to tender to Mr. Francis B. Blake the assurances of my most perfect esteem and consideration.

Mr. FRANCIS B. BLAKE,  
*Commanding United States Steamer Nipsic.*

*Mr. Lidgerwood to Mr. Seward.*

[Extract.]

No. 19.]

LEGATION OF THE UNITED STATES,  
*Rio de Janeiro, August 1, 1866.*

SIR: In my despatch dated May 4, No. 12, I mentioned that the Barao de Porto Alegre had crossed the river Parana about 200 miles above the Passo de la Patria.

The information as to the crossing of the river was erroneous, and, though not of importance, I mention it that it may be corrected.

Upon the 24th of May, 1866, an attack was made by the Paraguayans upon the allied forces entrenched in front of their fortifications at Tuyuty, near the Passo de la Patria, the official report of which I herewith enclose.

Several attacks by the Paraguayans have since been made; all were repulsed with but little loss to either belligerent.

The encampment of the allies is upon marshy ground, surrounded by swamps, and sickness has been reducing their numbers more rapidly than their battles.

General Osorio, (now Barao de Herval,) commander-in-chief of the Brazilian army, has, by sickness, been obliged to withdraw, and General Polydoro has been sent from Rio de Janeiro to take his place at the head of the army of the empire.

Part of the troops of Barao de Porto Alegre have already joined the main body of the allies; the remainder will join when means of transportation shall be furnished to them. The want of cattle, indeed, is at present a serious difficulty with the whole allied army; it is said that it will require the whole of the Barao de Porto Alegre's division to make the main body as strong, numerically, at the Passo de la Patria as it was prior to having been decimated by disease. The Barao's division numbers about 14,000 effective men, fresh and with little sickness among them.

All attacks, since the occupation of the Paraguayan soil by the allied forces, have been made by the Paraguayans.

The iron-clads, now numbering some eight or nine, have as yet done but little, comparatively nothing, in fact, and the delay had lately caused much opposition to those intrusted with the management of the war. If a simultaneous attack by the allied fleet and army be made, and by many expected soon, and it is *properly directed*, it should be successful.

I have the honor to inform you that rumors are afloat that the present cabinet has tendered its resignation, and that his Majesty the Emperor has accepted it, and appointed the Senator Zacharias de Goes and Vasconcellos to organize a new one. On receiving official advice of the fact, and list of the new ministers, I shall have the honor of forwarding the same to you. \* \* \*

I have the honor to be, sir, your most obedient servant,

WILLIAM VAN VLECK LIDGERWOOD.

*Chargé d'Affaires.*

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

[Translated from the Journal do Commercio of 13th July, 1866.]

*Copy of the official report of the assault of the 24th May, 1866, of the Paraguayan forces upon the allied army encamped at Tuyuty.*

[Order of the day, No. 156.]

On the 24th May, 1866, between the hours of eleven of the morning and twelve m., the army of our enemy adventured an assault upon our lines with the greater part of their forces, sallying from their intrenchments, favored by the woods and numerous groups of trees which masked their movements, so that their intentions were not perceived until their full force was upon us; and having previously most ably combined the action of the three arms so as to produce the greatest effect simultaneously on what they had considered to be our most vulnerable point, they precipitated themselves upon our centre, our right, and our left, and at full speed fell pell-mell upon our troops, calculating that by rapidity of movement our fire would be less fatal to them; this headlong speed, however, proved only the more fatal to them, as it turned out, for they were received by an army of cool and well disciplined troops.

On the extreme right was the Argentine contingent, in the centre was the Oriental divi-

sion, with the 1st division of mounted artillery, backed by the 3d division, and later on, by the 1st. On the extreme left were the 2d, 4th, 5th divisions and the light brigade.

The fight became general along the whole line, heaving, twisting, advancing, and retreating, now one part giving way, reforming again, and back into the melee, until half past four in the afternoon, when the enemy turned and abandoned the contest, leaving the allies masters of the field, and sought the shelter of their fortifications; there remained on the field of battle 3,000 killed, 200 mortally wounded, and 421 prisoners of the Paraguayans. The wounded were sent to the hospitals. Our troops had captured, further, four mortars with their munitions, two flags, one standard, ten chests of war, nine trumpets, great quantities of ammunition, infantry armament, and stacks of rockets. Our loss being twenty-nine officers and three hundred and eighty-four privates killed; one hundred and ninety-three officers and one thousand nine hundred privates wounded and bruised.

BARAO DE HERVAL.

---

*Mr. Webb to Mr Seward.*

No. 13 ]

LEGATION OF THE UNITED STATES,

*Rio de Janeiro, August 7, 1866.*

SIR: The latest intelligence from the river Plate leaves little doubt but the army of the allies is suffering fearfully, both from disease and the obstinate defence which Lopez offers it.

The demand for additional troops is exceedingly pressing; and it is said that the commander of the allied army, as also the commander of the naval forces, both Brazilians, insist that until the army shall be re-enforced by at least 15,000 fresh troops, further advance is impossible.

The simple truth is Brazilians are not the material out of which to make good soldiers; while the administrative department of the army is said to be as bad as it possibly can be. Failure is therefore openly predicted in all quarters not directly connected with the government. What then? If the United States do not intervene by the offer of mediation, England and France most assuredly will from necessity do so. And against such friendly interference by them we of course could not object. Under existing circumstances, then, and where the "Monroe doctrine" has been virtually admitted by the withdrawal of the French troops from Mexico, it does appear to me that the United States, without setting up any claim in the premises, should indirectly assume that it is her right to interpose in all international conflicts on this continent to the full extent that interposition from other powers is admissible. We should impress all the American governments with a conviction that it is alike their interest and their duty to look to the United States for protection and advice; protection from European interference, and friendly council and advice in regard to difficulties with their neighbors. I therefore earnestly recommend that at the earliest possible moment I be authorized to tender to Brazil and her allies, the republics of Argentine and Uruguay, our good offices and friendly interposition in the settlement of all pending questions between them and Paraguay.

I have no doubt that should a crisis arise when such tender of services would become expedient before I can get a response to this despatch, it would be proper for me to renew the tender of good offices, so unwisely rejected, pending the difficulty between Brazil and Uruguay, taking care to do nothing beyond a mere tender of good offices until I hear from you on this subject. And should such contingency arise, which, however, is not at all probable, I shall so act.

If it should be advisable and politic to constitute ourselves the arbiter in this affair, and I think the policy and expediency of such a course admits of no question, then it occurs to me that my instructions to offer mediation should cover the broad ground that in difficulties arising between American governments it is wise and expedient, and eminently politic, that there should be no foreign intervention, and that arbitration should, if possible, be confined to the governments on this continent; hence we offer our services, &c.; I to show such in-

structions when I make the tender of mediation, which, of course, must depend upon future events.

If I am not incorrectly informed, the time for such interposition of good offices will be about the 1st of November.

I think the subject is one which demands immediate consideration, if we would anticipate action by England and France.

Very respectfully, your obedient servant,

J. WATSON WEBB.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Webb to Mr. Seward.*

[Confidential.—Extract.]

No. 14]

LEGATION OF THE UNITED STATES,  
*Petropolis, August 24, 1866.*

SIR: Friday and Saturday of last week were the first days that I was enabled to attend to business, and I devoted them to the examination of what had been done in the legation during my absence. The isolated fact that Mr. Washburn has been prevented passing the blockade of the allies in the river Plate had been reported to me; but no details were given, because, as I now learn from Mr. Lidgerwood, he was cautioned not to trouble me with business in my then very precarious state of health. I was, therefore, both surprised and mortified to discover that so unsatisfactory a response as that made by the minister of foreign affairs, based upon the miserable special pleading of President Mitre, had been forwarded to you. Most assuredly, if I had been here, I should have insisted upon and received a very different response. \* \* \* I also handed him (Mr. do Amaral) for perusal the enclosed despatch, marked A, which I had prepared on Tuesday night, and which it would become my duty to leave with him, unless assured in writing that Mr. Washburn's passage to Asuncion would not be further obstructed or opposed.

The conversation terminated in his placing in my hands the enclosed letter, marked B, which is as follows:

Private.]

“RIO DE JANEIRO, *August 21, 1866.*

“MY DEAR GENERAL: I am sorry to see by your letter of yesterday that you are still unwell, and hope that you may soon recover.

“With regard to Mr. Washburn's case, I must inform you that interviews which took place between Admiral Godon, Mr. Lidgerwood, Mr. Saraiva, and myself, were expressly understood to be entirely private and confidential.

“It is true that I asked Admiral Godon whether he was going to send a steamer and his instructions to the river Plate immediately. On his asking the reason of my inquiring it, I said frankly, and of course in a private and confidential way, that it might be convenient that the Brazilian government's instructions should reach their agents before any step was taken in the river Plate, to effect Mr. Washburn's passage across the blockade. I added, still as a private information, that Mr. Octaviana and Admiral Tamandare would be instructed to let that minister pass under a simple protest. I was not authorized to make that communication, but my act was approved by Mr. Saraiva, and I am empowered by Mr. Ribeiro de Andrada to repeat the same communication to you in the same character as before.

“This is, in substance, all that passed on the subject, but I must add that my

intention was merely to obtain a precedence in favor of the Brazilian instructions in order to avoid a conflict, but no more than that. I never afterwards mentioned the case either to Mr. Lidgerwood or Admiral Godon.

“Believe me, my dear general,

“J. T. DO AMARAL.”

It was now 12 o'clock, and our interview terminated with strong expressions of good feeling on both sides. Mr. d'Amaral asked permission to report to the new minister of foreign affairs, Ribeiro de Andrada, all that had passed between us. To this I objected, as I had departed from my instructions in showing what would, in certain contingencies, have been the action of our government, but, in fact, I desired, for effect, the whole affair to be known to this government. Mr. d'Amaral said he hoped I would consent to the course he indicated, as it would do good and prevent hasty and imprudent action in the future. I finally yielded with great apparent reluctance, and on condition that my unwillingness to sanction such a proceeding was distinctly placed before the government.

I should have stated earlier that, in reply to my inquiry why protest against our exercise of so palpable a right as insisting that our minister to Paraguay, temporarily absent from his post of duty, should not be hindered in returning to it, he said, “To us the right is not so clear, and we protest simply to keep the question open for argument with you, at a more convenient season.” I declared my readiness to discuss the question whenever he was so disposed, and said that, in my judgment, a solitary case would close the argument. “You are aware that in December, 1862, Mrs. Webb's health became so seriously impaired that, by advice of her physician, I took her to the river Plate in a national vessel. Now, suppose that during my absence, some six weeks, instead of Mr. Christie's making reprisals, as he did, on Brazilian commerce, the English squadron had blockaded the harbor of Rio, and that on my return the blockading squadron had refused to let me pass its lines: do you really contend that my exclusion would have been justifiable by international law? or that the government of the United States would tamely have submitted to the indignity thus offered to it, through their duly accredited representative?” He laughed, and said, “We will discuss the question at some other time.”

I had barely time before the closing of the Buenos Ayres mail to address Mr. Washburn as follows:

“LEGATION OF THE UNITED STATES,

“Rio de Janeiro, August 22, 1866.

“SIR: I have the honor to inform you that instructions have been issued by the Brazilian government to their representatives in the river Plate and its vicinity, withdrawing all obstructions to your passing their line of blockade to your post of duty, whenever it shall be your pleasure to repair thereto. A simple protest against your passing through the blockading fleet will be made, but of that you need not take any notice.

“Very respectfully, your obedient servant,

“J. WATSON WEBB.

“His Excellency CHARLES A. WASHBURN,

“United States Minister Resident to Paraguay.”

I am of opinion that the energy and promptness you evinced in your instructions to me will have a very beneficial influence upon our future relations with Brazil; but the moral influence of your action would have been lost if I had not assumed the responsibility of making these instructions known. My motive in thus acting must be my apology for the course pursued.

With great respect, I have the honor to be your obedient servant,

J. WATSON WEBB.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

A.

*Mr. Webb to Mr. Andrada.*

## LEGATION OF THE UNITED STATES.

*Petropolis, August 21, 1866.*

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to inform his excellency Senhor Martin Francisco Ribeiro de Andrada, counsellor to his imperial Majesty the Emperor, minister and secretary of state for foreign affairs, that he has read with great care and attention the despatch of his predecessor to the late chargé d'affaires of the United States, in explanation of the extraordinary proceedings of Brazil and her allies in preventing the minister of the United States duly accredited to the republic of Paraguay, and for many years resident at Asuncion, from returning to his post of duty, after a temporary absence therefrom by consent of his government.

The despatch referred to offers in defence of an act so unfriendly to the United States, and so utterly at variance with a well understood principle of international law, a letter addressed by the President of the Argentine Republic to the United States minister to Paraguay, in which he peremptorily refuses to permit the United States minister to pass the blockade of the Paraguay river established by Brazil and the republics of Uruguay and the Argentine, in their war with Paraguay. That letter the undersigned has read with great attention, and with an earnest desire to find in it the explanation which it was made the duty of the late chargé d'affaires, in the absence of the undersigned, to demand of the imperial government. But he is compelled to say that, in his judgment, the letter of President Mitre is more remarkable for its special pleading than for its friendly character or logical conclusions; and its intrinsic merits are in no manner changed by the fact, that the government of Brazil has indorsed its reasoning and adopted its conclusions, so deliberately unfriendly to the United States, and in such palpable repudiation of a well established international right. Neither the despatch, therefore, of your excellency's predecessor, nor the letter enclosed from President Mitre to Minister Washburn, are satisfactory to the undersigned, because he well knows that they will not be satisfactory to his government. He is, consequently, under the disagreeable necessity of saying to your excellency that in his opinion the demand for explanations which he was directed to make remains unanswered, by reason of its having been evaded in part, and in part offensively replied to, if, as the undersigned reads the despatch, it is intended to justify the conduct of the allies in refusing to permit a duly accredited minister of the United States to return to his post of duty, or if it be intended to convey to the undersigned the determination of Brazil to adhere to the wrong-doing of which the United States complains, as not only unfriendly, but absolutely offensive and wanting in respect to her nationality.

Under the circumstances and in pursuance of his instructions in such a contingency, the undersigned renews, in the most formal and urgent manner of which he is capable, his demand for an explanation of Mr. Washburn's treatment by the agents and representatives of Brazil in the river Plate and its vicinity; and also, he is instructed definitively to inquire, and to insist upon an early answer to the inquiry, whether it is or is not the intention of Brazil to persist in refusing Mr. Washburn permission to pass the blockading squadron of the allies near the mouth of the Paraguay; thus obstructing and hindering his return to his post of duty and the discharge of his functions at Asuncion as the duly accredited minister of the United States since 1861.

The undersigned avails himself of this occasion to convey to your excellency the assurances of his distinguished consideration.

J. WATSON WEBB.

His Excellency Senhor MARTIN FRANCISCO RIBEIRO ANDRADA,  
Councillor to his Imperial Majesty the Emperor, Minister  
and Secretary of State for Foreign Affairs.

[Per Atlantic cable.]

LONDON, *September 19, 1866.*

Plate affair settled. Washburn notified to pass blockade.

JAMES WATSON WEBB.

Hon. WILLIAM H. SEWARD,  
Secretary of State, Washington, D. C.

*Mr. Seward to Mr. Webb.*

No. 180.]

DEPARTMENT OF STATE,

*Washington, September 23, 1866.*

SIR: Your despatch of the 24th of August, No. 14, has been received. Although you have impressed upon it the mark "confidential," you will please inform the government of his Majesty that I am not able to allow it to maintain that character.

The paper treats of the final disposition and settlement of the annoying question which arose by the detention, by the allies, of Mr. Washburn, United States minister, on his return to Paraguay. It is inferred from the despatch that all obstructions have been removed, and that after so long a detention he has been allowed to proceed on his diplomatic journey. The President, however, marks the incident that the opposition to the passage of Mr. Washburn was withdrawn under a protest. So far from considering the question of the right of Mr. Washburn to proceed to his destination as a debatable one, the United States cannot consent to argue that question.

In the second place, you are authorized to state that the sensibilities of the American people have been wounded by the transaction. I am not prepared to say that, in the absence of an explanation by the allies, the settlement of the question which has been made will be held to be satisfactory.

I take great pleasure in saying that I have read with great care the copy of your note of the 21st of August to Mr. Andrada; that it is just, spirited, and magnanimous, and you are authorized to inform his imperial Majesty's government that the tenor of your note is entirely approved, and that in due time it will be officially communicated to the Congress of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., &c., &c., &c.

---

*Mr. Webb to Mr. Seward.*

[Extract.]

No. 16.]

LEGATION OF THE UNITED STATES,

*Petropolis, September 24, 1866.*

SIR: I have the honor to acknowledge the receipt on the 20th, by the steamer South America, despatches Nos. 174 and 175, of the date of July 30, and also despatch No. 176, in relation to the Nebo claim. Their contents will, of course, receive my immediate attention.

The news from the river Plate is not as satisfactory as this government could wish, but they make the most of it in their newspapers. The great attack on the fortress of Humaita is supposed to have taken place about this time. On the result of that attack necessarily depends the great question of the termination of the war, so utterly ruinous to the financial resources of Brazil, and at the same time so directly affecting the labor question, which is more vital to the welfare of the state than any other.

What Brazil requires most is labor—free labor. All her laws, as I have heretofore taken occasion to show, intended to encourage emigration from Europe, are so defective as to have proved failures. And yet, within the last two years not less than twenty thousand, probably more than thirty thousand of her free laborers, have fallen victims to battle and disease. In the mean time, her credit in the money markets of Europe has ceased, and in consequence an unlimited amount of paper money is being issued, without any apparent means of its ever

being redeemed. As a consequence, labor and all the necessaries of life are advancing at a fearful rate, and nothing but peace can cause a change for the better, although all parties admit that the war is not only just in itself, but was forced upon Brazil, equally without cause and without notice. \* \* \* \*

Brazil's difficulties are increased by the protest of Peru against the treaty of the allies in relation to their war with Paraguay, and her apprehensions that the United States may indorse that protest.

\* \* \* \* \*  
Very respectfully, your obedient servant,

J. WATSON WEBB.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. F. W. Seward to Mr. Webb.*

No. 187.]

DEPARTMENT OF STATE,  
*Washington, October 4, 1866.*

SIR: Mr. Lidgerwood's despatch No. 14, of the 5th of July last, upon the occasion of the departure of Professor Agassiz from Brazil, has been received. The fact which it mentions with reference to the liberal courtesy shown by the Brazilian authorities to that eminent man may be regarded as showing an appreciation of his merits which reflects credit on those authorities.

They are received, also, here as a peculiar kindness to a distinguished citizen which warrants this department in making direct acknowledgments thereof. A letter to the minister for foreign affairs to that effect is consequently enclosed, which you will take a proper opportunity to present.

I am, sir, your obedient servant,

F. W. SEWARD,  
*Acting Secretary.*

JAMES WATSON WEBB, Esq., &c., &c., &c.

---

*Mr. Seward to the Minister for Foreign Affairs of Brazil.*

DEPARTMENT OF STATE,  
*Washington, October 4, 1866.*

SIR: This department has learned with much sensibility of the kindness and courtesy shown by the authorities of Brazil to that distinguished man of science, Professor Louis Agassiz, during his recent visit for professional purposes to your interesting empire. The course of those authorities on the occasion referred to is regarded as showing an appreciation of the importance of Professor Agassiz's researches which does them honor, and a regard for him personally as a citizen of the United States, requiring this special acknowledgment, which I have been directed by the President to make.

I avail myself of this occasion to render to you the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

His Excellency the MINISTER FOR FOREIGN AFFAIRS  
*of his Majesty the Emperor of Brazil.*



*Mr. Seward to Mr. Webb.*

No. 189.]

DEPARTMENT OF STATE,  
*Washington, October 10, 1866.*

SIR: Your despatch of the 7th August, No. 13, in which you review at some length and with much care the situation of the war which has been so long and, as it seems to us, so unprofitably carried on between Brazil, the Oriental Republic, and the Argentine Republic on one side, and Paraguay on the other, has been received.

Without accepting your speculations as conclusive, the President authorizes me to say that if any or all of the belligerents should distinctly intimate to this government a willingness to accept its good offices with a view to secure a peace that should be just and honorable to all parties, those good offices would be promptly exercised.

The United States feel that, in a political sense, all republics and all American States are sufferers by wars on this continent which are either unnecessary or unreasonable in their beginning, or which are unnecessarily or unreasonably protracted. They have regarded the war in question with constant regret from its beginning, and they are exceedingly anxious to see it brought to a conclusion with as little detriment as possible to the honor and interests of the belligerents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., &amp;c., &amp;c., &amp;c.

*Mr. Seward to Mr. Webb.*

No. 190.]

DEPARTMENT OF STATE,  
*Washington, October 22, 1866.*

SIR: Your despatch No. 16, of the 24th September, has been received. So far as the war between Brazil and her allies against Paraguay is concerned, I refer you to the despatch which I addressed you on the 10th instant, No. 189.

The suggestion made to you has been conveyed to each of the other belligerents.

The protests by Peru and the other allied and protesting republics against the secret treaty of the allies have been received.

A despatch received from Mr. Washburn, under date of the 12th of September, shows that at that date he was yet remaining at Buenos Ayres; his detention and delay constitute a subject of discontent. I give you (confidentially) a copy of his despatch\* and of the reply\* I have made thereto, with a hope that in some way you may facilitate a solution of whatever difficulty may occur.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., &amp;c., &amp;c., &amp;c.

\* For enclosure see correspondence with the United States minister to Paraguay.

## BOLIVIA.

---

*Mr. Hall to Mr. Seward.*

No. 50.]

LEGATION OF THE UNITED STATES,  
*Cochabamba, Bolivia, October 13, 1865.*

SIR: Since the date of my last despatch, No. 49, (24th September,) the half of the provisional President's military force that was stationed here, in pursuance of orders received from him, has gone to Sucre, whither he and the other half had gone, after he defeated the constitutionalists at Potosi. The movement is significant. It indicates that, despairing of being able to subject the powerful department of La Paz to his rule, his purpose is to extend his power over the southern departments of the republic, or as many of them as he can. His inability to reduce La Paz will compel him, sooner or later, to provide for an election of members of Congress, upon which body will devolve the important duty of adopting the necessary measures for the pacification of the country. A proclamation directing such election may, I am inclined to think, be expected at an early day.

There has been no renewal of postal communications between this part of the country and the coast. I send this despatch to Zacua by an arriero.

The latest despatch I have received from your department is dated June 13, and numbered 31.

I have the honor to be, with great respect, your obedient servant,  
ALLEN A. HALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hall to Mr. Seward.*

[Extract.]

No. 52.]

LEGATION OF THE UNITED STATES,  
*Cochabamba, Bolivia, October 13, 1865.*

SIR: In my despatch of February 12, 1864, (No. 16,) I informed you of the arrival here of a number of stage coaches, the property of citizens of the United States, and of the popular enthusiasm manifested on the occasion—the military parade, the large procession with the President and the members of his cabinet at its head, which went out to meet the coaches and escort them into the city, and the shower of rose-leaves with which they were greeted by numerous ladies in the balconies overhanging the street along which the procession passed. The President, as well as the great body of intelligent men in this quarter, regarded the arrival of these coaches in the hands of enterprising citizens of the United States as a beginning of an era of progress for Bolivia, believing and hoping that this enterprise, and the men who were to conduct it, would be succeeded by other enterprises of a similar character, conducted in like manner by citizens of the United States until results of unspeakable importance to the country should be achieved.

I am glad to be able to inform you that the success of this particular undertaking has thus far corresponded in the main to the expectations of its authors.

The existing provisional government has manifested quite as favorable a disposition towards it as did the government of President Acha. Through facilities afforded by the former, one of the company has gone to the United States with funds to procure and bring hither stock for a line of coaches, and also a line of wagons, to run between this city and La Paz.

\* \* \* \* \*

After the lines of post coaches and transportation wagons between this place and La Paz shall have been established, a railroad to some point on the coast may be expected with much confidence at no distant day. Though so impoverished as regards revenue, the government of Bolivia, by the grant of certain mining and guano privileges, can induce English capitalists to construct a railroad, which shall connect the coast with the interior of the country. In the last days of President Acha's government, an English company, in consideration of such privileges, had through its authorized agent agreed to construct the road. The contract was drawn up, and would have been signed within a few days by the respective parties, but for the revolution of the 28th of December last. A communication by railroad once opened with the coast, the demand in this country for various productions of the industry of the United States will rapidly increase. At this remote point, in the interior of Bolivia, our cotton goods are universally preferred to those of Great Britain. Even the Indians here perfectly understand the superiority of the former, and always purchase them when they can be had in preference to the latter. The same may be said in reference to other articles of United States production.

I have the honor to be, with great respect, your obedient servant,  
ALLEN A. HALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hall to Mr. Seward.*

No. 53.]

LEGATION OF THE UNITED STATES,  
*Cochabamba, Bolivia, November 1, 1865.*

SIR: I have had the honor to receive your despatches numbered respectively 32, 33, and 34, and am gratified to learn that my course here in reference to the provisional government of Bolivia has met your approbation.

This city has for the third time fallen into the hands of the constitutionalists. A party of 500 troops from La Paz arrived here the day before yesterday, captured the small force left by Melgarejo for the maintenance of his authority, and are now in possession of the place. The provisional government is at Potosi. Undoubtedly its position is most critical. Its fall would seem to be a question of time only.

I have the honor to be, very respectfully, your obedient servant,  
ALLEN A. HALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hall to Mr. Seward.*

No. 54.]

LEGATION OF THE UNITED STATES,  
*Cochabamba, Bolivia, November 25, 1865.*

SIR: I have had the honor to receive your despatch (No. 35) of the 28th of September. General Melgarejo, with his army of fifteen hundred men, is still

in Potosi. This city continues in the possession of the constitutionalists. General Castro Arguedes, who has been all along the head of the party in the city and department of La Paz which has declared against Melgarejo, and which is too strong to be subdued by him, has established a provisional government. His programme is simple and effective; the "constitution," and, as soon as Melgarejo shall be put down, a congress and a constitutional government. The intelligent portion of the population in this city is very nearly unanimous in its support of Arguedes and the policy he has pledged himself to pursue.

A gentleman in La Paz, a foreigner, who has resided there for some years, and on whose judgment I rely, has spoken very highly of him to me.

I have the honor to be, with great respect, your obedient servant,

ALLEN A. HALL.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Hall to Mr. Seward.*

No. 55.]

LEGATION OF THE UNITED STATES,

*Cochabamba, February 26, 1866.*

SIR: President Melgarejo having defeated and totally dispersed the constitutional forces under Arguedes, issued a proclamation on the battle-field providing for an election of a provisional president and members of congress in May, and for the assembling of the congress in August. The battle took place at Viacha, a town about five leagues distant from La Paz, whither Melgarejo had gone with his army of sixteen hundred men from Potosi. There is now no force in arms in this country against Melgarejo. By his courage and energy, the superior discipline of his troops, and his artillery and cavalry he has triumphed over all opposition. It is most confidently believed by gentlemen of intelligence here, who are very far from being friendly to Melgarejo, that the success of the constitutionalists (so called) would not have resulted in the pacification of the country; on the contrary, it is believed that they would have quarrelled and fought among themselves immediately had they succeeded in putting down Melgarejo, there having been among them five or six aspirants for the presidency. We can expect for a long time to come no other established government than Melgarejo's.

I have the honor to be, with much respect, your obedient servant,

ALLEN A. HALL.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Hall to Mr. Seward.*

No. 56.]

LEGATION OF THE UNITED STATES,

*Cochabamba, Bolivia, April 16, 1866.*

SIR: Entire quiet continues to prevail throughout this country. Since their total defeat in January by General Melgarejo, his opponents have abandoned the idea of a further struggle with him, at least for the present. There is no force in arms against his government in any part of the republic, so far as I can learn. He has just caused the publication of a general amnesty and it is believed that all of the opposition who have fled from their homes will speedily return to them. He has made common cause with Chili and Peru against Spain, and, through their ministers in Bolivia, established the most friendly relations with those republics. I can see no prospect whatever of any armed opposition to his

rule that shall have the slightest chance of success. Such opposition will doubtless arise, sooner or later, as it has done with every one of his presidential predecessors, with one exception; but when it will arise it is impossible to foresee. His authority may exist unimpaired for years, as did that of his dictatorial predecessors, Santa Cruz, Bolivar, and Belzu; or he may fall within a shorter period, as did Cordova and Linares. Each of those presidential personages came into power by revolution, and, with the exception of Cordova, who was not feared, each was compelled to leave the country. Cordova himself, though considered a weak, harmless sort of man, was permitted to live for a short time only after his overthrow, having been shot in a military effervescence, under circumstances which rendered his death almost an assassination.

Next month General Melgarejo will doubtless be elected provisional president, and his election will be pronounced valid by the congress which will assemble in August. These circumstances considered, it appears to me that after his election in May, and without waiting for the assembling of congress in August, it would be fit and proper for the United States to recognize the government of Melgarejo as the government of Bolivia, a government as constitutional in its character, and to all appearances as firmly established, as was that of any of his predecessors at their accession to office, with the sole exception of that of the distinguished soldier and patriotic statesman General Sucre, who succeeded Bolivar, the first president of the republic. Bolivar was constitutionally elected the first president (1825) but resigned in the following year and left the country.

I have the honor to be, very respectfully, your obedient servant,

ALLEN A. HALL.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Hall.*

No. 40 ]

DEPARTMENT OF STATE,  
*Washington, April 21, 1866.*

SIR: Hitherto your instructions have been not to recognize any government in Bolivia which was not adopted through the free will and constitutionally expressed voice of the people of that republic; but, nevertheless, under the peculiar circumstances which surround the questions pending between the South American republics on the Pacific and the government of Spain, the President deems it expedient, under the exigencies of the present condition of affairs in that region, to recognize the actual government of Bolivia, if that government has become truly and in fact consolidated since the date of your despatch No. 54, of November 25th, 1865.

I enclose herewith a copy of a communication addressed by direction of the President to Señor F. S. Asta Buruaga, the chargé d'affaires of the republic of Chili, duly accredited to the government of the United States, in reference to the war existing between Spain on the one part, and Chili and her allies on the other.

Should, therefore, the late contest between the factions in Bolivia have been brought to a peaceful termination when you receive this despatch, you will signify to the minister for foreign affairs of Bolivia your readiness to renew your official relations with the duly constituted authorities of that republic.

After the consummation of the above-mentioned measures, you will address a respectful note to the minister for foreign affairs, with which you will transmit to him a copy of my\* communication of the 17th instant to Señor F. S. Asta

---

\*For this enclosure see correspondence with Chilian legation.

Buruaga, a copy of which you will find enclosed, and request a reply to the same at his earliest convenience, which, when received, you will lose no time in forwarding to this department.

In the discharge of this important instruction you are expected to exercise a sound discretion.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALLEN A. HALL, Esq., &c., &c., &c.

---

*Mr. Hall to Mr. Seward.*

No. 57 bis.]

LEGATION OF THE UNITED STATES,  
*Cochabamba, Bolivia, May 31, 1866.*

SIR : Owing, it is said, to the war between Spain and Chili and Peru, in which Bolivia has made common cause with her sister states, there have been no elections held this month for President and members of Congress, as was declared in January, by proclamation, would be the case. The failure to hold these elections does not at all change my views of the propriety and expediency of the recognition by the United States of the existing government of Bolivia. Melgarejo's government is as firmly established as has been that of any of his predecessors in office. For thirty years there has been no accession to the presidency in this country by election. All of Melgarejo's predecessors came into power originally by military violence. All save the three first presidents of Bolivia—Bolívar, Sucre and Velasco. Velasco was overthrown by Santa Cruz before he had been in office a year. It is utterly vain to hope for, at present, a constitutional government in Bolivia. Were a president elected to-morrow by a majority of the popular votes, however great that majority, he could not maintain his position six months without a military force at his command, superior to that which any of the numerous aspirants for the presidency could organize against him. The country has entirely submitted to Melgarejo's rule, and I am clearly of opinion that that submission is best for the public interests. I do not believe for a moment that, Melgarejo out of the way, there would be any other than a military government established. I believe, I have no doubt whatever, that if he were to die, the country would be immediately plunged into a civil war by some three or four, or five, or six, rival aspirants for the presidency.

Under these circumstances, I would respectfully but strongly recommend the immediate recognition by the government of the United States of the existing government of Bolivia. I am sure that the interests of citizens of the United States who have claims against the Bolivian government would be greatly promoted by such recognition.

I have the honor to be, very respectfully, your obedient servant,

ALLEN A. HALL.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Hall.*

No. 42.]

DEPARTMENT OF STATE,  
*Washington, July 10, 1866.*

SIR : I have to acknowledge the receipt of your despatch No. 57, of the 31st of May last, discussing the condition of affairs in Bolivia, and urging the expediency of an immediate recognition by the government of the United States of the present government of Bolivia.

After due deliberation the President deems it fit that you should recognize the actual government now in power, namely, that of President Melgarejo; and you are accordingly instructed, on receipt of this despatch, to inform the minister for foreign affairs of Bolivia that you will deliver your credentials to that government at such time as may be designated by him.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALLEN A. HALL, Esq., &c., &c., &c.

*Mr. Hall to Mr. Seward.*

No. 59.]

LEGATION OF THE UNITED STATES,  
*Cochabamba, Bolivia, August 7, 1866.*

SIR: I have had the honor to receive your despatches numbered, respectively, 39, 40, and 41; No. 40 was received on the 7th of June. On the 9th, I addressed a communication to the secretary general (who is also minister of foreign affairs) expressing my readiness to renew my official relations with the government of Bolivia; (see copy of this communication marked No. 1.) It was not until the 15th of July that I received a reply, (dated July 9th.) The reply being entirely satisfactory, (see copy marked No. 2,) I, on the 16th of the same month, transmitted to the acting secretary general, at La Paz, a copy of the communication addressed by you to the chargé d'affaires of Chili, dated April 19, 1866, and requested a reply "at his earliest convenience." As yet, I have received no reply. When received, I shall forward it to you without delay.

I have the honor to be, very respectfully, your obedient servant,

ALLEN A. HALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State.*

No. 1.

*Mr. Hall to Mr. Muñoz.*

LEGATION OF THE UNITED STATES,  
*Cochabamba, June 9, 1866.*

SIR: Referring to my note of the 11th of May, 1865, addressed to the minister of foreign affairs, I have the honor to inform you that, acting under instructions from the government of the United States, I have reported to it, from time to time, the progress of the civil contest in this country, which followed the events of the 28th of December, 1864, awaiting, as instructed, a final result of that contest, and also awaiting, after such result should occur, still further instructions as to the course which, under the circumstances, it would be my duty to pursue.

A final result having been achieved—the intestine strife that prevailed for the supremacy having been brought to an end—and the government of Bolivia having become truly and in fact consolidated and firmly established, I am instructed by the government of the United States to signify to the minister of foreign affairs of Bolivia my readiness to renew my official relations with the constituted authorities of the republic.

I comply with these instructions with unfeigned pleasure, the more particularly as (speaking my own individual opinion) I truly believe that the best interests of Bolivia will be promoted by a continuance of the peace and tranquillity that now prevail throughout the whole country.

With the highest consideration, I have the honor to be, &c.,

ALLEN A. HALL.

Hon. MARIANO DONATO MUÑOZ,  
*Secretary General, &c., &c., &c.*

No. 2.

*Mr. Taborga to Mr. Hall.*

[Translation.]

LAJA, July 9, 1866.

SIR: I have the pleasure of replying to your esteemed communication of the 9th ultimo, in which you were pleased to state the causes which had interrupted your official relations with the government of Bolivia, and also to felicitate the President upon the pacification of the republic.

I am instructed by the President to reply to your communication in a satisfactory manner, and to render to you his thanks for the felicitations you were pleased to offer him, expressing to you at the same time the desire of the government of Bolivia to cultivate the closest relations with the government you represent.

With this feeling, I reiterate to you assurances of my distinguished consideration.

JOSÉ R. TABORGA.

ALLEN A. HALL, Esq., &amp;c., &amp;c., &amp;c.



## CHILI.

*Mr. Nelson to Mr. Seward.*

No. 229.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, October 31, 1865.*

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 107, 108, 109, and 110. They arrived at Valparaiso on the 19th instant, having been brought from Callao by her Britannic Majesty's frigate Leander, the flagship of Commodore Hervey.

In my despatch No. 227, of the 17th instant, I informed you of the result of my interview with his excellency the President of Chili, and with Mr. Covarrubias, minister of foreign affairs, for the purpose of tendering the good offices of our government, and of proposing arbitration for the settlement of the questions pending between Chili and Spain. I also informed you that I had embodied the same views in a note to Mr. Covarrubias, and that the diplomatic corps had addressed both this government and Admiral Pareja suggesting an armistice with a view to arbitration.

On the 18th Mr. Covarrubias replied to my note of the previous day, repeating the observations made to me in our interview, and expressing the gratitude of his government for the friendly interest of our own.

The government of Chili in this reply does not decline the offer of arbitration. Mr. Covarrubias says that the employment of that measure naturally entered into its conciliatory and pacific views for the settlement of the difficulties; but that the rude developing of events kindling the war between Chili and Spain, a development to which his government has not co-operated, has only served to prevent it from recurring to any means of peaceful solution; that our government could not have foreseen such an emergency, or that its grateful pledge of friendly interest in the fate of Chili would arrive when the opportunity for arbitration had already passed.

The minister adds that, nevertheless, his government, in its sincere solicitude for peace—in its earnest and no less sincere desire to present a proof of friendly deference to the suggestions of our own—has endeavored to re-establish that lost opportunity, so as to make arbitration possible.

For a fuller expression of his views Covarrubias refers me to his reply to the diplomatic corps of the same date, (B,) which he transmitted to me, with a brief note of enclosure, (C.)

In that reply he states that he feels it his duty to dissent from the opinion of the diplomatic corps, that the questions at issue are only those of honor, and not of material interest; that the aggressive, inconsistent, and insincere policy of Spain in the Pacific involves designs disastrous to the stability and repose of American republics, and, consequently, to the interests of the friendly nations maintaining important industrial and commercial relations with them; that, therefore, if the question of honor be the first, it is not the only one for Chili to contemplate, nor the only one which impelled Spain to her unjustifiable rupture with the republic. In the opinion of Mr. Covarrubias the safety of this and all neighboring republics would be illy provided for were the present danger alone to be averted, and the future unjust pretensions of that power not to be forever silent.

He proceeded to say that the material injury to the republic is great; that

surprised in the midst of profound peace by unlooked for hostilities, the country finds itself unarmed and unprepared for resistance on the sea; that her capital elements of production and laboring classes have all been diverted from their legitimate, peaceful avocations to warlike objects, her income has been diminished, and desolation caused to her commerce, manufactures, navigation, and agriculture.

Having thus demonstrated that although Spain might be making war for mere questions of honor, Chili has now received material injuries of serious character, Mr. Covarrubias proceeds to consider the proposal of arbitration.

He states that arbitration is usually resorted to prior to hostilities having taken place, and while the parties are yet upon equal terms; that this equality between Chili and Spain has disappeared, but might be restored by restoring the *statu quo ante bellum*—that is to say, by the withdrawal of the Spanish fleet from Chilian waters, and the return of the captured prizes.

"The government of the undersigned," says the minister of foreign relations, "consistent in its humane and moderate policy, and filled with a sincere solicitude for the interests of friendly nations, compromised in the struggle, does not hesitate in acceding to the propositions which the respected diplomatic corps resident in Santiago has been pleased to address it, so soon as the condition precedent, of the re-establishment of the question in *statu quo ante bellum*, shall be accepted."

These notes, owing to my absence from Santiago, I did not receive until the 21st instant.

On the 18th day of October, three days prior to the receipt of the foregoing notes, I proceeded to Valparaiso, for the purpose of seeking an interview with Admiral Pareja, and of endeavoring to interpose with him the good offices of our government in the existing crisis. The representatives of England, France, Italy, and Prussia accompanied me, with similar objects in view, in behalf of their respective governments.

On my arrival at the port I despatched a note to Admiral Pareja, informing him of my presence there, and of the purpose of my visit, requesting him to name an hour at his earliest convenience for the interview, (D.) I stated that the *chargé d'affaires* of Prussia and the secretary of this legation would accompany me.

He replied at once, stating that he would be happy to receive me at any hour, with the gentlemen named in my note, (E.)

On the following day at one o'clock I proceeded on board the flag-ship *Villa de Madrid*, accompanied by Mr. Levenhagen and Mr. Rand, and was received with great courtesy and attention by the admiral in person.

I deemed proper to open the conference by remarking that I had received instructions from my government relating to the condition of affairs between Spain and Chili, looking to a peaceful termination of the difficulties; that I had communicated these instructions to the government of Chili; that instructions of like import had been given to our minister at Madrid, and that I felt it to be my duty to communicate the same to him. I then informed his excellency (repeating the language of your despatch) that the President of the United States had learned with great regret that the efforts heretofore made for a reconciliation between the two friendly states had failed, and that, consequently, a recurrence of hostilities, in form more or less modified, might be apprehended; that I was instructed to ask them, in the President's name, to consider whether in the event of the failure of diplomatic effort to adjust the controversy, it might not be properly referred to the arbitrament of some friendly power; that in the opinion of the United States the interest of European states, as well as of those of this continent, would be promoted by assuaging, and, if possible, removing all existing controversies among the American states, and all controversies between them and those situated on the European continent, and that if the nations imme-

diately concerned should be able to come to an arrangement, at once peaceful and mutually satisfactory, the United States would find in that arrangement fresh motives for cherishing the friendship which is cordially entertained by our country for each of the parties; that the object of my visit was to fulfil the instructions of my government, and to offer, in the name of the President of the United States, its friendly offices to avert the impending calamities caused by the existing state of hostilities between Spain and Chili.

Admiral Pareja replied that he cordially thanked the government of the United States, in the name of that of her Catholic Majesty, for this friendly step; that he had received a communication from the diplomatic corps resident in Santiago, expressing the same benevolent sentiments, and felt personally grateful to every member of that body for the interest manifested by them in this controversy; that although willing to accept the good offices of the representatives of friendly nations, his instructions did not permit him to accept of *arbitration*; that he had, in fact, received communications from Spain informing him that *arbitration* had been proposed by the government of the United States to that of her Catholic Majesty, through Mr. Perry, our representative in Madrid, and had been declined by Spain, and for that reason he must decline a similar proposition.

I informed his excellency that some error or misapprehension must exist in the premises, as he would perceive by an examination of his correspondence; since the despatch alluded to, which informed me of the wishes of my government, dated August 29th, 1865, also enclosed a communication from Mr. Perry, containing the substance of a long and interesting interview upon the subject with his excellency Señor Bermudez de Castro, minister of foreign relations of her Catholic Majesty, in which no mention whatever was made of an offer of *arbitration* on his part, or of its declination by that government; and that, moreover, my own government, under the same date, had addressed Mr. Perry a similar instruction to the one received by me, which would hardly have been the case had such offer already been declined. I said, also, that he probably referred to a tender of good offices made by my government last year, pending the correspondence between Mr. Tavira and Mr. Covarrubias.

Admiral Pareja stated that the communications that he had received, and which it would give him great pleasure to exhibit to me, were also in regard to the conference had between Mr. Perry and Mr. Bermudez de Castro, and therein appeared the offer of *arbitration* made by the former in the name of his government, which offer was declined on the part of the minister of foreign relations of Spain. That in his opinion arbitration might be accepted by powers between which questions of difference had arisen prior to the opening of hostilities, but that these once begun, the usages of international law required such differences to be settled by the nations themselves; that questions involving material interests could be with great propriety referred to the arbitration of a friendly power, but those of honor could only be properly settled by the parties interested; that in the present case there were no pecuniary demands on the part of Spain; the questions are of honor, and therefore, in his opinion, admitted of no reference.

The minister of Prussia, Mr. Levenhagen, here stated that there were precedents favoring a different view; that when Brazil was offended by England in her *amour propre*, a question of interest being at the same time raised, payment of the amount due was first made, and, that paid, the question of honor was referred to the arbitrament of his Majesty the King of Portugal.

I added that the history of diplomacy abounded in similar precedents, and asked which one, of all the questions in dispute, could not properly be referred to the decision of a friendly power?

His excellency replied, that although the opinion of the minister of Prussia was much more weighty than his own, since he was not a diplomatist by pro-

cession, he nevertheless differed from him in his mode of viewing the question, continuing to believe that questions of honor are not those which should be submitted to arbitration.

It may here be observed that the day following this interview the memorandum thereof was submitted to the admiral by the secretary of this legation, and acknowledged to be correct, with this exception, that his excellency desired to insert the word *mediation* wherever the word *arbitration* occurs italicised in the preceding paragraphs. This was evidently an afterthought. The word *arbitration*, and not *mediation*, was employed by the admiral, and my recollection is fully confirmed by that of the Prussian minister and the secretary of this legation. I of course could not assent to the change, and several important points having been omitted from the rough draft, owing to the haste with which it was prepared, and the great length of the conference, I caused a more complete and careful memorandum thereof to be prepared, which will be embodied in this despatch. Desiring that my own recollection of the same should receive the confirmation of my colleague, the chargé d'affaires of Prussia, I addressed him a brief note, requesting him to carefully examine the memorandum and give his opinion as to its fidelity. Mr. Levenhagen's reply, a copy of which I have the honor to enclose, (G,) fully endorses the accuracy of my own remembrance of the conversation.

Were further confirmation needed, it may be found in facts stated by Mr. Thomson, her Britannic Majesty's chargé d'affaires, who arrived on board the Villa de Madrid prior to the termination of my interview, and remained after my departure. He mentioned that prior to entering upon a conference with him, Admiral Pareja begged to be excused a moment, and producing his communications from Madrid, stated that he had informed me that arbitration had been proposed to his government by our representative in Madrid, but declined, and that I had insisted that according to my own despatches no such proposition had been made or refused; that he wished to assure himself that I was in error, and he correct.

Mr. Thomson stated that Admiral Pareja read the despatch on the subject twice carefully, and seemed chagrined at his inability to discover the word *arbitration*, freely expressing his surprise.

Returning to the interview, I said that I desired to abstain completely from entering into any discussion of the question of grievance between Spain and Chili; that the present hostilities were bringing ruin upon the neutral and unoffending commercial community of Chili; that the situation of Valparaiso, and in fact of all the commercial ports of Chili, was an exceptional one, the vessels and merchandise forming that commerce being the almost exclusive property of foreigners, and I gave it as my opinion that, were the ports of Chili from Atacama to Cape Horn to be laid in ashes, the vitals of the republic would be yet untouched; that it was my deliberate and decided conviction that even if such deplorable events were to take place, and not only foreign commerce, but the very sea-ports themselves, to be utterly destroyed, the government of Chili would not yield to demands thus made; that, in fact, I was assured that that government had been always willing to enter into discussion of the questions at issue; that even on the hypothesis that the complaints of Spain were most just, and her demands such as ought to be granted, yet, in presence of the menace offered by his excellency in his note of the 17th of September, they could not be complied with without Chili being absolutely degraded among nations. This, I stated, was not an individual expression of opinion, but was fully concurred in by my honorable colleague of Prussia who accompanied me, and, as I believed, by every member of the diplomatic corps; that the diplomatic corps had already expressed its opinion to his excellency in regard to the *onus* of the responsibility, which for my own part I now desired earnestly to reiterate.

His excellency replied that he respected highly the opinions of the diplomatic corps; that he deplored as deeply as myself the evils which must necessarily fall upon foreigners, but that the consideration of those evils ought not to do away with the rights of belligerents, and that the responsibility did not rest upon him. He added, in allusion to the note addressed by him to the government of Chili on the 17th of September, that not only was it in conformity with the instructions he had received from the government of her Catholic Majesty, but it was his duty to remark that this note did not treat of a new subject hitherto undiscussed, in which case it might, perhaps, have been considered violent and improper, but that the affair to which the note alluded had been discussed calmly and with deliberation by the government of her Catholic Majesty and the republic of Chili during eighteen months, and that after the interchange of so many notes, the government of Spain considered itself justified in specifying to that of Chili the points of satisfaction which it considered due within a peremptory term, keeping in view the length of time which had elapsed since the claim was initiated, and that, therefore, the government of her Catholic Majesty placed the question upon the ground it occupied on the 13th of May, and notwithstanding my remarks in regard to the injury which would be caused to foreign commerce by hostilities of any kind against the ports of Chili, while they would cause but little injury to the republic, her vitals being untouched, he begged me to state to him what would I have done under similar circumstances.

I replied that I should have presented myself in the attitude of peace; have endeavored to obtain from the government of Chili, by the ordinary channels of negotiation, the concessions I was instructed to seek; have first exhausted the customary diplomatic expedients, and even have sought the good offices of other friendly representatives near that government, and only as a last resource would have employed more stringent measures; that in my opinion diplomatic expedients had not been exhausted or even employed, and that, without questioning him as to the nature of his instructions, those intimated in the credential letter of her Catholic Majesty of July 24th, evidently pointed to an effort to arrange the differences diplomatically before proceeding to force; that in my opinion he had violated both the letter and spirit of his instructions; that the programme of Spain in regard to Chili, as indicated in the interview between Mr. Perry and Mr. Bermudez de Castro, and the despatch read to Mr. Seward by Mr. Tassara, distinctly included an effort to bring about a peaceful solution of the pending questions before proceeding to the extremity of war. I then read to Admiral Pareja the following extract from Mr. Perry's despatch:

"He" (Mr. Bermudez) "said also that Admiral Pareja would be permitted by his instructions to communicate with the foreign representatives and consuls in Chili, freely informing them of the steps he should take with the Chilian government, and that he would be glad of their good influence to aid in securing a peaceful termination to this difficulty."

I then said that I was convinced that had his excellency proceeded to the capital and opened negotiations anew in the spirit of these instructions with the Chilian government, the diplomatic corps would have taken pleasure in tendering their friendly offices and those of their governments in the sense of conciliation; that, had his excellency addressed a note to the government of Chili, informing it of the disapproval of the Taveira-Covarrubias settlement, and placing matters upon the same basis as upon the 13th of May last, but omitting the menace and ultimatum contained at its close, the government of Chili would, as it always has, have been willing to enter at once into new negotiations with a view to the final settlement of all questions at issue; that no opportunity had been afforded by his excellency for the proposition of arbitration, or any other peaceful solution before the opening of hostilities; that the door appeared to have been purposely closed by the peremptory character of his demand as first made.

The admiral replied that, as he has already stated, he has acted in accordance

with the instructions of his government, it being his duty to repeat the same considerations respecting the time elapsed since the initiation of the claims, and that, the government of her Catholic Majesty having considered as null the arrangement made between the government of Chili and Mr. Taveira, the question remained in the situation it occupied on the 13th of May. And the subsequent demand must have the peremptory character rendered necessary by the offences offered to Spain, and the evasive replies given for so long a period by the government of Chili.

I stated that the admiral seemed to forget that the negotiations prior to the 13th of May all resulted in a peaceful solution; that the government of Chili acted doubtless in good faith in signing Taveira-Covarrubias' arrangement, and believed, as did most of the civilized world, that that agreement would be satisfactory to Spain; that if she gave no fuller explanations than those given before, it was because the representative of Spain, whom Chili was bound to believe fully authorized by his government, exacted nothing more; that, reposing with confidence upon that belief, our commerce in the Pacific to the value of millions of dollars, which had languished during the probability of a serious misunderstanding between the two nations, had again revived and become flourishing; that this confidence was the more natural since his excellency himself in his treaty with General Vivanco in the waters of Callao had alluded to Chili as a friendly nation.

The admiral replied that he respected highly the opinion of the minister of the United States, regarding the effect produced by the Taveira-Covarrubias arrangement, but he himself thinks that many doubted the possibility of its acceptance by the government of her Catholic Majesty that he could cite among others Mr. Perry himself, who, so soon as he knew of the said arrangement, and without being aware of its disapproval by that government, presented himself frankly and generously to the minister of foreign affairs of Spain, offering the *arbitration* of the government of the United States, calculating that that arrangement might aggravate the pending difficulties between Spain and Chili. In regard to the expressions contained in the treaty entered into by his excellency with General Vivanco, he said that he could not have entitled Chili otherwise than a friendly nation, since there existed with her a solemn treaty of recognition and friendship, a title he had a right to give her so long as diplomatic relations were not yet broken off, but that she was a friend who had committed acts of offence against Spain which demanded reparation.

I then stated that, although far from wishing for a moment to manifest any desire to ascertain more of the character of his instructions, I did wish to know whether the admiral could not within them declare an armistice until renewed instructions could be received from Spain, to which he replied that he regretted deeply not being able to accede to this request; that he had no authority to act otherwise than he had done.

I then requested an assurance from his excellency that he would not give to the hostilities a graver character than they already bore, until he could learn the result of the efforts which my government, through its representative at Madrid was undoubtedly making to obtain a peaceful solution of the pending questions.

This assurance his excellency likewise declared himself unable to give, not being authorized to do so.

I entreated Admiral Pareja to meditate well before proceeding to additional measures which were entirely opposed to the earnest wishes of my own government, to those of the representatives of foreign powers allied by the closest ties of friendship and even of blood with Spain, and ever opposed to humanity itself.

His excellency replied that he had manifested the most earnest disposition to concede everything possible to neutrals; that the minister of Prussia there present could testify to his leniency in restoring to its owner a vessel taken as

a lawful prize, but being the property of a Prussian subject, whose limited means would have rendered the loss of the vessel his ruin, he cheerfully restored her to him; that the United States consul could inform me of similar instances of clemency towards Americans.

I stated that not only was I aware of this, but I availed myself of the occasion to say that never had a blockade come within my knowledge, conducted with so much courtesy, and I with pleasure bore testimony to the leniency of his excellency towards neutrals in such cases.

I remarked that in war as in diplomacy there is always some especial object aimed at, and asked his excellency whether, had he upon his arrival endeavored first to obtain the object his government proposed by the conciliatory paths of diplomacy, aided as he would have been by the friendly mediation of every representative of foreign governments in Santiago, and by those governments themselves, he would not have obtained more easily, more successfully, that object?

His excellency stated in reply that he, as well as other officers of the government, military or diplomatic, could not be judge of the mode of proceeding, where instructions were as clear and precise as his own, to which he adhered.

I finally said that the action of the diplomatic corps had been the result of mature and careful deliberation; that I myself, as well as they, had unceasingly endeavored to bring about a peaceful discussion of the difficulty between Spain and Chili; that even now, should any opportunity offer whereby my personal efforts or the good offices of my government could be made available to that end, I earnestly hoped that his excellency would not hesitate to avail himself of the same unreservedly and at any time, and that, at all events, it could not be said that the tremendous responsibility for the incalculable evils suffered by my countrymen in consequence of this deplorable misunderstanding, could fall upon my government or myself, but upon those who were in fault.

The chargé d'affaires of his Majesty the King of Prussia, Mr. Levenhagen, had accompanied me at my invitation. I stated this to the admiral, upon which Mr. Levenhagen added that he had gladly accepted my invitation, because the object of my conference was highly important for him in the interests of Prussia and the whole of Germany; that he, as well as myself, wished that the present war might be brought to a speedy conclusion by the acceptance of arbitration or some other friendly arrangement. He thought that the admiral, as well as himself, would wish that such might be the consequence of our visit, as it would be impossible for his excellency to force Chili to accede to his demands, the Chilians not being affected by the hostile measures which he had taken or might take; that the burden of the same was almost exclusively falling on the neutrals; that these were the owners of the capital, the foreign goods, and the merchant vessels of Chili; that the injury done to those objects would ruin the neutrals, if it continued, without affecting Chilean interests gravely; that the Chilians lived now, as they had done heretofore, comfortably in the interior of their country, having grain, cattle, and whatever they require besides in plenty; that if the admiral had thought proper to claim of the Chilean government a salute before he began the war, he could not, in the opinion of the chargé d'affaires of Prussia, ask for it now, since he had declared the war, and done to the country all the injury in his power; that, therefore, the chargé d'affaires expected confidently that the admiral would at least waive that pretension.

The admiral replied that he felt deep regret for the sufferings which the war brought upon the neutrals; that he would alleviate them as far as was compatible with his duty as a belligerent; that he had already done so; but that above all he must obey instructions; that these forbade him to accept arbitration, and obliged him still to claim the salute, which he consequently could not renounce.

When I informed the admiral, early in the interview, that I had been advised by my government of the conversation between Mr. Bermudez de Castro and

Mr. Perry, that the general tenor of his instructions was clearly indicated therein, and that he had violated them in the peremptory character of his proceedings, he exhibited unmistakable signs of agitation, nor did his self-possession return during the interview. His replies became evasive, and finding his position untenable by argument, he constantly fell back upon his instructions. Unaware of their precise nature, I was still sufficiently so to be confident that he had exceeded them, in the presumption of a prompt compliance with his demands if accompanied by a show of force and threat of hostile measures, and did not fail to solemnly enjoin upon him to meditate well the consequences of further hostile acts, whose immediate effects would fall upon the innocent neutral, while the enemy he sought to reach would escape almost unscathed.

One of the results of the conference was undoubtedly a change of programme on the part of the admiral. His threat of bombardment and notice to foreign merchants to place their interests in safety, contained in his note of the 12th instant to her Britannic Majesty's chargé d'affaires, seemed to indicate a fulfilment of his orders to blockade for thirty days, at the expiration of which, if Chili still refused to accede to his demands, he was authorized to proceed to other hostile measures. The thirty days expired on the 24th, and yet no such further acts have occurred. On the contrary, finding it impracticable to maintain this paper blockade of the whole coast of Chili, he has receded from that position, and an official notice was posted in the Exchange at Valparaiso, on the 28th instant, to the effect that only the ports of Tomé, Talcahuano, Valparaiso, Herradura, Coquimbo, and Caldera are blockaded. (H.)

As the government of Chili, under date of the 7th instant, declared all ports of Chili ports of entry, and abolished import duties, the closure of the above harbors will prove only embarrassing, but by no means disastrous to the country. It is my impression that the admiral will not resort to more violent measures until he can hear from the government at Madrid, it being now obvious that the tenor of his instructions and his violation of them are known.

On the day following the interview, the 20th, the admiral transmitted me a note, addressed to me as president of the diplomatic corps, in reply to the one addressed him by that body on the 17th instant. (I.)

After expressing, in the name of his government, his grateful sense of the efforts of the foreign representatives residing at Santiago to endeavor to terminate the existing hostilities, which none deplored more than himself, and which he would endeavor to alleviate as far as possible, he dissented from the opinion of the diplomatic corps, that questions of honor could be submitted to any other judge than the offended party, and regretting profoundly that his instructions did not permit him to accept of arbitration, gave as a motive therefore the fact that hostilities had already begun, and that a nation having once undertaken the defence of its honor, could not transfer that duty to another.

The admiral proceeds to state that, even before the rupture between Spain and Chili, the former had refused the mediation of a sincere and respected friend, and that, consequently, more especially since hostilities have begun, he cannot accept their own, since, for the same reasons, he has felt compelled to decline that of another friend, as sincere and respected as the one before mentioned.

I beg to here point out that the admiral speaks of mediation offered through Mr. Perry, and not of arbitration, as stated by him in the interview of the previous day. The measure urged upon him by the diplomatic corps and by myself was arbitration.

The admiral closes by intimating his disposition, in spite of all the foregoing, to negotiate upon the indeclinable conditions precedent stated in his first note to the government of Chili, of satisfactory explanations, and a salute to the Spanish flag, to be immediately returned by one of the Spanish fleet; that compliance therewith involves no humiliation to Chili, but, on the contrary, would be merely tribute to justice.



On the 23d I convened the diplomatic corps, and submitted to them the replies of the secretary of foreign relations and of Admiral Pareja. It was resolved that I should address a brief note to each, acknowledging the receipt of the replies to the note of the diplomatic corps of the 17th instant, and regretting, in the name of that body, that the conciliatory steps taken by its members should have been unsuccessful, and that there only remained for them the duty of informing their respective governments of their fruitless efforts to terminate a useless war, no less disastrous to their respective peoples than to the belligerent parties. (K.) These notes bear date October 24th, 1865.

Thus the government of Chili, on the one hand, will not consent to arbitration, unless preceded by a restoration of the *statu quo ante bellum*. While Admiral Pareja, on the other, refuses a like proposition, unless satisfactory explanations are first given and the flag of Spain is saluted. Foreign interests are suffering greatly; yet it is most gratifying to believe that the voice of diplomacy, uplifted in earnest appeal and warning, has probably saved the fairest port of the south Pacific from being laid in ashes.

I have the honor to remain, very respectfully, your obedient servant,  
THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

*Mr. Covarrubias to Mr. Nelson.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS, REPUBLIC OF CHILI,  
*Santiago, October 18, 1865.*

SIR: I have had the honor to receive the note of yesterday with which your excellency was pleased to honor me, for the purpose of manifesting to my government, in pursuance of instructions from that of the United States, the propriety of submitting the decision of the questions which have recently been made the pretext for the unjustifiable aggression of Spain against the republic, to the arbitrament of a friendly power.

The benevolent terms in which your excellency makes this suggestion, the exact considerations upon which it is based, the fact that it was addressed at the same time to the cabinet at Madrid, as your excellency is pleased to inform me, all contribute to make evident to my government, as in truth it was seen in this step, a new pledge of the friendly interests of your excellency's government in favor of the republic, and a motive for sincere gratitude therefor.

In the conciliatory and pacific views of the policy of my government, the employment of arbitration for the solution of its difficulties with the cabinet of Madrid naturally entered. But your excellency has been a witness of the rude development of the events which have kindled the war between Chili and Spain, a development to which my government has not co-operated, and which has only served to prevent it from recurring to any means of pacific solution.

The government of the United States could not have foreseen such an emergency when it addressed your excellency the instructions in question; it could not have foreseen that these would arrive in Chili when the opportunity for arbitration had already passed.

Nevertheless, my government, in its sincere solicitude for peace, and in its earnest and no less sincere desire to present a proof of friendly deference towards the suggestions of your excellency's government, has endeavored to re-establish that lost opportunity, in order to render possible the proposed arbitration. This your excellency will be pleased to observe in my communication of this date to the honorable diplomatic corps resident in Santiago, whereof your excellency is the worthy dean.

The offer which your excellency is pleased to make of the good offices and friendly mediation of your government, to obtain the peaceful settlement alluded to, has had no little influence in this determination. While cordially grateful for so generous an offer, the government of the republic finds therein the prospect of an arbiter whose high impartiality and profound acquaintance with the legitimate interests of the two belligerent parties indicate it as most fitting to resolve the present question.

Will your excellency be pleased to transmit to your government, in the name of my own, this reply, and accept the reiterated expression of my most distinguished consideration and regard, with which I am your excellency's most obedient servant,

ALVARO COVARRUBIAS.

The ENVOY EXTRAORDINARY, &c., &c., &c.

B.

*Mr. Covarrubias to the diplomatic corps.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS, REPUBLIC OF CHILI.

*Santiago, October 15, 1865.*

The undersigned, minister of foreign relations of Chili, has had the honor to receive the note, which the honorable members of the diplomatic corps, resident in Santiago, has been pleased to address him under date of yesterday, through the medium of their worthy dean, the envoy extraordinary and minister plenipotentiary of the United States of North America, with the object of proposing to the government of the republic to submit the decision of its differences with Spain to arbitration, and that if it should accept this pacific measure, and the chief of the Spanish squadron, to whom a like proposition had been addressed, should also accept the same, both parties should proceed to adjust an armistice, while a convention should be held for the purpose of naming the arbiter.

Complying with the instructions of his excellency the President of the republic, the undersigned hastens to reply to the said communication, beginning by assuring the honorable members of the diplomatic corps that the government of Chili does full justice to their loyal and repeated efforts in favor of peace, and sincerely coincides with them. The present reply will be the best evidence of such sentiments. But before proceeding to give it, the undersigned will permit himself to rectify an opinion emitted in the note before him, in which it is said that the two nations (Chili and Spain) "are waging war against one another, not to secure material advantages, but to resolve a question of honor." In thus believing, the diplomatic representatives resident in Santiago have only interpreted the motives of the Spanish policy according to their own sentiments of loyalty, justice and prudence, and those of their enlightened governments. That of the republic likewise, taking its own intentions as a standard, gave faith during a long period to the promises of the cabinet of Madrid, and judged it to be impelled solely by considerations of honor and dignity.

Unfortunately a series of events finding their origin in the occupation of the Chinchas, the antecedents of that occupation and many other circumstances well known to the diplomatic ministers resident in Santiago, together with the unlooked-for aggression of which Chili has just been the object, have formed in the mind of the government of the undersigned a sad conviction. The course of dissimulation, contradiction and aggression of the cabinet of Madrid, in the Pacific, involves designs as illicit, as disastrous to the stability and repose of the American republics. And in this sense the Spanish policy is not less prejudicial to American interests than to those of the nations to whose representatives he has the honor to address himself at this moment—nations which maintain with these countries industrial and commercial relations of the most unquestionable importance.

Therefore, if in the present war the question of honor is the first, it is not the only one that has weight in the opinion of the government of Chili; and it is far from being that which has dragged the cabinet of Madrid to its rude and unjustifiable rupture with the republic. The safety of this country, as well as that of all the Pacific States, is seriously threatened by the present hostilities of Spain, and would be illy provided for if, in removing the danger of today, were not forever banished the unjust aggressions of that power, or if an open field were left for them in the future.

The government of the undersigned would deem itself most happy were its convictions in this respect erroneous; but even were it so there would always be, in its opinion, in the present struggle not only of honor, but also of very great material damages. The republic being surprised by an unjust aggression, in the midst of a long and flourishing peace, was found almost unarmed, and without resources for a maritime war. In order to provide for her defence, she has had to improvise armies—converting her peaceful and industrious citizens into soldiers—divert the heavy capital, formerly destined to the fruitful works of manufacture, and contract, within and without the country, obligations which weigh heavily upon her credit. Add to this the confusion introduced into her financial affairs, by a war which has dried up the principal fountain of her income—the customs—nor let the desolating influence of the same event upon the commerce, navigation, manufactures, and agriculture of Chili, be forgotten.

Although none of the foregoing can influence the government of Chili to depart from the course indicated by the dignity of the republic, nevertheless, it is thereby made evident that the latter has before it something more than a question of honor, although this might be the only one sought by Spain.

The true signification of the present contest being thus rectified, the undersigned will proceed to occupy a moment longer the kind and enlightened attention of the diplomatic corps resident in Santiago, in order to examine the proposed measure of pacific solution.

Arbitration usually takes place before hostilities are declared between the parties to a misunderstanding, and when they are yet upon equal terms. That this equality has disappeared between Chili and Spain is sufficiently demonstrated by what the undersigned has just stated,

were it not a fact too evident to escape the penetration of the honorable members of the diplomatic corps. Nevertheless, such inequality might be repaired if matters were placed in the state they occupied prior to the 16th of September, ultimo, on which day the squadron of Admiral Pareja arrived at Valparaiso. The mode of arriving at this result is most obvious, since it would be merely the departure of the Spanish fleet from the ports of Chili until the republic shall possess naval forces which may resist it without disadvantage, and the return of the vessels and cargoes captured.

Affairs being by this means re-established upon the footing they occupied prior to the aggression, the inopportuneness which embarrasses the employment of arbitration in the present question would be to a certain extent remedied.

The government of the undersigned, consistent in its humane and moderate policy, and filled with a sincere solicitude for the interests of friendly nations compromised in the struggle, does not hesitate in acceding to the proposition which the respected diplomatic corps resident in Santiago has been pleased to address it, so soon as the condition precedent of the re-establishment of the question *in statu quo ante bellum* shall be accepted.

The belligerent parties having once agreed upon this preliminary step, the agreement to an armistice may follow, to be succeeded by a convention of arbitration in which the question may be presented to the arbiter under the different aspects which it wears, and which the undersigned has indicated in the course of the present communication.

The undersigned flatters himself with the hope that the honorable members of the diplomatic corps will recognize in this resolution of the government of Chili a new proof of the sentiments of peace and conciliation which animate it, and to which it has been willing to sacrifice considerations of much moment, alluded to in this note.

The undersigned, with this motive, offers to the diplomatic ministers resident in Santiago the assurances of his perfect esteem and consideration.

ALVARO COVARRUBIAS.

Their Excellencies the MEMBERS OF THE DIPLOMATIC CORPS,  
*Residing in Santiago.*

---

C.

*Mr. Covarrubias to Mr. Nelson.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS, REPUBLIC OF CHILI,  
*Santiago, October 18, 1865.*

The undersigned, minister of foreign relations of Chili, has the honor to transmit to the envoy extraordinary and minister plenipotentiary of the United States of North America the enclosed reply to the communication of the diplomatic corps resident in Santiago, which his excellency was pleased to transmit him with his note of yesterday.

The undersigned reiterates to the Hon. Mr. Nelson the assurances of his distinguished consideration and esteem.

ALVARO COVARRUBIAS.

The ENVOY EXTRAORDINARY, &c., &c.,  
*of the United States of North America.*

---

D.

*Mr. Nelson to Admiral Pareja.*

HOTEL AUBREY, *Valparaiso, October 18, 1865.*

SIR: I have the honor to announce that I have this moment arrived at Valparaiso, for the purpose of seeking an interview with your excellency at your earliest convenience. Will your excellency be pleased to indicate the hour?

The minister from Prussia and the secretary of my legation will accompany me.

I have the honor to remain your excellency's obedient servant,

THOMAS H. NELSON.

His Excellency the COMMANDER-IN-CHIEF  
*of the Squadron of H. C. M. in the Pacific, &c., &c., &c.*

E.

*Admiral Pareja to Mr. Nelson.*

[Translation.]

HEADQUARTERS PACIFIC SQUADRON, FRIGATE VILLA DE MADRID,  
*Valparaiso, October 12, 1865.*

MY DEAR SIR: I have had the honor to receive your excellency's note, announcing to me your arrival in Valparaiso, and the object of your visit. It gives me the greatest pleasure to manifest to your excellency that at any hour whatever I shall feel highly honored in receiving you, as well as Messrs. the minister of Prussia and the secretary of your excellency's legation, who accompany you.

I have the honor to subscribe myself your excellency's most obedient servant.

JOSE MANUEL PAREJA.

The MINISTER PLENIPOTENTIARY

*of the United States of America in Chili, &c., &c., &c.*

F.

*Mr. Nelson to Mr. Levenhagen.*LEGATION OF THE UNITED STATES,  
*Santiago de Chili, October 29, 1865.*

SIR: I have the honor to submit to your excellency herewith the memorandum of the interview between Admiral Pareja and myself, on board the frigate Villa de Madrid, on the 19th instant, at which you were present. Will you be kind enough, after careful perusal of the same, to state your opinion of its accuracy, and oblige,

Very respectfully, your obedient servant,

THOMAS H. NELSON.

His Excellency CHARLES F. SEVENHAGEN,

*Chargé d'Affaires of Prussia.*

G.

*Mr. Levenhagen to Mr. Nelson.*

[Translation.]

MISSION OF HIS MAJESTY THE KING OF PRUSSIA,  
*Santiago, October 30, 1865.*

SIR: I have had the honor to receive your excellency's note, dated the 29th of the present month, requesting me to give my opinion of the accuracy of its enclosure—a memorandum of the interview between your excellency and Admiral Pareja, on board the frigate Villa de Madrid, on the 19th instant, at which I assisted.

After having carefully read that document, I have great pleasure in responding to your excellency's wish, begging to say that I consider it a correct statement of the communications and observations made to Admiral Pareja on the aforesaid occasion, as well as his replies to the same.

I have the honor to remain, sir, very respectfully, your excellency's most obedient servant,  
LEVENHAGEN.

His Excellency THOMAS H. NELSON, Esq.,

*Envoy Extraordinary, &c., &c. &c., of the United States of America.*

H.

[Telegrams.—Translation.]

VALPARAISO, *October 23, 1865—10.45 a. m.*

This morning the following notice, addressed to British consignees and merchants, and concerning the blockade of the ports of Chili by the Spanish squadron, was posted in the Merchants' Exchange:

“The undersigned, consul of her Britannic Majesty in Valparaiso, has this moment received the following communication from Commodore Harvey:

“1. The notification made by the officers of the Spanish squadron upon the papers of neutral vessels off blockaded ports says: that the ports of Tome, Talcahuano, Valparaiso, Herradura, Coquimbo, and Caldera, are the ones blockaded by the vessels of her Catholic Majesty.

"2. Admiral Pareja will notify in advance any addition or change he may wish to make in the blockaded ports.

"3. Consignees or merchants will send their orders in duplicate on board the *Villa de Madrid*, for all expected vessels, which orders will be delivered to the several captains at the moment they are notified, so that said vessels may proceed to non-blockaded ports.

"Thus communication with shore, which according to the rules of the blockade cannot be allowed, will in future be prevented.

"It must be borne in mind, and very distinctly remembered, that all communication with the Spanish squadron is prohibited by the authorities of Chili, unless special permission has been obtained therefor.

"4. The mail steamers have permission to pass the blockade with mails and passengers, but without carrying any cargo, and under the condition to carry also, if necessary, the mails of the governments of Chili and Spain, and also those of their respective officers.

"5. The intermediate mail steamers have also permission to navigate between all the non-blockaded ports, conducting passengers and cargo, but not to do so in those which are blockaded by vessels of her Catholic Majesty."

"CONSULATE OF HER BRITANNIC MAJESTY,

"*Valparaiso, October 27, 1865—5.15 p. m.*"

I.

*Admiral Pareja to Mr. Nelson.*

[Translation.]

HEADQUARTERS PACIFIC SQUADRON, ON BOARD *VILLA DE MADRID*,

*October 20, 1865.*

The undersigned, commander-in-chief of the Spanish squadron in the Pacific, and minister plenipotentiary of her Catholic Majesty, has received the note which the diplomatic corps, resident in Santiago, has been pleased to address him through their dean.

Before entering into a reply thereto, it is a duty as grateful as honorable for the undersigned to express, in the name of his government, to the public ministers who sign it his profound gratitude for their good offices in endeavoring to terminate the hostilities between Spain and Chili; hostilities which naturally cause grave prejudices to foreign commerce, which no one deplores more deeply than the undersigned, and which he will always endeavor, as he has up to the present time, to alleviate in so far as it is possible for him to do so.

The diplomatic corps, resident in Santiago, proposes to the undersigned an arbitration to be preceded by an armistice, founded upon the hypothesis, that questions of honor between two nations, such as that of Spain and Chili, may be submitted, and generally are submitted, to an arbiter. A like proposition, says the diplomatic corps, has been addressed by it, under the same date, to the government of Chili.

The undersigned, while respecting the opinion which serves as a basis to the proposition, regrets that he must dissent completely therefrom, for he believes that the nation which has been insulted, which has received offences of the character of those committed by Chili against Spain, cannot under any circumstances, without compromising her honor, without sullyng her dignity, cease to be her own judge—cease to protect and vindicate for herself both; no matter how very worthy, as in the present instance, may be the representatives of friendly nations, who, animated by the laudable desire of putting an end to the evils which war always brings with it, propose to submit the decision to their impartial judgment.

The undersigned does not hesitate to cite in confirmation of his opinion the diplomatic history of all nations, feeling assured that in analogous cases all have acted in accordance with this principle; and that no other can exist for governments which, like that of Spain, have the mission of always leaving in the most honorable position the name of a great country.

The undersigned viewing the base of the proposition which the diplomatic corps resident in Santiago has been pleased to address him in a different manner—nor being permitted to do otherwise by the instructions of his government, his regret in not being able to accept that proposition is likewise natural, founding (his declination) in that the nature of the offences committed against Spain by Chili might, perhaps, have admitted arbitration before arriving at a rupture, but hostilities once commenced, that is to say, a country having once undertaken to defend its honor, it is not allowable for its chiefs to transfer this sacred right to another, without, for this reason, ceasing to appreciate at their full value and to feel grateful for the good offices tendered with that object.

There exists, moreover, in the case of Spain and Chili, the fact that the government of her Catholic Majesty, even before the occurrence of a rupture between both countries, considered it a duty not to accept the mediation of a friend as sincere as respected; and this circumstance, as the public ministers to whom he has the honor to address himself will comprehend, is also of the greatest weight in impeding the undersigned to accept their own—above all,

now that hostilities have begun, for which reason the undersigned, to his great regret, feels compelled to decline that of another friend, as sincere and worthy of respect as the foregoing.

Notwithstanding all the foregoing, and the conditions which, as amends to its honor, the government of Spain demands from that of Chili, being, as they are known to the diplomatic corps resident in Santiago, conditions which the former has distinctly pointed out to Chili, the undersigned, desirous of avoiding greater injuries to neutral interests, will have no objection to negotiate, starting from these indeclinable conditions.

Such a demand in the present instance does not involve on the part of Spain any humiliation whatever for Chili; a humiliation which Spain would never ask; since not only would it be contrary to the principle of predominance of right over might, but its very suggestion would be sufficient to invalidate the right which Spain possesses to require of Chili adequate satisfaction for the offences she has committed towards her. Such satisfactions have never resulted, the history of all nations so informs us, in sullyng the good name of a country; but, on the contrary, such concession on the part of the offender has served to leave its name honorably placed; since it demonstrates that it knows how to put aside all other considerations to render tribute to justice, the legitimate and ever noble regulator of the relations between peoples.

The undersigned avails himself with pleasure of this new occasion which permits him to present to the foreign public ministers resident in Santiago, and particularly to their honorable dean, the sentiments of his most distinguished consideration.

JOSÉ MANUEL PAREJA.

The Most Excellent MINISTER PLENIPOTENTIARY OF THE UNITED STATES,  
*Dean of the Diplomatic Corps in Santiago.*

---

K.

*Mr. Nelson to Mr. Covarrubias.*

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, October 24, 1865.*

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, on behalf of the members of the diplomatic corps resident in Santiago, has the honor to acknowledge the receipt of the reply which his excellency the minister of foreign relations of Chili has given to their note of the 17th instant, and has also received the reply of his excellency Admiral Pareja, minister plenipotentiary of her Catholic Majesty, to one of the same tenor.

The members of the diplomatic corps profoundly regret that the conciliatory steps taken by them have been unsuccessful, and that there only remains for them the duty of informing their respective governments of their fruitless efforts to terminate a useless war, no less disastrous to their respective peoples than to the belligerent parties.

The undersigned avails himself of this occasion to renew to his excellency the minister of foreign relations of Chili the assurances of his distinguished consideration and esteem.

THOMAS H. NELSON.

His Excellency the MINISTER OF FOREIGN RELATIONS  
*of the Republic of Chili.*

P. S.—A duplicate of the foregoing, *mutatis mutandis*, was also addressed to Admiral Pareja.

---

*Second reply of Admiral Pareja to the diplomatic corps.*

[Translation.]

ON BOARD OF THE VILLA DE MADRID,  
*In the port of Valparaiso, September 26, 1865.*

The undersigned, commander-in-chief of the squadron of her Catholic Majesty in the Pacific, and her minister plenipotentiary, has had the honor to receive the collective note of the diplomatic corps resident in Santiago, under date of the 24th instant, which the representative of the United States of America, acting as dean of said body in the republic of Chili, has been pleased to remit to him through the United States consul at Valparaiso.

Hostilities having been opened between Spain and Chili, the principal object at which were directed both the first note and that which he has now the honor to answer, has disappeared.

However, in addition to a just motive of courtesy, the undersigned, in answering it, has also in view the object of refuting some of the arguments which appear in the said note, in order to lay down his clear and explicit opinion upon them, which he does not hesitate to affirm is the same as that of his government.

That note states, "that the public ministers who sign it do not feel themselves called upon to emit an opinion with regard to the motives which have induced the government of her Catholic Majesty to require satisfaction from the republic of Chili, and that they desire solely to prevent an unnecessary rupture." And further on: "They do not consider with Mr. Pareja that no other means than peremptory demands remain, inasmuch as the explanations given to Mr. Taveira by the minister of foreign affairs of Chili, in his note of 16th May, ultimo, were satisfactory to the negotiator of her Catholic Majesty, from which moment an arrangement was concluded between both countries; the differences which, during some time, had cooled their intercourse, disappeared, and there was every right to believe that, Mr. Taveira having acted as minister of her Catholic Majesty, the arrangement accepted by him would be ratified by his government."

The undersigned may be allowed to manifest to the public ministers whom he addresses that in indicating to them, in his former note, the nature of the insults offered by Chili to Spain, and in remitting to them a copy of his memorandum to the Spanish-American republics, in which they are plainly detailed, he had no other view than that of demonstrating evidently to them the reality and gravity of those insults, and consequently the absolute necessity on the part of the government of her Catholic Majesty, after the numerous notes interchanged between its representatives and the Chilian minister, of having recourse to peremptory demands, to which that government had a complete right from the moment that the government of Santiago refused to satisfy the honor of Spain, of which the government of Madrid is the only judge.

If Mr. Taveira was satisfied with the explanations of Mr. Covarrubias, the Spanish government did not in any manner contract an obligation to ratify the consent of its resident minister, because, besides that this gentleman, as he expresses it in his note of May 20th, said only that these explanations were sufficient *in his judgment*, there is the powerful reason that, precisely on account of his not having complied with the instructions which he held from his government, it disapproved of his conduct in the most solemn and explicit manner; the undersigned allowing himself to affirm that the instructions which he has received from the government of her Catholic Majesty, in conformity with which he proceeded, were entirely similar to those with which Mr. Taveira ought to have complied.

Thus the government of her Catholic Majesty, in disapproving the acts of Mr. Taveira, and stating "that it considered the condition of things to be the same as when Mr. Taveira addressed his note of 13th May, ultimo, to Mr. Covarrubias," has acted in complete conformity with diplomatic rules and with common law, and not in contradiction to them, as the undersigned has observed with regret has been assumed by the diplomatic body resident in Santiago; since, having given to Mr. Taveira the instructions referred to, it is clear that at that time it considered the explanations given by Mr. Covarrubias as insufficient, and so holding them, it is also evident that no other course remained for him than that which he has seen himself obliged to take in defence of its honor, which, as before expressed, was exactly that marked out to Mr. Taveira.

The government of Spain has already discussed the question sufficiently with that of Chili, as is proven by the explanations of May 19, to convince itself fully that it would not succeed in obtaining, by pacific means, such explanations as it has a right to obtain.

It only remains to the undersigned to manifest that his government not having been able to adopt any other course, after the refusal of that of Chili to satisfy it in the manner due, he cannot admit the protest of the diplomatic body resident in Santiago, considering that the responsibility of the damages caused by the hostilities will be due exclusively to the obstinacy of the government of Chili in denying to Spain adequate satisfaction for the offences committed against her. In all cases the laws of war invest the belligerent with the right of doing the greatest possible harm to the enemy; moreover, one who does it with reason, as Spain now does, can never admit the responsibility of those damages which may be caused to foreigners established in the territory of the adversary.

The undersigned renews to the diplomatic body resident in Santiago, and to its honorable dean, the assurance of his highest respect.

JOSÉ MANUEL PAREJA.

The DIPLOMATIC CORPS, *resident at Santiago.*

---

*The diplomatic corps to Admiral Pareja.*

[Translation.]

SANTIAGO, *September 28, 1865.*

The undersigned, members of the diplomatic corps resident in Santiago, have had the honor to receive the note of the 26th instant which his excellency M. Pareja, commander-in-chief of the squadron of her Catholic Majesty in the Pacific and her minister plenipotentiary, has addressed to them.

The undersigned consider that the said note does not destroy the observations and objections which they permitted themselves to make to his excellency in regard to the proceedings

which he has adopted in order to arrange the differences existing between the government of her Catholic Majesty and the republic of Chili; finding themselves obliged, to their regret, to reiterate and maintain the reserves and protests contained in their communications of the 22d and 24th of this month.

The undersigned take this occasion to renew to his excellency the commander-in-chief and minister plenipotentiary of her Catholic Majesty the assurances of their high consideration.

THOMAS NELSON.  
ANTONIO FERRO.  
HERMOJENES DE IRISARRI.  
WILLIAM TAYLOR THOMSON.  
LEVENHAGEN.  
FLORY.

Admiral PAREJA, &c., &c., &c.

---

*Mr. Nelson to Mr. Seward.*

No. 231.]

LEGATION OF THE UNITED STATES,

*Santiago de Chili, October 31, 1865.*

SIR: I have the honor to transmit you herewith, at the request of his excellency the secretary of foreign relations of the republic of Chili, a copy of the counter-manifesto of his government addressed to friendly nations, for the purpose of informing them of the true antecedents of the present war between Chili and Spain.

I also transmit a copy of the note of enclosure; and have the honor to remain, very respectfully, your obedient servant,

THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Covarrubias to Mr. Nelson.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS, SANTIAGO DE CHILI,

*Santiago, October 29, 1865.*

SIR: I have the honor to transmit to your excellency two copies of the counter-manifesto which, by order of his Excellency the President of the republic, I have the honor to address to friendly nations, to show to them the true causes and antecedents of the present war between Chili and Spain.

I dare to hope that your excellency will be pleased to transmit one of the accompanying copies to your government.

I avail myself of this opportunity to offer to your excellency the reiterated expression of my distinguished consideration, with which I am your excellency's most obedient servant,

ALVARO COVARRUBIAS.

The ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY  
*of the United States of North America.*

---

*Counter-manifest of the minister of foreign relations of Chili on the present war between the republic and Spain.*

[Translation.]

From the 14th of April of the year last past the Pacific has been the theatre of hostilities, without justification or excuse whatever, practiced by the naval forces of Spain against different American states.

At that date a small Spanish squadron took possession of the Chincha islands, belonging to the republic of Peru, with the purpose not to return them to their owner until after an occupation of ten months, and in exchange for a sum of three millions of dollars, grasped at upon the most trivial pretexts.



At this time the commander of the Spanish squadron in these seas has just declared the ports of Chili to be blockaded, committing hostilities against some of them with the ships under his command, and his aggression has kindled a war between the republic and Spain. The cabinet of Madrid has not cared even to gloss with the appearance of justice this aggressive and violent policy. If she had not found her motive in forbidden designs of usurpation and aggrandizement, this can only be explained by the wish to make a facile ostentation of maritime preponderance over nations which, caught by surprise in the midst of the confidence and of the beneficent activity of peace, find themselves almost disarmed and without naval strength.

But such puerile desire was not motive sufficient to determine the conduct of the government of Spain. Little as might be the discretion attributed to her, motives more powerful must have influenced her, and in reality have done so. The existence of settled designs appears evident when antecedents and the history of events are remembered, and when the tortuous course which Spanish policy has pursued in America is observed with attention.

For some time back the daily press of the peninsula has diffused opinions adverse to the external security of Peru, and fostered projects of reconquest and of monarchizing the American states which were colonies of Spain. At the same time the cabinet of Madrid undertook, through blood and fire, the annexation of the republic of Santo Domingo; took part in the expedition against Mexico; and sent a small squadron to the Pacific, which had on board an illusory scientific commission to cover up the true objects of the voyage. Under such auspices, Don Eu-ebio de Salazar y Mazzaredo, special commissioner extraordinary of her Catholic Majesty, arrived at Lima in March, 1864. The unwonted title under which this agent came accredited suggested some doubts to the Peruvian government, which deemed proper to hint them to Señor Salazar y Mazzaredo to the extent of signifying to him their good disposition to encourage him in the character of confidential agent. The Spanish commissioner repelled this conciliatory measure by vain threats, and closed the door against every sort of friendly explanation by forthwith abandoning Lima, and going to embark at Callao on board the despatch boat of the small Spanish squadron. Although precipitate to appearance, his conduct was no other than the effect of preconceived determination. For this purpose it was that he had in anticipation summoned into the Peruvian waters the two frigates which, united with the aforesaid steam despatch boat, formed the squadron of General Pinzon. Setting out from Callao, he went and joined with those ships which had, without delay, left the roadstead of Valparaiso, and were already waiting for him in the latitude of the Chincha islands. Two days after Señor Salazar y Mazzaredo left Lima, the Peruvian government was surprised by the news that those islands were in the possession of the Spanish squadron. The commander thereof and the commissioner of her Catholic Majesty had occupied them on the 14th April, in the name of Spain, by hauling down the flag of Peru, and causing the flag of their country to wave over them. On the same day they issued a declaration intended to set forth the considerations on which they founded their procedure. On the one hand they alleged the necessity for compelling Peru by means of force to fulfil the sacred obligations she had with Spain. They pretended on the other hand that even yet the war of emancipation was not complete in Peru, between which and her ancient mistress existed only a truce in fact, and that the Crown of Castile might vindicate its ownership of those islands. Such considerations, far from justifying the occupation, impressed it with a character so much the more dangerous as it was less definite. At one time the fact might be regarded as an act of reprisal; at another, as the beginning of a reconquest. Under the one or the other aspect it was a sad abuse of force, as offensive to the dignity and rights of Peru, threatening to the safety of the other American republics, and deserving the censure of all civilized nations. If the Spanish agents only sought to obtain from the Peruvian government satisfaction for wrongs or pending obligations, before employing coercive measures they should have set out their demand, and if these were rejected or eluded, have presented an *ultimatum*—addressed some intimation. They did nothing of the sort, but rather aggravated the anomaly of their proceedings by putting on it the stamp of a surprise, incompatible with international integrity. Considered as an act of reprisals the Spanish occupation trampled upon all the guarantees which the law of nations offers to weak states, as safeguards of their legitimate interests, and consequently affected those American republics which, like Peru, are in want of a military marine, powerful enough to preserve them from the aggressions of a foreign squadron. In this point of view the cause of Peru was the cause of all the other nations of the continent. With more reason would it be so if the occupation of the Chinchas imported the renewal of the war for independence, in which the ancient Spanish colonies of America had indissolubly bound together their power and their destinies. The victory they achieved in that long-sustained and glorious struggle gave them a common title to be counted among sovereign and independent nations; independent, above all, because the consummated act was recognized by all civilized states, and was accepted by Spain herself explicitly in respect of Chili, and in a manner implicit, but incontestable, in respect of Peru.

Again, to call in doubt the force of that act, to resuscitate extinguished rights, to rekindle an ended war, the Spanish government would have to blot out the history of half a century of international relations between America and Europe, and have to place herself in contradiction with her own acts. In such event the American republics, faithful to the first alli-

ance, would have to fight for the independence of Peru, in order to maintain the integrity of the principle of their political existence. As is seen, the unexpected aggression of the Spanish agents had a range disastrous to the repose and stability of America. So the people and governments of this continent felt it to be. The news of the fact roused among them a profound agitation and the most energetic protests. Even the diplomatic representatives of nations foreign to America associated themselves with their American colleagues, resident in Lima, to protest against the occupation, and against the foundations on which it rested.

The deforcians of the Peruvian islands then comprehended that they had gone too far, and endeavored to extenuate the gravity of their first step. In consequence they declared that they had taken possession of Chincha without authority from their government, whose instructions they would await, retaining themselves meantime possession of the islands under the title of reprisals, but not of revindication. This assertion, incompatible with the first declaration of the 14th of April, is so likewise with the circumspection which should be attributed to the functionaries of a respectable government. It is scarcely conceivable that Spanish agents could occupy a part of the Peruvian territory, and for that purpose had invoked decayed and inadmissible titles, and at the risk of drawing upon themselves mortifying rebuke and serious responsibilities, without being authorized to do so. Nor can their conduct be attributed to an act of heedless precipitancy, because it has already been observed that it obeyed a premeditated and irrevocable purpose. That this odious design had emanated from the cabinet of Madrid is not at this day matter of doubt, although at that time the American governments, placing in the honor of that cabinet a confidence most grievously abused at a later day, resisted the belief that it could participate in the irregularities of its agents. Nevertheless, events have accused it from the beginning. If it had aspired only to obtain from Peru what was due to it, it would have adopted the frank course, straightforward and honorable, which is always followed by one who reclaims what is just. It would have sent to the Pacific naval forces, without cautiously hiding the object of its expedition; it would have manifested through the organs of diplomacy its legitimate pretensions; have required their fulfilment; and if that were not attained, have appealed to the employment of force. It would not have ordered into these seas a small squadron under pretext of scientific expeditions; it would not have accredited to the Peruvian government a commissioner, whose title and whose acts were calculated to excite a conflict. In the range of honest intentions its policy of simulation was so much the less comprehensible, inasmuch as having at disposal a maritime power much superior to that of Peru, it was not necessary for it to take precautions against the naval armament of the Peruvian government. It could not then have any other object than to lull asleep the foresight of the American States, in order to execute without resistance lawless projects injurious to all of them. Thus is explained the retraction which the Spanish agents hastened to make of their first declaration. Thus also is explained the precipitancy with which the cabinet of Madrid disapproved the conduct of those very agents on the faith of a simple common rumor before having received any official communication. For the sake of the honor of the functionaries of Spain, and of the dictates of the most ordinary prudence, it should have abstained from such disapproval, and have suspended its judgment until it found itself possessed of authentic information. By not doing so the cabinet of Madrid caused to be understood very clearly that it had good reason to regard at once as very likely to be true the news of what had happened; a likelihood which it would not have hit upon if its agents had occupied the Chincha islands, and invoked the right of revindication without competent instructions.

Thus, therefore, when it disapproved the consummated occupation and the right of revindication, declaring them to be foreign to its views in respect of Peru, it obeyed only the suggestions of an unscrupulous policy. Like its agents, it comprehended that the step taken was premature and unskilful, and that it was matter of urgency to silence the protests of the American nations, whose coalition might paralyze the execution of its forbidden and secret purposes. Its want of sincerity was betrayed by its later acts. The commander who had taken possession of the Peruvian islands, and had pretended to revindicate them, was retained in his post—the occupation was itself continued. In this way it not merely left unpunished an agent unfaithful to the instructions of his government, but the fruit of his offence was taken to advantage. The connivance of the cabinet of Madrid in the abuses of its agents could not be doubted when it was seen to be regardless of the most absolute duties of honor and of public morality.

To give some show of justice to the permanency of the occupation, it laid hands on an unexpected expedient a few days after the islands were occupied. The commissioner, Mr. Salazar y Mazzaredo, had determined to return to Spain, and embarked on board one of the packets of the Pacific Navigation Company. During the transit from Callao to Panama he imagined, or made believe that he imagined, that his life was the object of murderous machinations, planned by emissaries of the Peruvian government, and on reaching Madrid he presented to the minister of state a report stating the imaginary dangers he had run. No civilized government could be in complicity with so base and shameless a scheme; yet, notwithstanding, the Spanish minister found in that fancied and improbable adventure the pretext which he needed to palliate the continuance of the occupation of Chincha. In his circular of June 24, 1864, he said to the diplomatic agents of Spain in foreign countries that his government required from that of Peru, before the return of the islands to her, that it

should protest and give satisfactory explanations of its innocence in respect of the attempts on the life of Mr. Salazar y Mazzaredo. This did not prevent him from giving assurance at the same time that he *dared not, would not, could not*, accuse the government of Peru of such attempts.

On the 23d of August, 1864, the minister of foreign relations of Peru addressed to the legations of his country abroad a circular, the contents of which, sustained on trustworthy testimony, demonstrated in the clearest manner that those dangers were entirely chimerical.

This pretext which was prolonging the occupation being destroyed, an end was put to it on that account. Very much to the contrary, the Spanish government, by sending to the Pacific fresh ships, converted the small squadron of Admiral Pinzon into a considerable fleet, and continued in possession of the islands without addressing any reclamation to Peru, without trying any way of solution.

Meantime, months were running on, and the Peruvian government, giving up the recovery of the detained islands by force, at length saw itself compelled to go and seek a pacific settlement on board of the Spanish squadrons, the command of which Admiral Pareja had assumed a short time previously. This commander sold peace to Peru in exchange for three millions of dollars, and a preliminary convention which would open enticing fields to the covetousness of the cabinet of Madrid, for that cabinet on giving up the Chincha islands had not abandoned its former intents. By keeping in the Pacific a powerful squadron it would be able to occupy them again without any difficulty, and by reserving, through said convention, to a later agreement the settlement of its claims and demands on Peru, nothing would be easier for it than to look for new pretexts to renew the occupation.

It now appears to be indubitable that the pecuniary demands made by the Spanish government on the minister of Peru at the court of Madrid are exorbitant, and import to the Peruvian nation not less than the loss of their deposits of guano. The appropriation of these deposits would not only relieve the utter insolvency of the Spanish treasury, but would aid Spain to establish a secure foothold on the Pacific, and to contemplate materially, from the Chincha islands, a field of much-coveted conquests in the fertile valleys of the Peruvian coast. Such a prospective could no less than seduce a state which has left in America deep traces of unbridled covetousness and ambition. But, taught by experience, the cabinet of Madrid now proposes to realize its projects step by step, and by appeasing opposition and inquietude to divide the American nations, to reduce them to inaction by means of false promises, of threats, and of hostilities. Such is the first task it has undertaken. Hence is derived the origin of the aggression which it has just directed against Chili, whose steadfast care for the interests and union of America thwarted its designs, and by which, perhaps, its wounded vanity intends to satiate a sad revenge.

Such are the true causes of the rupture which has supervened between Chili and Spain. As to the ostensible motives which the Spanish government has alleged for opening hostilities against the republic, they are narrowed down to accusing it of conduct systematically adverse to the peninsula during the Hispano-Peruvian conflict.

The simple statement of the facts suffices to demonstrate that the policy of Chili, generous, friendly, and fairly honest towards Spain before the conflict above mentioned, has not changed its character since. As soon as the war of independence ended, the subjects of Spain began to find in Chili the same frank and willing hospitality which is dispensed to every foreigner; not only might they freely remain, addict themselves to the occupations of industry and commerce, acquire property, but also have access to public office. The Chilian government did not wait to conclude with that of Spain a treaty of peace and friendship in order to acknowledge as her own the debts contracted by the Spanish government during the war, and to recognize the credits resulting from sequestrations and embargoes of Spanish property.

The ulterior conclusion of that treaty gives birth to diplomatic relations between the two countries, in which the best understanding ever prevailed. The legation of her Catholic Majesty, resident at Santiago, never had to trouble itself much to watch over the persons and interests of its countrymen established in the republic, who found in the laws, in the authorities, and in the temper of the country, protection, security, sympathy, personal consideration, and the means for living and for gain. When the small squadron of Admiral Pinzon reached the port of Valparaiso, rumors were already in circulation which denounced the odious objects of his voyage; notwithstanding that, and despite the commander aforesaid had marked his entrance into Chilian waters by an act of rude discourtesy, he and his companions enjoyed a cordial reception in this capital and at Valparaiso.

The kindly dispositions of Chili in favor of Spain, if they became less warm, as was natural, because of the occupation of Chincha, have not disappeared, much less given place to any feeling hostile to the peninsula. The news of that event produced in the republic a universal excitement, called forth energetic protests, inspired demonstrations of fraternal sympathy with Peru, of patriotic interest in the safety of Chili, of ardent adhesion to the common and vital interests of America. This movement of public opinion was proper to a people whose first virtue is patriotism, who love their independence and their free institutions, who comprehend American solidarity, and believed that it saw the fortunes of this continent threatened by a monarchical reconquest. But this was unaccompanied by any hostile feeling against Spain, for it was impossible to forget the advantages and safe condition in which Spanish subjects, residents of Chili, continued to be situated. They have

been able to live in quiet and devote themselves to their customary pursuits, while the policy of their government was sowing in this country disturbances and differences, and despite the indiscreet and provoking conduct themselves indulged.

If the attitude of the Chilian people was far from any feeling of hostility against Spain, the acts of the government of the republic gave, at the same time, evidence of frank and sincere friendship for the cabinet of Madrid. Sharing in the public sentiment, comprehending the dangerous scope of the procedure of the agents of her Catholic Majesty in Peru, the government of Chili did not hesitate to address the other cabinets of America, protesting against the measure of causeless and abusive force which those agents had employed; but, while doing so, did not omit to express its confidence that the cabinet of Madrid would disapprove the measure. So, also, it signified to the minister of Spain in Chili, when, to quiet the excitement of feeling, explanations were asked from him about the event, which were only rendered in terms vague and indefinite.

This confidence was more clearly a proof of its friendly spirit because the antecedents of the occupation of Chincha involved, as is shown above, grave charges against the probity and frankness of the Spanish government. Its friendly dispositions towards that government were not changed through all the discussion of the Peruvio-Spanish complications, during which it endeavored to reconcile its duties in regard to Peru, to America, and to Chili, with the continuance of its cordial relations with Spain. To attain this, it labored incessantly to avoid a definitive rupture between Peru and the peninsula, and to promote a pacific settlement, which should satisfy the dignity and the interests of the two parties interested. Evident proofs of this are all the steps which, in the progress of the question, were taken by the diplomatic agents of Chili in Lima; so, also, are the acts of the Chilian government, whose sound policy has been misrepresented by affecting disregard of the different circumstances under which it had to conduct its action. In fact, the Hispano-Peruvian conflict presented in succession very different phases to which it was necessary to subordinate the progress of the Chilian policy.

The occupation of Chincha was a commencement of hostilities which in strictness should at once produce a state of war between Peru and Spain. Notwithstanding such occupation a state of peace was maintained during the first months in consequence of the dispositions which were manifested on one side and the other. On the one part, the Peruvian government, trusting, like that of Chili, that the cabinet of Madrid would disapprove the conduct of its agents, and would restore to it the possession of the territory occupied by them, appeared to be disposed not to employ, in the mean time, force to recover it; so its official declarations left to be understood, as well as its passive attitude in respect to the small Spanish squadron. The commander of that squadron, on the other hand, gave assurance that he had proceeded to the occupation on his own responsibility, without express orders, and that until he received instructions from his government would remain on the defensive. Finally, the minister of Spain in Chili thought the question was about an isolated act and susceptible of the disapproval of the cabinet of Madrid. All this tended to keep the affair within the conditions of peace. The unexpected and adverse determination of the Spanish government completely changed the aspect of things. Its humiliating requisitions on Peru were rejected, its squadron was considerably re-enforced, its decision to sustain by arms its unjust pretensions was no longer doubtful. At the same time the Peruvian government, deceived in its expectation, showed its resolution to use force to remove the Spanish ships from Chincha. The congress of Peru did not think it necessary for this purpose to authorize it to declare war against Spain, but prescribed to it by the law of the 7th of September, 1864, the employment of every sort of means "to defend by force the integrity of the national territory from every aggression or consummated usurpation, or which might henceforward be attempted to be consummated." On this subject the minister of foreign relations of Peru said, in a circular to the diplomatic corps of his country, dated the 11th of said month, "Reparation for the offence, however, does not hinder the government, nevertheless, from keeping its attention fixed on the act of usurpation of territory begun on the 14th of April and prolonged until the present time. To repel the aggressors a declaration of war was not necessary, nor even a special resolution of Congress. If mention has been made of it in the law, it is only for the purpose of strengthening the action of the government, and, above all, in order to remove obstacles by which it might be obstructed in the use of the means and employment of the resources needful to attain the object. The government has not desisted, nor will it ever desist, from its purpose to repel the aggressors by force. It will do so as soon as the warlike preparations it is making are concluded." Without waiting for this, the Peruvian government seemed disposed finally to give battle, at disadvantage, to the squadron of Admiral Pinzon, which was opposed by a meeting of the American plenipotentiaries at that time officiating at Lima. Such acts loudly proclaimed that the state of war had in fact supervened between Peru and Spain.

These vicissitudes in the matter naturally had influence upon the conduct of the government of Chili. Designing to keep possession of the Chincha islands, the cabinet of Madrid, as has been shown, caused the state of war to surge up. By such decisions it accorded very ill with the expectations of the government of the republic, notwithstanding its protestations of respect for the autonomy and stability of the American nations.

Notwithstanding, the Chilian government still trusted in the good faith of that government, and previously to the state of war determined to assume a neutral attitude, awaiting the development of events to give to it the measure of the pretensions and true value of the promises of Spain. But its neutrality could not be passive. The continuance of the anomalous occupation of Chincha, although a decent appearance had been given to it, left existent all the dangers and mischiefs which the act had from the commencement wrought upon the American states, and especially on Chili, next neighbor of Peru. To cause the disappearance of that act, irregular, and menacing to America, it was the duty of the government of the republic to bring into play, as in fact it did, within the bounds of impartiality and its prerogatives as neutral, such means as it deemed efficacious. Therefore, while its diplomatic representative in Peru, in union with other Americans resident there, directed his action toward obtaining the pacific giving up of the occupation of the islands and the adjustment of a satisfactory settlement, which would prevent a definitive rupture between the belligerents, they were forbidden to take in any Chilian ports any article contraband of war, and in particular fossil coal. The want of fuel would increase the difficulty of the operations of maritime warfare carried on by steamers endeavoring to prevent war. The Chilian government sought the only means by which it could maintain its good understanding with the cabinet of Madrid without abandoning the dearest and legitimate interests of Chili and of America.

This policy of conciliation and generosity is what has been charged with being systematically hostile to Spain, because it was not agreeable to confess that the firmness and attempered energy of the republic in defence of the rights of America embarrassed the execution of shameful projects. To give some likelihood to the accusation, the reclamations which the minister of her Catholic Majesty in Chili, Mr. Taveira, had addressed to the government of the republic during the development of the Hispano-Peruvian conflict were relied on. Drawn up in the midst of the excitement of events, inspired by excessive solicitude in favor of Spanish interests, those reclamations fell back at times on isolated facts, independent of the action of the Chilian government, and at times on acts of that government utterly inoffensive to the honor and rights of the Peninsula. The charges they involved have been done away by explanations which were seasonably given. Nearly a year elapsed without return to the agitation of the first of those reclamations, and during that time the government of her Catholic Majesty continued to offer unequivocal proofs that its good understanding and friendship with the republic was not interrupted, as will presently be seen. It seems, therefore, that it had regarded the reclamations to be unfounded, and the explanations given about them satisfactory.

Nevertheless, on the 13th of May last, Mr. Taveira addressed to the undersigned, minister of foreign relations of Chili, a communication in which, by order of his government, he set forth the causes of complaint which Spain alleged for the belief that she was affronted by the republic, and the good disposition of the cabinet of Madrid to accept the solemn declarations which the case required, provided they were compatible with her honor. The former reclamations of the Spanish diplomatist had been converted into grounds of complaint by disregarding the explanations before mentioned.

The undersigned is going to set forth and examine, one by one, these causes of complaint, in order that the real merit of charges which he has already had the honor more than once to refute, may be adjudged.

First charge: *Insults to the Spanish flag.* These insults rest on an incident which took place on the 1st of May, 1864, at the door of the house of the Spanish legation. Four days after it happened, Mr. Taveira informed the predecessor of the undersigned about it, signifying that it had been very painful to him, and that he would lay the matter before his government, but without making formal reclamation, without requiring any reparation.

In virtue of that communication from the representative of her Catholic Majesty due investigations were made, from which the following version of the fact came in evidence. On that day there took place at the Teatro Municipal de Santiago a popular assembly, got up by the most respectable inhabitants, and intended to manifest the deep and general alarm which the news of the occupation of Chincha, received only a few hours previously, had occasioned. A part of the crowd which was going to the meeting had to pass on its way before the house of the Spanish legation, and on finding themselves in front of it, there issued from its midst isolated cries, "Death to Spain;" "Death to Godos;" "Down with the flag." Such cries found no echo from the majority of the assemblage, and when one of them attempted to touch the Spanish flag, which was waving from its staff, he was compelled to desist from his purpose by his companions. The crowd lost no time in pressing forward, urged on by a battalion of the national guard, which, as it was defiling at the time by the place of the occurrence in the direction of the field of Mars, thought it prudent to mark time in the rear of the crowd for the purpose of repressing any disorderliness, and, above all, any serious threat of insult to the flag of Spain.

The incident mentioned is explained naturally, by calling to mind that at the time it happened there was in the minds of men a lively and general agitation, because of the recent news from Peru; and that in numerous assemblages there are never wanting many people incapable of bridling their excitement. Beyond doubt that scene was very disagreeable, but also it was impossible to anticipate it, and it involved no insult to the Spanish flag.

Affronts to the national flag are of such nature and gravity that until reparation is made it is

impossible there should exist any kind of pacific and friendly relations between the offender and the offended, provided the latter has any self-respect. If Spain had received such from Chili, the conduct would be inexplicable within the rules of honor which, after the incident of the 1st of May, Mr. Taveria, the government of the Peninsula, the chief who now blockades the Chilian ports, and Mr. Roberts, who succeeded temporarily to Mr. Taveira on the eve of the Spanish aggression, continued to observe toward the republic. These are the facts when the minister of her Catholic Majesty in Chili called the attention of the government of the undersigned to the incident in question. He did not give it the character of an outrage to his flag, because he did not ask for any satisfaction, nor even make formal reclamation. On the contrary, he continued to reside in the country, cultivating official relations with the Chilian government. At a later period, in May of this year, he again raised his flag, which he had omitted to do for some time.

Six months after this event, in October of the year last past, the same diplomatic agent placed in the hands of his Excellency the President of the republic, three letters from his sovereign, by which his Excellency was informed of events, as well auspicious as painful, which had occurred in her royal family; at the same time she reiterated the expression of her friendship. The replies of the President to these letters were despatched to the minister of state of her Catholic Majesty, who, on the 25th of January of the present year, announced to the undersigned that he had preferred them to their high address.

A little before this, on the 22d December, 1864, the Queen of Spain, on opening the Cortes of the kingdom, addressed to them a speech, in which may be read the following words: "In inaugurating the duties which must contribute to so praiseworthy a purpose, I should say that our relations with foreign powers continue to be satisfactory, with nothing more than a lamentable exception in respect of Peru, whose government will, without doubt, become convinced of the justice of our cause. I nourish the hope that there will thereby be re-established between Spain and that republic the most cordial understanding without abatement of our honor." The relations with Chili were therefore then satisfactory.

The commander of the squadron which now blockades the Chilian ports adjusted at the beginning of the present year a convention for giving up the occupation of the Chincha islands, as has before been mentioned. In that convention the Spanish admiral called Chili a friendly nation, and the government of her Catholic Majesty ratified the treaty, in which appeared a qualification whose truth has not been controverted by any later event, until the moment when the present war broke out.

Six days before that commander opened hostilities against the republic, the 13th of September last past, the anniversary of the independence of this country, the Spanish flag might be seen waving at the door of the house of Mr. Roberts, chargé d'affaires *ad interim* of her Catholic Majesty. That could mean nothing else than the friendly participation of the diplomatic agent of Spain in the great national festival of the glorious independence of Chili.

Such facts are demonstrating that not only there did not exist between Chili and Spain the deep offence treated of, but not even any serious causes of complaint or misunderstanding capable of producing a rupture. To think in a contrary manner it would be necessary to admit that the cabinet of Madrid disregarded the primordial duties of the dignity and honor of governments, or that, knowing them, it fell short of their observance with shameless and culpable duplicity.

Second charge: *Circular of the government of the republic to other American governments, dated 4th of May, 1864.* The undersigned has already previously shown the impressions made on the mind of his government by the anomalous and forcible retention of the Chincha islands, and the protest he thought it necessary to draw up on that subject. This protest, contained in said circular, is what appears to be considered as an act of hostility to Spain. For this purpose it excludes from consideration that the government of Chili, in protesting against the act, signified its confidence that the cabinet of Madrid would disapprove it; a confidence in respect of which events have rigidly proven how much of friendliness, of indulgence, and of good will it entertained toward that cabinet.

Such a circumstance was sufficient to deprive the protest referred to of any hostile character, although it had not been so well founded as it was in reality. But the Spanish government itself did full justice to the apprehensions and foresight which had inspired it, by disapproving, in a manner as ostensible as wanting in good faith, the conduct of its agents in Peru. Shortly after that disapproval the first secretary of state of her Catholic Majesty said, in his circular of the 24th June, 1864, already cited: "I need not speak to you either of the agitation which, from the results of the matter referred to, (the occupation of Chincha,) has been excited as well in Peru as in other places in America, nor of the useless steps taken by various diplomatic agents (among them that of Chili) residing in Lima for the purpose of bringing about an agreement between that government and Messrs. Pinzon and Salazar. As for these measures, her Majesty's government is thankful for them, although they have not produced any effect. As for that agitation, it having been mainly occasioned by the idea that it was intended to revindicate ancient rights, it was natural, and is, that it should have become calmed, or would be calmed, as soon as it should be known in America that Spain and its government did not permit, but rather disapproved, such revindication." The government of Spain, therefore, considered as well founded the agitation which the blameworthy conduct of her agents had awakened in America, and, without falling into flagrant incon-

sistency, could not attribute to hostile sentiments a protest which faithfully interpreted that agitation.

Nevertheless, it has not only fallen into such inconsistency, but into another more serious, if possible. While it reclaimed satisfaction for the protest of Chili, it allowed to pass in silence, as it could not do less, the complete and open adhesion which the governments of other American nations gave to it, with which nations it has continued till this time in relations of friendship and in perfect accord.

Third charge: *The government of the undersigned did not attempt to correct the extravagance of public opinion.* It has just been seen how explicitly the cabinet of Madrid justified the excitement of the American people in consequence of the Spanish occupation. Public opinion in Chili, under the control of this excitement, revealed its apprehensions and suspicions with the energy peculiar to a free and manly people. If these did not disappear with the declarations of the Spanish government, it must not seem strange, since the weak and contradictory censure of the occupation gave a just cause for suspicion, even after the disapproval of the considerations, while the fact upon which they were founded, and which had been the cause of the first alarms, was still maintained.

The expression of sentiments so natural—the judgment given upon such contradictory, irregular, and anomalous acts—is what they term the extravagance of public opinion. The freedom of speech and of the press enjoyed in Chili permitted such expressions to be made with too much earnestness on certain occasions, and the opinion was expressed with noble independence, as happens in all free countries, even in countries like Spain, where freedom in this particular is controlled. To make out a charge against the Chilean government for this is not only unusual and unreasonable, but incompatible with the uninterrupted impunity the Spanish press has enjoyed in its intemperate abuse of American governments and people.

Fourth charge: *Having permitted the Peruvian war steamer Lerzunde to take on coal, provisions, and powder at Valparaiso, and enlist marines there.* When the above vessel was at Valparaiso the Spanish-Peruvian difficulty was obscure and undefined, as the undersigned has already mentioned. As Spain and Peru could not then be considered at war with each other, there was no reason for preventing the vessels of the republic from taking stores and making enlistments in Chilean ports.

The Spanish government, by pretending there was war with Peru when it did not exist, and by denying it later, when it actually existed, undertakes to sustain two charges that destroy each other—the one now under consideration, and that relating to coal, which the undersigned will examine presently.

Moreover, the present charge is wanting in accuracy. The Chilean authorities, moved by sentiments of scrupulous delicacy and kind feelings towards Spain, only permitted the Lerzunde to take at Valparaiso men enough to complete the crew, and the provisions indispensable to the voyage. Such is the truth of the case, although Admiral Pareja has lately tried to destroy the value of this fact by an unjust denial, on the faith of a word in which the cabinet of Madrid has already brought us to place little confidence.

Fifth charge: *Having permitted an expedition of armed volunteers to leave Valparaiso for Peru on a small merchant vessel, the Dart.* The undersigned has already stated that the war between Peru and Spain had not broken out when this expedition left. Notwithstanding this, the volunteers were not permitted to leave until the authorities of Valparaiso saw that they were not armed. The Chilean government was prompted to these precautions by the same benevolent and prudent sentiments that actuated it in the case of the Lerzunde, and not by the duties of a neutrality, for which there was yet no occasion, and which the republic doubted if it would assume at a later day.

The departure of unarmed volunteers would have been harmless, even in times of war, for the passengers on the Dart were not unlike those that go regularly from Valparaiso to Peru on the steamers of the English company of the Pacific.

The departure of armed volunteers only could have been hostile to Spain if we consider as probable the very unlikely intention some fancied to attribute to them, of going to attack the squadron of Admiral Pinzen with a trading schooner like the Dart.

The government of the republic, though it did not credit the report, which was subsequently found to be false, took care that the expedition should start, as it did, completely unarmed, so as to remove every pretence for malevolent accusations.

Sixth charge: *Not having taken measures to allay the fears infused into the peaceful inhabitants of Chili by the anathemas fulminated in a newspaper (the San Martin) against those who supplied provisions to the Spanish squadron or to its agents.* The little importance attached to the threats of any paper published in a country where there is full freedom of discussion is a fact known to everybody; at least nobody in Chili would think of being frightened at such threats. If we take into account that the anathema in question came from a paper like the San Martin, remarkable for the extravagance of its language and severity of its attacks, we can comprehend its little importance and judge rightly that it would pass unnoticed by the government of the republic; besides, the government has too much respect for itself and the good sense of the people to feel any uneasiness about the consequences of an anathema, the puerility of which can only be compared to that of the charge to which it gave rise.

When such charges are advanced it shows the want of real causes of complaint, as well as the desire to invent pretexts to promote difficulties and complications.

Seventh charge: *The hostile treatment of the Spanish war schooner Vencedora by the maritime authority of Lota.* This vessel entered that port about the end of September, 1864, to take water and provisions and renew her deposits of stone coal. The holders of this combustible refused to furnish the required quantity; and on account of this refusal the commander of the schooner applied to the naval sub-delegate of Lota, asking his assistance in getting out coal. As the local authority told him he could not do violence to the will of the owners of the combustible, the commander made a protest against him and the owners of the stone coal. The Spanish minister afterwards repeated the protest to the government of the undersigned in Santiago, and it was rejected as unreasonable. In fact, there was no reason in pretending that the naval sub-delegate of Lota ought to have compelled the owners of the coal to sell it, when they had spontaneously refused. In refusing they exercised an unquestionable right, which he was bound to respect. By disregarding this obligation the sub-delegate would have committed an abuse of power deserving the severest punishment, and by it he would have violated respect to property, freedom of trade, and personal guarantees enjoyed practically and legally by the inhabitants of Chili.

Yet this irrefragable conduct of a subordinate authority is taken as a pretext to say that the *Vencedora* was treated as an enemy at Lota. If what has been shown is not sufficient to annul this charge, it is abated by remembering that the Spanish schooner, though she got no coal in Lota, was repaired and took on water, provisions, and ballast there. This serves to refute the capricious insinuation that the refusal of the owners of the coal was prompted by the naval sub-delegate. If he had wanted to oppose the *Vencedora* his influence might have prevented her not only from coaling, but might have deprived her of the means indispensable to the continuation of the voyage. From the incident in question another charge against the government of Chili is deduced, namely, the approval of the conduct of the authority of Lota. This approbation is already justified, and it only remains to add that if it was given in explicit terms it was because it concerned a subordinate agent who aspired to know the opinion of the government on his conduct in a serious affair, and one unusual in his modest sphere of action.

Eighth charge: *The decree of 27th of September, 1864, issued by the government of Chili, prohibiting the exportation of stone coal, and declaring it contraband of war if intended for the public vessels of a state engaged in hostile operations.* The undersigned has already said that the Spanish-Peruvian difficulty presented two distinct stages in its development—first a state of peace, afterwards a state of war. He has also stated that, when the dispute had reached the second stage, his government determined to assume a neutral attitude without renouncing the right, as far as neutrality would permit, of trying to persuade the Spanish squadron to evacuate Peruvian territory, and thus prevent a definite rupture between Peru and Spain. Its effort to prevent this latter emergency was both legitimate and laudable, for a war of that kind endangered the peace and safety of America for those whose duty was to guard it, and made the continuation of friendly relations with the government of the Peninsula, so much to be desired, utterly impossible.

The difficulty of obtaining stone coal would naturally embarrass the impending war, as it could only be maritime. For this reason the government of Chili determined to forbid the exportation of this combustible whenever it was to be used for the promotion of hostile operations; hence the mentioned declaration by which the cabinet of Madrid made a charge against the republic.

The undersigned proceeds to examine the arguments upon which the charge is founded:

In the first place, it is alleged that the Chilean government had no right to consider Peru and Spain as belligerents before they had declared themselves such. The allegation makes it necessary to sustain that no war can exist without a preliminary declaration, and, of course, confers no duties or rights on neutrals; yet the history of the civilized world records many wars commenced *de facto*, without a previous declaration, in which neutrals have not waited to be notified in order to exercise private acts of neutrality. Even the cabinet of Madrid contradicts its own allegation by accusing the republic of intended infractions of the duties of a neutral in this Spanish-Peruvian difficulty, and founds upon it some of the complaints the undersigned has already examined.

Furthermore, by acknowledging that there were hostilities *de facto*, and, of course, belligerents, the government of the republic only yielded to the evidence of events and the authority of official declarations, as has been previously shown. Nor can the right to make this acknowledgment, even against the will of the contending parties, be questioned when we call to mind the example offered by France and Great Britain in the recent war in the United States, although they found themselves in presence of an internal struggle. (See the edict of the Queen of Great Britain, of the 13th of May, 1861, and the declaration of neutrality of the Emperor of the French, of the 10th of June of the same year.)

In the second place, it is alleged that the government of the undersigned contradicted its own acts by regarding the two nations as belligerents on the 27th of September, 1864, and considering them at peace on the 4th of July of the same year. These various phases of the Spanish-Peruvian difficulty which we have shown, while they explain the imaginary contradiction they reveal the flagrant one of the government of Spain by supposing a state of war in the case of the Lerzundi when there was none, and denying its existence in the present case when it had begun.



In the third place, it is alleged that the declaration mentioned was a hostile measure, as it could only injure Spain. Although the damages that the measure might cause could injure only one of the belligerents, it could not be termed hostile or partial if applied equally, as in this case, for the Peruvian war vessels were deprived of Chilian stone-coal as well as the Spanish. But that exclusive damage did not exist, for as Peru has no coal mines in her territory, she was forced to apply to the same markets and resort to the same means of transportation as the Spanish squadron to provide fuel, and consequently the damages were the same as those to her adversary.

It is also alleged that it is the peculiar faculty of belligerents to say what articles shall be considered as contraband of war. This allegation is inconsistent with state sovereignty, in use of which any declarations may be made they think proper, provided they do not violate the rights of any other nation and prohibit the exportation of goods of any kind they choose. Besides, the declaration in question is authorized by a similar act of the government of her Britannic Majesty. On the 31st of January, 1862, Lord John Russell addressed divers instructions, relative to the neutrality of his country in the war of the United States, to the lords commissioners of the admiralty, in the last of which he denounced stone-coal used in warlike expeditions and prohibited its exportation.

Finally, it is alleged that the declaration of the 27th September was contrary to international usage and against the principles of the laws of nations, as stone-coal, in the opinion of both parties, is at all times an article of lawful commerce. This affirmation is far from being exact. If in truth there are some maritime nations that always consider this combustible as an innocent article of trade, there are others that regard it as contraband of war when used in hostilities. Among the last is Great Britain, as we have shown and as is proven in the case of the *Flambeau*, a vessel of the United States navy, which the English authorities of Nassau (a town in one of the Bahama islands) hindered from taking coal, while that privilege was granted to a merchant steamer of the rebel States. (See Russell's note to Mr. Adams, United States minister in England, dated 25th March, 1862.) The opinion of the British government in this case, which was a precedent of the decree of 27th September of the government of Chili, is not only sustained by the teachings of several commentators on international law, among whom the eminent English jurist Phillimore, (vol. 3, No. CCLXVI of his Commentaries,) but is supported by the general principles of the same law. Since steam has superseded wind in navigation, stone-coal has assumed the part of canvas at sea, and is considered everywhere as contraband. (Bello, part 2d, chap. VIII, § 4.)

The same differences of opinion and practice prevailing on this subject have communicated to the measure in question a loyal and proper character, altogether incompatible with the partial and hostile spirit which they pretend to believe was the cause of it.

Ninth charge: *Not having extended the prohibition of the export of stone-coal, and other contraband articles, to the vessels of the French squadron, while the French empire is at war with the Mexican republic.* The fact upon which this charge is founded is wanting in accuracy, particularly in an official and diplomatic view. The trouble that existed in that country, and which still exists, was not an international war, was not a war between France and Mexico, but an internal struggle between the constitutional republican government and an imperialist faction dependent upon foreign arms for its support.

On the other hand, when the charge was made no proofs were adduced to sustain it; no vessel of the French squadron was mentioned as having taken contraband articles from Chili to be used to make war on Mexico.

France, on the contrary, has had a permanent naval station for many years in these seas, and her ships have been in the habit of provisioning in Chilian ports. It would have been impossible for the government of the undersigned to find out which of these vessels were engaged in or intended for hostile operations. An inaccuracy and a supposition can afford a foundation for no charge.

Tenth charge: *Having permitted the Peruvian government to export horses from Chili.* On making this charge, the cabinet of Madrid again plainly recognizes the existence of war, disavowed at the time of the declaration about the stone-coal, which was contemporaneous with the exportation of horses to Peru. And this new contradiction is useless, for the charge disappears at once when we remember that it was a maritime war, in which horses could not be used. And even if it had been a question of war on land, it would have still been lawful to permit Peru to bring an article from Chili which had always been obtained in that country, not only for its army but for peaceable and industrial purposes, thus placing it under the protection of customary law. (See Bello, part 2d, chap. VII, § 3.)

Eleventh charge: *Impunity of the newspaper called the San Martin.* This publication, as has already been mentioned, soon lost its reputation with the public and disappeared in a few months for want of readers, in consequence of the excessive acrimony of its style when censuring the defects of the Spanish nation, and its attacks upon the Queen and royal family of the Peninsula. The Spanish representation in Chili several times called the attention of the government of the republic to the many insults of the *San Martin*, and the undersigned told him, the first time he spoke of it, how much displeased the government was with that paper, and asked him if he would have it prosecuted in the courts that have jurisdiction of such offences. The Spanish minister gave no categorical answer to this question, but continued to protest eagerly against the virulence of the *San Martin*.

Without an affirmative answer on his part, it was not lawful to prosecute a paper for libel by article 22 of the statute in force on the abuse of the freedom of the press, which says, "Printed slanders may be prosecuted, at the instance of the offended party, by the state's attorney or his agents, or the city attorney, whenever made against the President of the republic, heads of foreign governments, or diplomatic agents accredited near the government of the state." And even if this previous and indispensable condition had not existed, the government of the undersigned would have hesitated to have the insults given by the San Martin to the Queen of Spain discussed in a public court, particularly as they were sufficiently avenged by public disapproval. His hesitation would have been prompted entirely by a sentiment of delicacy, respect, and amity for the sovereign of a friendly nation, and that sovereign a woman.

This charge was so unfounded that the Spanish government could do no less than modify it. Subsequently, Admiral Pareja limited it, in his *ultimatum* of the 17th of September last, to blaming the government of Chili for not having expressly condemned the offending articles of the San Martin in the official paper. If such omission needs justification, it is justified by the character of the official paper of Chili, that inserts only orders and official documents, and never admits political discussion. But this omission was fully atoned for by the explicit condemnation of that paper's abuse, in the notes of the undersigned to Mr. Taveira on that subject, and in the last address of his Excellency the President of the republic to the legislative body, all of which were published, and expressed the opinion of the government of Chili in the most official and authentic manner.

The motive of the government of Madrid in misunderstanding the unequivocal language of these documents, while complaining of the silence of the official paper, is very easy to explain; any frivolous excuse for accusing the republic was to be hunted up. The undersigned has now finished the examination of the charges against his government, under the form of causes of complaint, after they had already been refuted under the form of reclamations which they first assumed.

The examination just concluded permits us to presume how easy it would have been for the undersigned to have made in his communication to Mr. Taveira on the 16th of May last, not only the solemn declarations consistent with the dignity of the Spanish government, exacted from the republic, but also satisfactory explanations. These were so satisfactory that the minister resident of her Catholic Majesty informed the undersigned, on the 20th of said month, that in his opinion they removed all the causes of complaint alleged by his government, and he hoped they would contribute to strengthen the relations between the two countries.

Such a positive declaration, without reservation, made by the same functionary who framed the charges and saw their consequences, was soon confirmed by a very significant act—the Spanish flag again waved from Mr. Taveira's house in token of perfect friendship.

The acts and official language of the representative of her Catholic Majesty then left no room for doubt; all causes of discord between Chili and Spain had disappeared. The government of the undersigned rejoiced at it, and if it desired Mr. Taveira to obtain the complete approbation of his government, it was only because of the cordial relations between the two countries, as both would suffer if the minister's conduct were disapproved. But it never imagined the disapproval could revive past disagreements.

If governments reserve to themselves the ratification of the contracts made by their diplomatic agents in certain cases, the arrangement of treaties or conventions for instance, this condition is expressly stipulated. As the declaration of the minister resident of her Catholic Majesty contained no such reservation, the government of Chili was bound to consider it irrevocable.

This opinion was so common that even Mr. Roberts, Mr. Taveira's successor as temporary chargé of Spain, entertained it, although he knew that his predecessor's conduct had been disapproved by his government. He clearly signified as much by hoisting the Spanish flag over the door of his house on the 18th of September last, the anniversary of Chilian independence, which act could only be interpreted as an assurance that the friendship and good intelligence between the two nations had survived the disapprobation.

Yet, by one of those frequent contradictions in Spanish policy that makes the world doubt its judgment and good faith, that same day—18th September—the undersigned received the *ultimatum* of the Spanish naval forces in the Pacific, who had only been two days in the port of Valparaiso, with a part of his squadron. Admiral Pareja declared in his *ultimatum* that Mr. Taveira had not complied with the spirit and letter of his instructions when he accepted the explanations contained in the note of the undersigned of the 16th of May last, and had thus incurred the displeasure of his government; and consequently the cabinet of Madrid considered things in the same state as they were before the acceptation, and demanded satisfactory explanations of the republic, with a salute of twenty-one guns to the Spanish flag; at the same time he intimated that if the demand was not complied with, diplomatic relations between the two countries would be broken off, and if his forces were called into action he would claim indemnity for injuries sustained by the Spanish squadron in consequence of these decrees of the government of Chili.

Thus the same government that had not scrupled to profit by the occupation of Chincha, effected by a pretended treachery of its agents in Peru, neither hesitated to afflict the republic

with the consequences of another faithless act of its official, for whom it had asked entire faith and credit from the government of Chili.

If this precedent could have any value in international relations, enlightened states would certainly renounce all intercourse with the diplomatic agents of her Catholic Majesty unless they showed the original text of their instructions; else they would run the risk of falling into a net of engagements which would be annulled, or only tend to lull their suspicions and divert their resolutions.

The undersigned therefore protests, in the name of his government, against the adoption of a precedent that perverts and annihilates the noble profession of diplomacy, and which, applied to the present case, would lead to the absurd conclusion that there is actually a war between Chili and Spain, provoked by the chief of the Spanish squadron with instructions from his government. It is superfluous to say that the government of the republic accepts no such conclusion, and yet it is just as fair to presume that Admiral Pareja did not comply with his instructions as it was to doubt that Mr. Taveira had carried out his.

In fact, the long career and honorable character of this diplomatic agent makes the accusation of faithlessness, as applied to him, very unlikely; while the disapproval of his conduct is readily explained by the late ministerial change in the Peninsula. The ministry whose orders Mr. Taveira had to carry out seemed disposed to eliminate the policy of ambitious adventurers and duplicity that had possessed the country, and is shown by the conclusion of the war in St. Domingo.

This ministry lasted but a short time; and the succeeding one brought back the same men into the Queen's counsel, who had sent Commissioner Mazzarredo and Admiral Pinzon to America to break old treaties and claim foreign territory. The conclusion that Mr. Taveira had given in the mean time to the equitable and reparatory instructions of the former cabinet, displeased the new one, and it decided to resume its old plans of avarice and reconquest in America by embarrassing him in his efforts to re-establish friendly relations between Chili and Spain. The ministry, under the presidency of O'Donnell, did not then hesitate to sacrifice the honor and reputation of an old functionary upon the altar of his sinister designs, just as it had blamed Mazzarredo and Pinzon to excuse a contemptible recantation, and cover derelictions of probity and political penetration; and, although the first explanation did not seem as plausible as it actually was, although Mr. Taveira did not conform to his instructions, causing the republic to suffer for his misconduct; and, the same causes of complaint of the 13th of May last still existing, the demands to which they gave rise have not been modified. The cabinet of Madrid then ordered the Chilean government to make *solemn declaration consistent with the dignity of that cabinet*. Why demand satisfactory explanations, and before they were received and examined, enact a statute that would have been superfluous had the explanations been satisfactory?

To make these unauthorized and inconsistent exactions more inadmissible, if possible, they were condensed into an *ultimatum*, insulting to the dignity and offensive to the finer feelings of the people and government of Chili. It was signed by a chief of a squadron, instead of the Spanish diplomatic agent then resident in Santiago, and acting, as has been mentioned, and who was the proper medium of communication with the cabinet of Madrid. Even the appearances of conciliation were neglected in it, and the injustice and arrogance of its pretensions were mingled with intemperate menaces; and, finally, it was presented to the undersigned at a time when the whole country was celebrating the fifty-fifth anniversary of the birth of the republic.

The spirit that dictated this document was evident from its contents. It was intended at all hazards to mock, humiliate, and subjugate Chili, whose indefatigable solicitude for American interests and unionizing influence in America were impediments to the secret and disgraceful projects of Spain already attempted on this continent.

It is hardly necessary for the undersigned to say that his government promptly rejected, and with proper indignation, the dishonor offered in these propositions by the Spanish government to the republic in exchange for a precarious peace. This *ultimatum* was presented a second time by Admiral Pareja, and was again rejected the 23d September last. The chief of the Spanish squadron blockaded the port of Valparaiso the next day, and declared a blockade of the other ports of the republic.

Never was there a more rude and impudent abuse of power over a defenceless people. But never did a defenceless nation respond with more decision and energy to the insults of a power under the shadow of impunity to divine justice and the opinion of civilized humanity.

Through its rulers and the will of the people, the republic accepted, without hesitation, the wager of battle forced upon it by an aggression deeply mortifying to its dignity and rights, and threatening to its present and future security.

In making this grave decision it could not refrain from regretting to give up a long flourishing and glorious peace. But it could not retract, and was forced to take the only road left open for the vindication of its honor. Neither has the contemplation of an unequal struggle, with a nation of many armies and a large fleet, had any influence in this decision.

Chili is ready to suffer patiently the unavoidable desolation of Spanish power, and wait the moment to show the mother country she has not forgotten the art of improvising conquering armies and victorious fleets.

And now the undersigned declares to friendly nations that his government has undertaken

the present war with the firm determination not to end it till the Spanish government shall offer due satisfaction for the insults and injuries inflicted by an inexcusable aggression, and give solid guarantees that the independence and repose of American republics will never again be disturbed by the unjust attacks of the cabinet of Madrid.

If in this contest the government of the undersigned has to struggle alone, without allies, it trusts that its struggle will not be in vain. This is the courageous promise of the constant and self-denying citizens of the country. This is the promise of the uprightness of the intentions and the justice of a cause that deserves the protection of God and the sympathies of every enlightened and generous country.

But there is no fear of the republic being alone; it is rather certain that the American states will measure the extent of a war the result of which will decide their fate, and will embrace the cause of Chili as a common cause, repealing the memorable and powerful alliance to which they are united by their historical antecedents and present political necessities.

The result of a victory in this contest will not be the empty satisfaction of self-love to the republic; the future fate of the Spanish American states depends upon it; and not only of those now independent, but those bending under foreign yoke.

To secure this triumph no sacrifice must be spared, but a rapid, constant, and decided action must accomplish it.

If its anxiety to return to peace, which it gave up with such profound regret, were not a powerful inducement to carry on the war under such conditions, the sincere solicitude for the interests of neutrals compromised by the contest would be, as well as the desire to see the extensive mercantile and manufacturing relations that foreign nations have with this country relieved from its incubus.

In endeavoring promptly to establish a secure and lasting peace by means of arms, the government of the undersigned thinks to render the greatest homage to these relations—to humanity and civilization, and justly appreciates the flattering interest that all the friendly states represented in Chili have already shown to the country, under these trying circumstances, through their worthy diplomatic ministers.

It has already given an unequivocal proof of its favorable sentiments in regard to neutral goods, by the instructions given to its war vessels, public or private, that are sent to capture Spanish property at sea. By these instructions neutral property will be respected under the enemy's flag; and goods of the enemy, if not contraband of war, will be protected by a neutral flag. The Chilean government has thus conformed to the second and third of the principles of maritime law proclaimed by the international congress of Paris in 1856.

This liberality contrasts singularly with the contrary conduct of the chief of the enemy's squadron. While he confesses himself bound by the instructions of his government to observe the fourth principle of the law alluded to, he breaks it openly by undertaking to blockade all the Chilean ports with four frigates and two smaller vessels, not enough to blockade effectually four of the fifty-three ports of entry along the extensive Chilean coast.

The repeated observations and protests that have been addressed to him on this subject by the diplomatic and consular agents of the neutral powers have not succeeded in diverting him from a determination that not only opposes the declaration of the congress of Paris, but requires a revival of the *paper blockade* already condemned by all enlightened nations.

They will know how to judge of a proceeding so characteristic of the international policy of Spain. But the undersigned cannot pass in silence two other acts of the same chief that affect the immediate relations of the belligerents. By the instructions given to the Spanish cruisers, they are ordered to treat all Chilean war vessels as pirates, if the majority of their crews are not citizens of the republic. The government of the undersigned solemnly protests against this whimsical prescription, as it will be followed by severe reprisals if carried into effect.

His protests are not less earnest against the threat to bombard Valparaiso, made by Admiral Pareja in a recent communication to her Britannic Majesty's chargé d'affaires, and made public by him. As Valparaiso is an unfortified city and a place of great trade, its bombardment could have no excuse in the object of the war; it would be a measure of useless barbarism, in violation of the law of nations, and against the sentiments of enlightened humanity. The uselessness of such an odious act would be aggravated if its intention was to destroy the public edifices, as the Spanish admiral intimated, that deserve especial respect, even in the bombardment of fortified places. If this is done the Chilean government will certainly resort to the painful duty of reprisals in order to equalize the mode of warfare.

The preceding expositions show how Spain can deviate from the usages and observed practices in civil war. This sad discovery has prompted, and justifies, the resolution of the government of the undersigned to forbid Spanish subjects from leaving Chili, to assemble them in this city, and subject them to the direct vigilance of the local authorities.

The bombardment of Valparaiso, and other rash acts of the enemy, will not tend to weaken the resistance of the republic, but may alter its intention to wage a just and effective war.

In concluding this long exposition the undersigned believes he has shown the justness of the Chilean cause, and yet the best argument in its favor remains, namely, the position the country has assumed and will maintain. Chili, the mark of unexpected aggression, wanting

a large army, naval forces, and fortified coasts, has not hesitated to defy without arms the hostilities of a powerful adversary.

While preparations for defence are making, it supports with manly courage and spirit, with calmness, dignity, and noble patriotism, all the evils of war, without any of its advantages.

Divine Providence only grants this courage to those whose cause is just.

ALVARO COVARRUBIAS.

*Mr. Nelson to Mr. Seward.*

No. 235.]

LEGATION OF THE UNITED STATES,

*Santiago de Chili, November 16, 1865.*

SIR: I have the honor to advise that from the date of my last despatch to the present, the war between Chili and Spain has not presented any new features of importance. The blockade of the six ports, announced by Admiral Pareja, is still maintained, but no further acts of hostility have occurred, and I have merely to confirm my opinion that the admiral will now await fresh instructions from Madrid before proceeding to operations of more serious character. These instructions will arrive here at the close of December or the middle of January, when it is my impression that he will either withdraw from Chilian waters or proceed to a more active class of hostilities.

Rumors of attempts soon to be made to destroy the vessels of the blockading squadron by means of iron torpedo-boats are rife here, and the Chilians look forward with confidence to the assistance of the Peruvian navy, should the revolutionary cause then triumph.

I have the honor to remain, very respectfully, your obedient servant,

THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Nelson to Mr. Seward.*

No. 236.]

LEGATION OF THE UNITED STATES,

*Santiago de Chili, December 1, 1865.*

SIR: Since the date of my last despatch, events of great interest have occurred in Chili. On Sunday morning, the 26th ultimo, the Spanish gunboat Covadonga, commanded by First Lieutenant Luis Ferri, was proceeding southward from Coquimbo, and at a few miles from the port of Papudo, (thirty miles to the northward of Valparaiso,) was overhauled and attacked by the Chilian corvette Esmeralda, and after a brief combat surrendered to the latter.

The Covadonga had a crew of one hundred and thirty men, and the Esmeralda one hundred and twenty-three. The former was armed with two 68-pounders, and one 32. Her small-arms consisted of three hundred rifles, one hundred revolvers, and a full supply of boarding axes, cutlasses, &c. The armament of the Esmeralda has not transpired, but it is generally supposed that she carried twelve 32-pounders. The casualties were few, being two killed and fourteen wounded on the Covadonga, while the crew of the Chilian corvette escaped uninjured, and the vessel herself nearly so, one sixty-eight pound shot passing through her bulwarks without doing any material injury. Both vessels fought under steam.

The news of this, the first naval combat of the war, was received in Santiago and Valparaiso with enthusiasm. Public buildings and dwellings were decorated with flags, and in the evening a general illumination took place.

On the 28th, by order of the archbishop, a solemn *te deum* was sung in the cathedral of this city, and the captured flag of the Covadonga was borne by the venerable Admiral Blanco to the church, and there deposited as a trophy. He was accompanied by a large number of military and naval officers, and escorted by the infantry and volunteer regiments of the garrison.

With the Covadonga were captured fourteen officers and about one hundred and fifteen men, who were sent at once to the capital, where they arrived at nine o'clock on the morning of the 29th, and were at once quartered in the barracks of the President's guard. It was gratifying to observe that every consideration was shown towards the prisoners by the immense crowd assembled to witness their arrival. Neither outrage nor insult was attempted. The government had, however, taken every precaution, and a large military force protected the prisoners during their passage from the railroad station to the barracks, where exceedingly comfortable quarters are provided for them.

On the morning of the 26th, the Spanish gunboat *Vencedora* left Valparaiso for the south; up to the present no intelligence has been received of her movements. Heavy firing was reported to the southward on the 28th, and it is supposed that she also had fallen in with the *Esmeralda*.

Although the capture of the *Covadonga* is in itself of comparatively trifling importance, the moral effect of the victory is great in inspiring the Chilian forces with confidence, and in demonstrating that they are in earnest in the conflict. The loss of the vessel, by depriving Admiral Pareja of the means of communication with the blockading vessels, will prove a serious inconvenience, and should the *Vencedora* be likewise captured, will render it necessary to raise the blockade of at least one of the ports.

The import and export trade of this section of the country is now carried on with great regularity through the port of San Antonio, thirty miles south of Valparaiso, and the war has begun to stimulate commercial transactions. The abolition of duties has caused great activity in the import trade, and some foreign productions are now to be purchased in Santiago at prices lower than before the war. The mail steamers resume in a day or two their regular trips to the south, and the commercial position generally of Chili is far more favorable than thirty days since.

I have the honor to remain, very respectfully, your obedient servant,  
 THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Nelson to Mr. Seward.*

No. 237.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, December 2, 1865.*

SIR: The sailing of the regular mail steamer having been postponed for twenty-four hours, has afforded me the opportunity of again addressing you.

The Spanish frigate *Resolucion* has abandoned the blockade of the ports of Tomé and Talcahuano, and yesterday morning arrived at Valparaiso. The gunboat *Vencedora* arrived the previous evening.

It is said that the *Villa de Madrid*, flag-ship of Admiral Pareja, sailed for Cal-lao this morning, with the admiral on board. She certainly left Valparaiso for the north.

These movements of the Spanish fleet are supposed to be precursors of hostilities against Peru—the news of the triumph of the revolution in that republic,

and of a serious misunderstanding with the Spanish minister at Lima, having been received here on the 26th ultimo.

There is now no blockade of the Chilian coast south of Valparaiso.

I have the honor to remain, very respectfully, your obedient servant,  
 THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Nelson.*

No. 117.]

DEPARTMENT OF STATE,  
*Washington, December 5, 1865.*

SIR: I have had the honor to receive and submit to the President of the United States your despatch of the 31st of October last, No. 231.

It gives me great pleasure to approve the earnest and judicious proceedings which you have taken in concert with other foreign representatives to induce the belligerent parties in Chili to desist from hostilities, and to inaugurate measures of pacification; and I cannot express too emphatically the President's regret over the failure of these laudable efforts.

You are expected, however, to renew your good offices whenever in your opinion there shall be any reasonable ground to build a hope of success; and I have only one suggestion to offer for the guidance of your own highly approved discretion, which is, that in tendering such good offices it is eminently proper and wise to treat the two powers who are actually at war with equal consideration and respect. I have now, in the spirit of the remarks already made, to instruct you to seek an interview with Mr. Covarrubias, and to say to him that the President of the United States has abated nothing of his heretofore often-expressed desire for the establishment of peace between Chili and Spain; and that it seems to him that Chili has already exhibited on her part so much of chivalry and national spirit in accepting the war, and in the means she has taken for carrying it on, as to render it perfectly consistent with her honor to offer or accept negotiation with a view to peace.

By the President's direction I have instructed Mr. Hale to address the Spanish government in the same sense and in the same spirit which are used in this despatch. It is thought not improbable that some others of the commercial powers would, if invited, join the United States in urging counsels of peace upon Chili and Spain.

But this government believes that representations made by the United States alone, without concert with other powers, are more in harmony with our own national character and institutions, besides being at least equally courteous to the belligerent nations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS H. NELSON, Esq., &c., &c., &c.

---

*Mr. Nelson to Mr. Seward.*

[Extract.]

No. 239.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, December 16, 1865.*

SIR: I have the honor to acknowledge the receipt of your despatches to No. 114, inclusive, and also of the executive order of April 29th, 1865; circular of the

Department of State of the 25th of June, 1865, in regard to the American Geographical and Statistical Society; *idem* of September 19th, 1865, in regard to leaves of absence; and proclamation of October 12th, 1865, ending martial law in Kentucky.

In obedience to the instruction of the 10th of October, No. 112, I have had the pleasure of addressing under this day a note (A) to the committee of the citizens of Copiapo, who on the 17th of May addressed a letter of congratulation to the lamented late President of the United States, upon the overthrow of the rebellion and re-establishment of the national authority in Virginia.

\* \* \* \* \*

During the past fortnight nothing very important has occurred in regard to the war. The flag-ship *Villa de Madrid* has cruised diligently along the coasts of Chili, and instead of proceeding to Callao, as was supposed, was at last advices in Coquimbo, with the frigate *Blanco*. The *Resolucion*, (frigate,) and corvette *Vencedora* are blockading Valparaiso; and the squadron has been re-enforced by the arrival at Caldera, from Callao, of the iron-clad frigate *Numancia*, and transport *Marquis de la Victoria*. The frigate *Berenguela* is also at Caldera. Thus the entire squadron in the Pacific is at this moment concentrated in the waters of Chili.

The abandonment of Callao at the moment of the overthrow of the late government, and of the declaration of the dictatorship of General Prado, has excited surprise, and can only be accounted for by a determination on the part of Admiral Pareja to avenge the capture of the *Covadonga* by some act of hostility less passive than that of mere blockade.

The search on the part of the Spanish vessels for the *Esmeralda*, *Maipu*, and *Covadonga*, the three vessels now forming the navy of Chili, has hitherto been entirely fruitless.

On the 2d instant the *Blanco* left Coquimbo to give chase to two vessels outside the port, leaving the bark *Domitila*, a merchant vessel laden with supplies for her, in the bay. Eight small boats immediately put off from shore, boarded the bark, and would have towed her ashore but for the return of the frigate. The *Domitila* having hoisted the Italian flag, and her papers being Italian, the boarding party hesitated to destroy her, and abandoned the vessel, carrying with them the crew as prisoners. The frigate demanded their surrender under threat of bombardment in case of refusal, but the authorities declined to give them up, and there the affair ended.

I have the honor to remain, very respectfully, your obedient servant,  
THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, December 16, 1865.*

GENTLEMEN: In the month of May last I had the honor to transmit to my government the eloquent and patriotic letter addressed by you, in the name of the people of Copiapo, to the President of the United States, Abraham Lincoln.

It was the will of God that that great and good ruler should be suddenly removed, and your earnest congratulations found the people and government of the United States mourning over his recent death. This and subsequent events have postponed until the present time the acknowledgment of your communication. It has, however, been recently referred by the President to the Department of State, which has instructed me to convey the high sense of appreciation entertained by the people and government of the United States toward the people of Copiapo, for the kind and generous sentiments expressed in that letter.

I cannot perform this grateful duty more acceptably than by transmitting to you the de-



spatch from the State Department, which I have this day received, and a copy of which I have the honor to enclose herein.

Be pleased to communicate this to the citizens of Copiapo, and accept for yourselves the assurances of high esteem and consideration with which I have the honor to remain,

Your obedient servant,

THOMAS H. NELSON.

To Messrs. OLEGARIO OLIVARES, PEDRO LEON GALLO, and others,  
*Members of the Committee of the People of Copiapo.*

*Mr. Nelson to Mr. Seward.*

No. 240.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, December 31, 1865.*

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 115, dated November 14th, and 116, of November 27th, 1865.

On the 29th ultimo Admiral Pareja, commander-in-chief of the Spanish squadron died suddenly on board of his flag-ship, the Villa de Madrid.

From all the information I have been enabled to obtain on the subject it appears that Admiral Pareja committed suicide. During the two months which had elapsed since the declaration of hostilities he had encountered nothing but disaster. To the resolute attitude of Chili, the unyielding determination of her people, the unanimous disapproval of the diplomatic, consular, and commercial representatives of foreign interests, were added the utter failure of the blockade, the capture of the Covadonga, a defalcation in the squadron treasury amounting to \$175,000, and the triumph of the Peruvian revolution; and it is said that the steamer of the 29th, the day of his death, brought him despatches of important and very unsatisfactory character. Mr. Clark, our consul at Valparaiso, had an interview with the admiral on the preceding day and found him apparently in good health.

The circumstances of the suicide are stated upon very reliable authority to have been as follows:

On the afternoon of the 29th he, after dining as usual, walked the deck of the frigate for a short time, and then retired to his cabin, where he wrote three communications, one to the government of Spain, one to Captain Mendez Nunez, commander of the Numancia, (and his successor in the command of the squadron,) and a third to his family. Somewhat later a pistol-shot was heard from his cabin, and some of the officers rushing in, found him quietly cleaning a pair of pistols and firing them out of the cabin windows. He was dressed in full uniform, with all his orders and decorations on his breast, and upon a remark being made on the subject stated that he had put it on to prevent it from becoming moth-eaten. The officers having withdrawn, several shots were subsequently heard, to which no attention was paid; and finally one muffled and deadened in sound, after which all was silence. This was about 7 p. m.

The officers supposing that the admiral was engaged in his correspondence for the mail of the following day, forebore to interrupt him until about 9 o'clock, when observing that he did not as usual come on deck or call the second in command to receive his orders, Captain Lobo entered the chamber and found him lying upon the bed, apparently asleep. Upon attempting to awaken him he realized the fearful truth—that he was dead; and cautiously withdrawing, informed his brother officers of the event. An examination revealed the fact that the pistol had been placed in his mouth and fired, the ball entering the brain and passing out of the left temple. The weapon was still clenched in the right hand.

Orders were at once given to conceal the tragic event from the crew, and from those on board of the frigate Resolucion; and the Villa de Madrid sailed from Valparaiso without the death of the admiral being known, save to his own officers.

In compliance with the Spanish navy regulations, which order the burial at sea of the body of a suicide, the remains of Admiral Pareja were thus disposed of—the corpse being consigned to the waves, dressed in full uniform and bearing all the crosses and decorations he wore at the moment of his death. These facts have only transpired within the past few days.

On the 19th instant the Spanish frigate *Blanca*, Captain Topete, commander, arrived at Valparaiso from the north, and information of the death of the admiral, but not of its manner, was officially communicated to the foreign men-of-war, and by them to the public.

The government of Chili upon learning of the fact, and unaware of the fact of the disposal already made of the body of Admiral Pareja, immediately instructed the intendente of Valparaiso, as an act of humanity, to tender the use of the cemetery of that city as a temporary resting place for the body until claimed by the government of Spain, or by the relatives of the deceased.

Captain Topete replied, in the name of the officers of the Spanish navy, expressing their grateful sense of this courtesy, but informing the intendente that the waters of the Pacific had already closed over the corpse of his commander.

On the 20th Captain Casto Mendez Nunez, formerly commander of the iron-clad frigate *Numancia*, but who, as successor of the admiral, had hoisted his pennant as vice-admiral on board of the *Villa de Madrid*, arrived at Valparaiso in the latter vessel. He was saluted by the foreign men-of-war, who, during the day, kept their flags at half-mast in honor of the late commander-in-chief.

The new admiral addressed me a note, (A.) date accidentally omitted, informing me, as dean of the diplomatic corps, of the death of his predecessor, to which I replied under date of the 26th, (B.) stating that I had informed my colleagues of the event, and expressing our profound regret at so sad an occurrence.

On the 22d he addressed a note to Mr. George Lyon, consul general of Portugal, informing him, as dean of the consular corps of Valparaiso, that from that date the blockade of the ports of Chili was reduced to two ports only, Caldera, the seaport of the mining district of Copiapo, and Valparaiso.

Meanwhile, Chili having thrown open all her ports, and declared thirty-two to be free ports of entry, the blockade is scarcely felt, or not at all, save by the commercial houses of Valparaiso; and the abolition of custom-house dues has even enabled them to import through San Antonio, Papudo, Algarobob, and other neighboring ports. The blockade is, in fact, merely nominal in its effect upon trade.

Great disaffection is said likewise to exist among the ships of the Spanish squadron, some of which have been at sea over four years, during which time the crews have been on shore but three times. On the frigate *Resolucion* a very mutinous spirit prevails, and fears are entertained for the conduct of the men in the event of an action.

Nothing is known definitely of the position of the Chilian or Peruvian vessels, but it is currently believed that they are fitting out in junction at the island of Chiloe, whence they will sail as a combined fleet for Valparaiso for the purpose of opening active hostilities against the Spanish squadron. The fleet will consist of the Peruvian frigates *Amazon* and *Apurimac*, and corvettes *Union* and *America*, the Chilian corvettes *Esmeralda* and *Covadonga*, and the tenders *Independence*, *Maipu*, and *Huany*. As the corvettes carry some very heavy artillery, they may be able to inflict serious damage upon the Spanish vessels.

The steamer which arrived on the 29th instant brought information that Peru had forbidden the departure of three vessels, laden with provisions, for the Spanish squadron, and that a declaration of war against Spain was imminent. If this be the case, and that squadron be thus cut off from all its resources, with a hostile and by no means feeble fleet awaiting it outside of Valparaiso, the result may be most disastrous to the former.

In the absence of any facts of interest regarding the situation, I deem it my duty to mention those rumors, which have obtained most currency and are generally believed to be true.

I have the honor to remain, very respectfully, your obedient servant,  
 THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

## A.

*Admiral Nunez to Mr. Nelson.*

[Translation.]

PACIFIC SQUADRON, FRIGATE VILLA DE MADRID,  
*Valparaiso, December, 1865.*

The undersigned, acting commander-in-chief of the naval forces of her Catholic Majesty in the Pacific, has the honor and regret to inform the diplomatic corps resident in Santiago, by means of its respected dean, the most excellent envoy extraordinary and minister plenipotentiary of the United States of America, of the decease of the most excellent Don José Manuel Pareja, plenipotentiary of her Catholic Majesty and late commander-in-chief of these naval forces in the Pacific.

The undersigned avails himself of this occasion to offer to the envoy extraordinary and minister plenipotentiary of the United States of America, and to his respected colleagues, his sentiments of the highest and most distinguished consideration.

CASTO MENDEZ NUNEZ.

The Most Excellent ENVOY EXTRAORDINARY AND MINISTER  
 PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA,  
*Dean of the Diplomatic Corps, Resident in Santiago.*

## B.

*Mr. Nelson to Admiral Nunez.*

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, December 26, 1865.*

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America to Chili, and dean of the diplomatic corps resident in Chili, has had the honor to receive the note which his excellency Don Casto Mendez Nunez, commander-in-chief of the naval forces of her Catholic Majesty in the Pacific, has been pleased to address him, for the purpose of informing the diplomatic corps of the decease of his excellency Don José Manuel Pareja, late commander-in-chief of those forces.

The undersigned has informed his colleagues of this sad event, and begs his excellency to accept for them and for himself the expression of our deep regret for the loss of so distinguished an officer.

The undersigned avails himself of this occasion to present to his excellency the commander-in-chief of the naval forces of her Catholic Majesty in the Pacific, the testimony of his high consideration and respect.

THOMAS H. NELSON.

His Excellency CASTO MENDEZ NUNEZ,  
*Acting Commander-in-Chief of Spanish Squadron in the Pacific.*

*Mr. Nelson to Mr. Seward.*

No. 245.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, January 16, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch No. 117, of December 5th, 1865.

I am instructed therein to renew my good offices in the sense of a friendly adjustment of the differences between Chili and Spain whenever there shall be any reasonable ground whereon to build a hope of success, and it is suggested

that, in tendering such good offices, it is eminently proper and wise to treat the two powers which are actually at war with equal consideration and courtesy.

It will give me the greatest pleasure to comply with your instructions in the premises, and I shall omit no effort in the future, as I neglected none in the past, to endeavor to bring about such friendly adjustment. So soon as Mr. Covarrubias shall have recovered from an attack of illness, which has compelled his temporary absence from his post, I will seek an opportunity to confer with him as directed.

I beg leave respectfully to state, in reference to the equality of treatment of the two belligerent powers, that while I have been careful to manifest the most perfect equality of courtesy in the manner of addressing the government of Chili and the Spanish admiral in the various communications which I have had the honor to address them during the past few months, that equality was destroyed in so far as regarded the matter of such communications by the positions assumed by the parties themselves; while the action of Spain, through her diplomatic and naval representative, was aggressive, unusual, and unfair to those neutral interests which it was my duty to watch over and defend, that of Chili was limited to a simple attitude of defence. Spain demanded, it is true, as stated in your notes to the representatives of that power and of Chili of the 21st and 14th of November last, nothing more than an artillery salute, and failing to obtain it, declared war against Chili—a war which was therefore characterized not only by myself, but by all my colleagues of the diplomatic corps as useless and unnecessary. Chili, on the other hand, could not have yielded that salute, demanded as it was in a peremptory tone, under a distinct and arrogant threat in case of refusal, without indelible national humiliation.

As the representative of a sister republic, whose traditional policy involves a wakeful jealousy of the aggressions of Europe, residing near a government which has reiterated her earnest sympathy with us in all our trials, and had unfeignedly rejoiced in our success, I could not consistently stand by without earnest remonstrance against the injustice of the aggressor, and as earnest sympathy for the aggrieved.

This I felt it my duty to do, as the representative of the leading republic of this continent, and as the protector of the vast commercial interests of my countrymen, sacrificed in one of the most uncalled for and unreasonable of modern wars—a war of pretext and not of principle.

I am exceedingly gratified to learn that our minister at Madrid has been instructed in the same sense and in the same spirit which dictated your despatch to me. Allow me to express the belief that a peaceful solution of the controversy would be much more probable, if, in addition to the tender of good offices, the United States would remonstrate with Spain upon her unjust and aggressive policy towards Chili. The *moral* intervention, at least, of our government to protect the integrity of one of the American republics from unjustifiable attack on the part of an European power was never more urgently needed, nor upon firmer grounds of right and justice.

Nothing of importance has occurred between the belligerents during the past fortnight.

On the 27th of December a steam launch from the Spanish iron-clad frigate Numancia, supported by several armed boats from that vessel and from the frigate Berenguela, entered the port of Calderilla, near Caldera, and seized a small steamer anchored there. Although Chilian property, she bore the Colombian flag.

The authorities being informed at once of this attack, sent a company of the fourth regiment of regulars to the spot to repel it. They opened fire on the boats which were towing out the steamer and obliged them to cast off and retreat with the loss of several men. A second attempt two hours later met with like success. The steamer had been run ashore, and although protected by the guns

of the Berenguela, which kept up a brisk fire of shot and shell, the attacking party was again repulsed. The frigate then fired several broadsides at the steamer, with a view of destroying her, but so inaccurate was her aim that one or two shots only passed through her bulwarks. Not a single soldier or spectator was injured by the scores of shot and shell that poured from the batteries of the Berenguela and the howitzers in her launches.

Don Domingo Santa Maria, late speaker of the Chilian house of representatives, has been appointed envoy extraordinary and minister plenipotentiary of Chili to the republic of Peru, and has been most cordially received by that government. It is said that a treaty of alliance, offensive and defensive, between the two republics, is about to be signed.

I have the honor to remain, very respectfully, your obedient servant,  
THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Nelson to Mr. Seward.*

No. 246.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, January 31, 1866.*

SIR: On the 16th instant, the Spanish admiral, Don Casto Mendez Nunez, addressed a note to the consul general of Portugal, informing him, as dean of the consular corps, that the blockade of the port of Caldera had been raised. (A.) Thus the blockade of Chili is now reduced to the single port of Valparaiso.

The vessels composing the Spanish squadron were all in Valparaiso on the 16th instant, and there remained without demonstration of any kind until the 21st, when the admiral changed his pennant from the Villa de Madrid to the Numancia, (iron-clad,) and the Villa de Madrid and Blanca, frigates, sailed for the north. The cause of their departure is unknown, but it is generally supposed that they have sailed to the island of Juan Fernandez, to afford their crews an opportunity of going on shore. Up to the moment of writing this despatch neither vessel has returned.

On the 27th instant, news was received here of the ratification of a treaty offensive and defensive between Peru and Chili, and of the declaration by the former, on the 14th instant, of war against Spain. The intelligence spread rapidly, and manifestations of joy have taken place all over the republic.

This alliance, by the terms of which the naval forces of the two republics will act in concert under the orders of the government in whose waters they happen to be, renders the hope of a peaceful solution to the pending difficulties more remote than ever.

No hostile movements have taken place between the two belligerents since I last had the honor to address you, and the press and people of Chili are somewhat impatient at an inaction which appears to them unaccountable. Meanwhile, however, the combined fleet of Chili and Peru is at Chiloe, preparing for action. They await only the arrival of the two new Peruvian war steamers now on their way from England to take the offensive.

On the 29th instant, Admiral Mendez Nunez addressed a note to the consular corps of Valparaiso, enclosing a decree signed by him declaring Chilian coal to be contraband of war. (B) It will be remembered that a similar declaration on the part of Chili formed one of the causes of grievance for which Spain demanded reparation, and which brought about the present war.

(See enclosure A, in despatch No. 222, of September 28, 1865.)

I have the honor to remain, very respectfully, your obedient servant,  
THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

## A.

[Translation.]

*Notification of the raising of the blockade of Caldera.*

PACIFIC SQUADRON, FRIGATE VILLA DE MADRID,  
*Valparaiso, January 16, 1866.*

The undersigned, acting commander-in-chief of the Spanish naval forces in the Pacific, has the honor to inform the consular corps, resident in Valparaiso, through its respected dean, the consul general of Portugal, that the blockade of Caldera, maintained by the forces under his command, has been raised.

The undersigned avails himself of this occasion to reiterate to the consul general of Portugal the assurances of his distinguished consideration.

CASTRO MENDEZ NUNEZ.

## B.

[Translation.]

*Chilian coal declared by the Spanish admiral to be contraband of war.—Note and resolution of Mendez Nunez.*

With the following note to the dean of the consulate corps, the chief of the Spanish squadron has transmitted a resolution upon the coal of the Chilian mines, declaring it to be contraband of war:

HEADQUARTERS OF THE SQUADRON OF HER CATHOLIC MAJESTY  
 IN THE PACIFIC, FRIGATE NUMANCIA,  
*Valparaiso, January 29, 1866.*

MY DEAR SIR: Enclosed is the declaration which, in reference to Chilian mineral coal and in the exercise of my rights as a belligerent, I have issued this day.

I beg your excellency, as the worthy dean of the consular corps resident in Valparaiso, to inform it thereof.

I avail myself of this occasion to offer to your excellency the assurances of my respect, and and to repeat that I am your most obedient servant,

CASTO MENDEZ NUNEZ.

The CONSUL GENERAL OF HER FAITHFUL MAJESTY in *Valparaiso.*

The commander-in-chief of the Spanish squadron in the Pacific—

Considering, That the vessels of war, both Peruvian and Chilian, provide themselves with coal from the mines of Chili for their hostile operations on this coast;

Considering, That the laws of war permit belligerents to take possession of everything employed by the enemy in hostile operations against them, in which category the said combustible is included, being moreover a product of the soil of that enemy;

Considering, That the belligerent is authorized to declare new articles contraband of war, whenever, by the circumstances of said war, they become, in the hands of the enemy, elements for the undertaking and carrying on of hostilities;

Considering, finally, That the government of Chili has declared coal destined for Spanish vessels of war or privateers to be contraband;

I have resolved:

1. Mineral coal of the different mines of Chili is hereby declared contraband of war.

2. Neutral vessels, on board of which those of this squadron may find Chilian mineral coal, whatever be the port for which they are bound, shall remain subject to the provisions of the fourth article of the instructions of blockade, circulated in establishing that of the ports of this republic.

3. The object of this declaration, circumscribed as it is to a special instance of the present war, is not to lay down any precedent whatever respecting the general principle that stone coal ought not to be considered as contraband of war.

4. This declaration, made by the commander-in-chief of the naval forces of her Catholic Majesty in the Pacific, shall bear a temporary character until his government shall decide as it may deem proper in regard thereto.

On board the frigate Numancia, in the Bay of Valparaiso, January 29, 1866.

CASTO MENDEZ NUNEZ.

*Mr. Nelson to Mr. Seward.*

No. 248.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, February 15, 1866.*

SIR: I have the honor to inform you that during my late visit to Valparaiso I called upon the commander-in-chief of the Spanish squadron, Admiral Casto Mendez Nunez, and had a long and interesting conversation with him. We conversed freely upon the existing conflict between Chili and Spain, and it was most gratifying to me to find in him a spirit of conciliation and a desire for a peaceful solution to the pending difficulties, in marked contrast to the persistent hostility manifested by the late admiral.

I returned to Santiago immediately afterwards and sought an interview with the secretary of foreign relations. I informed his excellency of the deep interest with which our government had pursued the course of events, subsequent to the arrival in the waters of Chili of the Spanish squadron, under the orders of Admiral Pareja, and the earnest desire of that government to bring about a peaceful solution of the pending difficulties; that the true interests of Chili as well as Spain would be promoted by such solution, and that I had been instructed from time to time to omit no effort to that end.

I stated that it was the opinion of our government that Chili had already evinced so much chivalry and national spirit, in her acceptance and conduct of the war, as to render it perfectly consistent with her honor to offer or accept negotiation with a view to peace. I likewise informed him that the United States had manifested so severe an impartiality since the opening of the contest as to render that government, perhaps, the most acceptable arbiter of the question, and besought that of Chili to accept the friendly offices of the United States as such arbiter.

Mr. Covarrubias informed me that the government of Chili had manifested, from the very beginning of the difficulties, an earnest desire for peace; that she was willing at any moment to conclude the strife, if it could be done consistently with her honor and dignity; that he accepted the idea of arbitration, but feared that several difficulties lay in the way of its practicable realization; that in the first place, France and England had recently, through their representatives in Santiago, tendered their mediation in the question between Chili and Spain, a mediation which had been accepted by the latter, but which Chili could not at present accept; that since the instructions were written ordering that mediation to be tendered, complications had arisen which were unforeseen, and which those instructions did not cover, alluding to the treaty of alliance, offensive and defensive, between the republic of Chili and that of Peru, for carrying on hostilities against Spain; that he had consequently replied to those offers of mediation, stating that he could not accept the same unless the questions between Peru and Spain were included in the same, nor even then, save upon bases which Chili would present, should the mediation ever become practically realizable. He further stated that it might be deemed discourteous to England and France, were his government, after declining, although only conditionally, the offered mediation, should accept a similar tender from the United States, but that he would lay the subject before the president, and inform me of the result. I then informed Mr. Covarrubias that I would present my proposition in writing, and on the 12th instant addressed him a note, embodying the views expressed in the interview, and including in my proposition, as will be perceived by its perusal, the Peruvian-Spanish question, so as to save the government of Chili from all embarrassment.

I called upon Mr. Covarrubias this afternoon to learn the result of his conference with the president. He informed me that the mails for Europe and the north closing to-day, he feared it would be impossible to hand me to-day the

written official opinion of his government, but would do so to-morrow, and meanwhile again informed me that, while he accepted the idea of arbitration with gratitude, he could not, for the reasons hereinbefore stated, accept the proposition itself at present, or until the negotiations in regard to mediation pending with England and France should be concluded.

I then informed his excellency that so desirous was my government to witness a peaceful solution of the pending difficulties, that I would, upon receipt of his reply, address him a further communication, informing him, in view of the embarrassment preventing the present acceptance of my proposition, he might consider that offer as a permanent one open for the acceptance of his government at any future time when those obstacles should be removed.

I have also the honor to transmit herewith, marked B, a copy and translation of the joint protest of the consular corps of Valparaiso against the decree of Admiral Mendez declaring Chilian coal to be contraband of war, and also, marked C, a note from the admiral to the United States consul, embodying his views on the subject and his determination to carry out his decree. This note is very severe in its tone, and characterizes the consular protest as hostile, and its signers as liable to be considered enemies of Spain.

A want of time has rendered it necessary to write very briefly and hastily; but these facts are of such interest that I deem it my duty not to postpone their transmission until the next mail, when I will forward the note of Mr. Covarrubias.

I have the honor to remain, very respectfully, your obedient servant,

THOMAS H. NELSON.

Hon WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

P. S.—The mail being about to close, enclosure C will accompany my next despatch.

T. H. N.

---

*Mr. Nelson's note to government of Chili, offering arbitration.*

LEGATION OF THE UNITED STATES,

*Santiago de Chili, February 12, 1866.*

SIR: The government of the United States has followed with the most profound interest the course of events subsequent to the arrival in Valparaiso of the squadron of her Catholic Majesty in September last, and has seen with deep regret the existence of hostilities between the nations towards which it entertains a sincere friendship, and with both of which it cultivates the most cordial relations. Believing, as my government does, that the true interests of Chili, as well as those of Spain, would be promoted by a peaceful settlement of the questions at issue between them, it has instructed me from time to time, both before and since the opening of hostilities, to omit no effort, to lose no favorable opportunity to bring, if possible, the discussion of those questions to the calmer ground of arbitration.

The adoption at this time of a course so eminently prudent and wise can in no manner affect injuriously the interests of either of the belligerent parties. Chili, in the opinion of the government which I have the honor to represent, has already evinced so much chivalry and national spirit in accepting the war, and in the measures adopted for carrying it on, as to render it perfectly consistent with her honor to offer or accept negotiation with a view to peace.

I would, therefore, ask the government of Chili, in the name of that of the United States, to seriously meditate whether it would not be better for the interests of the republic, and for those of the civilized world, that a combat injurious to each should cease, and whatever questions of difference exist be referred to the arbitral decision of some friendly power. And I desire still further to manifest the sincere wish of my government for peace, by hereby tendering to Chili its good offices as arbiter in the premises. The United States have since the beginning of the present conflict, evidenced so deep an interest in the welfare of the contending parties, and have maintained so strict an impartiality, that I cannot but entertain an earnest hope that this offer may meet the cheerful acquiescence both of your excellency's government and that of her Catholic Majesty, to which I am confident that a similar proposition has been or will soon be made.



It is true that since the date of the instructions from Washington, to which I have alluded, new complications have arisen, which might, if their consideration were not embraced in the present communication, embarrass the action of the government of Chili to this suggestion. I allude to the treaty, offensive and defensive, between the republics of Chili and Peru, by the terms of which they have agreed to afford to one another mutual aid in the prosecution of hostilities against the forces of Spain. The solemn ratification and promulgation of that treaty render it necessary that, in order to accept the offer of arbitration herein contained, the government be also consulted, and the questions of difference between that country and Spain included in said arbitration. Anticipating this possible embarrassment, I do not hesitate to embrace, in this tender of good offices of my government as arbiter, the questions likewise pending between these two nations.

The government of Chili, whose relations with my own have ever been most cordial, will, in accepting this proposition, give a new and gratifying evidence of its sincere desire to strengthen these relations by listening to the friendly voice which counsels the relinquishment of the stern measures of war, and the recourse to the decision of a just and impartial tribunal.

I avail myself of this occasion to reiterate to your excellency the assurances of my most distinguished consideration and respect.

THOMAS H. NELSON.

His Excellency the SECRETARY OF FOREIGN RELATIONS  
*of the republic of Chili.*

B.

[Translation.]

*Protest of the consular corps.*

The following is the note with which the said corps has replied to the declaration of the commander-in-chief of the Spanish squadron in the Pacific, in regard to the coal from Chilian mines :

VALPARAISO, February 6, 1866.

The undersigned members of the consular corps, assembled at the consular general of his Faithful Majesty the King of Portugal, have made themselves aware of the contents of the note which his excellency, the commander-in-chief of the squadron of her Catholic Majesty in the Pacific, was pleased to address to the dean of the consular corps of this city on the 29th of January last. In that note and the accompanying resolution, the commander-in-chief is pleased to set forth that he has declared the coal of the different mines of Chili to be contraband of war, and that consequently neutral vessels on board of which those of the squadron of her Catholic Majesty may find this combustible, whatever be its port of destination, will be subject to the provisions of the fourth article of the blockade instructions.

It is not the intention of the undersigned to enter into a discussion either upon the greater or less right possessed by the commander-in-chief to make the said declaration, nor upon the considerations upon which it is founded, nor upon the consequences to be deduced therefrom, and they leave to their respective governments the reservation to discuss with that of his excellency the questions involved in the measure adopted.

The undersigned, in conformity with the principles contained in the protest which they presented to the predecessor of his excellency, under date of the 5th of October last, deeming it their unavoidable duty to assist and protect the commerce of their peoples and the free navigation of the vessels bearing the flag of their respective nations, whenever they are employed in lawful traffic, cannot do otherwise than protest in the most formal manner, and make the government of the commander-in-chief responsible for all damages that may be caused to their people in consequence of the said resolution relative to coal from the different mines of the republic of Chili.

For this purpose the undersigned have likewise agreed that the present be drawn up in duplicate, one being addressed to the commander-in-chief of the squadron of her Catholic Majesty in the Pacific, through Mr. George Lyon, consul general of his Faithful Majesty and dean of this consular corps, and the other of the same tenor filed in the consulate general of his Faithful Majesty the King of Portugal.

The undersigned, begging the commander-in-chief to be pleased to acknowledge the receipt of the present communication, have the honor to offer to his excellency the assurances of their high consideration and respect.

GEORGE LYON, *Consul General of Portugal.*  
 CARLOS PERIE, *Consul General of Hamburg*  
*and in charge of the Consulate of Mecklenburg-Schwerin.*  
 CARLOS BAHLESEN, *Consul General of Sweden and Norway.*  
 G. ROSENBERG, *Consul of the Republic of Salvador.*  
 G. GIRANDOT, *Consul of his Majesty the Emperor of the French.*  
 DAVID THOMAS, *Consul General of the Sandwich Islands.*  
 FELIPE CALURAUN, *Consul of the Republic of Guatemala.*  
 OSCAR AD. BERCKEMEYER, *Consul General Y. R. of Austria.*  
 ARNALDO TH. DROSTE, *Consul General of Bremen*  
*and Consul of Oldenburg.*  
 F. MATTHAEI, *Consul of his Majesty the King of Hanover.*  
 B. FISCHER, *Consul of Switzerland.*  
 NICHOLAS C. SCHÜTH, *Consul General*  
*of his Majesty the King of Denmark.*  
 JOSÉ CURLETTI, *Deputy Consul of Italy.*  
 JOHN HEYER, *Consul of the Kingdom of Saxony.*  
 J. H. PIERSON, *Vice-Consul of Brazil.*  
 JULIO GRISAR, *Consul of Belgium*  
*and in charge of the Consulate of Holland.*  
 A. W. CLARK, *United States Consul.*  
 GREGORIO BEECHE, *Argentine Consul General.*

His Excellency D. CASTO MENDEZ NÚÑEZ,  
*Commander-in-chief of the squadron of her Catholic Majesty in the Pacific.*

---

*Mr. Seward to Mr. Kilpatrick.*

No. 4 ]

DEPARTMENT OF STATE,  
 Washington, February 19, 1866.

SIR: By direction of the President of the United States, I have to inform you of the revocation by him, on the 12th instant, of the exequatur granted to Don Esteban Rogers on the 14th October, 1863, authorizing him to exercise the functions of consul *ad interim* of the republic of Chili for the port of New York and its dependencies.

You are instructed to communicate this information to the ministers of foreign affairs of Chili, and to say that this measure was adopted for causes satisfactory to this government, and in defence of the dignity and honor of the United States. You will add, at the same time, that should the Chilian government see fit to appoint a successor to Mr. Rogers, if entirely unobjectionable, the usual exequatur will be granted to him.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.

---

*Mr. Nelson to Mr. Seward.*

No. 250.]

LEGATION OF THE UNITED STATES,  
 Santiago de Chili, February 26, 1866.

SIR: In my despatch No. 248, of the 15th instant, I had the honor to inform you of my endeavor to induce the government of Chili to terminate the present conflict with Spain and accept the arbitral decision of the United States in all questions between them. I likewise informed you of the verbal reply of Mr. Covarrubias, and that I should by the present mail transmit the official note containing the same.

On the 19th instant I received a note from the secretary of foreign relations, dated February 17th, repeating the expressions used by him in that interview, and stating that should the obstacles therein alluded to be overcome, the government of Chili would be most happy to find itself so placed as to be able to co-operate in the success of the pacific desires of our government and my own. (A.)

I replied under date of the 23d instant, acknowledging the receipt of this note, and informing his excellency that so earnest was my desire for the cessation of the present conflict, that I should deem his declination of my proposal as merely conditional and temporary in its character, and requested him to consider that proposal as still existing, and clothed with a *quasi* permanent character that would enable his government to renew its consideration, should a favorable opportunity for its acceptance occur. (B.)

In alluding to the reply of Admiral Mendez to the United States consul, dated February 8th, 1866, (which should have formed enclosure C in the despatch of the 15th instant, but was omitted for want of time to copy and translate it, and is now forwarded, marked C.) I stated that he characterized the consular protest as hostile, and its signers liable to be considered by the admiral as enemies of Spain. The document so characterized appears to have been the protest of the American merchants at Valparaiso interested in the Chilian coal mines, made before the United States consul on the 31st January—not that of the consular corps.

Upon presenting this protest to the consul of the United States, the gentlemen signing it addressed him a letter bearing the same date, (see enclosure D,) giving their reasons for protesting, and requesting him to take measures for the protection of their interests.

On being informed by the consul of the reply of the admiral, the merchants alluded to addressed the former a further note, taking exception to the views of the commander-in-chief, and renewing their protest, (E.)

On the 14th instant the Spanish frigates Villa de Madrid and Blanca returned to Valparaiso, after an absence of twenty-four days, and a rumor shortly after circulated to the effect that they had been engaged in combat, and were both seriously injured. On the 17th the Blanca and Numancia left in the night, destination unknown.

On the 20th, official information reached the government of a severe engagement, on the 7th instant, between the Spaniards and the allies, at the island of Abtao, near Chiloe, and the rendezvous of the allied squadron.

The Spaniards had two heavy frigates, the Villa de Madrid and the Blanca; the Chili-Peruvian fleet consisted of the Amazon, (frigate,) America and Union, (corvettes,) and Covadonga, (gunboat,) (captured from the Spanish on the 26th November.) The engagement lasted two hours, when the Spanish forces retired, having received severe injuries. The number of casualties on board the latter vessel is unknown, but it is supposed to be great, as many shells exploded on board, carrying away the wheel and almost destroying the cabin of the Villa de Madrid. Fragments of the cabin, clothing, bodies of the slain, and other evidences of the disastrous effects of the allied fire, floated ashore after the fight. The only loss on the side of the allies was two men killed on the corvette Union. Each of their vessels was struck three or four times, but the damage was trifling. The machinery of the frigate Amazon being under repair, she was compelled to fight at anchor.

A mutiny is supposed to have broken out on the Villa de Madrid during the fight, as great confusion was observed on board, followed by a volley of musketry.

About 1,500 shot and shell were fired during the engagement. These data are from the official reports.

A few days since Admiral Mendez notified the British naval authorities that in the event of a single torpedo-boat being launched, or any attempt made to

destroy his vessels by means of torpedoes, he would instantly open fire upon the town. This threat was communicated through the British legation to the government of Chili, which replied that, if it found it expedient to make use of torpedoes it would do so, and warned Admiral Mendez that any act of barbarity on his part against non-combatants would be severely visited upon the Spanish prisoners in his hands.

This fact I have learned extra-officially, but have reason to believe it reliable. I have the honor to remain your obedient servant,

THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

A.

*Mr. Covarrubias to Mr. Nelson.*

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS, REPUBLIC OF CHILI,  
*Santiago, February 17, 1866.*

SIR: I have the honor to reply to the note of the 12th instant, whereby your excellency was pleased to offer to my government, in compliance with the instructions of your own, the arbitration of the United States, in order to arrive at a pacific solution in the war at present waged by Chili against Spain. The assurances in this respect which your excellency is pleased to give me of the friendly solicitude with which the government of the United States has followed the vicissitudes of the present conflict, augment the high value of an offer which my government cordially esteems.

Nevertheless, you yourself have already perceived one of the obstacles which would prevent the immediate acceptance of a mode of solution which, however, has always been considered by my government as most in conformity with civilization and humanity, and which has never ceased to obtain its sympathies. As your excellency very well observes, the treaty of alliance, offensive and defensive, between Chili and Peru would not permit my government to decide in regard to your excellency's proposition without previously consulting the government of that sister republic. However, since your excellency is pleased to comprehend Peru in the offer of arbitration, this obstacle may be very transitory. This is not the case in regard to the obstacle presented by the good offices which have been tendered to the republic by the cabinets of London and Paris, by means of their diplomatic agents resident in Santiago, with a view of arriving at a solution analogous to that sought by your excellency. The conferences to which this effort for a settlement have given rise are yet pending, and until some result is reached therefrom no proposition could be taken into consideration the acceptance of which would be incompatible with the prosecution of the efforts of those cabinets.

Should the obstacles to which I allude disappear, the government of the republic would be much pleased to find itself then in a position which would leave it free to co-operate for a successful result to the pacific views of the United States, seconded by your excellency with a zeal and interest as generous as they are flattering to Chili.

In recognizing this, and in thanking your excellency therefor, I hasten to reiterate to you the expression of my sentiments of high consideration and particular esteem with which I am your excellency's most obedient servant,

ALVARO COVARRUBIAS.

The ENVOY EXTRAORDINARY, &c., &c.,  
*of the United States of North America.*

---

B.

*Mr. Nelson to Mr. Covarrubias.*

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, February 23, 1866.*

SIR: I have received your excellency's note, dated the 17th instant, in reply to my own of the 12th, wherein I had the honor to propose to your excellency's government the arbitration of the United States, with a view of bringing to a peaceful and honorable termination the present contest between Chili and Spain.

Your excellency is pleased to observe that while the obstacle presented to such arbitration by the existence of a treaty of alliance, offensive and defensive, between the republic and Peru is not insurmountable, such is not the case with regard to the difficulties presented by the action of the cabinets of London and Paris, which have tendered their good offices with similar views, through their representatives in Santiago; that the conferences for this purpose being yet pending, a proposition, the acceptance of which would be incompatible with the prosecution of such negotiations, could not be entertained.

Your excellency further states that should the obstacles alluded to disappear, the government of the republic would rejoice to find itself in a position to co-operate in carrying out the pacific views of the United States.

As it is the earnest desire of my government, and my own, to attain the object proposed, namely, a peaceful and honorable termination to the existing hostilities, I beg to say that your excellency may consider the offer made by me, in the name of my government, to that end as a permanent one, open to the acceptance of that of your excellency whenever the time for that acceptance shall, in its opinion, have arrived.

It only remains for me to reiterate to your excellency my earnest desire that soon such may be the case, and the republic of Chili exchange the evils of war for the blessings of peace and renewed prosperity.

Availing myself of this occasion, I have the honor to renew to your excellency the assurances of my most distinguished consideration and respect.

THOMAS H. NELSON.

His Excellency the SECRETARY OF FOREIGN RELATIONS  
of the Republic of Chili.

C.

*Reply of Don Casto Mendez Nunez to the protest of the consular corps of Valparaiso.*

[Translation.]

HEADQUARTERS OF THE SQUADRON OF H. C. M. IN THE PACIFIC,  
FRIGATE NUMANCIA, VALPARAISO,  
September [evidently an error—should be February] 8, 1866.

MY DEAR SIR: Together with the official letter, without date, which you have been pleased to address me, I have to-day received a protest, dated the 31st ultimo, presented in the consulate under your worthy charge by some citizens of the republic of the United States, referring to the determination taken by me respecting the coal from Chilian mines.

Before occupying myself with the protest, out of respect and attention to you, it is my duty to quote here that which Mr. Wheaton, the illustrious North American writer, says in his treatise upon the international law in regard to foreigners resident in one of the belligerent countries: "In general the national character of a person, as neutral or enemy, is determined by that of his domicile; but the property of a person may acquire a hostile character derived from personal residence. Thus, the property of a house of trade established in the enemy's country is considered liable to capture and condemnation as a prize." And further on he adds: "The production of an enemy's colony, or other territory, is to be considered as hostile property so long as it belongs to the owner of the soil, whatever may be his national character in other respects, or wherever may be his place of residence." In a word, that the hostile or neutral, in respect to foreigners resident in a country, is impressed by the national character of that country, and that the possession of the soil impresses likewise upon the proprietor the character of that very country, in so far as concerns the productions of that soil. Hence, that the commercial domicile, or the sustaining of any mercantile establishment in the enemy's territory, and the personal domicile, carry with them a hostile character; and hence, also, nothing has this character more definitely than the trafficking with the territorial productions of the enemy, since they constitute the great wealth of the nation; from which is clearly and distinctly deduced, that in accordance with the principles of international law, universally recognized, the signers not only of the protest which you have been pleased to address me, but also of that which you delivered me the last time you came to this vessel, bear a hostile character, since the former are domiciliated and sustain commercial establishments in Chili, and the others are proprietors and trade with territorial fruits of the same Chili.

All this demonstrates that those who sign both protests have a character as hostile as though Chilian citizens were under consideration, and consequently they are wanting in the right, or rather that the law of nations deprives them of the right, of considering themselves as neutrals, in the case under consideration. The toleration of the government of Spain, and of its agents in these waters, has been such that they have not wished to put in practice, nor will they do so, that principle, save when there is a question, as now, of contraband of war, since, however respectable those interests may be in the opinion of the belligerent, the latter cannot render the measures conducing to the success of his operations subordinate thereto.

Now, in regard to the right which I have to declare new articles contraband of war: Articles which, by the very circumstances of the war, might be employed in hostilities against the forces under my command, even when they may have been considered heretofore innocent, (as is the case with the coal of the Chilian mines,) it is so clearly set forth in international jurisprudence that it is unnecessary for me to enter into arguments to prove it; and the use of that right is even much more legitimate in the present instance, since the Chilian as well as the Peruvian vessels supply themselves with that coal in all the ports of the Pacific coast; and there is consequently every reason to suspect that they make use of the very coal sent to those ports under pretext of being used for industrial purposes; this grade of presumption being sufficient to render legitimate the measure protested against, even did other reasons therefor not exist. If these ports were only visited by merchant vessels, and if the Chilian coal carried there were only employed for pacific purposes, the quotation from Wheaton made use of by those who have protested might have some value; but I repeat that those very ports are visited by vessels hostile to Spain, and that they there provide themselves with that coal.

There is no similarity whatever, as pretended by the signers of the protests, between the declaration of a new article of contraband of war and a blockade, since the moment that declaration is made by one belligerent, in view of the rights conferred upon him by the laws of war, neutrals have no right to trade between the various ports of the other belligerent, nor between these and neutral ports, having on board any article or articles declared as such contraband of war.

As far as regards the very well-known maxim, that "a free ship makes free goods," proclaimed in the existing blockade instructions, and which were published by the late general, his excellency Don José Manuel Pareja, its action does not extend to articles contraband of war, since if such were the case their declaration as such would be null and void, for it would be only necessary to carry them beneath a neutral flag to cause them to cease to be so.

Finally, it is my duty to manifest to you the expressions contained in the last article of the instrument declaring Chilian coal to be contraband of war, and that is that I will continue to keep that declaration in force until my government shall otherwise order. I greatly regret, Mr. Consul, that the reasons set forth do not permit me to alter the said determination, since nothing gives me greater pleasure than to be able to please the representatives of nations friendly to Spain; above all when, as in the present instance, these representatives merit my highest respect and consideration.

I am, Mr. Consul, your most obedient servant,

CASTO MENDEZ NUNEZ.

---

D.

[Translation.]

VALPARAISO, *February 16, 1866.*

The following note was sent, on the 30th of January, to the consul of the United States, Mr. Clark, by the firms of Alsop & Co., Loring & Co., and Don Pablo H. Delano, in the name of the Puchoco Coal Company, in union with the protest which said houses made against the determination of the Spanish chief declaring Chilian coal to be contraband of war:

VALPARAISO, *January 31, 1866.*

SIR: We the undersigned, citizens of the United States, heavily engaged in the working of some of the principal coal mines of the country, have learned with surprise that the chief of the forces of her Catholic Majesty in the Pacific has notified the consuls of neutral nations here residing his determination to consider coal of the country as an article contraband of war, and, as such, he will seize it wherever he may find it and whatever be its destination.

The determination of the chief of the Spanish forces cannot be considered in any other light than as a desire to do by means of a simple decree that which (even supposing him to have the right to do so) he could only do by means of the forces under his command, and consequently ought not to be permitted by neutral nations: and it is to be hoped that the representatives of those nations will interpose prompt and efficient measures to prevent the citizens of the country they represent from suffering the damages which they inevitably would suffer were it permitted to take effect without opposition.

The proceedings of the Spanish chief in this affair are in fact nothing less than the establishment of a paper blockade of the coal-producing ports of this country, which is contrary to the principles of international law, since the free commerce of neutrals between neutral countries and the ports of one of the belligerents, or between two or more of such ports, cannot be impeded otherwise than by an effective blockade of those which it is desired to keep closed.

The right of free trade between neutral countries and non-blockaded ports of the belligerents, and between two or more of these latter, is not only a principle of international law, but in the war existing between Chili and Spain is a right insured to the citizens of the United States by the treaty in force between those States and Spain. Consequently the measure of which we complain is not only contrary to international law, but it is a positive infraction of that treaty.

Articles of common use can only be considered as contraband of war when they are intended for the aid of the military or naval forces of the enemy. Hence, according to Wheaton, the most important distinction is whether the articles are intended for the common uses of life, or for military purposes. The nature and quality of the port of their destination is the test to which the fact as to which they belong should be subjected. If the port be a commercial one, it is generally understood that the articles are intended for peaceful purposes, even though a vessel of war be occasionally constructed therein.

Now it is perfectly well known to all that there is no military or naval establishment in any of the non-blockaded ports of the republic to the north of those producing coal, and consequently that none of the articles introduced in those ports will be able to be applied to benefit the warlike operations of the Chilian forces, which are effected in another direction.

Up to the present time it has been always understood that articles contraband of war only become liable to the penalties incurred by them as such when they proceed from a neutral country to that portion of a belligerent one where a military or naval force is to be found, or to a blockaded port, or from the non-blockaded ports of a country to the *blockaded ports* thereof; consequently, the decree of the Spanish chief declaring that such articles may be captured when they proceed from non-blockaded ports to a neutral country, or to another non-blockaded port of the country itself, is an attempt to introduce an innovation into the practice of international law which it does not belong to him to make, since it is the right of his sovereign alone, and in making it he ignores the established principle that "free ships make free goods" of those on board of them.

If the pretensions of the chief of the forces of her Catholic Majesty are admitted unresistingly, they will cause inevitable ruin of all those who are engaged in the working of the coal mines, as well as of all those who have other branches of industry depending thereon, since the ruinous effects of the measure fall almost exclusively upon them, against equity, and in contradistinction to the express instructions of his government, by which he was charged to avoid, as far as possible, injury to neutrals.

Finding ourselves among the number of those upon whom the pernicious effects of the said measure fall most heavily, we have to-day protested before you against the government of Spain, against the chief of the Spanish squadron, and against all whom it may concern, for the damages which it may cause to us; and we now beg that you adopt such measures as you may deem opportune for the protection of our interests, and we feel confident that if they be taken promptly and efficaciously they will result in obtaining a revocation of the offensive measure of which we complain.

We subscribe ourselves, very respectfully, your obedient servants,

ALSOP & CO.  
LORING & CO.  
PAUL H. DELANO,

*Agent of the Puchoco Coal Company.*

To AMBROSE H. CLARK, Esq.,  
*Consul of the United States.*

E.

[Translation.]

*The North American citizens, authors of the protest in regard to coal, have replied as follows to the note addressed to them by the Spanish commander.*

VALPARAISO, February 12, 1866.

SIR: You having informed us of the reply given by the chief of the forces of her Catholic Majesty in the Pacific to the letter which you addressed him, accompanied by a copy of the protest which we extended before you on the 31st ultimo, and of our letter of complaint addressed to you under the same date, we beg you to permit us to make some observations in reference to that reply, in the hope that if you be pleased to present them to that chief he may be even yet induced to withdraw, or at least modify, the terms of his declaration relative to Chilian coal, notwithstanding he has said at the close of his letter that he is resolved to sustain that declaration until his government shall otherwise order.

To uphold his right to declare Chilian coal contraband of war, and as such to seize it wheresoever he may find it, even though it be the property of neutrals, he cites the work of Wheaton on International Law, but while respecting duly the opinion of the said chief, we

may be allowed to say that that portion of the work of Wheaton whence he has taken his quotation is only applicable to the property of neutrals domiciliated in an enemy's country which may be found on board in a situation which would permit its seizure; that is to say, when found on board of vessels of the enemy; but although it is in such cases liable to capture, it is not when it is found beneath a neutral flag. In such cases the maxim so well known that *free ships make free goods*, which he recognizes, will serve for their protection. The only exception to this is when the article is of the class called contraband of war, which coal is not. This brings us again to the question whether the chief of the Spanish forces in the Pacific has the right to declare articles of common use contraband of war. According to all writers upon international law this right belongs alone to the supreme executive power of a nation, and consequently it is without the sphere of his authority to declare coal so to be, unless when it is destined to some besieged or blockaded port. That his government has not so considered it is evident from the fact that his predecessor in the command omitted it from the list of articles to be so considered.

The omission to which we have referred authorized us to believe that we possess a perfect right to trade in articles of lawful commerce between this country and the ports of neutral nations, or between the non-blockaded ports of the former, and that this right would be respected by the forces of her Catholic Majesty which operate on this coast; and in this confidence we have entered into engagements for the delivery of coal at the different ports where there are smelting works and other industrial establishments, and have chartered numerous neutral vessels to carry the said coal, with none of which engagements will it be possible to comply, if the declaration of the Spanish chief relative to Chilian coal be sustained. This failure in compliance exposes us to claims for the damages resulting therefrom, and later will originate claims for indemnity against the Spanish government.

The chief of the Spanish squadron alleges, in support of his authority to declare Chilian coal contraband of war, that international law is so explicit in the premises as to render it unnecessary for him to enter into explanations to demonstrate it, and that it is sufficient for him to have the presumption that the enemy's vessels may supply themselves with that coal in the ports of the coast, in order to legitimize the measure of declaring it contraband of war.

Now to us the legitimacy of the declaration by the mere presumption of possible eventualities does not appear so clear, and we are sustained in our mode of thinking by the same respectable authority in international law to which he appeals, since, in speaking of provisions as contraband of war, that author says: "If the mere hope, however apparently well founded, of annoying or reducing an enemy, by intercepting the commerce of neutrals in articles of provision (which in themselves are no more contraband than ordinary merchandise) to ports not besieged or blockaded, would authorize that interruption, it would follow that a belligerent might at any time prevent, without a seige or blockade, all trade whatsoever with its enemy, since there is at all times reason to believe that a nation having little or no shipping of its own might be so materially distressed by preventing all other nations from trading with it, that such prevention might be a powerful instrument in bringing it to terms. The principle is so wide in its nature that it is in this respect incapable of any boundary. There is no solid distinction, in this view of the principle, between provisions and a thousand other articles. Men must be clothed as well as fed, and even the privation of the conveniences of life is severely felt by those to whom habit has rendered them necessary. A nation, in proportion as it can be debarred its accustomed commercial intercourse with other states, must be enfeebled and impoverished; and if it is allowable to a belligerent to violate the freedom of neutral commerce in respect to any one article not contraband *in se*, upon the expectation of annoying the enemy or bringing him to terms by a seizure of that article and preventing it reaching his ports, why not upon the same expectation of annoyance cut off as far as possible by capturing all communication with the enemy, and thus strike at once effectually at his power and resources?" These observations are as applicable to coal as to provisions or to any other of the thousand articles of common use.

We entertain the hope that a reconsideration of the matter and a reference to the existing treaty between the United States and Spain, will induce his excellency to modify, if not entirely revoke, the recent declaration in reference to Chilian coal, and for this purpose we reiterate the request expressed at the beginning of this communication, that you be pleased to place it before him, endorsing it with such observations as you may deem proper.

We are, sir, very respectfully, your obedient servants,

ALSOP & CO.  
LORING & CO.  
PAUL H. DELANO,  
*Agent of Puchoco Coal Company.*

AMBROSE W. CLARK, Esq.,  
*Consul of the United States.*



*Mr. Nelson to Mr. Seward.*

No. 252.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, March 1, 1866.*

SIR: On the 27th ultimo I received a note from the secretary of foreign relations, acknowledging the receipt of my own of the 23d ultimo, which formed enclosure B, in my despatch No. 250. This note brings the negotiation in regard to arbitration, initiated by me on the 12th of February, to a close for the present. (A.) Should the opportunity occur, however, of preventing further bloodshed, and of coming to a peaceful arrangement of the questions pending between Chili and Spain, I entertain an earnest hope that the good offices of this legation may be the means employed to that end.

Having concluded the only negotiation pending with the government of Chili, viz., that of arbitration above alluded to, I have hastened to apply to the secretary of foreign relations, requesting that he confer with his excellency the president, asking that he grant me an interview for the purpose of presenting my letter of recall, and at the same time of presenting my successor for official recognition, as the envoy extraordinary and minister plenipotentiary of the United States. For that purpose I have to day addressed a note to his excellency the secretary of foreign affairs. (See enclosure B.)

I have the honor to remain, very respectfully, your obedient servant,  
THOMAS H. NELSON.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

*Mr. Covarrubias to Mr. Nelson.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS OF THE REPUBLIC OF CHILI,  
*Santiago, February 27, 1866.*

SIR: I have the honor to inform your excellency of the receipt of your note dated the 23d instant, by which your excellency is pleased to state to me that the offer of arbitration made by your excellency in your former communication, dated the 17th instant, has its origin in the ardent desire of your government and your own to thus arrive at an honorable and pacific termination of the existing hostilities between Chili and Spain, and that consequently it may be considered as a permanent offer, open to the acceptance of the government of the republic at such time as it may deem opportune.

In informing your excellency that I have taken note of the foregoing, I take pleasure in tendering to you the most earnest thanks for the friendly wishes you express in favor of Chili, and in reiterating to you the assurances of the very distinguished consideration and appreciation with which I am

Your excellency's most obedient servant,

ALVARO COVARRUBIAS.

The ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY  
*of the United States of North America.*

B.

*Mr. Nelson to Mr. Covarrubias.*

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, March 1, 1866.*

SIR: I have the honor to inform your excellency that General Judson Kilpatrick having been appointed by the President of the United States to succeed me as envoy extraordinary and minister plenipotentiary of the United States near the government of the republic or Chili, I respectfully request your excellency to confer with his excellency the president of the republic as to the time when it will be convenient for his excellency to receive General Kilpatrick and myself, so that I may present my letter of recall and my successor his credentials.

I have the honor to enclose herewith a copy of the letter of the President of the United States, informing me of my recall, together with a copy of the remarks which I intend addressing his excellency upon terminating my official relations with the government of Chili.

A copy of an autograph letter of the President of the United States accrediting my successor, the Hon. Judson Kilpatrick, as envoy extraordinary and minister plenipotentiary of the United States near the government of your excellency, and a copy of the remarks which he will address to the president on presenting his letter of credence, are also herewith enclosed.

I avail myself of this occasion to renew to your excellency the assurances of my most distinguished consideration and sincere esteem.

THOMAS H. NELSON.

His Excellency the SECRETARY OF FOREIGN RELATIONS  
of the Republic of Chili, &c., &c., &c.

---

*Mr. Nelson to Mr. Seward.*

No. 254.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, March 12, 1866.*

SIR: I have the honor to inform you that his excellency the president of the republic of Chili having appointed this day at 1½ p. m. for my public audience of leave, and the reception of my successor, he despatched an aide-de-camp at that hour to tender to General Kilpatrick and myself the state carriage, to convey us to the palace. We proceeded there, accompanied by the incoming and outgoing secretaries of legation, General Edwin F. Cook and Charles S. Rand; General David Vickers, Commodore John Rodgers, Mr. Bush, chaplain; Dr. Peck, fleet surgeon; Mr. Talfree, paymaster; and Mr. Ludlow, ensign of the United States navy.

We found the approaches to the palace filled with gentlemen, and the halls and staircases equally packed with a dense crowd, who cheered the United States and their representatives loudly and repeatedly. We were met upon the first landing by Mr. Arteaga, the assistant secretary of state, and by him conducted to the state department, where I had the honor of presenting General Kilpatrick to Mr. Covarrubias, minister of foreign relations. After a few minutes of conversation, we were ushered into the government hall, or reception room, and were received by his excellency the president, who wore the insignia of office, and by his cabinet.

Upon presenting my letter of recall, I addressed the president the remarks a copy of which forms enclosure A, herewith. His excellency replied, (B,) and at the conclusion of his address I presented General Kilpatrick, (C,) who in turn addressed the president, and delivered to him his letter of credence, (D.) The official portion of the ceremony was then closed by the reply of his excellency to General Kilpatrick, (E;) after which I severally introduced the other gentlemen who had accompanied us. After a brief general conversation, we withdrew, being escorted to our several residences with the same courtesy as before. During the proceedings and on our withdrawal repeated and enthusiastic cheers for the United States government and people were given by the immense crowd, filling the hall to its utmost capacity.

I have the honor to transmit herewith, marked A, B, C, D, and E, copies and translations of the remarks made upon the occasion of this ceremony, and to remain, very respectfully, your obedient servant,

THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

A.

*Remarks of Mr. Nelson to the President of Chili on presenting his letter of recall, March 12, 1866.*

MR. PRESIDENT: I am now about to perform my last official duty as envoy extraordinary and minister plenipotentiary of the United States of America near the government of the republic of Chili. It is to place in the hands of your excellency the letter of the President of

the United States recalling me to my own country, in which I am instructed to convey to your excellency the assurance of the sincere wish of my government to strengthen the friendly intercourse now happily subsisting between the two governments, and its desire to secure to the people of the two republics a continuance of the benefits resulting from that intercourse.

I am aware, sir, that there existed not remotely an alienation between our respective people, founded partly upon an imperfect appreciation of our sentiments, partly upon errors and prejudices peculiar to themselves, and yet not altogether without fault on our part; an alienation temporary in its character, and which I rejoice to know has yielded to a better knowledge of the government and people of the United States, and of the sincerity of our cordial interest in the integrity of this and all our sister republics.

It has been my duty as well as my highest pleasure, both personally and officially, to endeavor to remove every cause of complaint, to soften prejudices, correct false impressions, and to place our government and people in their true attitude; an attitude more elevated than one of merely commercial or conventional amity, fraternal in no mere diplomatic meaning of that word, and thoroughly American in the broad, liberal, and continental sense of that term. Upon the great question of European intervention in American affairs, there has ever been an entire harmony of views and opinions between us. No truth can be more self-evident than that two antagonistical systems cannot permanently exist upon this continent. *America will be ruled by Americans*, and by its own chosen system of government. In a contest involving the safety of the ark of our liberties, the government and people of the United States will not, cannot remain indifferent spectators, but will firmly maintain our traditional policy—a policy dear to every true American heart—peaceably if possible, forcibly if necessary. We cannot consistently consent to the permanent subjugation of any of the independent states of this continent to European powers, nor to the exercise of a protectorate over them, nor to any other direct political influence to control their policy or institutions.

Mr. President, soon after I entered upon the duties of my office I had the honor to declare to your excellency that I would present no question, urge no demand upon this government, which did not irresistibly commend itself to my clearest perceptions of right and justice. Your excellency best knows whether the pledge has been faithfully and conscientiously performed. It is to me and to my government a source of profound gratification, that every diplomatic discussion has been conducted in a spirit of fairness and frankness, and with an earnest desire to arrive at just conclusions; that every claim I have presented has been promptly adjusted, and that every request has been cheerfully granted. The relations between our respective governments and people have never been so cordial as at this moment, nor have we ever been so strongly united in friendship, sympathy, and interest.

During our fierce struggle for national existence, we cannot forget that Chili was our first and best friend. No government on earth occupied a position so distinct and unequivocal. You rejoiced with us in all our triumphs, and mourned with us over our illustrious dead. When the immortal Lincoln fell the whole nation was in tears. And now that the dark cloud of war has been lifted from our border and fallen upon this the most peaceful and prosperous of all the Spanish-American republics, it is but natural that our feelings and sympathies should be strongly enlisted in your behalf. I labored long and earnestly to bring about a pacific solution of the questions in dispute, and to avert the calamity of war, upon terms alike honorable to both parties. It was not the fault of this government that that end was not reached by the peaceful paths of diplomacy. But the terrible issue of war has been tendered and accepted, and may God defend the right.

It only remains for me, in closing my mission, to return to your excellency, and through you to the people of Chili, my heartfelt thanks for the innumerable courtesies and attentions that have been lavished upon me ever since my arrival in your country. I will carry with me and cherish to the latest hour of my life the memory of the liberal hospitality, the generous, open-hearted friendship of the people of Chili. It is my earnest prayer and confident belief that the proud position of this beautiful republic in the family of nations, won by the wisdom of her statesmen and the heroism of her sons, may ever be maintained; that her national honor may never be sullied, and that she may ever remain a monument of true liberty, wisdom, and progress, on which the world may gaze with admiration forever.

---

B.

*Reply of the President of Chili to Mr. Nelson.*

[Translation.]

Mr. MINISTER: Your words have flattered and profoundly moved me. I find in them another evidence of that spirit of sincere friendship, conciliation, and loyalty, of that excellent and noble spirit which you have invariably displayed in the fulfilment of your mission near my government.

The convictions which you have just expressed, with equal urgency and accuracy, in regard to the destiny and institutions of this continent, are, as you well know, the convictions of the people and government of Chili.

This fraternity of ideas has not been sterile for you. You have succeeded in converting it into a practical and fruitful fact, awaking among us a cordial sentiment of sympathy and admiration towards the great republican nation you have so worthily represented.

Go, then, Mr. Minister, with the confidence that you leave in this republic the most grateful and permanent memories of your residence therein.

May God grant you a prosperous voyage, so that you may go and assure your government and fellow-citizens that Chili will ever be a faithful friend to the United States, and that in the contest to which she has been unjustly provoked she is resolved to perish or to demonstrate a second time that she is worthy to be a free republic and independent country.

---

C.

*Remarks of Mr. Nelson to the President of Chili on introducing General Kilpatrick.*

MR. PRESIDENT: I have the honor to present to your excellency Major General Judson Kilpatrick, as envoy extraordinary and minister plenipotentiary of the United States of America, and in doing so I bespeak for him, from your excellency and the people of Chili, that consideration which is due to his eminent abilities, his exalted position, and his brilliant services in the cause of republican liberty.

---

D.

*Remarks of Major General Judson Kilpatrick, envoy extraordinary and minister plenipotentiary of the United States to Chili, on his presentation to the President of Chili.*

MR. PRESIDENT: I have the honor to present my credentials as envoy extraordinary and minister plenipotentiary of the United States of America, and in doing so I beg leave to say to your excellency, and through you to the people of Chili, that it shall be my constant study to maintain the friendly relations heretofore existing, and now stronger than ever before, between the republics of Chili and the United States.

I am now and ever shall be the warm, true, and uncompromising friend of republican institutions and of a republican form of government, the only one under which men should ever consent to live. Therefore, I need not tell you that my mission to this country is to me a most agreeable one.

Fresh from the great struggle for national existence at home, where not only the life of the nation, but liberty itself, was the stake for which we fought, I, in common with the people of the United States, do not forget that during that dark and trying hour, in sympathy and true friendship first of all nations stood Chili. This was not only well known, but acknowledged and published to the world in the last annual message of the immortal Lincoln to the Congress of the United States. Therefore we watch, with no ordinary interest, all questions that may affect favorably or otherwise your young republic, so like our own in political institutions and form of government.

My distinguished predecessor, who leaves you with regret, while faithfully discharging his entire duty to his government, has at the same time won for himself and his people the respect and love of your whole body of citizens, and I trust that I shall be equally fortunate, and that my stay in Chili will result in much good to both nations.

In conclusion, let me express my heartfelt desire that your present difficulties with Spain may speedily terminate honorably to yourselves, and, if possible, without further bloodshed, and that the future of Chili may be all that her past has been, prosperous and free, uniting with us in all that relates to the welfare of man, and second to none in the family of nations

---

E.

*Reply of the President of Chili to General Kilpatrick.*

[Translation.]

MR. MINISTER: I accept with lively satisfaction the sympathetic manifestation which you have just made of your sentiments. Animated as you are with the same elevated spirit as your worthy predecessor, you cannot fail to obtain the same result reached by him, the maintaining and fortifying the cordial intelligence and earnest friendship happily reigning between the United States and the republic of Chili. It will ever be one of my most agreeable and preferent duties to co-operate in the maintaining of relations which are particularly dear to this country.

This has been very clearly revealed in the friendly solicitude with which it followed the vicissitudes of the late civil war in your country, whose happy conclusion has proved the

vigor and excellence of free and republican institutions, for which Chilians profess a sincere love and profound adhesion.

An eloquent testimony of this republican sentiment is the present war, in which Chili has been involved much against her will by the unjustifiable aggressions of an offensive and threatening policy against the integrity of American republics, formerly colonies of the Spanish monarchy.

When we see ourselves accompanied in this struggle by the generous wishes of hearts like yours, Mr. Minister, we feel our confidence growing stronger of a triumph in the just cause now sustained by four republics.

---

*Mr. Nelson to Mr. Seward.*

[Extract.]

No. 255.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, March 16, 1866.*

SIR:           \*           \*           \*           \*           \*           \*           \*           \*

On the 1st instant a brief engagement took place between the Spanish and Chilian forces on the island of Chiloe. The Spanish frigate Blanca anchored within sixty yards of the shore, at a spot called Tubidad. At daybreak, as the crew was mustered on deck, a volley was fired from a body of regular troops on the shore, followed by a brisk fusilade, causing serious loss to the enemy. The latter opened fire from her batteries on the troops, until she was enabled to get underway and escape. The official reports state that the Chilians suffered no loss whatever. Spanish loss unknown.

In accordance with his declaration of January 29th last, that Chilian coal would be by him considered as contraband of war, and as such confiscated, (see despatch 246,) Admiral Mendez, a few days since, captured a number of neutral vessels lying in the port of Lota, laden with coal. Among these are said to be several bearing the American flag, and whose cargoes belong to American citizens. No official information on the subject has as yet reached this legation.

On the 14th the Numancia returned to Valparaiso, having failed in her expedition against the allied squadron in the south. She brought with her, as a prize, the British steamer Paquete de Maule, captured near Lota.

I consulted freely with Commodore Rodgers, during his recent visit to Santiago, upon the state of affairs on this coast in connection with American interests. He coincides with me in the opinion that it is highly important that he should remain with the Vanderbilt and Monadnock in the harbor of Valparaiso for the present. This opinion, I am happy to know, is fully shared by General Kilpatrick. The irritation of the Spanish people, as shown in the peninsular press, the rumors of more energetic hostilities about to be inaugurated, and the constant fears of an attack upon the port of Valparaiso, render this point of the whole South American coast at present most requiring the presence of our naval forces.

I have the honor to remain your obedient servant,

THOMAS H. NELSON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Kilpatrick to Mr. Seward.*

No. 3.]

LEGATION OF THE UNITED STATES,  
*Valparaiso, Chili, April 2, 1866.*

SIR: I have the honor to inform you that on the 15th ultimo Admiral Mendez, acting commander-in-chief of the naval forces of her Catholic Majesty in

the Pacific, addressed me a note, informing me that the Queen had conferred upon him the full command of those forces, and also had commissioned him as her plenipotentiary, (A.)

I communicated this fact to the members of the diplomatic corps resident in Santiago, and on the 18th acknowledged the receipt of his excellency's communication in a note, a copy of which is here enclosed, marked B.

On the 17th I received a note from the secretary of foreign relations, informing me that the President had issued a decree on the preceding day prohibiting neutral vessels which communicate with the ships of the Spanish squadrons, or furnish them fuel, provisions, or supplies of any kind, from touching at any port of the republic, and requesting me to inform my government of this fact, (C.)

Enclosed in this note was a certified copy of the decree alluded to, which I have the honor to transmit, accompanied by a translation of the same, (D.)

During the past fortnight I have, in conjunction with Commodore Rodgers, commanding our special squadron now in Valparaiso, labored earnestly to bring about, if possible, some pacific solution to the question pending between Chili and Spain.

The threatening tone of the Spanish press gave reason to believe that measures of extreme severity were about to be exercised, and sundry interviews which the commodore had with the Spanish admiral convinced him that, unless some effort were made to avert it, Valparaiso would soon suffer the horrors of a bombardment. I therefore sought an informal and unofficial interview with Mr. Covarrubias, accompanied by Commodore Rodgers and by Mr. Nelson, my predecessor, on the evening of the 19th ultimo, and stated to him my apprehensions.

Commodore Rodgers informed him that Admiral Mendez was disposed to modify the terms first proposed to Chili, and would accept a mutual salute; and that, in order to facilitate matters, he could hoist the Chilian and Spanish flags at his own mast-head and salute both, the Chilian and Spanish guns joining after the first had been fired from his flag-ship. Mr. Covarrubias replied that these terms would have been acceptable in the beginning of the war, but that Chili now deemed herself the offended party, and did not consider that, after all the sufferings and outrage inflicted upon her by Spain, the two countries occupied positions so parallel as to justify his acceptance of this offer. I then asked what terms Chili did desire, for the purpose of arriving at a settlement; to which he replied that they would be found in his counter-manifesto of the 26th of October, 1865.

Mr. Covarrubias further stated that any terms proposed by or accepted by Spain must of necessity include the republic of Peru and others, which had, since the opening of hostilities, allied themselves to Chili; that public faith and national honor demanded that she should accept no terms which did not include them.

Finding our efforts unavailing for the present, Commodore Rodgers accompanied me on the following morning to Valparaiso, and we appointed the 23d ultimo for an interview with the Spanish admiral on the United States steamer Vanderbilt, there freely to discuss the question in all its bearings, with a view, if possible, to a peaceful solution.

On that day the interview took place as agreed upon. I opened the conversation by stating that as a friend of both nations I was extremely anxious that some amicable arrangement, honorable to both, might be made, and I suggested that as the whole difficulty between the two nations appeared to have arisen in questions of honor, it seemed to me by no means impossible to arrive at some arrangement whereby these vexed questions could be honorably and permanently settled at once. Mendez replied that as far as he was personally concerned he would be most happy to enter into any negotiations that would bring about an amicable arrangement of the difficulties, but unfortunately he had writ-

ten instructions from his government ordering him to pursue a certain line of conduct, which he as a soldier could not deviate from. He stated that the only terms that Spain would accept were the following :

1. That a note be sent to the Spanish admiral from the government of Chili, stating that it had no wish or intention to insult Spain, with whom it desired to maintain amicable relations; and considered the treaty of peace between the two countries only interrupted, not broken, by the declaration of war.

In proof of this Chili would return the Covadonga, flag, arms, guns, crew, and officers, and all other prizes she may have made.

2. That Spain would say in reply that she was well pleased to return to her ancient friendship with Chili, forgetting all past quarrels, and declaring that she had no desire for conquest in America or of exclusive influence in American republics, whose independence she respects.

In proof of this she returns all the prizes now in the possession of the Spanish squadron, in the condition in which they now are, and all the prisoners of war.

3. After these notes have been exchanged, the friendly intercourse is to be established in the following way :

A reciprocal salute of twenty-one guns is to be fired, the first gun to be fired from the Chilian forts; that then the Spanish admiral will proceed to Santiago, present his credentials as envoy extraordinary and minister plenipotentiary, and enter into negotiations for the permanent settlement of the difficulties.

These propositions the admiral stated were not made by him in his official capacity, but were communicated by him to Commodore Rodgers and myself, in order that if we deemed proper we might communicate them to the government of Chili unofficially, and informed us that he would wait until eight o'clock of the morning of the 27th ultimo, at which time, if the government of Chili had refused to accede to his proposals, or if no answer were received, he would proceed to act.

The next morning I returned to Santiago and sought an interview with Mr. Covarrubias. I informed him of the foregoing conference and of the terms mentioned by Admiral Mendez.

He asked whether they were to be considered as an *ultimatum*, since, if so, he could neither entertain nor discuss them. I replied that I presumed not, since Admiral Mendez desired no official character to attach to the conversation. He then repeated a remark made by him in my former interview, that he could neither offer nor accept any settlement that did not include an honorable arrangement of the difficulties between the recent allies of the republic and Spain. I informed him that this difficulty having suggested itself to me, I had mentioned it in my conversation with the admiral, who said that if these terms were agreed upon by Chili, similar ones would be offered to the other allied republics. He further stated that it would be impossible to take any steps in the matter without the concurrence of the representatives of those allies, and that the absence of the minister of Peru would render it impossible to give a reply prior to the 27th ultimo, the date upon which I had engaged to inform Admiral Mendez of the result of my conference. He said, however, that he would call a meeting of those representatives and would inform me of the result, if the admiral would wait a few days longer. I gave it as my opinion that he would, and the interview closed.

On the night of the 25th, Commodore Rodgers, accompanied by Commodore de Courcey of the British navy, arrived at Santiago in a special train, and the next morning at 9 o'clock an informal meeting of the diplomatic corps was held, at which it was agreed that the representatives of England, France, Prussia, and Italy should accompany me to Valparaiso to make still further efforts to avert the terrible calamity of a bombardment. A special train was placed at our disposal, and at noon we left for the port.

At 8 o'clock next morning I called upon Admiral Mendez, accompanied by Commodore Rodgers, and briefly informed him of the result of my interview with Mr. Covarrubias. He replied that while he regretted, most deeply, the painful duty which devolved upon him, he as a military man could not but implicitly obey the instructions of his sovereign, and that, complying therewith, he would open his batteries upon the city of Valparaiso on Saturday morning, the 31st ultimo, at 8 o'clock; thus giving four days to non-combatants for their removal. He stated that he would endeavor to injure only public property, but that if private property were destroyed, he could not but place the entire responsibility upon the government of Chili, which had had the opportunity of averting this calamity, and had failed to avail itself thereof.

I returned to the flag-ship Vanderbilt, where, a few minutes later, an officer arrived from the Spanish admiral, bringing a note addressed to me, (E,) begging me to transmit the enclosed manifesto, addressed by him to the diplomatic corps, to its destination.

This latter document, a copy and translation of which form enclosure F, sets forth the reasons which, in the opinion of the writer, justify him in the extreme measures about to be put in force. After asserting that the conduct of Spain, from the earliest moments of the war, had been characterized by extreme moderation and courtesy, a moderation which had induced Chili to believe that she could refuse with impunity the satisfaction due by her to Spain, the admiral states that the forces under his command had made two ineffectual attempts to seriously engage the allied fleets of Chili and Peru in the waters of Chiloe, where he found them defended by narrow passages, and behind natural bulwarks of rock; that having passed through grave perils in those unknown regions, never entered before by vessels of the draught of his own, and having found it impossible to bring on a decisive action, he had determined for that reason, and on account of the obstinacy of Chili in refusing the amends demanded, to bombard this city at the expiration of the four days above mentioned.

I at once issued a circular (G) to the members of the diplomatic corps then in Valparaiso, informing them of the grave events about to take place, and requesting them to meet me at 2 p. m. for the purpose of devising, if possible, some means to prevent such a cruel and inhuman act of warfare. I also addressed a note to the French minister, stating that inasmuch as there were no French naval forces present in the bay, I desired to place at his disposition those of the United States, for the protection of the lives and interests of his fellow-subjects, (H.) It was my earnest desire that the diplomatic representatives of France and England should join with me, or at least should request that our forces should protect their respective peoples as well as our own. Mr. Thompson, the English chargé, requested that the meeting be postponed until 9 p. m. to give him time to receive his despatches expected by the steamer then due, in which he hoped to receive definite instructions from his government. The postponement was of course made. Meanwhile petitions were handed to me and to Commodore Rodgers from the American, German, Danish and Hamburg citizens and subjects, (I, K, L, and M,) imploring our protection from the imminent peril which threatened them, and deputations of all nationalities waited upon me with like requests. The French residents called upon their representative, the English merchants made an earnest appeal to Mr. Thompson, and alarm and apprehension were everywhere visible.

At the same time that the admiral addressed me the communication transmitting me his manifesto, he transmitted to Commodore Rodgers a similar communication to the dean of the consular corps, and a brief note of like purport to the commandant of Valparaiso, (N,) to which the latter replied in a note, accepting calmly the coming evil, and maintaining throughout a dignified but earnest style, (O.)



On the same day the intendente or civil governor of Valparaiso issued a proclamation to the people, announcing the threatened bombardment, urging them to accept the sacrifice with resignation, and to avoid the slightest disorder, (P.)

The steamer arrived as anticipated, at 3 p. m., but brought no intelligence of importance. In the evening the chargé d'affaires of Prussia informed me that the English minister, being engaged to dine on board the *Sutley*, the British flag-ship, would prefer that the conference, which was to take place at 9 p. m., be postponed until the following morning at 10 a. m. To this I also consented. I was, however, totally unprepared for the announcement which met me the following morning, that the British and French ministers, having vainly endeavored to obtain a special train in the middle of the night, had determined at all events to proceed to Santiago by the 10 o'clock ordinary train, and were about starting for the station.

They departed without either acknowledging my note of invitation or giving any reason for so abrupt and discourteous a proceeding.

I asked the English minister if he desired the co-operation of the United States forces to prevent the wanton destruction of millions of property belonging to English subjects, and I stated that it was in his power to prevent that destruction by merely uttering one word. That word he refused to utter.

At 10 a. m. the remaining members of the diplomatic corps, the representatives of Prussia and Italy, met at my rooms, and a brief conference resulted in the decision that it was inexpedient and unwise for the American naval forces to oppose the bombardment of Valparaiso, in the face of the refusal of the representatives of France and England to make any effort for its protection. Had those representatives asked that our forces co-operate with those of England to that end, and thus given us moral support in our contemplated action, neither Commodore Rodgers nor myself would have hesitated to have used force to prevent the destruction of this city.

The port of Valparaiso is a purely commercial town, of from 80,000 to 100,000 inhabitants. Its trade with Europe and the United States is immense, and its public warehouses have generally within them from thirty to fifty millions of dollars of foreign property. Its merchants are Americans, French, English, and Germans, by whom its real estate is owned; and the public property of the government is represented by the bonded warehouses, railroad station, and the intendente's palace. Upon the hill to the west of the city is a saluting battery, in front of a building used as a cuartel for a few artillerymen, and called by the people the "fort." For many months there has not been a single gun mounted there, and Valparaiso cannot, by even the most strained imagination, be considered a fortified town.

Some weeks since Admiral Mendez notified the British naval commander that if a single torpedo boat were launched, or any attempt were made to destroy any of the ships under his command by means of torpedoes, he would bombard the town. Was not the inference natural, that if they were not used he would *not* proceed to that extremity?

Writers upon international law have repeatedly laid down that it is not lawful to bombard purely commercial places where their destruction does not advance the military operations of the war, and that even then private property should be respected. But the very form of Valparaiso, built as it is upon a narrow strip of sand, on the sides and at the foot of steep hills, renders a conflagration of a most disastrous character most imminent in case of a bombardment.

Believing, therefore, that the threatened bombardment was an act of vandalism, in contravention of custom and international law, inasmuch as foreign interests *alone* would suffer, I have done all in my power to avert or oppose it.

But while these were my feelings and belief—while I desired to protect the lives and property of innocent neutrals and non-combatants, and especially of

our countrymen—I felt that I owed a higher duty to the broader interests of my country at home, and that I could not risk the certainty of a war with Spain at this moment when we have just emerged, bleeding and exhausted, from the mightiest struggle the world ever saw, unless England and France, who are tenfold more deeply concerned than we in the preservation of the material interests of Valparaiso, would compromise themselves by asking that protection from us which they were unable themselves to give.

When, therefore, the consular corps of Valparaiso (with the exception of the consuls of France and England) called upon me at 10½ o'clock on the 28th ultimo, to make another united appeal for protection, I frankly defined my position, told them how earnestly and faithfully I had labored, first to bring about peace, and then to throw a barrier between them and the threatened danger; that I had failed in both attempts, and could not feel justified in assuming alone the responsibility of protecting the foreign property in this city; that while the co-operation of those most interested was wanting, the American fleet would not, by force, prevent the action of the Spanish admiral.

One of the number then proposed a vote of thanks to Commodore Rodgers and myself for our exertions to protect foreign property, and the consul general of Portugal, dean of the corps, proposed that they rise to their feet and confirm the proposition by acclamation, which was done, each member of the corps pressing forward to grasp the hands of the commodore and myself. Mr. Lyon, consul general of Portugal, an English subject by birth, was painfully affected, and with difficulty controlled his emotion.

I at once proceeded to the intendencia, and informed the governor and commandant of what had passed. He stated that he was not surprised, that the government did not expect the American fleet to act unsupported, and, in its name and that of the people of Chili, he desired to express their grateful sense of our endeavors.

The commandant informed me, in reply to a question, that it was not the intention to fire a single shot from shore; that, on the contrary, it would be prohibited; that they desired the barbarity of the act to be patent to the world, and would not give the Spaniards the opportunity of reporting a combat in which the forces were so infinitely disproportioned.

I then addressed Admiral Mendez a note acknowledging the receipt of his manifesto of the 27th, and in the name of my government protesting against the bombardment as an unusual, unnecessary, and cruel mode of warfare, (*P bis.*)

Similar notes were addressed by a majority of the consular corps, by the consuls of France, England, and the Argentine Republic, and by the consul of Belgium, (Q, R, and S.)

That of the consular corps, being deemed by Admiral Mendez disrespectful, was returned to the dean of that body. He replied, however, to that of the Belgian consul, (T.)

On the 29th ultimo the president issued a proclamation to the people of Chili, which was published here on the 30th ultimo. (U.)

On the morning of the 29th ultimo I telegraphed to Santiago for Mr. Covarrubias, minister of foreign relations, the despatch being signed by Commodore Rodgers, Mr. Nelson and myself. We assumed this responsibility in consequence of an intimation from the Spanish admiral that he was disposed to address a note to the commandant of the place, stating that, "inasmuch as Valparaiso was a purely commercial and unfortified port, &c., &c., the magnanimity of Spain would not permit its destruction, if Chili, in reply, would state that she yielded to magnanimity what she refused to force;" and the road to negotiation being thus opened, interviews might take place on board our flagships, leading ultimately to arbitration or some such peaceful solution.

He arrived at midnight, and at an early hour on the following morning I called upon him with the commodore and Mr. Nelson, and asked him what reply

would be given by the government of Chili in case such a note were addressed by Admiral Mendez. Mr. Covarrubias begged to reply by another proposition. He stated that as Admiral Mendez had given as a reason for bombarding Valparaiso the fact that he could not meet the Chilian and Peruvian vessels, he would now, in order to save defenceless neutrals, and non-combatants, suggest a plan which he trusted would be accepted by the admiral. He offered to place the allied squadron ten miles from the port of Valparaiso, there to meet an equal or even greater Spanish force than their own, and there give battle, the result of which should be decisive.

He asked Commodore Rodgers if he would accept the position of umpire, and indicate what ships should go into action from the Spanish squadron, excluding only the iron-clad ram *Numancia* (7,000 tons) from the list. Commodore Rodgers informed him that the proposed position was a delicate one, but that if he could, by any proper means, avert the bombardment, he would do so, and that he accepted the office of arbiter, premising that he would insist upon a Spanish and a Chilian naval officer being detailed to inform him of the relative size and armament of the vessels.

Shortly afterward Commodore Rodgers proceeded on board the *Numancia*, bearing the offer of Mr. Covarrubias, addressed to the Spanish admiral through the commandant of the place, Colonel Villalon, (V.)

Admiral Mendez declined the offer, stating that as a military man he knew the superiority of his forces, and should of course avail himself thereof; that the bombardment would take place the following morning, two blank shots being fired at 8 o'clock, and the bombardment to follow an hour later.

Commodore Rodgers came on shore at once and informed Mr. Covarrubias of the result. The latter denounced the impending destruction as barbarous and inhuman, and stated that Chili at least would not disgrace humanity, but would carry on the war according to the laws and customs of civilized nations. At 8 o'clock that evening he returned to Santiago in a special train. On the morning of the 31st the Spanish admiral fulfilled his threat, and for three hours the cannonading was almost incessant. The frigates *Villa de Madrid*, *Blanca*, and *Resolution*, and the gunboat *Vencedora*, participated in it, and the shots were principally directed to the custom-house stores, the intendencia or governor's residence, and the railroad station. The first shot was fired at 9 a. m., the last at noon, at which hour the Spanish flag was hoisted at the fore yard of the *Numancia*, as a signal that the bombardment was at an end. The intendencia was riddled, as was the exchange, which stood between it and the sea. Four of the public warehouses were set on fire and destroyed with their contents, and some twenty-five private dwellings in another portion of the city shared the same fate. Although, at the request of Mendez, white flags were placed on the hospitals and churches, they were not spared, several such buildings, completely out of the line of fire, being repeatedly struck with shot and shell.

The casualties were slight, as far as I have been able to ascertain, some two or three killed, and as many wounded, although not less than two thousand shots were fired. The amount of property destroyed is estimated at from fifteen to twenty millions of dollars, of which loss less than five per cent. will fall upon Chili, it being nearly all foreign property and merchandise. Great alarm was experienced during the rest of the day and the following morning, in consequence of the rumor that the bombardment was to be resumed on Wednesday. On Friday Commodore Rodgers had written a brief bulletin upon his return from his last interview with the admiral, (W,) informing the public that two blank shots would be fired one hour before the beginning of the bombardment, and that the Spanish flag hoisted at the fore yard-arm of the *Numancia* would signalize its close, after which no bombardment would take place *without further notification*.

To calm this excitement, I requested Commodore Rodgers to see Admiral Mendez, and ask him if he intended continuing the work of destruction. He

did so, and informed me that the admiral replied verbally, that he had no intention, at present, of continuing the bombardment. This reply was speedily embodied in a note and given to the public, (X.)

The news was received with distrust, but the street cars began their usual trips, and a feeling of relief was soon manifested in the handful of residents remaining in the city. The distress caused by this savage act of revenge is deep. Tens of thousands of people, unable to afford the expense of distant removal, were scattered over the hills in the rear of the city, cowering in fear, and trembling as the shot and shell flew shrieking over their heads and buried themselves in the soil beyond. Others, panic-stricken, fled from the devoted city, carrying with them their little all, and passed the night, without food or shelter, on the bleak and barren mountains. In the destruction of the western section of the city by fire was included a vast number of small dealers, mechanics, and others, all foreigners, whose entire means were swept away, since they had trusted implicitly in the promises of Admiral Mendez not to injure private property, and had removed nothing.

As the fleet continued its fire for an hour and a half after the first appearance of the flames, preventing all access to the spot, the conflagration had assumed gigantic proportions by noon when the signal to cease firing was given, and all that could be done was to save the surrounding property. It is presumed that the Spanish fleet will now proceed to Coquimbo, Caldera, and other ports on this coast, and will lay them also in ashes. As there are in those ports, especially in Caldera, large American interests, I have requested Commodore Rodgers to proceed with his fleet to whatever port may be next visited, and there defend by force, if necessary, American property and interests whenever he may find them isolated from those of others.

If this vandal-like warfare be permitted to continue unchecked and unrebuked, American interests on this coast will be utterly ruined. The Valparaiso partner of one American house informed me to-day that his firm had lost by the destruction of goods in the bonded warehouses about \$80,000; other American houses have been equally unfortunate, and they all speak most despondently in regard to any future commercial operations on this coast. I have instructed our consuls on the Chilian sea-board to point out distinctly to Admiral Mendez the property of American citizens, where disconnected from that of other foreigners, and to appeal for real and tangible protection to the commodore, who, at my request, will protect them until I receive other and distinct orders from the department.

Without such orders, without clear and precise instructions how to act in cases of emergency, such as the one through which we have just passed, I am placed in a position of no ordinary embarrassment, and I most earnestly request that they be transmitted to me without delay. I omitted to state that the representatives of England, France, Prussia, and Italy also protested against the bombardment, but neither the documents nor the replies have seen the light. The reply of Admiral Mendez to my own forms enclosure Y, herewith. I likewise enclose, marked Z, a copy of the note of the Austrian consul general to Commodore Rodgers, dated the 26th ultimo, asking his protection.

I trust that the confusion and inconveniences naturally attending the preparations of a despatch as voluminous as the present, during a bombardment, may account for the apparent carelessness of its style, and inelegance of its execution.

I have the honor to remain, very respectfully, your obedient servant,

J. KILPATRICK.

HON. WILLIAM H. SEWARD,  
*Secretary of State.*

A.

*Admiral Mendez to Mr. Kilpatrick.*

[Translation.]

FRIGATE NUMANCIA,  
*Bay of Valparaiso, March 15, 1866.*

MOST EXCELLENT SIR: I have the honor to inform your excellency that her Majesty the Queen, my señora, in conferring upon me the command of her squadron in the Pacific, has deigned at the same time to commission me with full power possessed by my predecessor.

In begging your excellency to be pleased, as the worthy dean of the diplomatic corps, accredited in that capital, to place this fact before your distinguished colleagues, I avail myself of the occasion to offer to you the assurance of my high consideration.

CASTO MENDEZ NUNEZ.

His Excellency the ENVOY EXTRAORDINARY  
AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA,  
*Santiago de Chili.*

B.

*Mr. Kilpatrick to Admiral Mendez.*LEGATION OF THE UNITED STATES,  
*Santiago de Chili, March 18, 1866.*

DEAR SIR: I have the honor to acknowledge the receipt of your excellency's note of the 15th instant, announcing your appointment as commander-in-chief of her Catholic Majesty's squadron in the Pacific and her minister plenipotentiary, and to state that I have communicated the same to my colleagues of the diplomatic corps resident in Santiago.

I have the honor to offer to your excellency the assurances of my most distinguished consideration.

J. KILPATRICK.

His Excellency CASTO MENDEZ,  
*Minister Plenipotentiary of her Catholic Majesty,  
Commander-in-Chief of her Squadron in the Pacific.*

C.

*Mr. Covarrubias to Mr. Kilpatrick.*

[Translation.]

SANTIAGO, March 17, 1866.

SIR: I have the honor to transmit to your excellency a copy of the decree which his excellency the President of the republic issued yesterday, prohibiting neutral vessels which communicate with the ships of the Spanish squadron, or furnish therewith fuel, provisions, ammunition, or any other kind of supplies, from touching in any of the ports of the republic.

Asking that your excellency will have the goodness to inform your government of this communication, I hasten to reiterate the assurance of the perfect consideration with which I am your obedient servant,

ALVARO COVARRUBIAS.

J. KILPATRICK, Esq., *United States Minister.*

D.

*Decree by President Perez.*

[Translation.]

SANTIAGO, March 16, 1866.

Considering—1st. That it is a notorious fact that vessels under neutral flags have transhipped to the Spanish squadron coal and provisions, which they need to carry on hostilities against the republic; 2d. That the state of war gives us an indisputable right to employ all proper methods to weaken the strength of the enemy, to deprive them of the means of repairing their losses, and of sustaining the contest longer; 3d. That it is right to deny those favors which our laws grant to friendly commerce when their vessels break the obligations of neutrality by giving to the enemy those facilities and resources without which the war could not be carried on; 4th. That it is the duty of the government to take those means which conduce to the legitimate ends of the war, which consist in doing the enemy all the injury necessary to oblige him to surrender or to desist from his pretensions, and to avoid the pro-

longation of an unjustifiable war, like the present one, which causes such damages not only to the belligerents, but also to neutral commerce; 5th. That one of these means is to cut off the enemy from communication by depriving him of those resources which neutral vessels are able to afford him—in exercise of those powers which the law of the 24th of September, 1865, confers upon me, I have resolved and decreed: Neutral vessels which, after this date, communicate with the ships of the Spanish squadron, or which furnish them fuel, provisions, ammunition, or any other supplies, will not be permitted to touch or load in any port of the republic.

Let it be recorded, communicated, and published.

ALEXANDRO REYES.

PEREZ.

A true copy :

DOMINGO ARTEAGA ALEMPARTO,  
*Acting Chief Clerk.*

E.

*Admiral Mendez to Mr. Kilpatrick.*

[Translation.]

FRIGATE NUMANCIA,  
*Valparaiso, March 27, 1866.*

The undersigned, commander-in-chief of her Catholic Majesty's squadron in the Pacific and her minister plenipotentiary, has the honor to transmit to his excellency General Kilpatrick, dean of the diplomatic corps resident in this republic, the accompanying manifesto, which he addresses to the foreign representatives accredited in Chili. In it he sets forth the reasons possessed by his government for taking into its own hands the satisfaction which the government of Chili owes to it, and declares peremptorily the means which it will be his painful duty to employ.

The undersigned begs his excellency General Kilpatrick to be pleased to place the said document before his distinguished colleagues, assuring them that he will endeavor honestly to cause all the damage to fall upon the interests and property of the government of Chili, without being able to guarantee, however, in such extremity, those of private individuals, and has the honor to subscribe himself your excellency's most obedient servant,

CASTO MENDEZ NUNEZ.

His Excellency General KILPATRICK, &c., &c., &c.

F.

*Manifesto to the diplomatic corps resident in Santiago.*

[Translation.]

The memorandum addressed by his late excellency General Pareja to the government of the Spanish American republics on the 24th of last September, and the circulars of later date of his excellency Don Manuel Bermudez de Castro, minister of state, must have well informed the corps, of which your excellency is the worthy dean, of the causes of the war between Spain and Chili, and doubtless must also have made manifest to it that the nature of those causes left open to Spain no other road (amends for the offences which constituted and still constitute these very causes having been refused by Chili) than that of appealing to the ultimate recourse of governments to obtain them.

While this dire necessity still existed, the government of Spain and its representative in these waters, carried away, it may be said, by the proverbial generosity of the Spanish nation, a generosity natural in a people which feels itself noble and great, desired to employ their means of coercion with all possible lenity, in the belief that the superabundant strength of these means and the generosity with which they were employed, being appreciated at one and the same time by Chili, the amends which most justly she has owed and owes to Spain would be obtained; a justice ostensibly recognized by two of the first powers of Europe from the moment in which, in order to put in practice their good offices, they agreed with Spain upon certain conditions, which demonstrate, without any room for doubt whatever, that justice, and according to which an end might be put to the conflict decorously for both parties. The blockade of Chili was established and carried on with so much generosity that neither neutrals nor enemies of Spain can ever fail to recognize that it was impossible to keep it within stricter limits—within those imposed by the laws of war. There can perhaps not be found within the annals of war, up to the present date, among civilized nations, greater lenity or more tolerance. Perhaps, also, this lenity and this tolerance may have given rise to the belief in the mind of an enemy, which is so unfortunate as not to comprehend them, that she may with impunity refuse that which justice demanded and demands of

her. If this be the case, as everything induces us to believe, Spain will always appear on this occasion acting in accordance with the dignity of her character; history will ever say that she committed upon this occasion the error which elevates, more than anything else, a country in the presence of civilized nations.

And that this opinion of the manner in which the blockade has been practiced and is being practiced is in accordance with the strictest truth, is demonstrated by the unanimity on the part of the ministers and agents of neutral nations in thus recognizing it. But it was not sufficient for Spain, assisted as she was and is by justice and by force to sustain it, to carry her moderation even to the most extreme limits. From the moment in which they were presented by France and England, she accepted the good offices which both nobly tendered her, to terminate the conflict in such a manner as might leave unsullied the honor of two countries, which could only be placed in war by a blindness like that of Chili, punishable by the law of nations. Prior to the breaking out of hostilities, and after their commencement, there was not a single act which does not fully demonstrate the disinterestedness of the conduct of Spain, her constant desire to re-establish peace. Evidences as respectable as irrefutable thereof are, in America, that which the United States can give; in Europe, that which can also be given by the other two nations cited.

With such antecedents, it is impossible for Spain to carry further her forbearance. Countries which have a consciousness of the justice of their cause, and of their power to sustain it, may sacrifice upon the altar of that moderation which both things impose upon them, their legitimate desire of obtaining at once by their own hands the amends which unjustly is denied them. But they cannot by any means pass the limit beyond which their honor would be wounded, and a prestige sullied, which a history, each one of whose pages relates a glory, has conquered for them. Spain has arrived at that limit, and it is necessarily indispensable for her, consequently, to break, definitely, with the government which comprehends so badly the duties which civilization imposes upon it in its relations with others; which interprets so illy those which that same civilization prescribes to that of every country in its internal government, since it does not hesitate to cause Chili to suffer evils of a war unjust on her part; with a government, in fact, which fails to recognize that which the dignity of others claims.

Affairs being in this situation, Spain has done what honor indicated. She notified her vessels in the Pacific to seek their allied enemies; and this instruction has been complied with, two of them having compromised themselves, nautically speaking, in regions thickly strewn with all sorts of difficulties, even greater through the uncertainty of their situation, passing where others of their size had never passed—up to the extreme point of nautical temerity—to place themselves in the view of their enemies, who, situated in a point perfectly well chosen, and with obstacles which prevented touching their rigging, only received such injury as, although considerable, could be caused by a fire at long range. But yet these difficulties, or, yet to speak better, these continued dangers of the locality, nor the very frequent fogs which, it may be said, daily covered them, intimidated them. And another new expedition went in search of the enemy, who, not thinking himself sufficiently safe in the position he had occupied, had sought salvation in the numerous and narrow sinuosities which formed not only an impassable bulwark for him who hid behind them, but also rendered it impossible to attack him with the class of vessels composing the Spanish squadron in these seas. Consequently, the impossibility of getting within gunshot of vessels which shelter themselves behind the impassable barriers of locality, and the persistence of Chili in refusing the amends justly demanded of her, imposed upon Spain the painful but unavoidable duty of making her to feel all the weight of rigor to which that country exposes itself which absolutely refuses to recognize the duties imposed upon the civilized community of the universe. And in this view, and for reasons of war, the cannon of the Spanish squadron will bombard the city of Valparaiso and any other which they think proper; an act of hostility which, although terrible, is legitimized by the irrefutable reasons already enumerated; a legitimacy which will place upon the government of the republic all the responsibility of the damage which may be caused to neutral interests, for the placing of which in this port in safety four days are granted, at the expiration of which the said bombardment will take place.

CASTO MENDEZ NUNEZ.

HEADQUARTERS OF HER CATHOLIC MAJESTY IN THE PACIFIC,

*On board of the frigate Numancia, in the bay of Valparaiso, March 27, 1866.*

G.

*Mr. Kilpatrick to the Diplomatic Corps.*

LEGATION OF THE UNITED STATES TO CHILI,  
*Valparaiso, March 27, 1866.*

SIR: The unfortunate differences between Chili and Spain, which have brought about a state of hostilities, seem about to culminate in events still more serious. Aware of this, I

approached the government of Chili some ten days since, unofficially, and sought to know whether there were not some terms upon which peace would be possible. That government expressed a desire for peace, but could suggest no practical mode of obtaining it. I then called upon the Spanish admiral and ascertained his views. He stated to me that, were the government of Chili to address a note to him stating that there was no intention of offending Spain in the action complained of by her, he was willing to reply in the same spirit; that an exchange of prizes and prisoners might then take place, and a simultaneous salute be fired by the two belligerents, Chili firing the first gun, upon which he, as minister of Spain, would deem himself satisfied, and, as admiral, would withdraw his forces.

Chili has declined this proposal, and considers it inadmissible. I have to-day informed Admiral Nunez of his refusal, whereupon he has issued a manifesto, a copy of which I have the honor to transmit herewith. This manifesto informs the diplomatic corps resident in Santiago of his intention to bombard and destroy all the public property of Chili in Valparaiso, giving a term of four days for the escape of non-combatants.

To prevent the consummation of an act so cruel and inhuman; to prevent the total destruction of a city composed almost entirely of Europeans and Americans, a city which is to-day totally defenceless, and that through the advice of foreign representatives, I feel it my duty to call upon you, sir, to assist me.

Of the present difficulties between Chili and Spain, we of course have nothing to say; but, as the representatives of enlightened nationalities, we have much to say why a helpless city, not the property of either of the belligerents, should not be laid in ashes, thousands of helpless women and children driven from their homes to die amid the desert hills, and why civilization upon this coast should not be set back to an indefinite period. I therefore cordially invite you to meet with such members of the diplomatic corps as are at present in Valparaiso, at my rooms at 2 p. m. to-day, to take into consideration the extraordinary manifesto of the Spanish admiral and the numerous petitions of the former residents of this port, and to take immediate action in the premises.

I have the honor to be your obedient servant,

J. KILPATRICK.

His Excellency the CHARGÉ D'AFFAIRES of her Britannic Majesty.

The same, *mutatis mutandis*, was addressed to the representatives of France, Prussia, and Italy.

---

H.

*Mr. Kilpatrick to the Chargé d'Affaires of France.*

LEGATION OF THE UNITED STATES TO CHILI,  
Valparaiso, March 27, 1866.

SIR: In the present grave circumstances you may probably deem it a cause of regret that no naval force of your nation is present to protect the material interests of your country—interests whose prosperity, under the auspices of your emperor, proves how much he has the welfare of his people at heart. We have, accidentally, here a naval force, which it is my duty and my pleasure to offer, in the name of my country, (whose voice I am sure I echo,) for the protection of your citizens, in recognition of the debt of gratitude which the United States owes to France, who, when we were young and weak, generously stepped forth to aid us. With our country still suffering from recent wounds, the officer commanding the naval forces of the United States in this port concurs with me that your voice and that of your able colleague from England, as representing the largest European interests, are necessary to justify us in departing from the strict letter of our instructions to preserve neutrality.

I have the honor to be, sir, with the highest consideration, your obedient servant,

J. KILPATRICK.

His Excellency the CHARGÉ D'AFFAIRES of France.

---

I.

*American residents to Mr. Kilpatrick.*

VALPARAISO, March 27, 1866.

SIR: We, the undersigned American residents in this city, respectfully beg leave to represent that, in consequence of the rumors prevalent and information obtained from Europe that the commander-in-chief of the forces of her Catholic Majesty intends to bombard and lay waste this city and all towns upon the coast of Chili, are under the serious apprehension that the lives of ourselves and families, as well as our property, are in imminent danger.

We fail to comprehend how in this country such instructions, so destructive to the interests of progress and humanity, could have been issued by the Spanish cabinet.

When we consider that it has required a period of about thirty years to raise the majority of these towns on the coast from insignificant hamlets to their present importance, mainly through foreign influence and capital, we cannot look upon their wanton annihilation, irrespective of our great pecuniary interests, without the most painful feelings, not failing to bring complete ruin upon thousands of neutrals as well as defenceless women and children.



We avail ourselves of this occasion to inform you that, in our opinion, even a partial bombardment of this city, though limited to the bonded warehouses and other public buildings, would result in incalculable loss both of the lives and property of neutrals, as such would probably lead to an extensive conflagration, without available means at hand to extinguish the same. The bonded warehouses alone contain merchandise to the value of fifteen to twenty millions of dollars, exclusively the property of neutrals.

In view of the manifestations of the government of her Catholic Majesty, through their commander-in-chief, that this war upon Chili is not for the purpose of conquest, and being convinced that there is not on these waters at this time a sufficient Spanish force able to be landed, subsequently to the bombardment, for any other purpose than to commit overt acts of pillage and murder upon the defenceless inhabitants, we cannot regard it as else than illegal, reminding us forcibly of the buccaneering expeditions of a former age; and, as it appears to us, this ought not to be recognized as authorized by the present mode of warfare between civilized nations.

We, therefore, citizens of the United States of America, of which you are the empowered representative, knowing that our government has ever been active in watching and forwarding the progress of industry and civilization, cannot permit ourselves to believe for one moment that the forces of two civilized countries now here will quietly remain as mere spectators of such an atrocious act as the bombardment of this defenceless city.

Relying upon your good offices in our behalf, we have no hesitation in expressing our honest conviction that, whether you act with the co-operation of the British squadron or independent of the same in preventing such a calamitous event, your proceedings will meet with the cordial approval of the civilized world.

We would take this opportunity of assuring you of our warm personal appreciation of the valuable services already rendered by you in your earnest, though fruitless, endeavors to effect an amicable arrangement, honorable to all parties interested, and, with your permission, would feel highly gratified to forward to the Hon. William H. Seward, Secretary of State of the United States of America, a copy of this representation.

We remain, sir, very respectfully and truly, your most obedient servants and countrymen,

	Thomas V. Page, M. D.		Alsop & Co.,
	John Wheelwright.	per	A. Hemenway & Co.
	Henry A. Ward.		C. Wolf.
	Henry S. Stevens.		G. G. Fosten.
	Henry Loring.		Washington Booth.
	T. Manahan.		Wm. H. Nugent.
	Leander Wellington.		G. C. Biggs.
	Loring & Co.,		David Trumbull.
per	Wm. Wheelwright.		John Brown.
	P. A. McKeller.		Geo. P. Hoppin,
	Rutledge Willson.	per	Paul H. Delane.
	P. A. McKeller.		J. Delane.
	Henry W. Finn.		John W. Bates.
	Charles C. Green.		James N. Cooper.
	Alfred Ward.		J. S. Yates.
	H. H. Meiggs.		F. S. Grauncan.
	Wm. H. Kelly.		T. H. Dealy & Co.
	Henry M. Caldwell.		Leander Wellington.
	Dartwell & Co.		Wm. Harrington.
	C. S. Arnold.		Wm. J. McKenna.
	B. Tallman.		Z. W. Call.
	Charles H. Sey.		H. D. Chandler.
	G. E. Jones.		Jas. A. Dale.
	J. W. Hutchinson.		Oliver C. Patterson.
	E. M. Dayley.		Chas. Barker.
	Henry C. Smith.		Jacob F. Daggett.
	D. T. Page.		Jas. Murrill.
	John Byers.		Jas. M. Lewis.
	John A. Moore.		Jas. B. Ramsey.
	F. M. Dermey.		Henry King.
	Henry Frank.		Peter Belmont.
	J. H. Hall.		George Cooper.
	A. Cleaveland.		D. H. Guyon.
	Willis Davis.		Benj. F. Walker.
	Alfred Andrews.		Benj. R. Nisbet.
	Elisha Glover.		Wm. H. Ganovin.
	S. G. Derby.		

General KILPATRICK, *Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Chili.*

## K.

*German residents to Commodore Rodgers.*

VALPARAISO, March 24, 1866.

SIR: The undersigned, German residents in this city, respectfully beg to address you in regard to the danger which it is apparent their interests are exposed to at this present moment.

It is rumored that the commander of the Spanish squadron at anchor in this bay contemplates bombarding this town if certain conditions which he demands from the Chilian government are not acceded to within a given time.

We have no vessels of war of our own to protect our lives or our property, and, in consequence, respectfully call upon you, as the commander of the United States naval forces, imploring from you such protection as you would think proper to grant to the residents of your own nation. It is true we have no right or claim upon the same but the right of the weak to look up to the powerful for aid in his distress, and it would be, therefore, unbecoming for us to force upon you our arguments and reasons about the matter, and, consequently, limit ourselves to express the hope that you may find it compatible with your position and your duties to interpose the forces at your command to ward off the threatening calamity.

We have the honor to subscribe ourselves your obedient servants.

(Signed by one hundred and sixty Germans of different nationalities.)

Commodore JOHN RODGERS, &c., *United States steamer Vanderbilt, &c.*

## L.

*Mr. Schuth to Commodore Rodgers.*

VALPARAISO, March 26, 1866.

HONORABLE SIR: I have the honor to address you in my official capacity as representative of the kingdom of Denmark in this republic of Chili, and guardian of the interests of the Danish residents in this port, in particular, enclosing you herewith a petition tendered me to-day by my countrymen residing here, in which they implore of me to take such steps as will effectually defend their lives, families, properties, and liberties from the imminent peril in which they are placed, as they fear that the barbarous threat of bombarding conveyed in the last ultimatum presented by the Spanish plenipotentiary and commander-in-chief of the Spanish forces in the Pacific may be carried into effect.

It is not my object to enter into an analysis of the different points of the unfortunate differences between these two countries, notwithstanding, while imploring your protection, I would request of you to review the prevailing and unanimous opinion of the powers of the old and new continent, as to which country is in the right and which has outraged international customs and duties.

I, for my part, warmly second my countrymen's petition, the more so that I am convinced the Spanish government has acted throughout towards this nation, infringing international law, and in a most high-handed and humiliating manner assuming an attitude which I do not hesitate to state it would not have done had this young country at its command a maritime force capable of showing front to their forces.

Waiving the questions of right and wrong, on which side it be, the main point on which this my petition is based is the recognized fact of Valparaiso not being a fortified town. No resistance can be made to a bombardment, were such a wanton deed to be perpetrated by the Spanish admiral. I therefore invoke you, in the name of humanity, in the name of all that is just, right, and chivalrous, to interfere as energetically as the proximity and serious character of the case requires, to prohibit this revengeful, cruel proceeding.

The proclaimed intention of the Spaniards is to injure the Chilians and their country as much as possible. The projected deed, however, as is well known, damages not them but us foreigners, and consequently is a profitless inhumanidad, and one that ought to have been smothered as soon as conceived.

For \$1,000 worth of Chilian property that would be bombarded and destroyed in this town by a general bombardment, or even by that of the custom-house, there would be ruined \$1,000,000 worth of that of inoffensive foreigners, the proceeds of many years of hard toil and persevering labor at the expense of a prolonged separation from their homes, their families, and their friends.

Loss of property which may be destroyed is but a secondary consideration compared with the fearful calamities that inevitably ensue from such a calamity. It would imperil the lives of the immense numbers of innocent foreigners accumulated in this port, and this not only in the work of a general bombardment of the town, but even of the public buildings.

In consideration of the amicable understanding which fortunately exists between our re-

spective nations, I do not hesitate to direct you this petition, and confidently trust you will interfere in our behalf and uphold the cause of humanity as effectually as you possibly can.

Recommending this my appeal to your kindest consideration, I have the honor of subscribing myself with much esteem, honorable sir,

Your obedient servant,

NICOLAS C. SCHUTH.

Commodore JOHN RODGERS,  
*Commander of the U. S. Naval Forces in the Pacific.*

---

*Danish residents to Mr. Schuth.*

VALPARAISO, March 26, 1866.

SIR: It having come to the knowledge of us, undersigned, Danish subjects at present residing at Valparaiso, and doubtless, likewise, to the notice of you, the honorable Danish consul, that Casto Mendez Nunez, appointed minister plenipotentiary and commander-in-chief of the Spanish forces in the Pacific, intends, in case of a refusal of his proposed conditions, to employ more effective and violent means to vindicate the insult which the Spanish nation believes to have suffered. The next step, after a blockade of six months, according to our opinion, would be a bombardment; and, as the rumor confirms it, and even appoints the time when it will take place. The probability of such a catastrophe has induced us, after a mature deliberation, to claim your protection.

Although the Spanish government repeatedly, and to different powers, has solemnly promised to take in due consideration the interests of the neutrals, the result, in case of bombardment, would be that all the property belonging to us neutrals, and for which we have been laboring for years, and even the lives of us and of our families, would be endangered.

While we lament that the Danish government has not any naval force stationed on this coast in the present emergency, to watch our interests and lives, and in this way be enabled to protect ourselves in case this terrible calamity should happen, we are persuaded that still there would be left a way open to secure the protection of our lives, families, and interests, if the honorable consul general would put himself in communication with the commander-in-chief of the United States and English squadrons—the only foreign powers with force here at present.

These powers are well known to be, fortunately, on the most friendly and amicable terms with Denmark, and we doubt not that an appeal, under the present circumstances, to the above named commanders, would find acceptance, particularly when this our petition is accompanied by an appropriate official note from the Danish general consulate.

Convinced that this our appeal will have your special attention and immediate despatch, we leave our fate in your hands without further recommendation than the question itself.

[Here follow eighteen signatures.]

VALPARAISO, March 27, 1866.

I, Nicolas C. Schuth, royal Danish consul general for the republic of Chili, do hereby certify that the foregoing petition is a true and correct copy of the petition delivered on the 26th of March to this general consulate, from the Danish subjects residing at present here.

In witness whereof, I have given this my proper handwriting in the Danish general consulate of Chili.

[SEAL.]

NICOLAS C. SCHUTH.

---

M.

*Copy of petition directed to the English Admiral and the United States Commodore.*

GENERAL CONSULATE OF HAMBURG IN CHILLI,  
*Valparaiso, March 26, 1866.*

SIR: I take the liberty to solicit your aid and protection for the Hamburg subjects resident in this town, whose representative I am, in the event that the Spanish admiral should carry into effect the bombardment of this city, as he has threatened to do. The bombardment of a defenceless town, like Valparaiso, would be the utter ruin of each and every one of the inhabitants, and certainly must be considered an act of unprecedented severity, not in conformity with the principles of international law, to which all civilized nations adhere. Being without the proper means to oppose the measure, I hereby make free to put under your protection the lives and property of the Hamburg residents, confiding that you will favor them with the same aid which you will afford to the citizens of your own country. I venture to hope that you will be able to prevent the contemplated destruction of neutral property; assuring you at the same time that the senate of Hamburg most gratefully will acknowledge the aid afforded to the Hamburg subjects.

With sentiments of high esteem, I have the honor to be, sir, your most obedient servant,  
CARLOS TINI.

N.

*Admiral Mendez to Mr. Villalon.*

[Translation.]

HEADQUARTERS OF THE SQUADRON  
OF HER CATHOLIC MAJESTY IN THE PACIFIC.  
*Frigate Numancia, Valparaiso, March 27, 1866.*

It devolving upon the vessels of my command to open fire upon Valparaiso on the 31st instant, I have the honor to inform your excellency thereof, thus complying with a duty of humanity, so that the aged, the women, the children, and the other non-combatants may place themselves in security. I likewise trust that your excellency may be pleased to order that the hospitals and other buildings dedicated to charitable purposes may have some flags or signal that may distinguish them, so as to prevent them from suffering the rigors of war. God guard your excellency many days.

CASTO MENDEZ NUNEZ.

The COMMANDANT OF VALPARAISO.

O.

*Mr. Villalon to Admiral Mendez.*

[Translation.]

GENERAL HEADQUARTERS,  
*Valparaiso, March 27, 1866.*

I have received your excellency's note of this date, destined to inform me that on the 31st instant it will devolve upon the vessels of your command to open fire upon this city. Your excellency is pleased to state to me that the information which you give is in fulfilment of a duty of humanity, so that the aged, the women, the children, and other inhabitants may place themselves in safety. Your excellency also hopes that in order to avoid the rigors of war, some flag may be placed upon the hospitals and other edifices consecrated to charitable objects, which may serve to distinguish them.

The defenceless people of Valparaiso, as well as its authorities, receive with calmness the announcement of the horrors which your excellency promises them; but limiting myself here to a reply to the notice which your excellency has been pleased to give me, it is my duty to waive all considerations, save those suggested to me by the note of your excellency. The city of Valparaiso, a purely commercial centre, incapable of opposing the slightest resistance, either to a bombardment or any other kind of attack, beyond the reach of the arm of its citizens, cannot be considered as a military post, nor can its peaceful and harmless inhabitants, accustomed only to the labors of peace, be deemed combatants. I therefore hasten to rectify these views of your excellency. Notwithstanding the inefficiency, which I attribute to the measure of distinguishing the hospitals and other edifices consecrated to charitable objects by signals, (because in a general conflagration, such as your excellency announces, the asylums of the destitute, confounded as they are with the rest of the city, will scarcely escape,) nevertheless, I repeat, that white flags will be placed to indicate those spots, and to thus endeavor to avoid those horrors, if not for the defenceless inhabitants, at least for the sick and dying.

I have replied to the note already mentioned of your excellency, without endeavoring to represent the tremendous responsibility which the burning of a defenceless city, and the slaughter of its peaceful inhabitants, impose upon him who dares to consummate an act of this nature.

It only remains for me to remind your excellency that it is a people of Chili which is about to suffer the horrors of extermination, and consequently they will bear them with that calm serenity assured to them by their historical antecedents.

VICENTE VILLALON.

The COMMANDER-IN-CHIEF of the *Spanish Squadron.*

P.

*The Intendente of the province to the inhabitants of Valparaiso.*

[Translation.]

The chief of the Spanish squadron stationed in our bay is disposed to consummate the outrage of opening the fire of his batteries upon this defenceless city on the 31st instant, at 8 o'clock a. m. Such is the announcement issued by the chief himself to the commandant of this port.

The people of Valparaiso, who have given so many proofs of their patriotic self-denial will know how to support with calmness the sacrifice demanded of them for the preservation intact of the honor of the republic. This very people who would know how to chastise the enemy,

who might dare to assail them, without the advantages afforded by the distance and impunity enjoyed by the Spanish squadron, is deficient in the elements necessary to make the slightest resistance to the bombardment with which we are threatened; but they possess the indomitable energy to hazard a sepulture beneath the ruins of their homes, rather than consent to the humiliation which Spain proposes to us.

With the same decision and energy with which we accept the wanton and unjust war to which she has provoked us, we ought also to accept the barbarous sacrifice of extermination with which we are threatened.

Such is the conviction of all, and the authorities as well as the citizens well know how to remain worthy of our antecedents. But besides serenity in danger, we ought to present to the world a heroic example of a people wantonly destroyed; but not sullied by the slightest stain upon their reputation for culture or civilization. Let no disorder take place in this city, which is about to become the theatre of martyrdom and heroism of our entire people. Let the Spaniards, and them only, be covered with shame at the contemplation of the smoking ruins of a city which has been the emporium of commerce in the South Pacific, and which is about to be converted into a field of ruin and desolation.

The authorities in concert with the citizens will fulfil the honorable duty of consecrating their watchfulness to the protection of the victims of Spanish fury. Let all the inhabitants of Valparaiso comprehend in the same manner the lofty duties to their country and their fellow-citizens. Our recompense will be the greatest satisfaction that Providence can dispense to a people, that of preserving spotless their dignity and their honor.

J. RAMON LIRA.

*P bis.*

*Mr. Kilpatrick to Admiral Mendez.*

LEGATION OF THE UNITED STATES, CHILI,  
*Valparaiso, March 28, 1866.*

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, has the honor to acknowledge the receipt of the note which his excellency the commander-in-chief of her Catholic Majesty's squadron in the Pacific and her plenipotentiary addressed him on the 27th instant, transmitting to him a manifesto, addressed by his excellency to the representatives of foreign nations resident in Chili. In this document his excellency is pleased to state the reasons which, in his opinion, justify the employment of extreme hostilities against the port of Valparaiso and other ports upon the coast of Chili by the forces under his command, allowing a term of four days for the purpose of placing in safety the old, the young, and the helpless. The undersigned has transmitted copies of that manifesto to his colleagues of the diplomatic corps. For himself he does not feel called upon to examine into the causes of the present war, or the failure of the attempts hitherto made to bring it to a close by conciliatory measures or the force of arms; but he does feel himself called upon earnestly to remonstrate, and solemnly to protest against the destruction of a purely mercantile port, almost exclusively the property of unoffending neutrals.

His excellency states that upon the establishment of the blockade of the Chilian ports, it was conducted with lenity, and that neutrals were courteously dealt with; that finding this course unavailing to obtain the desired amends from Chili, the forces under his command made two distinct attempts to obtain by combat the satisfaction Spain demanded, and, finally, that failing to do so on account of insuperable natural obstacles, it is his duty to cause Chili to feel all the rigors of war, and he will consequently fire upon Valparaiso, and upon any other port he may deem proper, with the guns of his squadron, as a terrible act of hostilities rendered legitimate by the reasons set forth by him, and which place the full responsibility of all the evils thereby caused to neutrals upon the government of Chili. These reasons fail to satisfy the undersigned, as they will fail to satisfy civilized nations, that his excellency the Spanish admiral is justified in resorting to a species of warfare which he himself most truly qualifies as terrible, in order to punish an enemy whom he has thus far failed to punish by legitimate modes of warfare.

While belligerent rights permit a recourse to extreme measures for the carrying out of legitimate military operations, they do not include the wanton destruction of private property, where no result advantageous to the lawful ends of the war can be attained. International law expressly exempts from destruction purely commercial communities, such as Valparaiso, and the undersigned would beg his excellency to consider most earnestly the immense loss to neutral residents, and the impossibility of removing, within the brief term allotted to them, their household goods, chattels, and merchandise.

If, however, his excellency persists in his intention to bombard the port of Valparaiso, in spite of the earnest remonstrances contained herein, it only remains for the undersigned to reiterate, in the clearest manner, in the name of his government, his most solemn protest against the act as unusual and unnecessary, and in contravention of the laws and customs of civilized nations; reserving to his government the right to take such action as it may deem proper in the premises.

The undersigned has the honor to reiterate to his excellency the commander-in-chief of her Catholic Majesty's naval forces in the Pacific and her plenipotentiary the assurance of his distinguished consideration.

J. KILPATRICK.

His Excellency the COMMANDER-IN-CHIEF

*of the Naval Forces of her Catholic Majesty in the Pacific, &c., &c.*

Q.

*Consular corps to Admiral Mendez.*

[Translation.]

VALPARAISO, March 27, 1866.

The undersigned, consuls resident in Valparaiso, have informed themselves of the note which, under date of this day, the chief of her Catholic Majesty's squadron blockading this port has been pleased to address to the consul general of Portugal, enclosing a copy of a manifesto transmitted by said chief to the diplomatic corps resident in Chili. Informed of its contents, we cannot otherwise than manifest to your excellency with what deep regret we have seen that your excellency has taken the resolution of proceeding to bombard Valparaiso, and any other port of Chili you may see proper, giving only the period of four days to the foreign residents in which to place their lives and property in safety.

It is not our intention to enter into a discussion of the motives which your excellency adduces to justify the adoption of so extreme a measure; but it is our duty to make every effort to cause you to desist from an act which must be the cause of ruin to the interests of thousands of our constituents resident here. International law does not permit the bombardment of undefended places and the destruction of ports like this. It is condemned in itself; but in this particular case it will be more so, since Spain upon all occasions has solemnly declared, in the present war, that she will always respect neutral property and will endeavor to avoid injuries and damages of the war to neutrals. Under the shield of this promise the foreigners resident in this city have continued in their peaceful avocations, and confident that Spain would faithfully comply with such solemn pledges. The port of Valparaiso, your excellency well knows, represents throughout its entire extent valuable neutral interests, and its destruction would fall almost exclusively upon subjects of powers friendly to Spain, while the country itself will scarcely feel the effects of so violent an act. The bombardment of Valparaiso may rather be considered as an act of hostility against neutral residents, since its effects will be felt by them alone. History will certainly not present in its annals any event which can rival in horror the picture which will be presented by the bombardment of this city. It will be an act of vengeance so terrible that the civilized world will shudder with horror in contemplating it, and the reprobation of the entire world will fall upon the power which may have carried it out. The burning and destruction of Valparaiso will be the certain ruin and destruction of a flourishing city; but be your excellency well persuaded that it will also be an eternal blot upon Spain. The city of Valparaiso will rise from her ashes, but never will the stain be wiped away which will sully the flag of Spain if your excellency persists in carrying out so cruel an attempt. If, notwithstanding all, your excellency *does* carry it out, we shall find ourselves under the inevitable necessity of protesting in the most solemn manner, as in effect we do *now* protest, against such a proceeding, as against the interests of our constituents, reserving the right to reclaim from the government of her Catholic Majesty the enormous injuries which their citizens will suffer. We protest, in the face of the civilized world, against the consummation of an act which is in contradiction with the civilization of the age.

JORJE LYON, *Consul General of Portugal.*

H. FISCHER, *Consul of Prussia.*

N. C. SCHUTH, *Consul General of Denmark.*

A. W. CLARK, *Consul of United States.*

FRANCISCO MATTHAEI, *Consul of Hanover.*

OSCAR AD. BERKEMEYER, *Consul General of Austria.*

ARN TH. DROSTÉ, *Consul General of Bremen and Oldenburg.*

B. FISCHER, *Consul of Switzerland.*

P. A. TORRES, *Consul of Colombia.*

J. H. PEARSON, *Vice-Consul of Brazil.*

JOSÉ CURLETTI, *Deputy Consul of Italy.*

JULIO GRISAR, *Consul Belgium and Deputy Consul of Holland.*

FELIPE CALMANN, *Consul of Guatemala.*

CARLOS BALHSEN, *Consul General of Sweden and Norway.*

CARLOS PINI, *Consul General of Hamburg,*

*and Deputy Consul of Mecklenburg.*

D. THOMAS, *Consul General of Sandwich Islands.*

G. ROSEMBERG, *Consul of Salvador.*

His Excellency Don CASTO MENDEZ NUÑEZ,

*Commander-in-chief of the Naval Forces of her Catholic Majesty in the Pacific,  
and her Minister Plenipotentiary, on board the Frigate Numancia.*

R.

*Protest of the consuls of England, France, and the Argentine Republic.*

[Translation.]

VALPARAISO, March 27, 1866.

The undersigned, consuls resident in Valparaiso, have informed themselves of the contents of the note which under this date the chief of the blockading squadron of her Catholic Majesty in this port has addressed to the consul general of his Faithful Majesty, transmitting a copy of the manifest addressed by the said chief to the diplomatic corps resident in Chili.

In that note, and referring to that manifest, we are informed of the motives which compel the commander of the blockading force to bombard this city, which motives may be recapitulated as follows:

That the government of Chili having committed offences against that of her Catholic Majesty, and the former not having consented to give to the latter the satisfaction demanded, it has resorted to a series of measures of war, such as blockade and an attack upon the allied squadron in the waters of Chili, which having resulted inefficaciously, the commander of the blockading squadron finds it his bounden duty to appeal to the bombardment of this and of other ports of the Chilian coast, giving a term of four days in order that the neutrals resident in this port may place their lives and property in safety.

After duly weighing these motives, your excellency will permit me to observe:

That in order to proceed to the extreme recourse of the burning and destruction of a commercial city, completely defenceless, by which act the greatest injury will be inflicted upon the persons, families, and interests of the foreign residents, equity and the practice of Christian nations, which have regulated the rights of war, demand especial reasons, pointed out by international law, which can in nowise be made applicable to the present case;

That the motives set forth by your excellency, while in truth they are reasons of private suitability, (*conveniencia particular*), are by no means sufficient to authorize the terrible recourse of an attack against the lives or properties of completely defenceless and innocent persons, who are under the protection of the laws of nations;

That the government of Spain, under her naval commanders in the Pacific, have repeatedly declared that it was not their intention to injure neutral interests, and consequently the foreigners here residing have always lived under this persuasion, while now there is given the extremely short time of barely four days to save their families, their interests, and their very lives.

From the foregoing, we deem it our duty to manifest to your excellency the deep regret with which such an act inspires us—an act not only beyond all military necessity authorized by the laws of war, but also entirely opposed to the humanitarian principles upon which the conduct observed by nations towards one another in this age of civilization rests.

The bombardment of Valparaiso, whose population is composed, in great part, of our peoples, would be so horrible an act of hostility, that it would be unworthy of the enlightened government of her Catholic Majesty, and reprobated not only by the entire world, but by the very people of Spain itself. An act of this kind might be considered as a vengeance, without Spain obtaining by this means the reparation of the outrage complained of.

Penetrated by these sentiments, we have come to protest before your excellency, as we in fact do protest, in the most solemn and formal manner, against the act of hostility which your excellency has declared you desire to commit, reserving to our governments the right to demand from the government of her Catholic Majesty indemnity for the enormous damages suffered by their subjects.

At the same time we earnestly beg your excellency to take into consideration our observations and to desist from your intention, for the sake of justice and the laws of humanity.

Be pleased, your excellency, to admit the renewed assurances of our high consideration.

H. W. ROUSE, *Consul of her British Majesty.*E GIRARDOT, *Consul of France.*GREGORIO BEECHE, *Consul General of the Argentine Republic.*

His Excellency the COMMANDER-IN-CHIEF

*of the Naval Forces of her Catholic Majesty in the Pacific,  
and her Minister Plenipotentiary, &c., &c., &c.*

T.

*Admiral Mendez Nunez to the Belgian consul.*

[Translation.]

HEADQUARTERS OF HER CATHOLIC MAJESTY'S SQUADRON

IN THE PACIFIC, FRIGATE NUMANCIA,

Valparaiso, March 29, 1866.

DEAR SIR: Your communication of to-day has come to hand. It states the probable sum of value of property belonging to your countrymen residing in Valparaiso, and informs

me that your government will claim of her Catholic Majesty the loss and damage to property injured or destroyed by the bombardment of the city on the 31st instant.

In reply, I must repeat to you what I have already stated to the diplomatic corps in my manifest, which you and other consuls have learned from the dean, which is, that the bombardment will be at the expense of Chili, as that government has forced Spain to order it, and its agent in the Pacific will certainly carry it out; therefore my government accepts no responsibility.

With these remarks, I remain yours, &c.,

CASTO MENDEZ NUNEZ.

To the CONSUL OF BELGIUM in *Valparaiso*.

U.

*The President of the republic to the citizens.*

[Translation.]

**FELLOW-CITIZENS:** The bombardment of Valparaiso will be the scandal of the world in the nineteenth century; the desolation of a commercial port, unprovided with walls to protect and cannon to defend it, is neither more nor less than an outrage against civilization.

To our enemies will belong the shame of having basely destroyed more houses, factories, railroads, telegraphs, and public and private buildings, in a flourishing port of the Pacific, where all foreigners, including even the Spaniards themselves, have ever found hospitality and protection. Chili, as you know, was at length compelled to accept the war which Admiral Pareja declared against her on the 18th of September—a day of glorious memory. We have fought nobly. In the waters of Papudo we obtained a splendid triumph. From Abtao our enemies fled ingloriously, and now they seek vengeance by venting their fury against the roofs of a city which cannot oppose any resistance to a squadron which commands it from afar to destroy it.

Is this the proof they have come to give us of their ancient Castilian pride, and of the nobility of modern Spain, which is at this moment boasting that she has a history which relates a glory on every page! The admiral who asked from us amends for imaginary offences to the Spanish flag, with his own hands now drags it in the dust, and stains it in the blood of children and the aged.

Chilinos, trust in your government, who faithfully interpreting your noble sentiments, will sign no agreement dishonorable to the republic, great as may be their desire to be at peace with all nations of the world.

Chilinos, the brave are always magnanimous. Moderate your just wrath, and cause the contrast to be clear between the brutal acts of the enemy and the noble conduct of a cultivated people.

JOSÉ JOAQUIN PEREZ.

V.

VALPARAISO, *March 30, 1866.*

SIR: Under this date the secretary of the navy writes to me as follows:

The government of the republic has become aware, by means of the daily press, of the manifesto which the enemy's squadron has addressed to the foreign diplomatic corps resident at Santiago. In this document it is pretended to give out that the Spanish squadron was made to resort to the execrable measure of bombarding the peaceful and defenceless city, on account of the absolute impossibility of measuring his forces with the small Chilian-Peruvian squadron, on account of the continued fogs and crooked channels of the archipelago of Chili.

This unfortunate statement, by which a power which boasts of its culture and generosity endeavors to palliate the most unjustifiable of outrages, is done away with when it is remembered that the Spanish ships had no difficulty in penetrating as far as the rendezvous of Abtao, and if they have not also penetrated into the new rendezvous of our squadron, it can only be attributed to an unwillingness to do so. In fact, it is not conceived how it was impossible for the Spanish frigates Blanca, Resolucion, Berenguela, and Villa de Madrid, and much less for the corvette Vencedora, to enter into a channel which the Peruvian frigate Apurimac, with much less draught than the foregoing, has navigated without difficulty. Moreover, the depth of the channel in question gave in reality to the iron-clad frigate Numancia free and easy access up to the rendezvous of the Chilian and Peruvian vessels. But since the chief of the enemy's squadron has alleged this impossibility, really illusory, as an excuse for the impending bombardment, his excellency the President of the republic has thought proper to take away from that act of barbarous war the smallest pretext which may



serve to excuse it. For this purpose he has given instructions to order your excellency as follows:

You will address the chief of the enemy, Don Casto Mendez Nunez, proposing to him a combat between the maritime forces which Chili and Peru have at their disposal and those which the Spanish chief has under his command. As these latter forces are at present incomparably superior to the former, not only on account of the number of their guns, but also on account of the iron plating and other advantages of the frigate *Numancia*, this vessel ought not to take part in the combat, and the elements of aggression to be employed in it should be rendered equal on either side. In order that the fogs and channels of Chili may not be a reason to refuse this proposition, let the engagement take place ten miles from this port, at a point where the Chilian-Peruvian squadron will immediately proceed. Furthermore, the details of the combat to be arranged by the commodore of the naval forces of the United States in these waters, who kindly consents to act as judge of the combat.

The result of this combat will involve the close of the present war.

If Spain sincerely desires peace, if the brave and chivalrous spirit which she boasts are not vain words, Mr. Mendez Nunez can hardly fail to admit an international duel, which is equally in consonance with the loyalty of civilized war, the interests of peace and humanity, and which will spare him the perpetration of the odious act of which he is about to be the instrument in bombarding Valparaiso. Reproducing the proposition in the note which I have just transcribed to your excellency, I have the honor to ask that you will be pleased to give me as early a reply as the present circumstances demand.

With sentiments of distinguished consideration, I subscribe myself, your excellency's most obedient servant,

VICENTE VILLALON.

---

W.

VALPARAISO, *March 29, 1866.*

NOTICE.—At the conclusion of the bombardment a Spanish flag will be hoisted at the fore yard-arm of the *Numancia*, and no subsequent fire will take place without due notice.

This has been communicated to me by the Spanish admiral.

JOHN RODGERS.

---

X.

*Commodore Rodgers to Mr. Wheelwright.*

UNITED STATES SHIP VANDERBILT,

*Valparaiso, April 1, 1866.*

SIR: In an official interview which I had this morning with the Spanish admiral, on board the *Numancia*, he assured me that he had no present intention of re-bombarding the city.

Upon the strength of his assurance, I feel confident that the people can return in safety to their homes.

Very respectfully,

JOHN RODGERS,

*Commodore United States Navy.*

JOHN WHEELWRIGHT, Esq., *Valparaiso.*

---

*Admiral Mendez to Mr. Kilpatrick*

[Translation.]

FRIGATE NUMANCIA,

*Valparaiso, March 30, 1866.*

MOST EXCELLENT SIR: I have received your courteous communication dated yesterday, in which, in reply to the manifesto which I had the honor to address to the diplomatic corps accredited in Chili, through your excellency, to set forth the motives which unfortunately made it necessary for me to resort to the extremities of the bombardment of Valparaiso, your excellency is pleased to protest against the consequences of this act of war, in so far as regards your fellow-citizens.

While the incredible obstinacy of the government of the republic, which has refused all kinds of arrangement, as your excellency personally knows, obliges me to carry out tomorrow the indispensable measure of rigor which I have mentioned, upon it will fall the responsibility, *ipse facto*, of all the damages which may be suffered by neutral residents of Valparaiso in consequence of the bombardment.

I avail myself of this new opportunity to reiterate to your excellency the assurances of my most distinguished consideration.

CASTO MENDEZ NUNEZ.

His Excellency the MINISTER PLENIPOTENTIARY  
*of the United States in Chili.*

## Z.

*Austrian Consul to Commodore Rodgers.*

AUSTRIAN CONSULATE GENERAL,  
*Valparaiso, March 26, 1866.*

SIR: The apparently well-founded rumors that the commander-in-chief of the Spanish blockading fleet intends to carry his hostile proceedings to the extremity of bombarding this defenceless town, induce me, sir, to appeal to your powerful support for the protection of the very valuable interests of so many neutrals, their wives and children, and in particular for all the Austrian subjects resident here, to whom I cannot lend effective assistance for want of necessary force.

You are well aware, sir, that Valparaiso is exclusively a commercial town, where numerous foreigners of all nations reside with their respective families, who are in possession of most valuable property, and, as this town is quite defenceless, a bombardment of the same would, in my opinion, be entirely illegal, against the regulations of modern warfare, against international laws, and, in particular, against humanity. I therefore consider it my duty to claim in behalf of the Austrian subjects, whom I represent, the strong protection which, with the naval force under your command, you may be willing to grant; and I beg you to rest assured that whatever you can do to prevent such a dreadful calamity will be most thankfully acknowledged by my government.

Confident that my request will meet your fullest consideration, I have the honor to be, your most obedient servant,

OSCAR AD BERKEMEYER.

Commodore JOHN RODGERS,  
*Commander-in-chief of the U. S. Squadron  
in this port, U. S. Steamer Vanderbilt.*

---

*Mr. Kilpatrick to Mr. Seward.*

[Extract.]

No. 6.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, April 16, 1866.*

SIR: I have the honor to acknowledge the receipt of your communication of the 19th of February, announcing the revocation of the exequatur of Mr. Estaban Rogers, Chilian consul at the port of New York. This fact I communicated to the Chilian government on the 25th of March by transmitting a copy of your despatch, and on the 5th of the present month I received a reply, a copy of which I transmit herewith, (A.)

On the 8th instant I received a communication from John Wheelwright, of the firm of Alsop & Co, an American house in Valparaiso, transmitting a petition from the foreign merchants of that city in relation to a plan for arriving at the amount of the losses of each nationality from the recent bombardment, and requesting that I would submit the same to the diplomatic body resident in Santiago for their united action in the matter. (See enclosures B, C.)

To this I replied on the 10th instant, respectfully declining to make any further attempts for a concerted action of the representatives of the different nationalities interested, as all my previous efforts had been abortive and fruitless. (D.)

The Italian consul general, on the 9th instant, visited me, and urgently requested that I would convene the diplomatic corps, to try and adopt some measures to assure the citizens of Valparaiso, who were extremely fearful that their city would again be bombarded, that such a repetition would not be permitted.

To him I replied, as I did to Mr. Wheelwright, that I must decline making any further efforts for such united action.

The Spanish squadron was re-enforced last week by the arrival of the frigate *Almanza*.

On the 14th instant they raised the blockade of Valparaiso and departed for some destination not known as yet, but it is presumed that they have gone north. I received, the morning of the 15th, a note from Commodore Rodgers,

stating that he was going north on the 16th to watch the movements of the Spaniards, and to do what he could for the protection of our interests along the coast, should the occasion require it.

The cordiality which for a long time has existed between the people of Chili and our country has been interrupted, temporarily I trust and believe, and a cold politeness, if not an actual ill-will, has taken its place. Many causes have led to this. In the first place, Chili has been led to believe that she would receive assistance, sooner or later, from the United States, and those who have encouraged this idea are responsible for the present dissatisfaction of the people of Chili, caused by the course taken by Commodore Rodgers and myself in relation to the bombardment of Valparaiso. But for those assurances, and I may say promises, Chili would never have expected such aid, and consequently would not now be so sadly disappointed. The arrest of Vicuña McKenna, and the just refusal of our government to allow Chilian privateers to leave our port was overlooked, but when the American squadron moved out of the bay of Valparaiso, and allowed the Spanish fleet to batter down a portion of the city of Valparaiso, the people of Chili felt, for the first time, that they had been sadly deceived, and that they must now rely on their own resources and fight their own battles. That this bitter feeling towards Americans exists is perfectly natural. Chili looked upon the United States as her best friend, and that friend has failed to assist her in her hour of trial. But this feeling will not last. When the excitement occasioned by the bombardment has passed away, and the people begin to think again, they will see and admit that the course taken by the United States was wise and right. In consequence of the threat of the Spanish admiral that he would fire upon the town upon the first indication of an attempt to defend it, they advised no defence to be made, stating that they could not interfere in case of a defence, thus leading the Chilian authorities to believe that they would interfere in case it was not made, and then coolly refusing to act at all when the bombardment came.

\* \* \* \* \*

I have no fears, however, but that I shall succeed in maintaining the friendly relations heretofore existing between the two governments, feeling as I do the importance of a firm, true friendship between Chili and the United States, for it involves the friendship of all the republics now allied with Chili. I shall strain every nerve to remove false impressions, correct errors made before my coming, and to establish a friendship founded on truth and right conceptions of the obligations under which nations are placed in their relations with one another.

\* \* \* \* \*

I have the honor to remain, very respectfully, your obedient servant,  
J. KILPATRICK.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

*Señor Covarrubias to Mr. Kilpatrick.*

[Translation.]

SANTIAGO, April 5, 1866.

SIR: I have the honor to announce to your excellency the receipt of your note of the 25th of March last, with which you had the goodness to transmit to me a copy of the despatch of his excellency the Secretary of State of the United States, relative to the cancellation of the exequatur of Mr. Esteban Rogers, consul of Chili in New York.

By the last mail I have written to the chargé d'affaires of the republic resident in Washington, making to him the just observations to which this case gives rise, and charging him to communicate them to your excellency's government through the proper channel.

Be pleased to accept the expression of the distinguished consideration with which I am your obedient servant,

ALVARO COVARRUBIAS.

The ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY  
*of the United States of North America.*

## B.

*Mr. Wheelwright to Mr. Kilpatrick.*

VALPARAISO, April 7, 1866.

SIR: At the request of the foreign merchants of this city, I have the honor to transmit herewith a document relative to the losses sustained by the recent bombardment, as well as suggestions regarding the mode of ascertaining the value of foreign property destroyed, which they beg to submit to the honorable diplomatic body resident in Santiago.

The object of this is to ascertain if its purport will so far meet the approval of the diplomatic corps as to admit of an early interview between the members thereof and a commission to be appointed by the merchants to carry into effect what is therein proposed.

Awaiting the appointment of a day and hour when, at the convenience of the honorable body referred to, the said commission can proceed to Santiago for the purpose designated, I have the honor to remain, yours most respectfully,

JOHN WHEELWRIGHT.

General JUDSON KILPATRICK,  
*United States Minister.*

## C.

*Foreign Merchants to Mr. Kilpatrick.*

VALPARAISO, April 6, 1866.

SIR: Notwithstanding the repeated declarations of the Spanish government and the late Admiral Pareja and his successor, Don Casto Mendez Nunez, in command of the Spanish forces in the Pacific, that, in the war now unhappily existing between Spain and Chili, the interests of neutrals should be respected, those neutrals placing unfortunately too much reliance on the assurance referred to, and that, by the usages of war, a bombardment of an unfortified port would not be attempted, have been subjected to enormous losses.

You are aware, sir, that, on the 31st ultimo, this city was bombarded by the Spanish vessels of war for three consecutive hours, with shell and heated shot, and that it resulted in the destruction of a large portion of the populated part of the town, and of two-thirds of the custom-house stores, which are quite separated from the town, and beyond which there are no habitations.

In these custom-house stores, as is well known, and was repeatedly explained to the Spanish commander, the property belonged almost, if not exclusively, to neutrals.

That property, by the wanton act of the Spanish forces, to the value of many millions, has been entirely destroyed, and, not doubting that our respective governments will claim against Spain for the value of the property, we, the undersigned, neutral merchants of Valparaiso, take the liberty of addressing the present solicitation through you to the diplomatic body of Santiago, to point out that, in our opinion, the most just and expeditious manner of arriving at the exact and true value of the property to be claimed for will be to adopt the following course:

1. That the diplomatic body of Santiago, under the presidency of its dean, should appoint a commission of five, seven, or nine persons, and in case of unavoidable absence, an equal number of deputies.

2. This commission will investigate all claims, search the custom-house registers, and strictly examine the books and other authentic documents of claimants, in order to estimate, with the most scrupulous exactness, the amount of loss sustained by each one—separate statements being made up for each nationality.

3. The statements furnished, they will be handed in, accompanied by a report to the diplomatic body in Santiago, in order that each member of that body may be placed in possession of the particulars of the losses, and that a copy of the report of the commission may be sent to each consul in order that each claimant may obtain from his representative a *bona fide* and certified statement of the losses he has suffered.

The undersigned have the honor to remain, sir, your most humble and obedient servants,  
(Signed by 49 different firms.)

General KILPATRICK,  
*Minister Plenipotentiary of the United States,  
and Dean of the Diplomatic Corps, Santiago.*

## D.

*Mr. Kilpatrick to Mr. Wheelwright.*

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, April 10, 1866.*

DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 7th instant, enclosing a document relative to the losses sustained by the foreign residents of Val-

paraiso by the recent bombardment, and also suggesting a plan for ascertaining the amount of the losses of each nationality, so that each claimant may obtain from his representative a certified statement of the losses he has suffered.

I am more than willing to do all I can in the matter, but such has been the result of all my previous efforts to bring about a concerted action of the diplomatic corps in relation to this matter, or rather to one out of which this grew, that I must respectfully decline making any further attempts in that direction. Let each nationality act separately for itself. Let the consuls of the several countries interested appoint a commission each for his respective country, to investigate all claims for losses and make a statement in accordance, which, certified by the consul as correct and just, can then be forwarded to the home governments for their action in the matter.

This plan can be carried out immediately, and with as good results as the one proposed, which, in my opinion, would not be adopted by the diplomatic corps were it laid before them.

I am, sir, very respectfully, your obedient servant,

J. KILPATRICK.

JOHN WHEELWRIGHT, Esq.

---

*Mr. Kilpatrick to Mr. Seward.*

[Extract.]

No. 7.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, May 2, 1866.*

SIR: Nothing of importance has transpired here since my last despatch.

The whereabouts of the Spanish squadron and of that part of our fleet which followed them from Valparaiso is still unknown. Admiral Pearson arrived on the Suwanee, at Valparaiso, a day or two after Commodore Rodgers left, and the following day set sail for Callao with the remainder of the fleet, taking with him the Mahongo, which had been in the port of Valparaiso for several months, and leaving the Suwanee in her place.

News has been received here of the arrival at Rio Janiero, on the 1st of April, of the two Peruvian iron-clads, the Huascar and the Independencia. They had put in there for some slight repairs, and expected to sail for this coast in a few days.

There is a very general belief here that our government is more friendly to the Spanish government than to that of Chili. Although this belief is an entirely erroneous one, and without the slightest foundation, it nevertheless exists, and feeling as I do the importance of preserving the very friendly feeling that so long has subsisted between the two countries, especially as at this time the friendship of Chili implies that of all the republics now allied with her, I would most respectfully suggest that such assurances of friendship be sent me from the State Department as will enable me to disabuse this government, and through them the people, of such ideas.

\* \* \* \* \*

With the addition of the Huascar and Independencia, which are daily expected, the allied fleet will be more on an equality with that of the Spaniards, and the intention is, immediately on their arrival, to sail in search of the Spanish squadron, and offer them battle whenever and wherever they may find them.

There is considerable excitement manifested here in view of the coming presidential election in June next, but the probabilities are that the present administration will remain in power.

I have the honor to remain, very respectfully, your obedient servant,  
J. KILPATRICK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Kilpatrick.*

No. 6.]

DEPARTMENT OF STATE.

*Washington, May 5, 1866.*

SIR: Your despatch of the 2d of April, No. 3, has been received and submitted to the President.

I proceed to give you his views upon the grave matters which it presents. Your proceeding in submitting to the representatives of the foreign states resident at Santiago the communication which was addressed to you by the Spanish Admiral Mendez, on the 15th of March, in which he announced that simultaneously with his being appointed to the command of her Majesty's squadron in the Pacific, he was also invested with diplomatic powers to treat with the government of Chili, is approved.

The decree which was made by the Chilian government on the 16th of March, and which prohibits neutral vessels that communicate with the ships of the Spanish squadron, or furnish them supplies, from touching at the ports of the republic, has been promulgated here.

The report which you have given us of the efforts which you made, with the support therein of Commodore Rodgers, to obtain a peaceful conclusion of the war which has so long been carried on between Chili and Spain, and especially to avert the bombardment of the city of Valparaiso, has been read with deep interest.

Since you had no instructions, and under the circumstances could not have been furnished with instructions applicable to the emergency, it was right that you should seek and hold informal and unofficial interviews, for the humane purposes mentioned, with the Chilian minister and the Spanish admiral. Your efforts were made with zeal, energy, and perseverance. The various suggestions you offered in that negotiation were proper, and the reasons assigned by you in their support were sound and wise. It was not your duty on that occasion to claim or assume the position of an umpire, and therefore it was not within your province to decide upon the conflicting views of the war which were taken by the belligerent parties.

In the opinion of the President, the most beneficial policy which this government can practice with reference to foreign states is to abstain from all authoritative or dictatorial proceedings in regard to their own peculiar affairs, while it employs at all times whatever just influence it enjoys to promote peace, and to recommend to them, by its own fidelity to justice and freedom, the institutions of free popular government. In this respect you have proceeded in harmony with the policy of the United States.

It is inferred from your report that not only could Valparaiso have been spared, but that peace could absolutely and permanently have been gained if the belligerent parties could have agreed upon the firing of mutual and simultaneous salutes of blank cartridges; and that nothing remained to secure such agreement under the auspices of your recommendation but to effect an understanding which of the parties should discharge the first gun.

I need not express the President's surprise and profound regret at the failure of efforts which came so near being crowned with a complete and beneficent success. The proceedings by which, concurring with the commodore, you offered to the French minister the protection of our naval forces for the persons and property of French subjects at Valparaiso, in the event of a bombardment, is approved.

You present in your despatch a question, "Whether upon the facts stated by you, the citizens of Valparaiso had not a right to expect that the town would not be bombarded?"

Upon this point we may reserve ourselves until the inquiry shall necessarily arise in connection with claims or otherwise.

The conclusion at which you arrived upon an examination of the circumstances, that it was not your duty to advise or instruct Commodore Rodgers to resist the bombardment by force, is accepted and approved.

It remains for me only to recommend that you persevere in the way you have so well begun and that you spare no practical efforts to induce the belligerents to bring to an end a war, which, while it promises no material advantage to either party, is fraught with injuries to the interests of commerce and civilization.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.

---

*Mr. Kilpatrick to Mr. Seward.*

[Extract.]

No. 9.]

LEGATION OF THE UNITED STATES,  
*Santiago de Chili, May 16, 1866.*

SIR: \* \* \* \* \*

On the 11th of the present month the news of the engagement at Callao on the 2d instant, between the Spanish squadron and the Peruvian batteries, reached this city.

The affair lasted four hours and a half, when the Spaniards retired, several of their vessels being pretty badly injured. Galvez, the minister of war of Peru, was killed by the accidental explosion of a shell. It is currently reported here and believed that Nunez was mortally wounded and has since died; but from letters received from Admiral Pearson, and from other officers of our fleet, I should judge that there is no good foundation for this belief. These letters state that Nunez was quite severely wounded, but that his wounds are not considered dangerous. The loss is variously estimated at from one to three hundred on each side. It is considered here as a great victory for the Peruvians.

On Sunday, the 13th instant, the "*Te Deum*" was sung at the cathedral, the President and his cabinet and the representatives of the republics allied with Chili being present and participating in the exercises. After the ceremonies at the cathedral, there was a grand military procession, which marched past the legations of the allied republics, saluting their flags and playing their national airs. The whole city was jubilant and exulting.

On the 15th instant, high mass was celebrated in the cathedral by the archbishop for the repose of the souls of those who fell in the action at Callao. The President and other officials of this government and the representatives of those allied with it were present, and there was also a similar military display as on the day of the *Te Deum*.

Very respectfully, your obedient servant,

J. KILPATRICK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Kilpatrick.*

[Extract.]

No. 8.]

DEPARTMENT OF STATE,  
*Washington, May 30, 1866.*

SIR: I have to acknowledge the receipt of your despatch of the 16th of April, No. 6, together with voluminous documents thereto annexed.

I give you herewith for your information a copy of my\* reply to the remarks of Mr. Covarrubias, on the subject of the revocation of the exequatur of Mr. Esteban Rogers, late Chilian vice consul at New York.

Your proceeding in declining to institute measures for a combination between the foreign representatives in Chili, with a view to ascertain the damages suffered by foreign merchants in the bombardment of Valparaiso, is approved. I think, however, that the course which you have indicated in regard to that matter should be modified in this respect, namely: The United States consuls, while they may render their good offices in this as in other commercial affairs to American citizens, will not be expected to institute or conduct examinations themselves, or to give their official sanction to the results of examinations made by others. It is their proper function to certify the authenticity of documents which claimants may desire to submit to this government. They cannot do more without special instructions from this department.

\* \* \* \* \*

I am, sir, your very obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.

---

*Mr. Seward to Mr. Kilpatrick.*

No. 9.]

DEPARTMENT OF STATE,

Washington, June 2, 1866.

SIR: Your despatch of the 2d May, No 7, has been received. I appreciate your solicitude that the course of proceeding which this government has pursued in regard to the war between Chili and Spain should be understood and appreciated. Perhaps, however, the difficulty in the way of such appreciation results from the peculiar circumstances of Chili. Her statesmen and people, like statesmen and people in all countries, may be expected to interpret, not only the rights of that republic, but the capacities and duties of other states in the light of their own interests and wishes.

The policy of the United States in regard to the several Spanish-American states, is, or ought to be, well known now, after the exposition it has received during the last five years. We avoid in all cases giving encouragement to expectations, which, in the varying course of events, we might find ourselves unable to fulfil; and we desire to be known as doing more than we promise rather than falling short of our engagements. On the other hand, we maintain and insist, with all the decision and energy which is compatible with our existing neutrality, that the republican system which is accepted by the people in any one of those states shall not be wantonly assailed, and that it shall not be subverted as an end of a lawful war by European powers. We then give to those republics the moral support of a sincere, liberal, and, as we think it will appear, a useful friendship. We could claim from foreign states no concession to our own political, moral, and material principles or interests, if we should not conform our own proceedings, in the needful intercourse with foreign states, to the just rules of the law of nations. We therefore concede to every nation the right to make peace or war, for such causes other than political or ambitious as it thinks right and wise. In such wars as are waged between nations which are in friendship with ourselves, if they are not pushed, like the French war in Mexico, to the political point before mentioned, we do not intervene, but remain neutral, conceding nothing to one belligerent that we do not concede to the other, and allowing to one belligerent what we allow to the other.

Every complaint made by Chilian agents of an attempt on the part of Spain

---

\* See correspondence with the Chilian legation, May 29, 1866.



to violate the neutrality of the United States, has been carefully and kindly investigated, and we have done the same, no more and no less, in regard to the complaint instituted against the neutrality of the agents of Chili.

We certainly thought that it was an act of friendship on our part that we obtained assurances from Spain, at the beginning, and at other stages of the present war, that, in any event, her hostilities against Chili should not be prosecuted beyond the limits which I have before described. We understand ourselves now and henceforth ready to hold Spain to this agreement, if, contrary to our present expectations, it should be found necessary. In this we think we are acting a part, certainly not unfriendly to Chili. It was thought to be an act of friendship when we used our good offices with both parties to prevent the war. We have thought we were acting a friendly part using the same good offices to secure an agreement for peace without dishonor, or even damage, to Chili. Those who think that the United States could enter as an ally into every war in which a friendly republican state on this continent becomes involved, forget that peace is the constant interest and the unwavering policy of the United States. They forget the frequency and variety of wars in which our friends in this hemisphere engage themselves entirely independent of all control or counsel of the United States. We have no armies for the purpose of aggressive war; no ambition for the character of a regulator. Our Constitution is not an imperial one, and does not allow the executive government to engage in war except upon the well considered and deliberate decree of the Congress of the United States. A federal government consisting of thirty-six equal States, which are in many respects self-governing, cannot easily be committed by its representatives to foreign wars, either of sympathy or of ambition. If there is any one characteristic of the United States which is more marked than any other, it is that they have from the time of Washington adhered to the principle of non-intervention, and have perseveringly declined to seek or contract entangling alliances, even with the most friendly states.

It would be pleasant to the United States to know that the government and people of Chili have come to a correct understanding of our attitude and feeling toward them. Nor do we fear that injurious misapprehensions can long prevail among the enlightened and spirited people of that state.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.

---

*Mr. Kilpatrick to Mr. Seward.*

No. 11.]

LEGATION OF THE UNITED STATES,  
*Santiago, Chili, June 15, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatches of the 5th of May, Nos. 6 and 7, in which I am informed that the President has fully approved of my entire course, not only in reference to the bombardment of Valparaiso, but since my arrival in Chili. While I felt that I had done my duty in every respect, yet I was most anxious to have the approval of my government. It has come, and in language most gratifying to me. You will remember that I long since expressed my fears that I might not possess those qualifications requisite for so important a mission. I still feel that want of confidence and knowledge which time, hard study, and experience alone can give. In consequence of this I have been obliged to feel my way most carefully. However, having passed through, and to your satisfaction, the most difficult days of my mission, I feel reassured and have no fears for the future. My highest ambition

is to fully carry out the well-established policy of my government and to receive its approval. I am happy to inform you that the feeling here against the United States, the result of causes already stated in former despatches, has entirely subsided, and this legation occupies a position second to none in Chili. The President and his cabinet, and all intelligent men in Chili, I am convinced, now fully understand and appreciate the truly American policy of our government. Your diplomatic triumph over the Emperor of the French, resulting in the speedy withdrawal of his troops from Mexico without a war, has produced a profound sensation here, counterbalancing all the evil effects of the bombardment of Valparaiso. They see that the moral power and force of our great republic is felt in Europe now as before the war, and that the same causes that have forced a French Emperor to withdraw his soldiers from the soil of republican Mexico, will induce Spain to follow his example and no longer meddle with the republics of South America, now determined to be republican and free. Please accept my thanks, not only for your unqualified approval of my course, but for the kind words of encouragement you have been pleased to address me.

I am, sir, with great respect, your obedient servant,

J. KILPATRICK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Kilpatrick to Mr. Seward.*

No. 12]

LEGATION OF THE UNITED STATES,  
*Santiago, Chili, July 2, 1866.*

SIR: I have the honor to transmit a copy (A) of a communication I thought it necessary to make to this government in order that no misunderstanding might take place or wrong inferences be drawn from the official report of the Spanish admiral to the Spanish minister in Washington, D. C. You can well understand, by a slight perusal of this, the false position in which it places me. It was sufficiently unfortunate for me that for state reasons I was compelled to passively witness the destruction of American and other neutral property; and I do not now propose to allow the world to think that I officially or otherwise approved of his conduct or sympathize now with his cause. My communication was kindly received by the government, and has made a most favorable impression. The reply, which is in every respect satisfactory, is herewith enclosed, (B.)

I am, very respectfully, your obedient servant,

J. KILPATRICK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

A.

*Mr. Kilpatrick to Señor Cotarrubias.*

LEGATION OF THE UNITED STATES,  
*Santiago, Chili, June 14, 1866.*

SIR: Heretofore, for good and valid reasons, I have not thought it advisable to answer or deny any of the very many statements that have appeared, from time to time, in the papers of this city prejudicial to the republic I have the honor to represent, and most injurious to the long-established friendship existing between Chili and the United States. I am now, however, convinced that to remain longer silent would be to do my country and myself great injustice. I cannot permit the people of Chili to think that my government would send a rep-

representative to a sister republic who could do one single act against her welfare or honor, much less display such contemptible duplicity as the remarkable report of the Spanish admiral, Casto Mendez Nunez, would lead them to believe. You, better than all men, know the real motives that actuated me in striving for peace, and that while my action was not official, yet it was, in every respect, open and honorable. From the official report of the Spanish admiral it may well be inferred that I acted for the interests of Spain alone; that I considered his unreasonable terms for peace most reasonable and just; that I openly complimented him for, and approved of, his determination to destroy Valparaiso, and, in fact, approved of his entire course. To say that this is not only not true in word, but in spirit also, is the object of this communication.

The first proposition submitted to you for your consideration by Commodore Rodgers and myself was a complete cessation of hostilities and a mutual salute, in order that the war might end by peaceful negotiation. I thought it my duty to recommend this and this only, and this proposition was rejected by the Spanish admiral, as he says in his report. So far from recommending this ultimatum of Nunez, which included the rendition of the "Covadonga" with her flag and armament in exchange for captured merchantmen, I distinctly told him Chili could not accept it; that there was a vast difference between a vessel of war taken in honorable combat and helpless merchantmen seized by a powerful fleet, and to which but little honor attached; and you will remember that when I presented to you these terms of the Spanish admiral I took particular pains to state that I simply gave them to you as coming from him for what they were worth, and did not, by any means, recommend them. Again he says that Commodore Rodgers approved of his resolution to bombard Valparaiso, and that I repeated the same words. This also is untrue. I not only did not approve of this unjust act, but I advised him to delay the execution of his cruel orders until others could be sent him, rather than do an act that would disgrace his country forever. I did say to him on parting that we had met and would part friendly; that in the performance of our respective duties each must be the judge of his own actions, and that if I found it necessary to come in conflict with him it would not destroy that respect which I entertained for him as a soldier.

By my protest, a copy of which I herewith enclose, you will see that I do not approve, by one word, the course taken by Spain, and that her representative in his official report has entirely misrepresented me and my feelings towards the nation and people among whom I am sent to reside.

I met Admiral Nunez not officially, but in the character of an individual desirous for peace between two nations which war could do no good, but much injury, not only to them but to commerce and civilization. I had no quarrel with him; and if he thinks because I met him frankly and openly—that because I did not meet and leave him coolly, I approved of his course or sympathized with the cause of Spain, he makes a great mistake.

I have the honor to be, very respectfully, your obedient servant,

J. KILPATRICK.

His Excellency ALVARO COVARRUBIAS,  
*Secretary of State, Republic of Chili.*

B.

*Señor Covarrubias to Mr. Kilpatrick.*

[Translation.]

SANTIAGO, CHILI, June 15, 1866.

SIR: I have the honor to acknowledge the receipt of your letter of yesterday, in which you rectify the false assertions and contradict the erroneous impressions caused by the report of Brigadier Mendez Nunez, in reference to his bombardment of Valparaiso, to the Spanish minister in the United States.

The President has read with great interest the contents of your letter, and is pleased to witness the noble efforts you exhibit to maintain the friendly relations and good understanding now existing between Chili and the United States.

With reiterated expressions of my most distinguished consideration, I have the honor to be your obedient servant,

ALVARO COVARRUBIAS.

His Excellency the ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY  
*of the United States of North America.*

*Mr. Kilpatrick to Mr. Seward.*

No. 15.]

LEGATION OF THE UNITED STATES,  
*Santiago, Chili, July 16, 1866.*

SIR: I have the honor to acknowledge the receipt of your communication of June 2d, No. 9, and the one dated May 30th, No. 8. I learn that my refusal to assemble the diplomatic corps for a united action in reference to the property destroyed in Valparaiso, by the bombardment, has been approved; but it has been thought proper to modify the course proposed by me; this modification will at once be made.

Your communication, in answer to mine of the 7th day of April, has also been received and forwarded to this government, with an explanatory note of which I enclose a copy (marked A); a copy, also, of the reply of Covarrubias, which I enclose (marked B.)

You will see by this reply that the government of Chili now fully understands and appreciates the policy of the United States in reference to our sister republic, and that this understanding has been arrived at (which I venture to say has been a most difficult task) without injury to the good feeling heretofore existing between the two countries. In fact I believe a stronger friendship now exists than ever before, for it is founded upon truth, justice, and a perfect knowledge of our true policy abroad.

To convince this government and the people that it was useless to expect assistance from us; that they had been deceived, but through no fault of the government; that we could not violate our obligations to other nations far away, even to assist Chili, and at the same time retain their friendship and respect, has been my task; and I feel now, and time will show, that I have succeeded.

I have the honor to be, very respectfully, your obedient servant,

J. KILPATRICK.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

*Mr. Kilpatrick to Señor Covarrubias.*

LEGATION OF THE UNITED STATES,  
*Santiago, Chili, July 12, 1866.*

SIR: I have the honor to inform your excellency that in my despatch of May 2, to my government, I took occasion to state that there was a feeling in Chili among many that the United States had more real friendship and sympathy for Spain and her cause than for Chili, and although this feeling was without foundation, and more the result of wilful misrepresentation made by the known enemies of the United States and false friends to Chili, I desired that such assurances of friendship and good feeling be sent me from the Department of State as would disabuse the government of Chili, and through it the people, of the prejudicial impression referred to. I have to-day received a reply from Mr. Seward, the Secretary of State, a copy of which I herewith transmit.

This exposition of the foreign policy of the United States fully explains the course pursued by my government and its representatives in relation to the respective powers engaged in the Spanish-American war; and while I indulge in the gratifying belief that the circumstances which called it forth have now ceased to exist, I offer it to your excellency as additional evidence of the sympathy of the United States with Chili, and of her desire to perpetuate the bond of friendship so long existing between my country and the republics of South America.

Accept, sir, the renewed assurances of my most distinguished consideration.

J. KILPATRICK.

His Excellency ALVARO COVARRUBIAS,  
*Secretary of State, Republic of Chili.*

## B.

*Señor Covarrubias to Mr. Kilpatrick.*

[Translation.]

SANTIAGO July 14, 1866.

SIR: I have the honor to acknowledge the receipt of the note which your excellency had the goodness to send me, dated the 12th of the present month, enclosing a copy of a recent despatch from his excellency the Secretary of State of the United States. In this despatch the Hon. Mr. Seward explains the spirit which guides, and has guided, the policy of his government in respect to the other American republics, and thus endeavors to satisfy those wishes which your excellency has manifested in regard to a cordial understanding between Chili and the United States, of seeing removed certain misapprehensions prejudicial to this cordial understanding.

My government has highly appreciated a communication in which are shown the illustrious and noble efforts of your excellency to strengthen the friendship which happily exists between the two countries. In such efforts your excellency may be certain of seeing yourself always seconded by the government of Chili, whose acts abound in proofs of its sincere desire to maintain its friendly relations with the cabinet at Washington.

Giving to your excellency, in the name of my government, the most hearty thanks for the communication referred to, which I have judged proper to have published, I hasten to offer the reiterated expression of the most distinguished consideration with which I am your obedient servant,

ALVARO COVARRUBIAS.

His Excellency J. KILPATRICK,  
*United States Minister.*

---

*Mr. Seward to Mr. Kilpatrick.*

No. 14.]

DEPARTMENT OF STATE,  
*Washington, July 21, 1866.*

SIR: Your despatch of the 15th of June has been received. The President learns with much gratification that the misapprehensions of the policy of the United States, which for a time seemed to affect the Chilian government and people, are passing away.

I give you for your information a copy of the most recent correspondence\* between this department and Mr. Asta Buruaga, touching the war between the South American republics and Spain. Earnestly desirous of seeing all those republics again in the enjoyment of the blessings of honorable peace, the friendship of the United States will continue to be manifested in every way which may seem to be conducive to that end.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.

---

*Mr. Seward to Mr. Kilpatrick.*

No. 15.]

DEPARTMENT OF STATE,  
*Washington, August 1, 1866.*

SIR: Your despatch of the 2d of July, No. 12, has been received. I have read with care the correspondence between yourself and Mr. Covarrubias, contained in that paper. It was entirely proper on your part to correct the errors affecting yourself, which were found in the statement made by the Spanish Admiral Nunez concerning your proceedings on the occasion of the bombardment

---

\* See correspondence with the Chilian legation.

of Valparaiso; and in executing that purpose you have my approval. At the same time I think that, on recurring to the communication which, in so executing that purpose, you addressed to Mr. Covarrubias, you will see that it contains some expressions concerning Admiral Nunez and his government which manifest a want of consideration of the customary proprieties of diplomatic intercourse. The observance of those proprieties in every case is not at all incompatible with the presentation of truth and the practice of the highest fidelity to the government you represent. When a representative of the United States abroad thinks that he has cause of personal complaint against a representative of another state, he is always expected to refer the complaint to his own government, since he can never be expected to speak otherwise than under instructions from the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.

---

### CHILIAN LEGATION.

*Señor Asta Barua to Mr. Seward.*

[Translation.]

CHILIAN LEGATION,  
Washington, February 15, 1866.

SIR: In the number of the National Intelligencer of to-day I see that the government of your excellency suspended, on the 12th of the present month, the exequatur of the consul at New York, Don Esteban Rogers—a measure which, whatever may be its merit, I am persuaded will call forth the attention of the President of Chili, because of its having been taken without any intimation to this legation of the motives which have given birth to it.

I suppose this suspension of Mr. Rogers may be by reason of participation having been imputed to him in the proceeding about violation of neutrality which the agents of Spain have put in movement in New York. However, the exclusion of this legation, not merely in the withdrawal of the consul, but also in its not having been informed of it, makes me apprehensive that your excellency's government does not wish to extend to Chili the urbanity and courtesy appropriate between friendly nations, in the policy of neutrality it has proposed to follow during the war made on my country by Spain.

To this belief in a feeling unfavorable to my government it is natural to incline, when the sudden disavowal of the consul of Chili is considered, and, above all, when attention is turned to the rigor with which the proceeding above indicated is followed up by receiving the merest accusations of Spanish agents interested in keeping up and perverting facts. In this way Spanish agents, who make boast of applauding the policy of negative neutrality of your excellency's government, because it is favorable to them and very prejudicial to Chili, claim upon any pretext soever the intervention of your excellency, in order to take from my government even the possibility of counting upon the sympathies of this generous nation, or even legitimately to acquire the elements with which to become equal in the struggle with Spain, and defend itself against her unjust aggression.

Under these impressions, I believe it to be my duty to address myself to you, stating how painful will be to my government and the Chilian people the knowledge of the proceedings, so little friendly, so little considerate, towards that of Chili, which are deduced from the proceeding, followed in the dismissal of the

said consul—a proceeding which, under analogous circumstances, taken by Chili, I do not doubt would have been looked upon by this government as offensive, and foreign to the good relations existing between both countries.

On this occasion I have the honor to renew to you the assurances of the very high consideration and esteem with which I am your excellency's very respectful servant,

F. S. ASTA BURUAGA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

---

*Señor Asta Buruaga to Mr. Seward.*

[Translation.]

CHILIAN LEGATION,  
Washington, February 16, 1866.

SIR: This legation has advices that two Spanish ships of war have made the harbor of New York, and that they are preparing to supply themselves and make repairs during their stay in that port.

With entire urbanity I allow myself to call the attention of your excellency to this fact, not doubting that you will not allow these vessels to profit of any resources at that port for carrying forward the hostile purposes of the Spanish government in respect to my country, nor that there will be any omission to observe towards them the vigilance appropriate to strict neutrality.

It is pleasant on this occasion to reiterate to your excellency the sentiments of the highest consideration with which I have the honor to be your excellency's most obedient servant,

F. S. ASTA BURUAGA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

---

*Mr. Seward to Señor Asta Buruaga.*

DEPARTMENT OF STATE,  
Washington, February 16, 1866.

SIR: I have had the honor to receive your note of the 15th instant, upon the subject of the revocation by the President of the United States of the exequatur granted to Don Esteban Rogers on the 14th October, 1863, authorizing him to exercise the functions of consul *ad interim* of the republic of Chili for the port of New York and its dependencies.

In reply, I have the honor to inform you that this measure was adopted by the Executive on the 12th instant, for causes satisfactory to this government, and in defence of the dignity and honor of the United States.

Information upon the subject will be communicated to the minister of the United States in Chili by the steamer of the 21st instant, with instructions to say to the minister for foreign affairs of that republic that a new consul, if entirely unobjectionable, will be received by this government.

I avail myself of this occasion to renew to you, sir, the assurance of my very distinguished consideration.

WILLIAM H. SEWARD.

Señor F. S. ASTA BURUAGA, &c., &c., &c.

*Mr. Seward to Señor Asta Buruaga.*

DEPARTMENT OF STATE,

*Washington, February 17, 1866.*

SIR: I have the honor to acknowledge the receipt of your note of yesterday's date, informing me of the arrival at New York of two Spanish ships of war, and of their intention to refit and obtain supplies at that port.

In view of this fact, you are pleased to ask the intervention of this government to prevent their availing themselves of such resources as may facilitate the hostile purposes of the Spanish government against Chili, and likewise to observe towards them the vigilance proper to strict neutrality.

In answer, I have the honor to inform you that a copy of your note will be transmitted to the United States district attorney for the southern district of New York, whose attention will, at the same time, be invited to the subject.

I avail myself of this opportunity to repeat the assurances of my most distinguished consideration.

WILLIAM H. SEWARD.

SEÑOR F. S. ASTA BURUAGA, &c., &c., &c.

---

[Communicated by the Chilian legation.—Translation.]

DEPARTMENT OF FOREIGN AFFAIRS OF CHILI,

*Santiago, April 1, 1866.*

Valparaiso became the victim of the saddest and most shameful outrage, yesterday, which will ever have to be recorded in the history of civilized nations. That great commercial and maritime city was bombarded for the space of three hours by the Spanish squadron, which is commanded by Brigadier Don Casto Mendez Nunez. Her immense warehouses, her rich mercantile stores, her peaceful homes, her public monuments, her churches and her charitable institutions, all were savagely assailed by the artillery of an enemy whose cowardly rage seemed to be stimulated by the impunity with which it gloated over its defenceless prey.

I propose to present to your excellency the chief points in the history of this unprecedented international crime. For the details I must refer your excellency to the numerous documents to be found in our newspapers, and in the "Boletin de Noticias."

On Friday, the 23d of March, it commenced to be rumored in Valparaiso that the Spanish squadron was preparing to bombard that port. This rumor arose from a conversation had by the minister plenipotentiary of the United States, General Kilpatrick, with the Brigadier Mendez Nunez, in which the latter announced to the former his determination regarding the bombardment. Such announcement, although informal and confidential, was, as General Kilpatrick himself soon informed me, authentic; notwithstanding which we were loth to believe that the enemy's commander would carry into execution a design as infamous to his own country as it would be ineffectual for the attainment of those ends which, provided he were governed by the laws of Christian and civilized nations, he might lawfully strive for during the existing war. The result has just proved how correct was this obvious consideration. By the bombardment of Valparaiso, the emporium of the national and foreign commerce, an exclusively mercantile city, open and defenceless, Spain has obtained the most deplorable of results—opprobrium for herself, while causing enormous and unnecessary damages to the neutral interests located in Valparaiso, and adding incalculable recrudescency to the character of the present war.



Foreseeing this fatal result, we were inclined to believe that the bombardment announced would not take place, although the past conduct of our enemy was far from offering any guarantee that he would respect the most inviolable rules of international law.

There were, moreover, additional reasons which confirmed us in our suppositions. Two powerful maritime nations, the United States and Great Britain, had in Valparaiso very considerable naval forces, sent to our waters, according to all appearances, on account of the existing war, and for the protection of the interests of their respective citizens. It was natural to believe that, although the Spanish squadron might attempt the bombardment, the naval forces of the United States and Great Britain would prevent the consummation of an act of such useless barbarity, which would involve the ruin of many British subjects and North American citizens. It was also natural to suppose that France, whose subjects in Valparaiso were equally in danger, would, through the organ of diplomacy, morally aid so legitimate a resistance.

We could scarcely entertain a doubt on this point, when we remembered the unequivocal and reiterated insinuations previously made to us by Mr. Tylour Thomson, her Britannic Majesty's chargé d'affaires. Some time previously it had been publicly stated that we were preparing to use torpedoes for the destruction of the Spanish squadron, and this rumor had scarcely reached the ears of Mr. Thomson when he addressed himself to us, urging us to desist from said means of attack. In support of his earnest request, he argued that the use of torpedoes might furnish a pretext for bombarding, leaving it to be understood that, without their use, such bombardment would in no event take place, whatever might be the intentions of the blockading squadron. Mr. Tylour Thomson's persistence in this pretension was seconded by Mr. Denman, chief of her Britannic Majesty's naval station.

So soon as the bombardment was announced, the diplomatic agents of France and Great Britain, together with General Kilpatrick, the minister of the United States, proceeded to Valparaiso; and when we were expecting that the conclusions they might arrive at, and the representations they might make to the blockading commander, would accomplish the looked-for result, we learned that they had abandoned all idea of preventing the bombardment by force of arms. From a note to the United States Commodore Rodgers, it is discovered that the want of acquiescence on the part of the official agents of the other nations rendered the contemplated resistance impossible, and frustrated the hopes and prayers of the very numerous foreign population of Valparaiso.

Meanwhile the Brigadier Mendez Nunez had, on the 27th of March, notified the military authorities of Valparaiso that on the 31st of the same month he should open fire upon the city, adding that he gave said notification in order that the aged, the women, children, and other non-combatants, might be placed out of danger. At the same time he asked that flags should be displayed upon the hospitals and other charitable institutions, by which they might be distinguished and preserved from the fires of his artillery.

The appearance of Valparaiso, soon after the receipt of this notice, was woful indeed. The inhabitants were making haste to save their movable property, and many of them to abandon their homes, and that general emigration had to take place within the peremptory term of a little over three days. The population of Valparaiso exceeds eighty thousand inhabitants, and this alone is enough to prove the insufficiency of the time given. Therefore it is that, notwithstanding the uninterrupted running of the railroad trains, in which free passage was given to all indigent persons, the greater part of the inhabitants had to remain in the city, from which but an insignificant amount, relatively speaking, of furniture and merchandise could be removed.

While he addressed the aforesaid notification to the military authorities of Valparaiso, the Brigadier Mendez Nunez attempted to palliate to the neutral

powers the enormity of the outrage he was about to perpetrate. For this purpose, on the same 27th day, he addressed to the diplomatic and consular corps a manifesto giving the reasons which led him to the bombardment. According to that document, which defies qualification, the Spanish squadron had been bold even to temerity in going to attack the small naval forces of Chili and Peru, in the archipelago of Chiloe. The continuous fogs and tortuous channels of that archipelago had prevented their finding their adversaries, and in this impossibility no other method of aggressive attack was left to the enemy than the bombardment of Valparaiso.

Had that imagined impossibility been real and positive, even then the bombardment of an open and defenceless commercial city would in no way have been justifiable, more especially as Chili has two fortified points, Corral and Ancud, which Brigadier Mendez Nunez might have bombarded, without cowardly violating, as he has done, the law of nations and the noblest sentiments of humanity.

But the alleged impossibility did not exist. It is not long since two Spanish frigates penetrated without difficulty into the station at Abtao, whence they were beaten and forced to retire by the very inferior naval forces of Chili and Peru. Still later the iron-clad frigate Numancia and the frigate Blanca again entered into the archipelago, and being in the vicinity of the new station of the small Chili-Peruvian fleet, dared not approach it, lest they should draw upon themselves the fire of the improvised batteries, and not because of any natural obstacles, which really do not exist.

The Spanish commander himself destroyed all the force of his arguments by declining the invitation to a battle between equal naval forces, at ten miles distance from Valparaiso, in a spot free from fogs and channels, which challenge was offered in our name by the appropriate military authority on the eve of the bombardment.

We never would have made such a proposal had it not been rendered necessary by the deliberate misrepresentations contained in the manifesto of the Brigadier Mendez Nunez. There remains to us the satisfaction that the worthy commander of the United States squadron would have served as judge in case the international duel proposed by us had taken place. This obliging readiness on his part shows very clearly how opportune and well founded was the proposition.

But the enemy's commander preferred the miserable impunity of bombarding a city unable to return his fire, to a fair battle in accordance with the rules of civilized warfare.

In spite of the energetic and just remonstrances of the diplomatic representative of the United States, and notwithstanding the no less energetic and just protests of all the foreign consuls, Brigadier Mendez Nunez remained inexorable.

At eight o'clock yesterday morning the vessels of the British and North American squadrons withdrew from the bay of Valparaiso, to become distant and passive spectators of the murder *en masse* of a peaceful people, and of the demolition and burning of an unprotected city, in which were thousands of honorable and industrious foreigners. At the same time, the iron-clad frigate Numancia, with the chief of the enemy's squadron on board, advanced towards the interior of the bay, followed by the rest of the Spanish vessels, and discharged two guns as a signal that the bombardment would commence an hour later.

At the sound of this signal the people of Valparaiso, from which place not even all the women and children had yet disappeared, burst out in an unanimous shout of indignation and contempt for their cowardly assassins, and awaited with calm and manly resignation the hour of the cruel immolation.

At nine o'clock in the morning the Spanish vessels stationed at a short distance from and opposite all the extent of the semicircular shore upon which Valparaiso is built, opened fire upon all the city, which fire was, until the close of

the bombardment, furiously sustained against the customs warehouses, the populous *barrio* of *La Planchada*, the Commercial Exchange, the palace of the Intendencia, and the central railroad depot.

Contrary to the voluntary promise of the enemy's commander, the hospitals and other charitable institutions, which were distinguished by their white flags, were fired upon with manifest intention. At the very commencement of the bombardment the principal church, in which a hospital had been established, received within its naves three bombs, which did considerable damage within the church.

At the second hour of the bombardment fire was discovered in the *barrio* of *La Planchada*, which in a few moments acquired gigantic proportions. Soon the customs warehouses, in which were stored immense quantities of merchandise, also became a prey to the flames.

The cannonading continued nevertheless, mixed at times with the discharge of small fire-arms, aimed at such persons as might be near the sea shore.

Not until after three hours of incessant firing, during which the enemy discharged nearly two thousand five hundred balls and bombs against the city, did the Numancia display a flag which announced the suspension of the bombardment.

During those three hours the garrison of Valparaiso distributed throughout the city to repress any disorder, and the majority of the inhabitants, on the hills, miradors, and roofs of their houses, had borne that wicked and abominable outrage with passive heroism and in silence, interrupted only, ever and anon, by shouts in honor of our country and in opprobrium of their base enemy.

Scarcely had the firing ceased when the gallant corps of firemen of Santiago and Valparaiso rushed upon the burning buildings, and used superhuman efforts to stay the indescribable voracity of the flames. After many hours of incessant and toilsome labor, in which they were efficaciously aided by the public force, the progress of the fire was arrested before it had totally destroyed the customs warehouses or the *barrio* of the *La Planchada*.

The part of the city consumed by the flames has nevertheless been large enough to bury beneath its ruins many millions of private wealth, the fortunes of numerous families, and the merchandise of powerful foreign firms, principally French and English.

Such has been the most serious material result of the Spanish bombardment, in comparison with the magnitude of which the damages sustained by some of our public buildings seem but insignificant. And with regard to this it is proper to note that, although the fire of the Spaniards was directed against all the government buildings and public monuments, it was aimed with particular fury against the customs warehouses, by which the nation has only lost a valuable edifice, while neutral merchants have had to bear the loss of many millions worth of property.

As to the more painful and irreparable evils, the loss of human lives, up to this time we have only heard, as having perished by the enemy's balls or bombs, of a few persons of humble condition, who were on the hills in the vicinity of Valparaiso.

But the moral effect of the bombardment of that peaceful city is much more worthy of attention than any material results.

In the first place, it has again proved the unconquerable earnestness of this country in the defence of this just cause which she sustains, and has cast a black and everlasting stigma upon the odious aggressor of Chili and Peru, that old and constant enemy of America, who has given up the difficult task of avenging her multiplied reverses in fair and open fight. The fires of the cannon of her powerful squadron, quenched at Papudo and Abtao, have been relighted, not to repair those humiliating defeats, but to scatter ruin and trouble over our beautiful seaport, the opulent and elegant metropolis of the commerce and shipping of the Pacific. To the glorious chances of a noble strife she has preferred a war of

barbarous and unprofitable destruction. After shamefully retiring from before forces inferior to their own, she has now sacrificed with cowardly impunity a people who could offer no other resistance than the noble and calm impassiveness of a martyr. In achieving this ignoble feat she has not hesitated to lose forever her military honor, and to draw upon herself the just execration of all civilized and Christian nations, from whose association she has banished herself by shamefully violating the most sacred of international law and the truest sentiments of humanity.

The whole civilized world, and more than all, Europe, of which Spain forms a part, should make haste to punish with emphatic and terrible reprobation the atrocious crime which was perpetrated yesterday in Valparaiso by the naval forces of a nation which styles herself civilized and Christian.

Should this not be so, should this cowardly abuse of strength meet with indulgence from the great nations of Europe and America, then would the weaker states have completely to alter their attitude and purposes in their international relations.

Feeling confident that that enlightened government will agree with our opinion, and in order to assist it in its decision and resolutions, your excellency is hereby instructed to read this despatch to the minister of foreign affairs of that country, leaving with him a copy of the same should his excellency so desire.

God preserve your excellency.

ALVARO COVARRUBIAS.

F. S. ASTA BURUAGA, Esq., &c., &c., &c.

---

[Communicated by the Chilian legation.—Translation.]

DEPARTMENT OF FOREIGN AFFAIRS OF CHILI,

Santiago, April 2, 1866.

General Kilpatrick has sent me a copy of a despatch addressed to him by his excellency the Secretary of State of the United States in relation to the cancellation of the exequatur by virtue of which Mr. Rogers was authorized to act as consul *ad interim* of Chili in New York. In that despatch Mr. Seward instructs the representative of the United States in Chili to inform us that the above-mentioned step "has been taken by reasons satisfactory to" that "government, and in defence of the dignity and honor of the United States."

This laconic explanation is far from enlightening us as to the true reason for the cancellation of the exequatur of our consul, against whom the accusation of an informer, whose despicable character is revealed in his own delation, could not prudently have any weight until the result of the trial now in progress shall have proven the guilt or innocence of Mr. Rogers.

On the other hand, the explanation of the honorable Secretary of State has not even been the spontaneous act of that government, but has been called forth by the timely and just observations which your excellency addressed on the subject to Mr. Seward.

Very different was the conduct of the government of Chili when, in 1859, it was compelled, for good and powerful reasons, to cancel the exequatur of Mr. Trevitt, consul of the United States in Valparaiso. The explanations which the government, without any delay, then addressed upon that point to the United States minister in our country were spontaneous, clear, circumstantial, full, and satisfactory.

Such a precedent makes us look with double surprise and regret upon the course of that government in this case, in which we had a right to expect at least that the international principle of reciprocity would have been consulted.

Your excellency will please read this despatch to the honorable Secretary of State, and furnish him with a copy thereof, should his excellency desire it.  
God preserve your excellency.

ALVARO COVARRUBIAS.

FRANCIS S. ASTA BURUAGA, Esq., &c., &c., &c.

*Mr. Seward to Señor Asta Buruaga.*

DEPARTMENT OF STATE,  
*Washington, April 19, 1866.*

SIR: The government of her Catholic Majesty has been pleased to again signify to the President of the United States that the United States may assume that Spain, in the present war in which she is engaged with Peru and other South American states, has never aspired to conquest, to acquisition of territory, or of exclusive influence of any kind in those republics.

Her Majesty's government has also thought fit to express its hope that the United States would use their good offices with the several belligerents for the purpose of promoting the restoration of peace.

The Spanish government has also expressed to the United States its good disposition to receive any suggestions with a view to that important end which the President might see fit to make.

The President does not feel at liberty to advance in a business of so much delicacy, and affecting so many parties, for all of whom the United States cherish the most sincere friendship, without being first assured that the other belligerents entertain in regard to the subject the same disposition which has thus been expressed by the government of Spain.

I beg leave, therefore, to ask :

1st. Whether on behalf of Chili you are authorized and prepared to say what would be the disposition of your government with regard to the matter ?

2d. Whether you are authorized and ready to speak on this subject on behalf of the allies—Peru, Bolivia, and Ecuador ?

In making this communication I think proper to guard against all misapprehension by saying that, in the opinion of the President, neither the Constitution nor the habits of the American people are thought to render it judicious on the part of this government to propose, or even to accept an office of arbitration between belligerent states ; nor will it be compatible with the policy of the United States to indicate to such parties definitive terms and conditions of reconciliation. But, on the other hand, the President is of opinion that he might properly, on the part of the United States, as a mutual friend of the belligerent states, suggest to them some form or manner of negotiation between themselves, in the hope that, having begun such negotiations, the parties might, by their own action, carry them on to a favorable and happy conclusion.

Whatever measures may be adopted, it is deemed important that each of the contending parties may have at all times full and exact information of what the United States say, concerning the same affair, to the other parties.

In accordance with this principle, I have had the honor to submit this note to Mr. Tassara, the minister plenipotentiary of Spain residing near this government ; and I shall also cause its contents to be made known to the governments of Peru, Bolivia, and Ecuador.

I avail myself of this occasion to offer to you, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Señor F. S. ASTA BURUAGA, &c., &c., &c.

*Señor Asta Buruaga to Mr. Seward.*

[Translation.]

CHILIAN LEGATION,

*Washington, April 23, 1866.*

SIR: I have had the honor to receive your note of the 19th instant, in which you say that the Spanish government has signified that yours may be sure that Spain, in the present war with the republics of South America, has not aspired to conquests, acquisition of territory, or an exclusive interest in them; that the Spanish government has expressed a hope that the United States will use its good offices with the belligerents in promoting the restoration of peace; and has, moreover, manifested its good disposition to receive any suggestion your government may make on the subject. But your government not feeling at liberty to take steps in such a delicate affair, without a previous assurance that the other parties feel the same dispositions expressed by the Spanish government, you are pleased to ask me:

1st. If I am authorized and prepared to give the disposition of my government in that matter; and

2d. If I have the authority to speak in the name of the allies, Peru, Bolivia, and Ecuador, on the same subject.

At the same time you signify to me, in order to save any misapprehension, that, although it is not customary for the North American people, nor consistent with the policy of its government, to propose, or even accept the office of arbitrator between belligerents, or to propose definite plans for reconciliation to them, yet your government believes, as a mutual friend of the contending parties, that it can suggest with propriety some method of negotiation, with the hope that if a beginning is made, they themselves will bring it to a happy termination. And, with your customary impartiality and benevolence, you conclude by saying that your government proposes in this matter to make known to all parties the action it designs to take towards either of them, and to effect this has communicated the contents of the present note to the Spanish minister in this city, and to the governments of Peru, Bolivia, and Ecuador.

In answer to you, I am particularly pleased to express the high appreciation the government of Chili will give to the friendly interests of your government in initiating plans of reconciliation in the deplorable contest in which Chili and its noble allies are now involved with Spain; and I have no doubt but that it will take advantage of the generous offer to terminate in a satisfactory manner the interests involved, and assure the future repose of our countries. But as I have no express instructions to answer the questions that form the basis of your honorable note, I will limit myself to the general reply that my government has not closed the door to peace negotiations from any quarter, nor will it turn a deaf ear to any proposition of the kind that may harmonize with the loyalty due to its allies, and accord with the sentiments of the interests and principles it defends.

In regard to the second point on which you desire information, I must say that I have no authority to speak for the allies, and, therefore, cannot determine what action they will take in the affair.

Under these circumstances I have lost no time in transmitting your important note to my government, that it may receive the timely consideration it deserves.

I have the honor to repeat to you the sentiments of great esteem and respect with which I have the honor to be, your very obedient servant,

F. S. ASTA BURUAGA.

HON. WILLIAM H. SEWARD, &c., &c., &c.

*Mr. Seward to Señor Asta Buruaga.*

DEPARTMENT OF STATE,

*Washington, May 29, 1866.*

SIR: I have had the honor to submit to the President the copy which you left me on the 26th instant of a despatch which you had received under date of April 2, from Mr. Covarrubias.

The remarks of that minister have not had the effect to convince the President that any error was committed on our part in withdrawing the exequatur from Mr. Rogers, late Chilian vice consul in New York, or in the summary manner in which that proceeding was conducted. The revocation of the exequatur of the vice consul was summarily made under full conviction on the part of this government that the complaints of his violation of the neutrality laws were sustained by presumptive proof, and that to allow him to continue to exercise consular functions while pursuing such unlawful practices would involve a necessity for explanations between the government of Chili and that of the United States which could in no case improve the friendship existing between them, and might, perhaps, result in producing a rupture of relations which would be prejudicial to both, and to the cause of all the American republics. It is, however, an occasion of much regret that a commercial agent of your country should have proved himself unworthy of the confidence reposed in him by the friendly government of the United States.

I avail myself of this occasion, sir, to tender to you a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Señor F. S. ASTA BURUAGA, &c., &c., &c.

*Señor Asta Buruaga to Mr. Seward.*

[Translation.]

CHILIAN LEGATION,

*Washington, July 5, 1866.*

SIR: I have the honor to address myself to your excellency by instructions from my government, in order to express to you the high appreciation it has made of the friendly and kindly disposed solicitude of that of your excellency for the re-establishment of peace with Spain, manifested in the esteemed note of your excellency, dated 19th of April last, in consequence of an invitation held out to your excellency by the cabinet of Madrid, and to assure your excellency that the inclinations of Chili have been always favorable to an arrangement which should consult the honor, the safety, and the legitimate interests of herself and her allies. But my government believes that, while the suggestions which yours proposes to itself to make as serving as a basis for the negotiation which is in contemplation, are not known to it, it would not be possible for it to agree upon and decide, in concert with its allies, on suitable terms of reply to the above cited esteemed note from your excellency.

However, the government of Chili, since the barbarous act of bombardment of Valparaiso, cherishes little hope of coming to a pacific settlement, or that Spain lends itself to reparation of the injuries which its conduct has brought on the nations of America, nor does it promise itself much from the sentiments of loyalty from the Spanish cabinet when it adverts to the fact that at the time it was soliciting the good offices of the government of your excellency, it was sending orders to the Pacific to bombard an undefended mercantile port.

Leaving the instructions of my government thus complied with, I have the honor to renew to your excellency the assurances of my highest and most distinguished consideration.

F. S. ASTA BURUAGA.

HON. WILLIAM H. SEWARD, &c., &c., &c.

*Mr. Seward to Señor Asta Buruaga.*

DEPARTMENT OF STATE,  
*Washington, July 10, 1866.*

SIR: I have the honor to acknowledge the receipt of your note of the 5th instant, in which reference to the note addressed to you by this department under date the 19th of April last, with a view to the restoration of peace between Chili and Spain, you remark that as the bases which this government proposes to suggest for a negotiation on that subject have not been made known to the government of Chili, that government could not, in concert with its allies, determine upon a proper answer to the proposition contained in the note above referred to.

In reply, I am directed to inform you that, as the circular note from this department was addressed to all the belligerents, containing the tender of the good offices of the President of the United States for the purpose of bringing about a peace between them, and as they all have not accepted that tender in so full a manner as to justify a hope that, at the present time, those good offices could be made effectual for the restoration of peace, the President thinks it his duty to retire from the proceeding. He will, nevertheless, continue to cherish an earnest desire for the restoration of that peace and cordial relations between the belligerents which could not be but conducive to the prosperity of all and to the cause of civilization throughout the world.

I avail myself of this occasion, sir, to renew to you the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor F. S. ASTA BURUAGA, &c., &c., &c.

---

*Señor Asta Buruaga to Mr. Seward.*

[Translation.]

CHILIAN LEGATION,  
*Washington, July 14, 1866.*

SIR: I had the honor to receive yesterday your excellency's esteemed note dated the 10th instant, in which your excellency is pleased to tell me that in consequence of all the belligerents in the war which Spain is waging against the allied republics of the Pacific not having accepted in manner so complete as might justify the hope that the good offices proffered could be effective, at present, for restoring peace, his Excellency the President of this republic deemed it to be his duty not to proceed further in the affair; but that, notwithstanding, he should always sincerely hope for that restoration of peace and cordial relations between the belligerents which could not do less than conduce to the prosperity of all, and to favor the cause of civilization in general.

In acknowledging the receipt of the esteemed note referred to, I have the honor to express to your excellency that my government will understand how to appreciate the motives which have led that of your excellency to adopt the determination stated, although it will always rely upon its continuance in manifestation of the friendly interest which it has designed to take in its course in this respect, for which it is very agreeable to me to renew to your excellency my most expressive and fullest thanks.

I avail of this occasion to reiterate to your excellency the assurances of my highest consideration and esteem.

F. S. ASTA BURUAGA.

Hon. WILLIAM H. SEWARD, &c, &c., &c.



## COSTA RICA.

*Mr. Riote to Mr. Seward.*

No. 138.]

LEGATION OF THE U. S. OF AMERICA, COSTA RICA,  
*San José, December 10, 1865.*

SIR: By my despatch No. 92, of January 13th, 1864, I had the honor of reporting to you a nuisance complained of by this government, namely, that young men from this republic go to the United States, remain there for a short time, obtain, by means of hard swearing and an inexcusable levity on the part of the courts, letters of naturalization, upon which they return for good to their native country, or leave the United States for other parts, and all this for the sole purpose of making this citizenship a bar against the enforcement of whatever obligation by their native or any other government. You were good enough to express in your despatch of February 10th, 1864, No. 73, your approval of the views then ventured by me. Since that time I have ascertained that six individuals from here claim to have become American citizens in this way: respectively to have made their declaration of intention and purpose living here until the three years have expired, when they intend to return to the United States and claim letters of naturalization. One of those men, a Venezuelan by birth, but from most ultra-secessionist German parents, left New York two years ago, after obtaining letters of naturalization within some weeks of his arrival there, for Hamburg, Germany, where he is now claiming American citizenship, as I am informed.

I need but little to add to the five enclosures, from which you will be able to survey the whole case as now presented, and I beg you to make allowance for the copiousness of my answer to Messrs. Quezada. I considered it necessary, inasmuch as I know that quite a number of persons—some say about one hundred—were waiting for my decision, in order to adopt, if it proved favorable to Messrs. Quezada's claim, the course followed by them.

My doubt as to the legality of the naturalization papers laid before me arises from the non-compliance with the requirements of the act of Congress of May 24th, 1828, (United States Statutes, 1824-1835, page 310,) though I am not quite sure whether this law was meant to apply to all naturalizations, or only to those of a certain class. Kent (vol. 2, page 28) thinks it universally applicable, and I know that many courts in the United States in issuing naturalization papers are acting upon the same opinion. Concerning the remedies against this glaring evil, I took at the time the liberty of suggesting some, but further consideration has taught me that their adoption alone would not stop it entirely. I think it bad that clerks of courts, too, are authorized to grant such papers, and that it is not made the exclusive duty and privilege of courts in open session, which would certainly prevent a good deal of false swearing. But the main difficulty is, that in our large cities two witnesses can be got at any moment—and very cheap—to swear to anything; that the persons hunting up such witnesses have as a matter of course, made up their minds beforehand to commit perjury; that there is no officer bound to look after the interest of the United States in such cases, and that the judges or clerks, instead of requiring two good, substantial witnesses, (they ought to know them personally,) seem to be satisfied with almost any class of witnesses.

Let me also suggest that the enforcing of the income tax on American citizens living abroad would materially contribute towards cooling the great fervor of foreigners for becoming United States citizens in the manner and for the purposes above stated.

In conclusion I have to say that when, during the second interview with Messrs. Quezada, I put to them some questions with a view to clearing up some points, they refused replying to them, saying that they were so advised; and that their appeal was delivered to me so late, (as I think purposely,) that I could not notice any of their statements in this despatch.

I have the honor, sir, to be, most respectfully, your obedient servant,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

No. 1.

[Translation.]

SAN JOSÉ, COSTA RICA, *November 27, 1865.*

SEÑOR: The undersigned, North American citizens, having to reside for some time in this country, beg you to certify to the authenticity of our naturalization papers, which we enclose, and to grant us your protection as such.

With every consideration,

G. FRANCISCO QUEZADA.  
G. JUAN QUEZADA.

Hon. Señor Don CARLOS N. RIOTTE, &c., &c., &c.

---

No. 2.

*Mr. Volio to Mr. Riotte.*

[Translation.]

PALACIO NACIONAL,

*San José, November 28, 1865.*

The supreme executive power, determined upon the fulfilment of the law of December 2, 1850, which I enclose in a printed copy, for the organization of the armed force necessary for the defence of the republic and for the conservation of order in the interior, has resolved upon appointing the officers wanting, selecting for that purpose young men able to perform that charge according to the law.

Among those appointed are Messrs. Francisco and Juan Quezada, who decline to accept the charge on the ground that they are citizens of the United States, as they say, by virtue of naturalization papers which they assert to have deposited in the legation, at your honor's charge.

It is notorious that the said young men never had an intention to settle (radicarse, to take root) in the United States; that they owned no property in that republic, and that, on the contrary, it is here that they lived, and yet live, settled, where they have their plantations and all their business; from which clearly follows that those young men, by coveting American citizenship, had only in view to elude the duties imposed by the constitution and laws of their country without foregoing the advantages they might offer them.

Although the government cannot, even for a moment, admit that a Costa Rican naturalized in a foreign country continues that character after having returned to the country with the implicit intention to live in it, still, desirous of giving a new evidence of its sympathy with that of the United States, it has determined to take no further steps on the excuse of Messrs. Quezada before knowing the opinion of their representative, notwithstanding that, in the conversations which I had the honor of holding with you, I was always gratified to hear you express yourself in the most just and patriotic sense on the established principles of nationality and the formalities to be observed to maintain them.

Under these circumstances does the government hope from your kindness that you will be pleased to communicate to it, in the sincerest manner, all that you deem advisable on the subject.

I avail myself of this opportunity, &c., &c.

J. VOLIO.

No. 3.

*Mr. Riotte o Messrs. Francisco and G. Juan Quezada.*LEGATION OF THE UNITED STATES, COSTA RICA,  
*San José, November 28, 1865.*

GENTLEMEN: In your application to me of yesterday, wherewith were enclosed two documents purporting to be your naturalization papers as citizens of the United States, issued by the court of common pleas of the county and city of New York, on June 3, 1862, you request me,

1. "To certify to the authenticity of your (our) naturalization papers."
2. And to extend to you as American citizens my official protection.

In your conversation with me you have stated that the object of your application was to be protected by your asserted quality as American citizens against the recent demand upon you by the authorities of this republic to serve in the militia of the country.

I will assume that you are the identical persons to whom those documents were issued, though there is a discrepancy between your respective names as stated in them and as signed in your application; inasmuch, however, as it does not properly come under my jurisdiction to certify to the signature and official quality of either ministerial or judicial officers in the United States, as neither the person signing those documents, nor his signature, nor the seal affixed thereto are known to me, as in this country those documents, if of any use, solely can be used before the representatives of the United States, neither of whom would be bound by the certificate of the other; and ultimately, as I have doubts on the genuineness of these documents, since they do not strictly agree with the forms prescribed by law, I must decline to comply with your first request.

As to the second, I will say that those documents appear to be issued by a competent court, certifying that each of you has taken the oath prescribed by the naturalization laws of the United States, and that such a certificate raises, according to decisions of the Supreme Court of the United States, the presumption that the court was satisfied as to your moral character, and your attachment to the principles of the Constitution of the United States, so that at that time your oath did confer upon you the privileges of United States citizens.

But now look at your course subsequent to that 3d of June, 1862, when you became American citizens, after a residence in the United States, as you, Mr. Francisco Quezada, told me yourself, of but something like four years. Did you, gentlemen, in any manner evince an intention or desire of continued residence within the United States; of entering there into any kind of a lasting occupation or business; of assimilating with the people and becoming one of them; of making there your home, and of contributing with your mind or means to the welfare and prosperity of your adopted country? I suppose I do not need to remind you that the moment of your adoption fell into that epoch, when, during all the four years of devastating war, the cause of the Union looked most despondent. Did you, or either of you, enter the army along with hundreds of thousands of native and adopted citizens to defend the integrity of that very country, whose citizenship to secure you had been so anxious, that you could not even wait for the lapse of the legal probation term of five years? Did you in any other way contribute towards sustaining our assailed country in her struggle for life? You have not even pretended having done so. Hither you returned, if not immediately upon, at all events, soon enough after the 3d of June, 1862, to avoid being drafted, to the house and business of your family; you went on raising and selling coffee under absolutely the same condition as you had been in the habit of doing before leaving for the United States. All your relations, political, municipal, social, and domestic, were the same as before that event. On not a single occasion since your return did you, or either of you, to my knowledge, claim or pretend to be American citizens, although the unfortunate condition of our country furnished ample opportunity, and her calls upon all her sons, both native-born and adopted, were loud and pressing. Ever since your return have you been in the quiet enjoyment of the protection and rights of the laws of your native country, as citizens of which you were regarded by the authorities, as well as by your fellow-citizens, except, perhaps, a few knowing ones. In fact, you kept your pretended quality of American citizens a strict secret; for what reasons and with what purpose I don't need to explain.

From all these facts, I cannot resist the conclusion that in removing from the United States it was your intention to make your permanent settlement in Costa Rica for an indefinite time, and that thus by your own acts you have made yourself again citizens of this republic. You cannot deny that your domicile was in Costa Rica prior to your leaving for the United States. To lose that you must have left this country with the intention of abandoning your old, and of acquiring a new domicile in the United States. You have presented no proof of either. And again you cannot gainsay that for about three years your domicile is again in Costa Rica, and as, according to the laws of nations, the national character depends upon the domicile, you will retain that character as long as you retain the domicile.

But even assuming, for argument sake, that you were still citizens of the United States, there is another consideration which is not to be lost sight of, in deciding upon your second request. A law of Costa Rica (of December 2, 1850) imposes upon every citizen the obligation to serve in the army. You had not complied with that duty previous to your adoption

as American citizens, and it is the enforcement of that very duty which has brought out your claim to the United States citizenship. Now, I know well that the claim of an adopted citizen's native country to the fulfilment of his military duty towards that country and the extent of that claim was, and is at this moment, a mooted question between the government of the United States and several European monarchies. Until that question is decided, however, I can scarcely fail if I adopt the view of one of our greatest statesmen, when he answered an adopted citizen in a case perfectly the same as yours: "But having returned to the country of your birth, your native domicile and national character revert, and you are bound to obey the laws exactly as if you had never emigrated," especially in a case like yours, and, as I am informed, of several other Costa Ricans, when, by abusing the liberality of our laws to immigrants from all parts of the globe, and by practicing criminal deception upon the courts of our country, one becomes an American citizen for the sole purpose of ridding oneself both of all obligations towards the United States by leaving them as soon as letters of naturalization are procured, and of those to the country of one's birth by these very papers thus surreptitiously obtained. For all these reasons, I must likewise decline to extend to you the protection of the American flag in this case.

I hereby return to you the document you left with me, and it only remains for me to tell you that, inasmuch as you have expressed an intention of appealing from my decision, if unfavorable to your pretensions, to that of the government of the United States, upon my intervention the government of this republic has agreed to waive the enforcement of your military duty pending the negotiations on the question, and that I herewith offer to forward your appeal along with my despatches to the Department of State of the United States, if you will deliver it to me in time for the next steamer, (10th of next month.)

I am, gentlemen, &c., &c., &c.,

C. N. RIOTTE.

Messrs. G. FRANCISCO and G. JUAN QUEZADA.

No. 4.

*Mr. Riote to Mr. Volio.*

LEGATION OF THE UNITED STATES OF AMERICA, COSTA RICA,

*San José, November 30, 1865.*

I had the honor of receiving your esteemed despatch of 28th instant, relative to the claim set up by Francisco and Juan Quezada of this city to the United States citizenship, informing me that your government, in deference to that of the United States, would abstain from enforcing upon said gentlemen the performance of their military duty, and requesting me to communicate to you as much as I thought proper of my opinion on the question raised by said gentlemen.

Allow me first to state the principal facts as they appear in the case. Messrs. Quezada are Costa Ricans by birth; their mother, brother, and sister live here, with whom together they always formed one household and managed several coffee haciendas. Some years ago they went to the United States, acquired, during a transitory sojourn there, naturalization papers as citizens of the United States upon a fraudulent proof on the length of their residence in those States, returned soon after to this country, their home, and to the house and business of their family, and are in this condition living here for about three years.

Though I have, on the strength of Mr. Francisco Quezada's own admission and of what is notorious in this city, not the shadow of a doubt that those letters of naturalization have been surreptitiously obtained by false swearing, yet I have no authority, according to several decisions of the Supreme Court of the United States, to deny their recognition, inasmuch as such letters are declared to be, "like other judgments, complete evidence of their own validity."

But I could not discover in this case, on the part of those two gentlemen, the least indication of an *animus manendi* in the United States, and I considered myself, on the contrary, justified in assuming that, according to reasonable rules of interpretation and general principles of evidence, it was indubitable that by their own acts their native domicile and national character had reverted to them upon taking up their residence, which, from concurrent circumstances, has all presumption of being a permanent one again in this country. I was thus compelled to refuse to extend to the young men the protection of the American flag, who will, however, as I was by them informed, appeal from this, my decision, to that of the government of the United States.

Praying you to accept my thanks for the consideration shown by your government to mine in postponing any ulterior steps until the opinion of my government on the question can be known, I beg to add the assurance that, much as both the people and the government of the United States desire immigration of honest and substantial people from all nations, they detest and brand with their sincere contempt the unfair and criminal practices by which unscrupulous foreigners endeavor to establish for themselves a spurious citizenship, and so form

a kind of floating population, ever bent upon entangling the United States into difficulties with foreign nations for their selfish and unpatriotic aims, yet never willing to submit to the burdens and to perform the duties of a true son of their adopted country.

I have the honor, sir, &c.

C. N. RIOTTE.

Hon. J. VOLIO, &c., &c.

---

No. 5.

UNITED STATES OF AMERICA, *State of New York and County of New York* :

Be it remembered that on the third day of June, in the year of our Lord 1862, Francisco Quezada appeared in the court of common pleas for the city and county of New York, the said court being a court of record, having common law jurisdiction and a clerk and seal, and applied to the said court to be admitted to become a citizen of the United States of America pursuant to the directions of act of Congress of the United States of America entitled "An act to establish a uniform rule of naturalization and to repeal the acts heretofore passed on that subject," passed April 14, 1802, and the act entitled "An act for the regulation of seamen on board the public and private vessels of the United States," passed March 3, 1813, and the "act relative to evidence in cases of naturalization," passed March 22, 1816, and the act entitled "An act in further addition to an act to establish a uniform rule of naturalization and to repeal the acts heretofore passed on that subject," passed May 26, 1824, and an act entitled "An act to amend the acts concerning naturalization," passed May 24, 1828, and an act to amend the act entitled "An act for the regulation of seamen on board the public and private vessels of the United States," passed June 26, 1848, and "An act to secure the rights of citizenship to the children of citizens of the United States born out of the limits thereof," passed February 10, 1854-'5; and the said applicant having thereupon produced to the court such evidence, made such declaration and renunciation, and taken such oaths as are by said acts required, thereupon it was ordered by the said court that the said applicant be admitted, and he was accordingly admitted to be a citizen of the United States of America.

In testimony whereof, the seal of the said court is hereto affixed this 3d day of June, 1862, and the 86th year of the independence of the United States.

By the court:

[SEAL.]

NATHANIEL JARVIS, *Clerk.*

---

*Mr. Riotte to Mr. Seward.*

No. 140.]

LEGATION OF THE UNITED STATES, COSTA RICA,

*San José, January 10, 1866.*

SIR: You have probably learned that the Central American Transit Company had to contend with so many difficulties and disappointments in the execution of its enterprise, arising partly from the want of a port on the Atlantic side, partly from the shallowness of and the rapids in San Juan river, and also from the numerous transshipments on the route from ocean to ocean, that for some time already it is looking out for a more convenient and securer route than the one hitherto used. The knowledge of this fact, and a sincere desire for entering the circle of civilized nations, has been the motive of this government to call the attention of the company to the superior advantages of a railroad across this republic from the port of Limon, on the Caribbean sea, to that of Herradura, at the entrance of the Gulf of Nicoya, opposite Cape Blanco, and to offer to the company, in the event it should adopt this plan, the most liberal inducements, in fact, almost anything the company may reasonably ask for. Mr. F. Kurtze, the director general of public works in the republic, will leave the 10th instant for New York, fully empowered to enter into negotiations and agreements with the company and to accede to any fair demand of it.

Having myself long ago come to the conclusion that the present route is impracticable, and cannot, in competition with the well-established and managed Panama route, ever become paying, this was the plan the adoption of which I have urged upon this government for more than three years, as well in the interest of this country as in that of the company, and more so in that of our coun-

try, to whom, by the construction of that road, this republic will become, commercially, almost exclusively tributary. Both this government and the company could for a good while not see the correctness of my views, and have been paying dearly these years for attempting to carry out schemes contradictory to the nature of things. This government is now perfectly cured of its follies, which have brought the finances of the country to the very verge of bankruptcy without the least benefit to the people at large, and I cannot doubt that upon proper representations the company will understand that there is no better route in Central America for an interoceanic communication than that across this republic, where good and healthy ports, a well adapted topography, a large interior commerce, a comparatively enlightened and stable condition of public affairs, and an industrious and productive population offer, besides a saving of three days in the through journey from and to California, advantages not to be found on any other Central American or Mexican line.

I don't need to tell you how important it would be for our country, from a political and strategical point of view, to secure for us a foothold in the only good port of the Caribbean sea, and in a country the inhabitants of which are doubtlessly the only ones of all the peoples of Central America able by and by to understand our institutions and to assimilate with our people.

Allow me to bespeak for this highly interesting plan the favorable consideration of my government.

I have the honor, sir, to be, respectfully, your obedient servant,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washinton, D. C.*

P. S.—Mr. Kurtze will leave with the steamer of 25th instant.

---

*Mr. Seward to Mr. Riotte.*

No. 112.]

DEPARTMENT OF STATE,  
*Washington, February 16, 1866.*

SIR: I have to acknowledge the receipt of your despatches to No. 140, inclusive, which are interesting.

With reference to your No. 138, of December 10th, 1865, and its accompaniments, relative to the claim made by Messieurs Francisco and Jean Quezada, as citizens of the United States, by virtue of naturalization papers purporting to have been issued to them by the court of common pleas for the city and county of New York, under date of June 3d, 1862, I have to inform you that, having given the subject due consideration, the proceedings you have adopted and the decision you have arrived at in the premises are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES N. RIOTTE, Esq., &c., &c., &c.

---

*Mr. Riotte to Mr. Seward.*

No. 142.]

LEGATION OF THE UNITED STATES, COSTA RICA,  
*San José, March 10, 1866.*

SIR: On the 24th of last month Mr. Volio communicated to me that the government of Peru had requested his government to join the offensive and defensive alliance, recently entered into by it with the government of Chili, against

Spain. He added that his government was disinclined to comply with the request, but that its situation was particularly embarrassing, inasmuch as this country owed gratitude to Peru for her generous aid with funds at the time of the war with Walker, when Peru alone came to her assistance, and inasmuch as the government as well as the people of Costa Rica sympathized sincerely with their sister republics, so wantonly attacked by Spain, while, on the other hand, his government hesitated to embark upon a course which might lead to a rupture with Spain. He requested me, on behalf of his government, to give him my view on this perplexing question. I begged him to let me have the documents forwarded by Peru, which consisted of a lengthy note of the minister of foreign relations, T. Pacheco, in which the aggressive course of Spain against American republics is recapitulated, a second despatch from the same authority containing in few words the request to join the alliance, and a number of the Panama Star with the treaty referred to.

After due consideration, I stated in a subsequent interview to Mr. Volio that I did not know whether Costa Rica had recognized the present government of Peru, but that assuming this to be the case, it seemed to me as if the following considerations ought to govern the course of this government, viz :

1. The government of Peru solicits Costa Rica to join the offensive and defensive alliance entered into between it and Chili, without previous negotiations.

2. Article 2 of the treaty of alliance stipulates : "The republics of Peru and Chili contract for the repulsion of the present aggression of the Spanish government and of any subsequent by the same government against any one of the South American republics;" thus plainly stating that the alliance was exclusively directed against Spain, and meant to protect but the South American republics.

3. Under these circumstances, and considering that Peru and Chili were actually engaged in hostilities with Spain, viewing the situation either by the light of well-established principles of international law, or in that of the intent and necessary consequences of joining the alliance, there could not exist the least doubt that such joining would be equivalent to a declaration of war on the part of Costa Rica against Spain. The following objections against that course I considered decisive :

1. According to the treaty between Costa Rica and Spain, of May 10th, 1850, article 16, No. 2, either contracting party is bound, previous to declaring war to the other, to present a memorial of her grievances. Now, if it may be a question to be considered by the government of Costa Rica whether, resting upon this stipulation, it might and should not represent to the government of Spain, in a respectful but frank manner, the apprehensions awakened throughout Spanish America, and with the people of Costa Rica in particular, by the course adopted by that power against the sister republics of Peru and Chili. Yet even that course was no cause for justifying a declaration of war on the part of Costa Rica.

2. According to Tit. VIII, section 1, article 69, Nos. 4 and 6, of the constitution of Costa Rica, "the approval of treaties, &c., and of whatever agreements arising in foreign affairs, and the authority for the executive to declare war," are reserved to the national Congress, so that this government, in the absence of Congress, could not comply with the request even if it were disposed to do so.

Looking at the question from a practical stand-point, the joining of Costa Rica would tender to either Peru or Chili not a particle of aid, while it would expose her to all evils of war.

In conclusion, I recommended to let the answer of this government be a frank, calm, and clear statement of facts, as well as of the opinion entertained both by the government and people of Costa Rica on this question, and an acknowledgment of this country's obligation towards Peru, and of the unity of interest among the Spanish American republics against unwarranted attacks by European monarchies, expressing the willingness of this country to co-operate with such

means as are at her disposal, and gave promise of rendering service to the common cause, which cause, though, could in no way be advanced by an act that would involve Costa Rica in war with a great power, to which she could offer no resistance, and in which conflict she would risk her welfare, if not her independence.

Mr. Volio cordially thanked me for the advice, and said that it coincided entirely with his own views. Few days after he read to me the draught of his answer.

Let me hope, Mr. Secretary, that my proceedings, on which, from the urgency of the case, I was not able to consult you, may meet your approbation.

I have the honor to be, sir, very respectfully, your obedient servant,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Riote.*

No. 114.]

DEPARTMENT OF STATE,

*Washington, April 7, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 142, of the 10th ultimo, communicating an account of your interview with Mr. Volio, the minister for foreign affairs of Costa Rica, relative to the proposition made by Peru to Costa Rica for joining the defensive and offensive alliance against Spain, already existing between several of the American republics.

In reply, I have to say, that although this is a question upon which you were not authorized to speak, and which fact the government of Costa Rica must have known, yet, as the opinions you have expressed to Mr. Volio on the subject must be viewed as your own individual opinions, the President finds no occasion to reverse them, since they appear to be satisfactory to Costa Rica.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES N. RIOTTE, Esq., &c., &c., &c.

---

*Mr. Riote to Mr. Seward.*

No. 147.]

LEGATION OF THE UNITED STATES, COSTA RICA,

*San José, May 10, 1866.*

SIR: I have the honor of acknowledging the receipt of your despatches up to and inclusive of No. 115, of April 7th last.

On the 1st instant I attended, by invitation of Mr. Volio, the minister of foreign relations, the opening session of Congress for 1866, and on the 8th the inauguration of President José Maria Castro. The notable ceremonies on the latter occasion consisted in a valedictory address, read by the outgoing, and an inaugural oration read by the incoming president, which, in the Spanish originals and translations, I enclose herewith, (enclosures Nos. 1 and 2.) Then followed high mass and Te Deum at the cathedral, during which a priest repeated in a sermon the principal points of the famous late allocution and syllabus of the Pope, and condemned with emphatic and perfectly plain words, as one of the new-fangled ideas of these corrupt times, the doctrine that the rulers existed for the people—on the contrary, the people existed for the rulers. Having listened to this refreshing episode of mediæval catholicism, we returned to the



palace, where, by appointment, the diplomatic and consular corps were received by the President in his cabinet, assisted by Mr. Volio, on which occasion Mr. Mathew, her Britannic Majesty's envoy extraordinary, read the address, copy of which I submit, (enclosure No. 3,) which had been agreed upon between him and myself, and had previously been communicated through Mr. Volio to the President. Spanish original and translation of the latter's reply you will find in enclosure No. 4. We then went to the late President's to pay him a valedictory visit.

Besides the usual amount of cannonading, military parading, musical performances by the combined four bands of the country, fire-works, illumination and bell-ringing, the principal feature of the day was a supper, given by the Club of Friends, vulgo Montealege's Club, to which the President, the ministers, the commanding general, Mr. Mathew and myself, were invited as guests. This occurrence is looked upon as a reconciliation of enmities of long standing and as foreboding the most cheering results for Mr. Castro's administration and the future of the republic. I can only say that as to appearances, the utmost good feeling seemed to prevail, and that if acts may be divined by words, all animosity and contention were buried for evermore.

I have the honor, sir, to be, most respectfully, your obedient servant,  
C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

No. 1.

*Valedictory address to congress by President Jimenez.*

[Translation.]

*Messrs. Senators and Representatives :*

In descending from the high position whereon the nation had called me to govern her destinies during the period of three years to-day expiring, allow me to give expression to the sincerest satisfaction, not because I pretend to have realized benefits for my country, nor because I have merited the gratitude of my fellow-citizens by whatever other cause—but too well I know how little I accomplish to merit such bright reward—but for the reason that I take with me to my domestic hearth peace in my heart, tranquillity in my conscience, and the assurance to have done evil to nobody.

The programme with which I inaugurated my administration contained few promises; it is for you to judge whether I have fulfilled them.

May the staff of command in the hands of my worthy successor be the symbol of justice, the emblem of progress, and the standard of national dignity.

Accept, gentlemen, my fervent wishes for the prosperity and greatness of our common country.

---

No. 2.

*Inaugural address of President J. M. Castro to the legislative chambers.*

[Translation.]

*Messrs. Senators and Representatives :*

Obedient to the call, as honorable as unanimous, which the people of Costa Rica have just made to me, I have, complying with my patriotism and my gratitude, stepped forward to contract with manliness and determination a compromise the most grave and solemn.

I propose to fulfil it conformably to the sovereign will of the same population who have trusted me with their confidence. They desire peace and tranquillity; I will presume to maintain them. They desire progress; I will work to promote it.

Peace with foreign countries rests upon well known bases, which I will heed carefully, the strict observance of the law of nations, and the procuring of the means of material defence

for cases in which this may be undertaken without unjustifiable temerity. Those laws prescribe civility, dignity, good faith, loyalty, and frankness in foreign relations, fidelity in complying with treaties, respect for the sovereignty and interests of other states, and a rigorous observance of the principle of non-intervention which our traditions highly recommend. A republic like ours must not assume other burdens nor responsibilities but those needful for her conservation and improvement.

I desire that my country, though she cannot be dreaded by her power, be respected for her equity and prudence, so that every offence done to her be branded with the anathema of the civilized world. We have no fleets, let us have the sympathy of the nations.

Tranquillity demands that the measures and orders of the executive as well as those of the other powers accord with the constitution and laws, and that they be issued without considering personal affection or hatred, and with no other end in view but justice and the common good. There is nothing more contrary to the constitutional guarantees, nothing that more embitters men's feelings, and nothing more odious and punishable than the unlawful interference of the nation's chief with judicial proceedings. I will abstain therefrom resolutely and with an inflexible determination.

The civilization of the century has defined political and religious liberty and elevated them to the position of a dogma of peace and prosperity. I acknowledge them as such, and shall know how to respect and sustain them. I am of opinion that every attack upon constituted authority must be punished energetically; but I believe equally firmly that opinions and acts that do not inculcate laws and have no tendency of disturbing public order, ought not to be suppressed. I am of opinion that the expression of truth, even the most bitter, is welcome to a ruler who like me has the fortitude before it to renounce his errors and the sincere desire to make it the basis of his acts. I am, in fine, of opinion that every orderly and courteous discussion enlightens, and that the lonely words of bad passions are feeble against a government abounding by its legitimacy and rectitude in moral weapons of defence.

I do not take up the standard of these principles with the illusion that they will sustain me, but the men of true patriotism have to do that. I will have to refuse a great deal, to do a great many things, and perhaps to undertake reforms of the nature which cannot be realized without affecting private interests. There are few hearts that will suffer as much as mine in paying no attention to the convenience of individuals or families when that course is demanded by the demands of the whole society, but perhaps few minds are so resolute to fulfil that painful duty. I am preoccupied against that sentimentality, the source of almost all my past mistakes on the same rough path I am to-day undertaking. Ruler in my youth, then outlaw, and thereupon for eight years to this day devoted to the administration of justice without any personal consideration, I am not the man of yesterday. Those who look for that in me will be undeceived, and will turn a cold shoulder to the government and become its antagonists. My true friends, however, will remain faithful and be so every day more, and a like course I anticipate from those who have chosen me as centre of their patriotic efforts neither for lucre nor for contemptible passions. With the aid of such good citizens, among which I class all high functionaries of the country, I look with confidence upon the future, and promise to maintain that peace and tranquillity in which my illustrious predecessor leaves the republic.

The progress whereof these benefits are ever the first basis will do away with many fancies, and I readily confess it will cost me much to retain my own. There exists an urgent desire for improvements, which will not wait for the right opportunity nor consult the strength of the nation; there exists the pretension that in our soil reforms and works should be realized immediately and simultaneously, which even great nations were but able to perform successfully, and with the assiduous work of years. There do, in fine, prevail opinions that the government ought to remedy and do everything, and a custom to make it responsible for even the natural and inevitable troubles of the social movement. No ruler can satisfy such demands.

I feel that our country, without ancient organizations, without deeply rooted interests, and without abuses grown old, is one of those most attractive for innovations. I feel, also, that in a republic like ours, sparsely populated, and where there is a want of large capital and great undertakers, who, producing a competence, impart life to the development of all branches, is the spot where progress, enterprises, and free association, that great lever of modern civilization and motive power of so many improvements, most need being stimulated by government.

But I also feel that reforms and new creations must be undertaken gradually, in harmony with general opinion, time, necessities, and means at hand, and that every precipitation in this regard does ordinarily more harm than inaction. Among the attainable reforms, I consider as urgent to simplify the public administration, so far as good service permits and economy in money and men demands it, to which every government ought to incline as much as towards conservation and development of revenues. I think that, considering the proportion and circumstances of our people, that administration is excessively costly.

The reform of some of the existing laws and regulations, also, is urgent, but not to such degree.

The material situation of a political commonwealth is so intimately enlaced with the intellectual one, the one is the complement of the other, and that both require equal attention on the part of the government.

I think that roads, immigration, and public instruction must continue the cardinal points of that attention for the period to-day beginning.

As to roads, it is but just that I should give preference to that which will put us in more immediate communication with Europe and North America, and which holds out a direct, quick, secure, and cheap commerce by the waters of the Atlantic, together with many other benefits concealed to nobody.

Which should be the route to take—that problem is already solved. The work is begun, and I have nothing to do but to prosecute it with equal firmness, with the same means, or others that necessity or convenience may recommend, unless that a contract for an inter-oceanic railroad should save us the laborious work of continuing it.

We all know that the powerfulness of a nation is in direct proportion to its population, and that ours falls far short of corresponding to the extent and the natural advantages of its soil. With pride do we observe the difference between what we were thirty years ago and what we are this day; and there are certainly few who disown how much influence in the slow but sure development of our wealth, in the improvement of our civilization, our industry and arts, had the foreigners whom we received as brethren, and who have shown themselves worthy of such reception.

Thus it seems useless to dwell on the importance of immigration, to say that we ought endeavor to stimulate it by removing all obstacles in its way. The principal one of these obstacles is the absence of a road to the Atlantic, fortunately already undertaken, and the want of laws offering to the immigrant material advantages apt to induce him, facilities in acquiring naturalization by removing the requisite term of residence, and with one word promising to him to find in our country the lap of a good mother.

The question of creeds, which in other countries has proven the strongest hindrance of emigration, do fortunately offer no impediments in Costa Rica. Our institutions guarantee the freedom of worship, our people are naturally tolerant, and the ministers of our holy religion, in their moralizing mission of peace, fraternity, and humility, do not forget the injunction of their Divine Master, when he, teaching love to our fellow men, admitted as such the Samaritan who had just practiced charity.

The immigration of people brings with it that of enlightenment, and the day will come when the development of this can be left to the free and vigorous action of private interest.

Meantime it is necessary that government continue to take care to sustain and ameliorate public instruction in all its branches and all its scales.

Since modern philosophy has given new direction to human intelligence, science consists in ameliorating the condition of man, in affording him benefits, in augmenting his honest enjoyments, and in diminishing and softening his sufferings and afflictions.

This principle, to-day generally recognized, is the one which must preside in the public instruction of the country. We have, therefore, to insist that the old scholastic doctrine be boldly abandoned, and that in place of sterile and stationary abstractions, utility and progress be introduced.

I will toil to maintain peace and tranquillity, and to urge on the progress of my country by the means stated. With the hope of procuring it, I have accepted the power in which, without distinction of political colors, I will listen to as many persons of merit as will comply with the duty to assist me with their knowledge. My administration does not proceed from contests, nor is it inaugurated upon the ruins of any party. Its banner is the national one, and its object the welfare of Costa Rica as a whole.

I have laid before you, Messrs. Senators and Representatives, the sentiments, principles, and opinions which shall direct my administrative acts, as chief of the nation and executor of her laws, your approbation would be my best guarantee of their advisability; your indications would be my guide; your support my principal moral strength.

Under such auspices I might be able, in addition to the good which my worthy predecessor, whom I cordially felicitate, bequeaths to do, that to which I incline myself, and surrender in due time, and with honor in this same place, the presidency of the republic.

Gentlemen, magistrates of the supreme court of justice, your circle I have left to govern the country. There I have passed the happiest days of my public life. I shall never forget how much I owe to the learning and probity wherewith you have performed your functions, nor the kindness and confidence by which you have distinguished me.

I trust that the harmony which during the last two periods of the executive power existed between it and the supreme tribunal, aiding each other reciprocally within the limits of the law, will continue unaltered.

Accept, Messrs. Magistrates, my gratitude, and as its consequence, the pain wherewith I take leave of you.

---

### No. 3.

The diplomatic and consular corps accredited to the government of Costa Rica avail themselves of the opportunity of congratulating your Excellency upon your inauguration as President of this republic, at which we have just assisted.

Enlightened and liberal laws, complete security for person and property, and an impartial administration of justice must ever render the foreigner as sincerely desirous for the country's welfare as her own sons.

We feel convinced that your Excellency will also concur with us in the opinion that such a basis must at the same time be the surest road to national and individual prosperity.

The governments we represent take a sincere interest in the well-being of Costa Rica, and will learn with real satisfaction that your Excellency's well-known character and views authorize us to believe that under your Excellency's administration peace and good order will be marked by internal improvements and by the further development of the great national resources a bounteous Providence has granted.

---

No. 4.

*Answer of President J. M. Castro.*

[Translation.]

GENTLEMEN: Among my highest gratifications I count that of receiving the honorable diplomatic and consular corps, and of listening through the organ of its worthy senior to the expression of the sentiments and hopes entertained by it relative to the administration just inaugurated.

The people of Costa Rica have intrusted to me their destinies in the conviction, based upon former facts, that I should have to maintain and draw closer the relations of amity contracted by it towards other nations, and particularly those here represented.

A state so small as Costa Rica can offer to the others but its liberal institutions, the loyalty of its government, and its rich natural resources, the development whereof can be made rapid, complete, and prosperous with the influence of the foreign element.

I shall do all within my power to attract that element, and that my administration be ever acceptable to the honorable diplomatic and consular corps.

---

*Mr. Riote to Mr. Seward.*

[Extract.]

No. 148.]

LEGATION OF THE U. S. OF AMERICA, COSTA RICA,

*San José, May 25, 1866.*

SIR: I have the honor of acknowledging the receipt with the mail, of the 15th instant, of a copy of the President's proclamation of April 2d, last, declaring the insurrection at an end in certain States of the Union, and of a copy of the circular of the 1st instant.

By enclosure 1, I beg leave to submit copy and translation of a note of this government of 22d instant, complaining of an attempt on the part of the Central American Transit Company to turn the waters of the Colorado river, the exclusive property of Costa Rica, into the lower San Juan river, informing me of the steps taken to counteract such attempt, and suggesting my intervention for the same purpose with said company. Enclosure 2 contains my answer; and enclosure 3, translation of those portions of the boundary treaty of April 15th, 1858, between Costa Rica and Nicaragua, on which the decision of the question at issue may depend. I have also forwarded to Mr. Dickinson, in Nicaragua, a copy of the government's note, yet without venturing to suggest any action on his part. Inasmuch as hitherto neither certain facts have been substantiated by the government nor their unlawful character been shown, nor any hints have been given as to the particular spot or spots on which those attempts are said to have been made, I do as yet not feel warranted to express an opinion; but knowing, on the other hand, that this government is fully determined to resort eventually to extreme measures, I would not lose a mail in advising you of a state of affairs which is very likely not only to involve interests of American citizens, but the peaceable relations between two republics.

\* \* \* \* \*  
I have the honor to be, your obedient servant,

C. N. RIOTTE.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

## No. 1.

*Mr. Volio to Mr. Riotte.*

[Translation.]

PALACIO NACIONAL, *San José*, May 22, 1866.

According to information just received by the government of this republic, the Central American Transit Company, established in Nicaragua by the contract of November 10, 1863, has recently determined upon restoring to the lower San Juan river the waters that now the Colorado carries off, which latter runs through Costa Rica territory, by giving them back to the old channel, in order to render this part of the river deeper, and to procure the re-establishing of the port by means of the increased volume and velocity of the waters of San Juan river.

Although the company assures that it is not its intention to obstruct, or even to impair the condition of Colorado river, still this seems impossible, inasmuch as the plan is to increase at its expense the waters of the San Juan, thus destroying the natural and legitimate title acquired by Costa Rica to these waters by slow accession.

Difficult as it may seem to believe an act which by its nature must be ranked among the attacks upon the integrity and sovereignty of the republic, the government, jealous of its rights and bound to maintain them in perfect integrity, has ordered a commissioner to examine the said Colorado river and its channels, who, in case he finds actually works being constructed with the view of deteriorating said river, is duly to protest with the persons undertaking them, and after having used persuasion in vain, is to expel them by force.

Since it might be possible that your intervention with the company may dissuade it from the attempt it intends to carry out, the President of the republic has deemed it advisable to inform you of the fact referred to, as well as of the measures taken to stop it, and its firm resolution to repel every unauthorized aggression within the limits of the republic.

Complying with the wishes of the President, I avail myself, &c.

JULIAN VOLIO.

Hon. C. N. RIOTTE, &amp;c., &amp;c., &amp;c.

## No. 2.

*Mr. Riotte to Mr. Volio.*LEGATION OF THE UNITED STATES OF AMERICA IN COSTA RICA,  
*San José*, May 24, 1866.

I have been honored by the receipt of your note of the 22d instant, concerning the asserted attempt of the Central American Transit Company to turn the waters of the Colorado into the lower San Juan river, in order to render this again navigable and to reopen the port of San Juan del Norte, informing me of the measures taken by your government to prevent such attempts "upon the integrity and sovereignty of the republic" being carried out, and suggesting that an intervention on my part may have the effect of dissuading said company from continuing the attempt.

Thanking you for this important communication, I beg to inform you that I consider it my duty to bring the subject, the gravity of which for this republic I am not inclined to undervalue, immediately to the knowledge of my government and to that of my colleague, Mr. Dickenson, in Nicaragua. Under the circumstances of the case I very much doubt whether a direct intervention with the company on my part would be either advisable or effective.

I have the honor, sir, &c.,

C. N. RIOTTE.

Hon. J. VOLIO, &amp;c., &amp;c., &amp;c.

## No. 3.

*Extracts from the boundary treaty between Costa Rica and Nicaragua, April 15, 1858.*

[Translation.]

"ARTICLE 2. The dividing line between the two republics, beginning at the Sea of the North, (Caribbean,) shall commence in the extremity of Castillo Point in the mouth of San Juan river, and shall run up with the right bank of said river till to a point three English miles from Castillo Viejo. \* \* \* \* \*

"ART. 4. The bay of San del Norte, like that of Salinas, shall be common property of both republics.

"ART. 6. The republic of Nicaragua shall have exclusive dominion and *summum imperium* over the waters of San Juan river from its issue out of the lake till to its mouth into the Atlantic; but the republic of Costa Rica shall possess in said waters forever the right of free navigation from said mouth up to within three miles of Castillo Viejo."

---

*Mr. Riotte to Mr. Seward.*

No. 152.] LEGATION OF THE U. S. OF AMERICA, COSTA RICA,  
*San José, June 23, 1866.*

SIR: With reference to the subject of my despatch No. 148, I have the honor to report that Mr. Joaquin Fernandez, the commissioner sent out by this government to investigate the action of the transit company on Colorado and San Juan rivers, has returned a few days since and told me he found—

1. That trunks of trees, carried down by and deposited along the banks of San Juan river, had been dragged to Colorado river and sunk at the point of bifurcation, so as to form by the action of nature, in the course of time, a barrier; and,

2. That at the bifurcation of Taura river (*i. e.*, the second branch sent through Costa Rican territory east, and directly to the ocean by river San Juan) some seventy men were at work, with a steam ram, driving big piles across the river bed, and filling up the interstices with brushwood.

That he thereupon saw the company's agent at San Juan del Norte, Mr. Babcock, and lodged with him, in the name of this government, a protest against the continuance of the works in said two rivers; that he was received by that gentleman in the most courteous manner, and by him informed that he was but carrying out the distinct orders of his company, which, as he had supposed, had previously procured the assent of the Costa Rican government to these works through Mr. Molina, in Washington, but that after receiving Mr. Fernandez's protest he would have the works in the rivers immediately stopped. Thus this incident has been arranged to the fullest satisfaction of the government, as I learn from Mr. Volio.

I have the honor to be, sir, your obedient servant,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Riotte to Mr. Seward.*

[Extract.]

No. 154.] LEGATION OF THE U. S. OF AMERICA, COSTA RICA,  
*San José, August 25, 1866.*

SIR: \* \* \* \* \*

A few days ago a session of the council of state was held, the President of the republic presiding, for the purpose of devising measures to prevent the introduction of the cholera. Four members insisted that the republic, as soon as that epidemic should break out in either Panama or Nicaragua, be hermetically sealed against the entrance of all persons, and against the importation of goods of every description, the mails alone being permitted to enter. President Castro evidently inclined towards this opinion. As yet no definite resolution has been reached, but, considering the excessive fear of the people at large, and of the members of the government in particular, I do not think it at all unlikely that some such measure will be adopted.

I cannot find the historical record of a like attempt by any government, and I incline to assume that such a measure would be in contradiction as well with article 2 of our treaty with this republic, as with the principle of international law established by the leading nations during the last twenty-five years, viz: "That no nation has a right of absolute seclusion." Still the application of that principle to a temporary stoppage of intercourse with the outside world seems questionable, and, at all events, it must rest with my government exclusively to decide if any and what steps are to be taken on the subject, upon which point I beg you to furnish me with your instructions. I will merely mention that if, on the one hand, it seems hard to prevent these people from adopting measures which, in their frantic alarm, they look upon as their sole salvation from a terrible visitation, I am, on the other hand, the longer I live among them, the firmer convinced of the absolute necessity of strictly enforcing against them the precepts of the law of nations, for which they are great sticklers whenever they deem themselves injured, but which to violate not even the most powerful nations so lightly venture, as soon as such course suits their views or convenience.

I have the honor, sir, to be your obedient servant,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

P. S.—Only a few hours before the mail-rider's departure the enclosed decree of the executive, whereof I add translation, is published.

C. N. RIOTTE.

[Translation.]

José Maria Castro, President of the republic of Costa Rica, being informed that the "cholera morbus" has extended over some places of North America, whence it may easily pass to countries adjoining Costa Rica and thence to Costa Rica, should the proper precautions be neglected—

DECREE.

ART. 1. The introduction, in whatever manner, into the territory of the republic of all persons and objects proceeding from a place infected by cholera morbus, or that have touched at such place, is prohibited, unless forty days have since that time elapsed without any cases of cholera in the respective persons.

ART. 2. In the case of the preceding article the vessels and mail-riders are only allowed to leave the mail they carry and to deliver it to the officers, who have to receive it in the place and form designated in separate instruction.

ART. 3. The proper department will opportunely establish sanitary cordons in the parts of the republic where advisable, and will take all other dispositions suggested by the danger.

ART. 4. Offenders against Art. 1, and the government officials by whose negligence the offence is committed, shall be treated as guilty of an attempt against public health.

Given in the National Palace, San José, August 23, 1866.

JOSÉ MARIA CASTRO.

A. ESQUIREL,

*Secretary of State in the Department of Interior.*

A correct translation :

C. N. RIOTTE.

Articles 267 to 283 of the criminal code treat of the "crimes against public health," and threaten with fines and prison up to six months.

C. N. RIOTTE.

*Mr. Riote to Mr. Seward.*

[Extract.]

No. 155.]

LEGATION OF THE U. S. OF AMERICA, COSTA RICA,

*San José, September 8, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 123 and 124, of dates, respectively, the 27th of July and 2d of August last,

with enclosures. In compliance with your order I transmitted the office copy of President Johnson's letter for President Castro to the minister for foreign relations, Mr. Volio, at the same time soliciting the appointment of an audience for the delivery of the original. This audience was fixed upon for the next day, the 31st of last month. In handing the letter over to President Castro, I said a few words appropriate to the occasion, which he replied to in a like strain; and, after opening the envelope, gave expression to his satisfaction at President Johnson's words, and to his admiration of the brilliancy of the artistic execution of the penmanship.

With the steamer of 15th of last month Mr. F. Kurtze, this government's agent for negotiating a contract in New York for the construction of a railroad across this republic, (see my despatches Nos. 140 and 141,) has returned, bearing a contract entered into between him, on one part, and Messrs. General John C. Frémont, Governor Nye, and others, on the other. It seems that this government is willing to recommend to Congress its approval as soon as two sections of it, which are considered ambiguous, have been more clearly defined, at which, according to Mr. Kurtze, there will be no hesitation on the part of the contractors. As soon as the contract shall be perfected I will not fail to send a copy to the department.

\* \* \* \* \*

I have the honor, sir, to be your obedient servant,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Riote to Mr. Seward.*

No. 156.]

LEGATION OF THE U. S. OF AMERICA, COSTA RICA,  
*San José, September 9, 1866.*

SIR: The apparently successful result of Mr. F. Kurtze's mission to the United States, to which, as I have reported in despatch No. 150, of June 10th, last, the great plans mentioned therein were subordinate, seems a proper epoch for giving you the further information upon the result of those plans which you desired in despatch No. 119.

As you will recollect, the first object in the programme of the combined influences of the English bank here and the Montealegres was to obtain a full control of the finances of the country by the means then explained. This proved a failure. The Puntarenas custom-house was neither turned over to the bank, nor did it give a loan to the government; but government and bank agreed mutually to accept each other's notes in payment like their own. Two of the brothers Montealegre have been made members of the section of the council of state on finances, to which every month the balance-sheet of the state accounts is to be submitted. This I consider a first-rate arrangement, inasmuch as it works as a control upon the government by the best business men of the country and large property-holders most interested in an honest and economical administration of public affairs.

Every hope of obtaining in the English market a loan of whatever amount, or of their forming a company for the construction of a railroad across this republic, was effectually crushed by the great disaster that since has befallen the British money market; and the well calculated and shrewdly worded explanation of the British government, though officially communicated to this government, and by it published in the official gazette, had not the effect of restoring confidence, particularly as subsequent events did not bear out the anticipations



of the British government. Thus, then, Mr. A. Wallis did not leave on his mission to Great Britain.

These events, however, had the beneficial effect of forcing this government to minutely considering and closely husbanding its own comparatively very large resources, and President Castro has indeed the merit of having commenced uprooting some of the most glaring and most expensive abuses. Whether, in the face of the inveterate nature of these abuses, and of the fact that every little reform creates one or more enemies, he will be disposed and able to continue in this path, the future alone can teach; but I must confess to small faith. So far, at least, he has not dared to lay his hand upon the most shameful abuse, *i. e.*, the large sums squandered to no purpose at all upon the military force of the republic, wherein, *e. g.*, every twenty-five men have a general, and every two captains one private.

I have the honor of being, sir, your obedient servant,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

## ECUADOR.

---

*Mr. Hassaurek to Mr. Seward.*

[Extract.]

No. 195.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, November 7, 1865.*

SIR: The rupture between President Carrion and his predecessor, Garcia Moreno, is complete. President Carrion very properly refuses to be a mere instrument in the hands of the latter. Mr. Garcia Moreno insisted that he should be allowed to control the policy of the administration, and that no appointments of anykind should be made without his consent. To this Mr. Carrion indignantly objected, and after a few fruitless attempts made by the friends of both parties to effect a reconciliation, the final separation took place.

\* \* \* \* \*

Garcia Moreno did not, however, relinquish his position without an effort. He had ordered his former adherents to pour petitions into Congress from every part of the country asking that he be appointed general-in-chief of the army. These petitions were gotten up under the influence of fear, when Garcia Moreno and Mr. Carrion were still supposed to be on good terms. Had these friendly appearances lasted but a few weeks longer, Congress would probably have made the appointment. But the firm stand taken by the new President encouraged the timid members of the legislature, and they refused to confer the supreme military power on Garcia Moreno, in whose hands it would have been equivalent to a dictatorship. The day the bill was rejected was a day of rejoicing at Quito. Men embraced each other while exchanging congratulations, and many wept with joy. Others, who had already made preparations to leave the country in order to fly from the arbitrary and reckless sway of the despot, at once concluded to remain. A feeling of general relief prevailed; the bloody sword of Damocles having been removed from over the heads of the community. What Garcia Moreno's further movements will be is yet unknown. It is supposed, however, that he will soon leave the country over which he can rule no longer.

With assurances of profound respect and distinguished consideration, I have the honor to remain your most obedient servant,

F. HASSAUREK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hassaurek to Mr. Seward.*

[Extract.]

No. 196.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, November 12, 1865.*

SIR: I have the honor to transmit herewith, marked A to I, inclusive, copies of my additional correspondence with the minister of foreign relations on the subject of the steamer Washington, and its ramifications. The paper marked E E contains a translation of the preliminary decision of the presiding judge

of the supreme court, given on the 14th ultimo, and not in September, as I erroneously reported in my despatch No. 184.

I do not see any prospect yet of effecting a satisfactory settlement of the case, unless the decision of the court of last resort should be favorable to the claimants. This, however, can hardly be expected in a country without an independent judiciary.

With assurances of profound respect and distinguished consideration, I have the honor to remain your most obedient servant,

F. HASSAUREK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

A.

*Mr. Hassaurek to Mr. Bustamente.*

LEGATION OF THE UNITED STATES,  
*Guayaquil, October 11, 1865.*

The undersigned, &c., &c., &c., takes the liberty of reminding your excellency that on the 15th ultimo he addressed two notes to Mr. Pablo Herrera, minister of exterior relations, to which no answer has as yet been received at this legation. As the subjects of these notes are of the greatest importance to the undersigned, and to the continuance of the friendly relations hitherto existing between the two countries, the undersigned must request your excellency for an immediate answer, and, in the mean time, has the honor to remain, &c., &c.,

F. HASSAUREK.

His Excellency MANUEL BUSTAMENTE,  
*Minister of Exterior Relations, Quito.*

---

B.

*Mr. Bustamente to Mr. Hassaurek.*

[Translation.]

QUITO, October 18, 1865.

The undersigned, minister of exterior relations of Ecuador, has the honor to address himself to his excellency the minister resident of the United States of America, acknowledging the receipt of his excellency's estimable note of 1st instant, in which his excellency asks for an answer to two notes directed by his excellency to Mr. Pablo Herrera, then minister of exterior relations, on the 15th ultimo.

The undersigned will have the pleasure of answering, by next mail, the one of said communications which refers to the case of the steamer Washington; but with reference to the other the undersigned takes the liberty of representing to his excellency that, as it is an answer to a note directed to his excellency by my predecessor on the 1st of September last, the undersigned has not considered it his duty specially to reply to the same. It affords, however, great pleasure to the undersigned to assure his excellency the minister resident of the United States of America that the government of the undersigned will not fail to avail itself of every possible means to preserve and cultivate more and more every day (*mas i mas cada dia*) the friendly relations subsisting between Ecuador and the great republic of the United States of America.

The undersigned reiterates, &c., &c., &c.

MANUEL BUSTAMENTE.

---

C.

*Mr. Hassaurek to Mr. Bustamente.*

LEGATION OF THE UNITED STATES,  
*Guayaquil, October 25, 1865.*

The undersigned, &c., &c., has the honor to acknowledge the receipt of your excellency's communication of the 18th instant, informing the undersigned that by next mail your excellency would answer the one of his two notes of the 15th ultimo which refers to the Wash-

ington case, while your excellency did not deem it necessary to reply to his other note of the same date, because it was merely an answer to Mr. Pablo Herrera's note of the 1st ultimo, or rather of August 30. The note, however, to which your excellency has kindly promised a reply, is likewise an answer to a note of Mr. Pablo Herrera, dated September 1 or August 30. Hence, why your excellency should reply to the one and not to the other, the two being based on entirely similar antecedents, the undersigned is unable to comprehend. The history of the note which your excellency has omitted to answer is briefly as follows: In No. 58 of the *Correo del Ecuador*, a newspaper published at the expense, edited under the control, and distributed under the direction of the former administration, a certain article appeared containing offensive references to the undersigned, who immediately applied to your excellency's predecessor for an explanation. Mr. Pablo Herrera, while endeavoring to give satisfaction to the undersigned, furnished him with an additional cause of complaint by adopting and indorsing a paragraph published in No. 59 of the *Correo del Ecuador*, which, notwithstanding a few apparently flattering phrases, was disrespectful and offensive to the representative of the United States. On re-reading the note of the undersigned of the 15th ultimo, your excellency will find that the terms *extemporaneo* and *incalicable*, as applied in connection with the official proceedings of the undersigned to a claim which the undersigned, being convinced of its justice, has deemed it his duty to present and to insist upon, were such as to compel the undersigned to remonstrate and to demand a retraction. The undersigned must, therefore, insist either upon a withdrawal by your excellency of Mr. Pablo Herrera's note or on an expunction of the objectionable quotation and indorsement, and also on a declaration by your excellency that the paragraphs in Nos. 58 and 59 of the *Correo*, referring to the undersigned, were unauthorized, and are disapproved by the Ecuadorian government.

Assuring your excellency of his profound respect, &c., &c.

F. HASSAUREK.

His Excellency MANUEL BUSTAMENTE, &c., &c., *Quito*.

D.

*Mr. Hassaurek to Mr. Bustamente.*

LEGATION OF THE UNITED STATES,

*Guayaquil, October 17, 1865.*

The undersigned, &c., &c., begs leave to call the attention of your excellency to the correspondence between the consul of the United States at this place and the governor of the province with reference to the wrongful employment of the steamer *Washington* by and on account of the government without a sentence of condemnation, and without authority, by the tribunal before which the case is pending. The undersigned is sorry to say that such a proceeding is arbitrary and illegal, and must appear to him as an additional link in the long chain of irregularities and wrongs committed in the *Washington* case by your excellency's predecessor, and which the undersigned hopes your excellency, upon reflection, and after an unprejudiced examination of the case, will disapprove. In the mean time the undersigned considers it his duty to protest against the use of the *Washington* by and for the benefit of the government, and before a final disposition of the case, and to hold the Ecuadorian government responsible for all the damages accruing therefrom to the owners.

Availing himself, &c., &c.

F. HASSAUREK.

His Excellency MANUEL BUSTAMENTE, &c., &c., *Quito*.

E.

*Mr. Bustamente to Mr. Hassaurek.*

[Translation.]

QUITO, October 25, 1865.

As your excellency's note of the 12th of September refers to an answer to a note of this department, dated August 30, with reference to the retention of the steamer *Washington* by the government during the pendency of an admiralty proceeding against her in the supreme tribunal of this republic, to the decision of which the case has been submitted, this department awaited the judgment of that court for the purpose of transmitting it to your excellency. That judgment has since been pronounced in the first instance and notified to the attorney of the company which claims the vessel; and I have the honor herewith to enclose to your excellency a certified copy of said decision, declaring the said steamer *Washington* a lawful prize to the government.

The enlightened and righteous judgment of your excellency will find in the document herewith transmitted the solid and incontrovertible reasons on which said decision is founded,

the impartiality by which it is characterized, based on a truthful statement of the facts, and on a luminous application of the principles of international and maritime law, recognized in identical cases all over the world.

As soon as the second "sentence,"\* of which the cause admits under the law organizing the judiciary, shall have been communicated to this department, I shall transmit a copy of it to your excellency.

I hasten to reiterate to your excellency, &c., &c.

MANUEL BUSTAMANTE.

His Excellency the MINISTER RESIDENT  
of the United States of America.

EE.

*Document referred to in paper E.—Decision of the presiding judge.*

[Translation.]

Seen: From their merit it appears that Matthew P. Game, president of the Guayas Steam Navigation Company, appointed on his own responsibility his son, Francis Game, captain of the steamer Washington, although said Francis Game, when captain of the steamer Bolivar last year, had voluntarily surrendered that vessel to the same revolutionists† that were defeated at Jambeli; that said captain, always maintaining a secret understanding with those conspirators, had undertaken to deliver to them the steamer Washington on her return trip from Bodegas, in consideration of \$10,000 to be paid to him, he having received \$1,000 on account; that on the 31st of May last, in accordance with said arrangement, and after the signals previously agreed upon had been given, said Francis Game waited off the island of Guare for John Marcos and two canoes filled with armed men under his command, and receiving them on board as friends, rejoiced with them over his perfidy, and continued his trip to Guayaquil; that at 9 o'clock of the same night, and before having arrived at Guayaquil, he landed most of the passengers, taking all the cargo with him; that availing himself of the immunity which said steamer Washington enjoyed for the navigation of the river as a merchant vessel, he took her alongside the war steamer Guayas, which his party boarded and took by surprise, treacherously killing her commander and committing other excesses; that subsequently they proceeded to the coast of Peru, where the revolutionists awaited them, and with the aforesaid and other vessels and men they had been able to unite, returned to Ecuador and overpowered the small garrison of Santa Rosas; that when their squadron approached Guayaquil, the President of the republic, in person, and with but one steamer, armed in haste, went out to meet them, attacked them valiantly and heroically, and obtained a splendid victory, in consequence of which triumph all the vessels of the hostile squadron, including the steamer Washington, were captured and brought into the port of Guayaquil, the steamer Guayas having sunk a quarter of an hour after her capture, owing to the injuries received during the battle. And considering:

1st. That the mere fact that the steamer Washington, armed with four pieces of artillery, was one of the vessels which composed the enemy's squadron, and was taken after the battle, would in itself be sufficient to declare her a good prize in conformity with the Spanish marine ordinances‡ which prevail in this republic, and in conformity with what international law prescribes, as among other publicists will be found in Jeoffroy's Maritime Law, Carlos Abreu's Treatise on Prizes, the celebrated American Wheaton, Ortolan, Heffter, and the numerous authorities cited by the latter.

2d. That for the purpose of protecting the steamer Washington against confiscation it is alleged that, according to a decree issued on the 6th of June by the supreme government, she was taken and captured by the factionaries, (facciosos,) who had been declared pirates; and that consequently, having been recaptured by government forces, she should be restored to the said company in conformity to the treaties with the United States of North America, and to the provisions of Ecuadorian law; but as, instead of showing that said steamer Washington was taken by force, it has been fully and conclusively proved that the captain himself delivered her into the hands of the insurgents, which fact even the minister resident of the United States has found himself obliged to admit, the company cannot avail itself of the treaties and legal provisions it has invoked. Moreover, if the government did labor under a mistake after the first news of the occurrence, it immediately rectified its judgment on the receipt of further particulars; and in the circular note which was addressed on the same day to the diplomatic corps, the connivance and responsibility of the captain were expressly set forth.

\* A judgment is always called a "sentence" (sentencia) in Spanish.

† This is a mere assertion unworthy of a judge, because no evidence whatever had been introduced to sustain it. The record contains no proof of such an allegation, nor could any such proof be procured, as will appear from my note of November 1 to the minister for foreign affairs, a copy of which is herewith transmitted, marked —.—F. H.

‡ False. For the law of Spain on recaptures see Lawrence's Wheaton, pages 661, 662.—F. H.

3d. That articles 623 and 624 of the commercial code are inapplicable to the present case, because they refer only to ordinary cases of navigation and commerce, and not to those in which a vessel losing its neutrality and its character of a merchant ship is armed and committed in a war, because then she will be subject to all the consequences and to all the responsibility established in favor of the offended and victorious belligerent by the law of nations.

4th. That it being impossible to deny the criminal delivery of the steamer *Washington* by Francis Game, which was the cause of the taking of the *Guayas*, and enabled the revolutionists to arm a squadron and to inflict such evils and losses on the country, it is now attempted to save the vessel under the pretence that she was not the property of the captain, but of the company, thus offending against sound principle and those very treaties; because under said treaties all articles of contraband of war may lawfully be confiscated; that is to say, all articles directly used for the purpose of making war, even when introduced in private and friendly vessels, without admitting the excuse that said arms or ammunitions do not belong to the captain. How much more then will she be liable to confiscation when herself armed for war purposes, and having been the only cause of said war.

5th. That from what the record shows, and from what is matter of public notoriety, it appears that the revolutionists could never have taken possession of the steamer *Washington* if it had not been for the connivance and co-operation of the captain; but even supposing they had attempted to take the steamer by force, the fact that the captain cowardly surrendered and gave up the ship without trying to escape or to defend himself would make him personally responsible with everything he had for the value of the abandoned vessel, as provided by the aforesaid ordinances and laid down by Bacardi in his dictionary of Spanish maritime laws.

6th. That it is entirely erroneous to suppose that, in times of war, the responsibility of the captain cannot be extended to the ship; in proof of which it must be remembered that according to the publicists already named, and others too numerous to mention, a vessel may be condemned as a prize for the captain's misconduct, not only in the case now in question, but also when, notified to lay to, the captain refuses to submit to a visit either by offering actual resistance or by preparing to do so; when the captain cannot prove his neutral character; when he openly violates a blockade, having been notified by one of the belligerents, and carries articles which are contraband of war; when his declarations furnish grounds to suspect him of complicity with the enemy, and he cannot satisfactorily explain them; when the vessel has changed her course without being able to account for it properly; in fine, whenever the conduct of the captain manifests hostility, or whenever he has placed himself and vessel under the orders of the enemy. Even in the *New American Cyclopædia*, published by George Ripley, in 1863, under the title *Prizes*, the following decisive rule is laid down: (There being no copy of the cyclopædia at Guayaquil, I cannot furnish the original passage, and must, therefore, make a re-translation.) "When the captain of the vessel has committed an act which subjects the vessel to condemnation, the cargo is generally considered liable to condemnation also."

7th. That if, in conformity with the opinion which has universally obtained now-a-days, even neutral ships which transport contraband of war may be lawfully confiscated, if said contraband constitutes three-fourths of the cargo of the vessel, together with the rest of the cargo, (*Negrin, Derech, Sutherland, Maritimo*,) how much more so when the ship itself has been armed and constituted part of the enemy's squadron.

8th. That in times of war, the principal reason which justifies us in taking possession of what belongs to the enemy, is the necessity to obtain indemnification for the losses suffered by war; said necessity being so much the more apparent in this case as without the surrender of the *Washington* by her captain, the peace of the republic would have remained undisturbed, and all the expenses as well as the cruel and painful sacrifices of the war would have been avoided.

9th. That for the very reason that both the president of the company and the captain of the steamer are citizens of North America, with which republic Ecuador cultivates the friendliest relations, and that the said individuals were, therefore, entitled to the protection of this government in their business, they should have been more careful to spare this country the great and irreparable injuries inseparable from revolutions and civil wars; the former by not confiding the command of the steamer to one who had already committed a similar offence by giving up the steamer *Bolivar* to the rebels at *Machala*, for which offence he had been generously pardoned by the government; and the other by not committing the treasonable acts above referred to.

10th. That in addition to the foregoing reasons which indisputably justify the confiscation of the steamer *Washington*, public tranquillity and the security of the republic imperiously require this measure; because, otherwise, a dangerous example might be set, encouraging any other foreign vessel which may happen to be in our ports as a merchant vessel to hire herself out for a specified sum to the revolutionists in the expectation that in case of a failure, her owners might reclaim her on the ground that said employment had been without their connivance.

For these reasons and those contained in the Vistas of the attorney general, administering justice in the name of the republic, it is declared that the steamer Washington is a good prize, and, as such, belongs to the nation.

PEDRO JOSÉ DE ACTETA.

A true copy:

PEDRO JOSÉ CEVALLOS,  
*Recording Secretary.*

F.

*Mr. Hassaurek to Mr. Bustamante.*

LEGATION OF THE UNITED STATES,  
*Guayaquil, November 1, 1865.*

The undersigned, &c., &c., has the honor to acknowledge the receipt of your excellency's communication of the 25th ultimo, accompanied by a copy of the sentence pronounced by the court of the first instance in the case of the steamer Washington, declaring said vessel a lawful prize to the government.

If the sentence itself has surprised the undersigned on account of its utter disregard of all principles of good faith, reason, and justice, the undersigned is still more surprised to see that your excellency should have been able to discover in it "solid and incontrovertible reasons, impartiality, a truthful statement of the facts, and a proper application of the rules of maritime law."

The undersigned can only account for this singular approbation of a palpably erroneous and unjust decision, on the hypothesis that your excellency, being overwhelmed by the pressure of business inseparable from the organization of a new administration, has not yet had the time carefully and impartially to examine the correspondence of the undersigned with Mr. Pablo Herrera, and especially the notes which, on the 17th of July and 7th of August, the undersigned had the honor to direct to your excellency's predecessor.

To these notes the undersigned now invites your excellency's attention, in the expectation that, becoming satisfied of the self-evident justice of the claim they advocate, your excellency will not hesitate to direct the attorney general (fiscal) to dismiss the proceedings in the supreme court, and to issue an order for the restitution of the vessel to its rightful owners.

The undersigned would have said nothing with reference to the decision of which your excellency has had the kindness to send him a certified copy, if it had not been for your excellency's indorsement of the same, and the undeserved praises with which your excellency has seen fit to honor it. These praises compel the undersigned to reply to that part of your excellency's note, lest his silence be construed into acquiescence. The undersigned is sorry to observe that the presiding judge of the supreme tribunal of this republic should have rendered a decision which can reflect no credit on his country, because it not only violates all recognized principles of law, but, moreover, incorrectly states the facts of the case, or rather assumes as facts mere assertions, of which the record contains no proofs. It alleges that "Francis Game, while in command of the steamer Bolivar last year, voluntarily surrendered her to the same revolutionary and treasonable party that was afterwards defeated at Jambeli, for which offence the said Game was *generously pardoned* by the government."

The undersigned is astonished that a judge should have ventured such an assertion, no evidence whatever having been introduced by the government to sustain it. The facts are entirely different. Francis Game did not voluntarily or treasonably surrender the steamer Bolivar to the insurgents, but she was taken by force by two parties of armed men, who compelled the captain, notwithstanding his protests, to serve them. This state of facts was established by more than a dozen witnesses examined by order of the government at Guayaquil, where a criminal proceeding (sumario) had been instituted against Lim. The prosecuting attorney, (fiscal,) however, declared that as the alleged offence had been committed in another district, the defendant could not be tried in Guayaquil. An order was then made to transmit the papers to Machala, but, as the testimony was altogether favorable to Game, no further proceedings took place. For this reason it will be obvious to your excellency that Francis Game could not have been "generously pardoned" by the government, because a pardon presupposes an offence, and no man can be presumed guilty of an offence without having been properly convicted by a competent tribunal.

That the sentence in question violates the principles of natural law and universal justice as well as the municipal law of Ecuador, and especially articles 626 and 627 of the civil code, articles 623 and 624 of the commercial code, and article 10 of the treaty between the United States and Ecuador, it is useless to repeat. This part of the question has been fully argued in the notes of July 17th and August 7th, above referred to, and there is not a single proposition in Judge Acteta's decision which the undersigned has not already refuted. The undersigned only avails himself of this opportunity to declare to your excellency that in case said decision should be confirmed in the second instance, the government of Ecuador will be held responsible, not only for the full value of the steamer Washington, but also for all the damages accruing to the owners from her unlawful detention and confiscation.

But desirous of avoiding the complications which would inevitably follow if your excellency's government should persist in its present course, the undersigned still hopes that your excellency will, upon reflection and a thorough examination of the case, arrive at a different conclusion.

Reiterating to your excellency the assurances, &c., &c.

F. HASSAUREK.

His Excellency MANUEL BUSTAMENTE, &c., &c., *Quito*.

---

G.

*Mr. Bustamante to Mr. Hassaurek.*

[Translation.]

QUITO, *November 1, 1865.*

The undersigned, minister of exterior relations of Ecuador, has the honor to communicate to his excellency the minister resident of the United States of America that he has received at this department the estimable note which was addressed to him by his excellency on the 25th October, asking for an answer to a communication directed to the predecessor of the undersigned, with reference to some expressions in No. 59 of the Correo del Ecuador.

The undersigned will have the pleasure of answering the note of his excellency the minister resident of the United States of America as soon as the urgent and complicated occupations of the undersigned, arising from the impending adjournment of Congress, will permit.

The undersigned reiterates to his excellency the assurances of his distinguished consideration.

MANUEL BUSTAMENTE.

His Excellency the MINISTER RESIDENT *of the United States.*

---

GG.

*Mr. Hassaurek to Mr. Bustamante.*

LEGATION OF THE UNITED STATES,  
*Guayaquil, November 8, 1865.*

The undersigned, &c., &c., has the honor to acknowledge the receipt of your excellency's communication of the 1st instant, informing him of your excellency's intention to answer his note of the 25th ultimo as soon as your excellency's complicated and urgent occupations, arising from the approaching adjournment of Congress, will allow.

As the note which the undersigned had the honor of addressing to your excellency on the 25th ultimo refers to a matter of extreme delicacy and importance, the undersigned had hoped that it would be answered without delay, considering that this is not a new question, but has been pending for so long a time that the undersigned has been twice already under the unpleasant necessity of urging it upon your excellency's attention.

He expects, however, from the honorable and straightforward disposition of your excellency, that it will now be brought to a satisfactory solution.

&c., &c., &c.,

F. HASSAUREK.

His Excellency MANUEL BUSTAMENTE, &c., &c., *Quito*.

---

H.

*Mr. Bustamante to Mr. Hassaurek.*

[Translation.]

QUITO, *November 4, 1865.*

The governor of Guayaquil having represented to the government the bad condition of the steamer Washington, and the necessity of timely repairs before greater deterioration should take place, increasing the costs of repairs, as also the necessity of avoiding the danger of rust, it was ordered that said repairs should be made according to an estimate previously required. Once repaired and under an embargo to await the decision of the supreme court of the republic on the question of prize or no prize, it was natural to set her in motion, employing her to make trips to Bodegas for the purpose of carrying passengers and freight and of realizing some profits after paying the necessary employés.



I trust that your excellency's penetration will appreciate this measure, which cannot be looked upon as wrongful or injurious to the parties in interest, considering that the steamer stationed in the river of Guayaquil would produce nothing; while her present proceeds are deposited in the treasury, to belong to the government if the sentence pronounced by the presiding judge of the supreme court should be confirmed in the second instance, or to be paid over to the claimants, after deducting the expenses, in case the decision should be in their favor.

I have thus had the pleasure of answering your excellency's note of the 17th ultimo, and, after doing so, it affords me, &c., &c., &c., to remain, &c., &c.

MANUEL BUSTAMENTE.

His Excellency the MINISTER RESIDENT of the *United States*.

---

I.

*Mr. Hassaurek to Mr. Bustamente.*

LEGATION OF THE UNITED STATES,  
*Guayaquil, November 15, 1865.*

The undersigned, &c., &c., has the honor to acknowledge the receipt of your excellency's communication of the 4th instant, in answer to his note of the 17th ultimo, protesting against the employment of the steamer Washington by and for the benefit of the government before the final decision of the question of ownership, now pending in the supreme court of the republic, and without any authority from that tribunal for such employment.

As your excellency's observations do not change the aspect of the case, the undersigned merely begs leave to reiterate his protest, and to repeat to your excellency that, in case justice should be denied by the courts of the country to American citizens in cases where the government is the aggressor, they will look for protection to their own government, by which their rights will not be disregarded.

With expressions, &c., &c.,

F. HASSAUREK.

His Excellency MANUEL BUSTAMENTE, &c., &c., &c., *Quito*.

---

*Mr. Seward to Mr. Hassaurek.*

No. 114.]

DEPARTMENT OF STATE,  
*Washington, December 28, 1865.*

SIR: Referring to my despatch No. 113, of the 19th instant, I have now to acknowledge the receipt of your despatch No. 196, of November 12th, ultimo, with its accompanying enclosures, covering your correspondence with the minister for foreign affairs of Ecuador, on the subject of the steamer Washington and its ramifications.

The enclosed memorandum or report on the case, which has been prepared by my direction, after taking into consideration not only your despatch No. 196, but also the whole of your previous correspondence with this department upon the same subject, will, with the instructions hitherto given you, govern your future proceedings in the conduct of the case as it at present stands, and it is sincerely hoped that you will be enabled, by adopting the suggestions made in the report now transmitted you, to bring the question to a successful and amicable termination.

Your despatch No. 198, of the 27th ultimo, has likewise been received, and for which you have my thanks.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

FREDERICK HASSAUREK, Esq., &c. &c., &c.

*Memorandum as to the case of the steamer Washington, condemned, in the first instance, by the supreme court of Ecuador as lawful prize of war.*

The parties complaining of the detention and use by the Ecuadorian government of the Washington are American citizens long domiciled in its territory, and owning less than one-half of the vessel, the remaining interest being owned by native citizens of Ecuador.

The vessel is employed not in maritime commerce, but in an internal river traffic, and is therefore peculiarly subject to the municipal law of Ecuador.

The steamer was admittedly engaged in hostility to Ecuador, and was captured in actual fight.

Her condemnation is based on these facts, and, if correct, establishes a title which relates to the time of the capture.

We may dismiss all consideration of the use of the steamer, intermediate the capture and condemnation. If the latter is valid, it justifies that use; if not, the claimants are entitled to the value of the vessel when converted.

So we may dismiss all consideration of the delay in bringing on the trial and decision. If there was any wrong in this, it is merged in the greater one.

Upon the conceded facts thus far stated the propriety of the condemnation admits of no serious question.

It is said, however, that restitution to the owners should have been decreed because the Washington passed into the hostile service by the barratry of her master; and second, that the seizure and employment of her by the insurgents were piratical.

It is not denied that the master of the Washington was in conspiracy with the revolutionists, to whom he voluntarily surrendered her.

Assuming that the owners of the steamer were guiltless of any complicity with the master, the question is, how does his conduct, criminal, both as respects the Ecuadorian government and the owners, affect the rights of the latter?

It is doubtless true that the owners of a ship are often held responsible for offences committed by the master against belligerent rights, so as to involve the forfeiture of the vessel, and sometimes even personal damages in addition, although they neither commanded nor knew of them.

I think, however, that such cases will be found to have in them this element, viz: that the acts were such as the master could have supposed himself to be doing in the course of his general employment, and in the interest of his owners. The abandonment of the ship to the pirates, or to mere insurgents, can hardly be brought into this category. Then these are *maritime* instances, and it seems to me there is such a difference between the very large authority and discretion necessarily intrusted to the master of a sea-going vessel, and that which suffices for short river voyages, as to justify a corresponding distinction in the liability of the owners for his acts. At sea, out of reach of his owners and of courts, he may be taken to represent them in a much ampler sense than on a river.

I am bound to say, however, that this view of the case does not strike me as so irresistible that I could characterize an opposite determination by any judicial tribunal as manifesting such flagrant disregard of law and justice as to lose its title to respect and submission.

Let us suppose that we had permitted a steamer owned about half by English residents of Baltimore, and commanded by such a resident, to ply between that port and City Point at the time of the outbreak of the late rebellion; the steamer to have been surrendered by him to rebels in the James river; to have been armed by them, and to have captured one of our small cruisers in the Potomac; to have been subsequently captured by us and brought before a prize court. The evidence wholly failing to inculpate the owners, who intervene and ask a restitution of the vessel, the court may be supposed to say:

Public policy requires that those who intrust a steamer, capable of the mischief which this has wrought, with the power to put her into a position to do that mischief, should be answerable for the consequences of his acts, though not contemplated or approved by them. True, we find no evidence of their complicity, and this act, as it turns out, was manifestly opposed to their interests; but if the captain was acting in conformity with their secret instructions, or with their real, though unexpected, desire, it would always be a matter of the greatest ease to conceal the proofs. A consideration of the general interest, in having a plain rule capable of ready practical application, must override that of occasional hardship to the innocent.

Would such a decision be so manifestly outrageous as to authorize Great Britain to declare that it could not have proceeded from *error*, but must have been dictated by interest, malice, or wilful disregard of universal principles of justice? I think not.

I attribute no consequence whatever to the fact that the Ecuadorian government denounced the seizure as *piratical*, nor does it seem important to inquire whether, in truth, it was piratical, either under the municipal law or the law of nations. It was a naval operation for a political insurrection. That it so overstepped the limits which nations prescribe to themselves in the prosecution of war as to be *piratical* also, does not seem to me so to restrict the rights which the capturing government may assert in its discretion, or *waive* in its generosity.

This, I think, disposes of any question under article 10 of our treaty with Ecuador; that must, I think, be understood to refer to cases of simple piracy, unconnected with insurrection or belligerency in any form.

I understand the rule to be that before a nation intervenes in behalf of its citizens domiciled abroad, whose rights have been passed upon by a judicial tribunal, it is required: 1st. That he should have defended those rights *himself*, and done what was in his power to enlighten the court; 2d. That he should prosecute the case through all the appellate tribunals to that of last resort, so that it may appear that no further remedy is left to him in the courts; 3d. That the final decision should be not merely erroneous, but so flagrant as to shock the moral sense, and beget the conviction that the court cannot be supposed to have acted from mistake of judgment, but have wilfully disregarded plain rights.

Our citizens who go to reside under foreign jurisdictions, go there to take such law and such modes of administering it as are dealt to native subjects, however imperfect they may be, except in such countries as China, Japan, &c., where special treaties relieve them of the obligation.

In this case there is no pretence that the injustice alleged is aimed at American citizens, as such, for a majority of the owners of the Washington are Ecuadorians.

On the whole, I think that our minister should desist from further discussion until, after final judgment in the court of last resort, he has reported its decision and the reasons it may assign, and has received such instructions as the case may then seem to require.

If it were practicable to advise the American owners of the Washington, I should recommend them to *offer* to the Ecuadorian government the same salvage (one-third of the value) which that government offered for the recapture of its war ship captured by the Washington, and ask restitution on those terms before the prize court had reviewed the judgment in the first instance. It is *unreasonable* (dismissing all question of legal right) that the government should bear the expense of restoring to the owners a ship of which they had been deprived *by their own agent*. The salvage is, probably, quite insufficient to reimburse Ecuador for the expenses to which it has been subjected.

Approved.

WILLIAM H. SEWARD.

*Mr. Prevost to Mr. Seward.*

No. 2.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Guayaquil, January 27, 1866.*

SIR: The supreme court of the republic of Ecuador have, in the second instance, confirmed the sentence of the court in the first instance in the verdict that the steamer Washington is a good prize to the government of Ecuador "buena presa."

The supreme court, sitting in the second instance, is the highest tribunal of the country, to whom the owners of that steamer had appealed for justice. The steamer Washington, after having been seized, and while actually running as a passenger and freight boat, by and for account of the government, took fire and was entirely consumed.

The death of Admiral Pareja, the commander of the Spanish naval forces in the Pacific, has created much sensation both here and in Quito. The chargé d'affaires of her Catholic Majesty at Quito has been for some time past endeavoring to induce the government of Ecuador to preserve a strict neutrality in the war between Spain and Chili, and to permit the national ships of her Catholic Majesty to enter the port of Guayaquil for the purposes of taking provisions, coals, and repairs, &c. On the other hand, an extraordinary diplomatic commissioner has been sent to the cabinet of Quito by the present government of Peru, for the purpose, as it is currently said, to induce Ecuador to join her two sister republics, Chili and Peru, in defending their rights against the intrigues of Spain.

I am not able at present to state to your excellency the result, but the chargé d'affaires of Spain has left the capital and is now in this city awaiting the result. It is, however, almost universally believed here that the government of Ecuador will side with her two sister republics, and may thus have a war with Spain.

I have the honor to remain your excellency's most obedient servant,

L. V. PREVOST,

*United States Consul in charge of the Legation.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Prevost to Mr. Seward.*

No. 3.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Guayaquil, February 12, 1866.*

SIR: In my despatch No. 2, under date of 27th of January last, I had the honor of informing your excellency of the existing difficulty between Ecuador and Spain, and her relative position *vis-a-vis* her two sister republics, Peru and Chili.

The minister of the republic of Peru, at Quito, has been urging the Ecuadorian government to declare war against Spain, and though the cabinet of Quito has not yet done so publicly, it is, notwithstanding, currently reported that war was declared on the 28th of January, and that the Peruvian government has already the decision of Ecuador.

The Spanish chargé d'affaires to Ecuador has already left Quito, and is now in Guayaquil, expecting to receive his passport to take his departure for Spain by the next steamer.

There is much excitement prevailing here against Spain and the Spanish residents. Some nights since a party of young men, headed by a band of music, promenaded the streets of this city, singing patriotic songs; stopped before the door of the Spanish consul, and sang some insulting and offensive songs.

Most of the Spanish resident merchants, long established in the country, are now arranging their affairs preparatory to leaving the country for Europe. From Peru several have arrived here, *en route* for Europe, believing that they will be molested should they stay either in Ecuador or Peru.

Among the shipping in port there are several Spanish vessels, now loaded with the produce of Ecuador and bound for Spain. Their departure is, however, prevented by the appearance of a Peruvian privateer, now cruising in the lower part of the river, evidently awaiting prizes.

I have the honor, sir, to remain, with great respect, your obedient servant,  
L. V. PREVOST,

*Consul of the United States in charge of the Legation to Ecuador.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Prevost to Mr. Seward.*

No. 4.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Guayaquil, February 22, 1866.*

SIR: On the 17th of the present month the first instalment of the claims against the government of Ecuador, adjusted by the mixed commission under the convention between the United States and Ecuador, became due.

On the 24th of January last I directed an official note to Mr. Bustamente, the minister of exterior relations at Quito, advising him of the day the said first instalment would become due; and, strange to say, up to the present time Mr. Bustamente has neither caused the amount to be paid into my hands, nor has he had the civility to answer or even to acknowledge the receipt of my official communication.

I shall now await until the arrival of the mail from Quito, the 24th instant. If payment be not then made, I shall deem it to be my duty to direct another note to Mr. Bustamente, protesting against such a violation of treaty stipulations.

I have the honor to remain your excellency's obedient servant,  
L. V. PREVOST,

*Consul and Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Prevost to Mr. Seward.*

No. 5.]

LEGATION OF THE UNITED STATES,  
Guayaquil, February 22, 1866.

SIR: I have the honor to inform your excellency that the government of Ecuador have formed a *convenio de alianza* with the republics of Chili and Peru, under date of 30th of January last, which, however, was not published in the capital until the 6th instant.

I send to your excellency, enclosed, a copy of the Nacional, of Quito, the official organ of the government, which contains the convention of alliance. The same paper contains an official note from Mr. Bustamente, the minister of exterior relations, addressed to the Spanish chargé d'affaires, announcing to him that the government of Ecuador have assumed the character of belligerent against Spain.

All relations between Spain and Ecuador having ceased, the Spanish chargé d'affaires, with the consul, will leave in the steamer that sails to-morrow.

The government of Ecuador have not issued any circular to the diplomatic or consular body, nor have they as yet specified a limit of time for the ingress and egress of Spanish vessels. They have, however, ordered the governor at this place not to allow any Spanish vessel of war to coal, provision, or take any water.

As soon as it was known in Guayaquil that the government had assumed the position of belligerent against Spain, cocoa, the main agricultural production of the country, fell nearly forty per centum in price; and the reason is very simple: Spain is the largest consumer of the production of Ecuador, but it must be shipped to her in Spanish vessels, otherwise a very heavy duty is required to be paid at the port of entry.

With sentiments of high consideration, I have the honor to subscribe myself your excellency's most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

#### FOREIGN RELATIONS.

*Convention of alliance, offensive and defensive, concluded between Ecuador, Chili, and Peru.*

#### DEFINITIVE PROTOCOL.

In the city of Quito, capital of the republic of Ecuador, on the thirtieth day of January, anno Domini eighteen hundred and sixty-six, on invitation of his excellency Doctor Manuel Bustamante, minister of foreign relations of this republic, met in the hall of his office the honorable José Luis Quiñones, envoy extraordinary and minister plenipotentiary of Peru, and the honorable José Nicolas Hurtado, chargé of Chili, for the important purpose of effecting the union and alliance of their respective governments in the war against Spain, when his excellency Mr. Bustamante with full authority and proper instructions, manifested explicitly—

That the government and people of Ecuador consider the cause of Chili as eminently American; that community of interests will not allow Chili to remain alone in the contest without the assistance of her sister republics on this continent; that the unjust aggression of Spain upon Chili is a menace to the honor, dignity, and rights of that republic and the other republics of South America, and it is their duty to join their forces and means in defence of that sovereignty and independence which they jointly conquered in the war for their political emancipation; and finally that they proclaim, in the name of the government and people of Ecuador, the union and alliance of the republics of Ecuador, Peru, and Chili.

The minister of Peru and chargé of Chili joined in the noble, patriotic, and American sentiments of Minister Bustamante. Therefore it was definitively agreed that the republic of Ecuador, from this date, forms an offensive and defensive alliance with the republics of Chili and Peru, and now makes common cause with them in their present war against Spain. Finally they agree to make this protocol permanent and final, to answer the purposes in view.

In faith whereof, the ministers signed and sealed with their respective seals three copies of the same tenor and purpose, in presence of us, the undersigned, chief official in the department of foreign relations, secretary of the legation of Peru, and official of the legation of Chili.

[SEAL.]  
[SEAL.]  
[SEAL.]

MANUEL BUSTAMENTE.  
J. L. QUINONES.  
J. NICOLAS HURTADO.

JUAN LEON MERA,

*Chief Official in the Department of Foreign Relations.*

JOSÉ MANUEL SUAREZ,

*Secretary of the Legation of Peru.*

EUSEBIO LARRAIN,

*Official of the Legation of Chili.*

DEPARTMENT OF FOREIGN RELATIONS,

*Quito, February 7, 1866.*

The undersigned, minister of foreign relations of Ecuador, addresses the honorable chargé of her Catholic Majesty to inform him that, on the 30th ultimo, in this capital, he signed, with the honorable envoy extraordinary and minister plenipotentiary of Peru and the honorable chargé of Chili, a solemn treaty of alliance, offensive and defensive, in the present war between those republics and the government of Spain, and that in consequence he has assumed the character of belligerent, by force of powerful reasons that induce this government to act in that manner.

With sentiments of esteem and profound consideration, the undersigned declares himself the chargé's very obedient servant,

MANUEL BUSTAMENTE.

His Excellency her Catholic Majesty's CHARGÉ D'AFFAIRES.

INTERIOR DEPARTMENT REPUBLIC OF ECUADOR,  
DEPARTMENT OF STATE, OFFICE OF THE INTERIOR,  
*Quito, February 7, 1866.*

As Ecuador has declared itself a belligerent in favor of the republics of Chili and Peru, by an offensive and defensive pact of alliance, recently signed on account of their war with Spain, therefore the vessels of the Spanish squadron which are now blockading the ports of Chili are forbidden to enter any ports of this republic for provisions, coal, or water, or for repairs.

In virtue whereof, and by decree of the President of the State, I make this known to you, so that, in case of necessity, you may enforce this decree with the greatest stringency in the province of your jurisdiction.

God preserve you.

MANUEL BUSTAMENTE.

The GOVERNOR of the province of *Guayaquil*.

A similar despatch has been sent to the provinces of Menabi and Esmeraldas.

*Mr. Prevost to Mr. Seward.*

[Extract.]

No. 6.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, March 1, 1866.*

SIR: In my despatch No. 4, under date of 22d February, I had the honor to advise your excellency that I had directed a note to Mr. Manuel Bustamente, the minister of exterior relations, under date of 24th of January, informing him that the first instalment of the awards of the mixed commission would be due upon the 17th of February, and that I had been instructed to receive the same in behalf of my government.

Upon the 24th of February I received an official note from Mr. Bustamente,

which I transcribe in the enclosure marked A No. 1. I send also a translation of the same, marked B No. 2.

Mr. Bustamente seems to have entirely misunderstood my note, which was written in plain English. I have again written to Mr. Bustamente, informing him that he had entirely misunderstood my note of the 24th of January; that I respectfully requested that he should re-read the note.

\* \* \* \* \*  
I have the honor, sir, to subscribe myself your excellency's most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Bustamente to Mr. Prevost.*

[Translation.]

QUITO, February 14, 1866.

The undersigned, minister of exterior relations of Ecuador, has the honor to acknowledge receipt to the consul and secretary in charge of the legation of the United States of America of his valued official communication, dated the 24th of January last, advising him that the undersigned will submit the affairs (asuntos) of the mixed commission as they take place for his decision.

The undersigned takes pleasure to offer to Mr. Prevost, &c., &c.

MANUEL BUSTAMENTE.

---

*Mr. Seward to Mr. Prevost.*

DEPARTMENT OF STATE,  
*Washington, March 8, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 1, of the 27th of January last, with its three enclosures, A, B, and C, in which you inform me of your appointment as acting secretary of the legation of the United States in Ecuador, by Mr. Frederick Hassaurek, the late minister resident to that republic, this measure having been rendered necessary to enable you to receive from the government of Ecuador the payments of the awards made in behalf of citizens of the United States, under the convention of November 25th, 1862, as they shall become due by instalments, and until otherwise instructed. The appointment thus made by Mr. Hassaurek meets the approbation of this department.

In reply to the request you make for instructions, I have to direct that you remit to this department the amount of the first instalment, which became due on the 17th ultimo, should it have been paid to you, by purchasing good bills upon England. In the event, however, of the failure of Ecuador to meet its obligations, you will protest against the violation of the stipulations of the convention of 1862, and report the facts to this department.

Your despatches Nos. 2 and 3 have likewise been received, and are deemed very interesting.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LOUIS V. PREVOST, Esq., &c., &c., &c.

*Mr. Prevost to Mr. Seward.*

[Extract.]

No. 7.]

UNITED STATES LEGATION,  
*Guayaquil, March 21, 1866.*

SIR: I have the honor to inform your excellency that war was declared by the government of Ecuador, against Spain, on the 27th of February last. I enclose herein copy of Mr. Bustamente's note, with the President's decree, sent to this legation, marked A. A translation of the same is also enclosed, marked B. The receipt of Mr. Bustamente's note was acknowledged by me without comments whatever.

The declaration of war was publicly promulgated in this city upon the 9th instant, with great pomp. The entire military troops of the place were under arms; the flags of the republics of Chili, Peru, and Ecuador were displayed from the government house, and their respective national airs were played by the military band in front of said building, in the presence of the governor of the province and members of the local government of this city. A large multitude of people had assembled to witness the ceremony.

\* \* \* \* \*

The Spanish fleet has been, as I understand, re-enforced in the Pacific by three first-class iron-clad frigates, making nine men-of-war in the waters of the Pacific, while four heavy gunboats have already passed the point of ———, bound also for the same station.

It is evident that Spain, with such a force at hand, will require a port to recruit the sick, to procure fresh water and provision, to make a coal depot, as well as to make the repairs actually necessary. No port on the entire coast of the south Pacific offers the inducements as Guayaquil upon all the points above recited, especially for fresh water, fresh provisions, good ship timber, and a tide of fourteen feet in the river, for the repair of ships. It is to be believed, therefore, that the Spanish admiral will, as soon as necessity becomes urgent, take possession of this port.

The Peruvian man-of-war steamer *Tumbez* arrived in this port on the 8th instant, bringing for this government one thousand old muskets, (worthless,) and four forty-pounder old style guns. The Peruvian government has also sent a body of engineers to fortify the entrance of the city. There are at present five mounted guns in the most populous part of the city, fronting the river, which, at low water, could not be depressed sufficiently to play upon a gunboat in the river. These guns would only serve to draw the fire of the enemy upon a city built entirely of wood, which in a few hours could be reduced to ashes by a good gunboat.

I have deemed it to be my duty to address a communication to the acting rear-admiral commanding the United States naval forces on the Pacific, informing him of the declaration of war, copy of which I enclose, marked "C," which I trust will be approved.

With expressions of respect and high consideration, I have the honor to remain your excellency's most obedient servant,

L. V. PREVOST.  
*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Bustamente to Mr. Prevost.*

[Translation.]

QUITO, *March 3, 1866.*

The undersigned, minister of foreign affairs of Ecuador, has the honor to inform L. V. Prevost, esquire, consul of the United States of America and secretary in charge of the



legation, remitting a legalized copy of an executive decree, by which it is declared that Ecuador is at war with the government of Spain.

The conduct observed by the cabinet of Madrid towards the republics of Peru and Chili has not been friendly or just. The supposed right of revindication was invoked against Peru in order to occupy by force of arms the Chinha islands, situate in its territory, denying the independence and sovereignty of the nation, solemnly recognized by explicit and reiterated acts of the same Spanish monarchy and several European and American States with which they have existing treaties.

The war declared against Chili is not less unjust with respect to the motives alleged by Spain, which are extremely irregular and unusual in form.

Diplomatic means could and should be employed in the interest of peace in continuation of the friendly relations and harmony which subsisted between the two governments; since the representative of Spain accredited to Santiago had esteemed the excuses given by the Chilean government to the demands for injuries which Señor Taveira thought he saw in several events as sufficient, but which were again revived, declaring that the Spanish chargé d'affaires had exceeded his instructions, and that his behavior had met the disapprobation of his sovereign.

The proceedings of her Catholic Majesty's government with respect to Chili and Peru have produced alarm on the continent and engendered distrust for the future of other republics, who fear, not without reason, to be hereafter attacked under frivolous pretexts and to see in jeopardy their nationality, irrevocably acquired at the cost of immense sacrifices and torrents of blood in order to shake off opprobrious title of colonies, and place themselves in the rank of sovereign and independent nations.

Ecuador, to whom, as well as to Chili, has been disputed the right to declare what constitutes articles of contraband of war, to prohibit the exportation of coal from its ports during the contention between Peru and Spain, in which both States assumed the character of neutrals, has not been able to proclaim, impassively, its liberty and independence, on seeing that one of the pretexts invoked against Chili is that already related. In observance, therefore, of its own well-being, and it not being given to it to look with indifference on two brotherly and friendly peoples, bound by sacred ties, who should preserve and respect each other, has ratified an alliance offensive and defensive with Peru and Chili, and formed common cause to resist an invasion clearly without foundation, and condemned by the public opinion of both worlds, and share the glory of triumph or the consequences of adversity, saving in every case its dignity and honor.

With sentiments of high esteem and profound respect the undersigned subscribes himself, &c., &c.,

MANUEL BUSTAMENTE.

L. V. PREVOST, Esq.,  
*Consul of the United States, &c., &c., &c.*

*President Carrion to Mr. Bustamente.*

[Translation.]

Jerome Carrion, president of the republic of Ecuador, &c., &c., having signed a compact of alliance, offensive and defensive, between this republic and that of Peru and Chili in the war actually existing against the government of Spain, and made common cause with the three states, decree:

ARTICLE 1. That Ecuador declares against the government of Spain.

ARTICLE 2. The ministers of state in their respective departments are to take charge of the present decree, which is to be published with due solemnity, and communicated immediately to whom it concerns.

Given at the government palace at Quito 27th February, 1866.

J. CARRION

MANUEL BUSTAMENTE,  
*Minister of State in the Department of Exterior Relations  
and in charge of the Department of Interior.*

*Mr. Prevost to Admiral Pearson.*

LEGATION OF THE UNITED STATES,  
*Guayaquil, March 21, 1866.*

SIR: The minister resident of the United States went home last December, leaving the undersigned in charge of the legation. I deem it my duty to inform you that the government of Ecuador, on the 27th of February last, formed an alliance with the republics of Chili and Peru, declaring war against Spain. On the 9th instant war was promulgated in this city with great pomp, by the government and the native people of the place.

The Peruvian gunboat *Tumbez* arrived here some few days ago, bringing for this government one thousand stand of arms and four pieces of heavy guns, with a body of engineers, sent by the Peruvian government to fortify one of the bends of the river near the city. I have reason to apprehend that the Spanish admiral will soon send vessels here to prevent the fortification from being erected, and to capture this place. I have, therefore, to request of you the propriety of sending to this port one of the vessels under your command, not otherwise engaged, to protect American interests.

I remain, sir, &c., &c.,

L. V. PREVOST,

*United States Consul, in charge of the Legation.*

Acting Rear-Admiral PEARSON,

*Commanding United States Naval Forces, &c., &c., Panama.*

---

*Mr. Seward to Mr. Prevost.*

DEPARTMENT OF STATE,

*Washington, April 7, 1866.*

SIR: I have received your despatch No. 6, of the 1st of March, transmitting the reply of Mr. Manuel Bustamante, the minister for foreign affairs of the republic of Ecuador, dated February 14th last, to your note to him of January 24th, informing him that the first instalment on the awards made by the commissioners under the convention of November 25th, 1862, would be due by Ecuador on the 17th February, 1866, and that you had been instructed to receive the same in behalf of your government.

On the receipt of this despatch, should Mr. Bustamante not have replied in a more satisfactory manner to your subsequent note to him in which you again call his attention to yours of the 24th of January, you are instructed to again address a respectful communication to him, and to ask an explicit answer on the subject of the payment of the said instalment, now past due, and to report the result to this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

L. V. PREVOST, Esq., &c., &c., &c.

---

*Mr. Prevost to Mr. Seward.*

[Extract.]

No. 8.]

LEGATION OF THE UNITED STATES,

*Guayaquil, April 10, 1866.*

SIR: I have the honor to acknowledge receipt of your two despatches dated, respectively, 8th and 19th of March, the former confirming the appointment of acting secretary of legation bestowed on me by the late minister resident of the United States, and also instructing me to protest against the government of Ecuador, in the event that the payment of the first instalment of the awards of the mixed commission of the convention of November 25th be refused.

I transmit to your excellency the last note received from Mr. Bustamante, marked A, which was received in due course of mail from the capital, and in which payment was promised by the next mail. A translation of said note will also be found enclosed, marked B.

I have waited until a fourth mail has arrived from Quito, and having received neither the amount nor even an explanation, I addressed a note to the minister of exterior relations, strongly protesting against the violation of the convention of November, 1862, in not meeting the payment of the awards of the first instalment of the mixed commission under the said convention; copy of my note and protest is herewith enclosed, marked C.

\*

\*

\*

\*

\*

\*

In the mean time, however, should the amount be paid under the protest, I will avail myself of the first mail to remit by exchange on England, as per your excellency's instruction.

I have the honor, sir, to remain, your most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

B.

*Mr. Bustamente to Mr. Prevost.*

[Translation.]

QUITO, March 21, 1866.

The undersigned, minister of exterior relations of Ecuador, has the honor to inform the consul of the United States of the North that he has received his note of the 26th of February last, and that by the next mail he will give the required orders to satisfy his claim.

Until then, the undersigned subscribes himself, &c.,

MANUEL BUSTAMENTE.

L. V. PREVOST, Esq., *Consul, &c., &c.*

---

C.

*Mr. Prevost to Mr. Bustamente.*

UNITED STATES LEGATION,  
*Guayaquil, April 9, 1866.*

The undersigned, consul and acting secretary of legation of the United States of America, has the honor to acknowledge the receipt of your excellency's note of the 21st of March last, informing the undersigned that by the next mail (per el correo immediate) your excellency would give the necessary orders for the payment of the first instalment of the awards of the mixed commission under the convention of November, 1862.

The undersigned, on receipt of said note, relying on the good faith of your excellency's government to fulfil the obligation, felt satisfied and confident that the payment would be forthcoming by the next mail as stated in the note of your excellency. But the undersigned is sorry to say that he has waited until a second and, indeed, a third mail has arrived from the capital without having received the amount, or even an explanation from your excellency. He has even called upon the governor of the province, in order to ascertain if orders had been received from the supreme government to satisfy the payment of said first instalment. The undersigned was assured by the governor that no orders whatsoever had been by him received.

As painful as it may be to the undersigned, yet acting under instructions from his government at Washington, it becomes his imperative duty as consul and acting secretary of legation, solemnly to protest against the government of Ecuador for violations of the stipulations of the convention of November, 1862, in not meeting the payment of the first instalment of the awards of the mixed commission, which fell due upon the 17th of February, 1866, and to inform your excellency that the government of Ecuador will be held responsible for all past, present, and future damages that may happen in the premises.

The undersigned has the honor, &c., &c., &c.,

L. V. PREVOST.

His Excellency Don MANUEL BUSTAMENTE,  
*Minister of Exterior Relations, &c., &c., Quito, Ecuador.*

---

*Mr. Prevost to Mr. Seward.*

No. 9.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, April 20, 1866.*

SIR: I have the honor to inform your excellency that since my last despatch to the Department of State, I have had no official communication from the min-

ister of exterior relations at Quito, relative to the protest which I directed to him in compliance to your instructions for having violated the stipulations of the convention of November, 1862; but I learn from private source that it is more than probable that the government of Ecuador will refuse to receive the protest.

The notice of the bombardment of Valparaiso reached this city on the 18th instant, and has created great excitement. The government here are taking some steps towards preventing the Spanish fleet from getting up to this place by erecting a mud fort in one of the short bends of the river, and contemplate throwing a cable across or otherwise obstructing the river.

I have the honor to remain, with great respect, your excellency's humble servant.

L. V. PREVOST,  
*Acting Secretary of Legation.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Prevost.*

DEPARTMENT OF STATE,  
*Washington, April 21, 1866.*

SIR: I enclose herewith a copy of a communication\* addressed, by direction of the President, on the 19th instant, to Señor F. S. Asta Buruaga, the chargé d'affaires of the republic of Chili duly accredited to the government of the United States, in reference to the war now pending between Spain and Chili and the allies of the latter.

You are instructed, on the receipt of this despatch, to address a respectful note to the minister for foreign affairs of the republic of Ecuador, with which you will transmit to him a copy of my communication to Señor Asta Buruaga, requesting at the same time a reply thereto at his earliest convenience, and which, when received, you will lose no time in forwarding to this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LOUIS V. PREVOST, Esq., &c., &c., &c.

---

*Mr. Prevost to Mr. Seward.*

No. 10.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, April 26, 1866.*

SIR: The government at Quito seems to take no notice of the protest which I sent to the minister of exterior relations, under your instructions, for violating the stipulations of the convention of November, 1862. Should I receive no acknowledgment of its receipt by the next mail, I shall deem it my duty to address another note to the minister.

The late news of the bombardment of Valparaiso created great sensation and excitement in this city. Constant meetings night and day were held, and the lower class was so enraged against the Spanish residents of the place that they were compelled to close their stores and houses. For four days the city was in a constant state of alarm; the cry of the infuriated people, "Death to all Spaniards," was constantly heard; the city was fairly governed by the mob; the local authorities took no steps towards re-establishing order.

---

\* For enclosure see correspondence with Chilian legation.

Several of the wealthiest Spanish residents and merchants of the place, entertaining great danger of life, desired to leave the country in the British mail-boat, and made application to the foreign consuls to procure passports for them from the local authorities.

The foreign consuls, in a body, called upon the governor on Sunday last, to solicit passports for such of the Spanish residents that desired to leave the country; but the governor refused to grant them their passports, saying that the mass of the people was so enraged against the Spaniards that the granting of passports might increase the disorder which the city was thrown in, and that he was so much afraid of a revolt that he dared not call the troops to put an end to the existing disorder.

We represented to the governor that we had come on a mission of humanity, in behalf of these Spaniards who had thrown themselves upon the foreign consuls as their only protection. The British consul then asked the governor, if any of the Spaniards could make their way on board the British steamer, he would order the commander to give them up, and, upon his refusal, if he would use force to compel them to come on shore. To this the governor answered that, once on board of a mail-boat carrying a neutral flag, he had no authority to demand them on shore, and that he would not use force to compel them to come on shore.

Under the faith of the governor's promise, some six or eight of the most prominent Spanish residents made their way on board the mail-boat; but a committee from the mob at once made application to the governor, asking him to issue an order to the British consul to place these Spaniards on shore.

The governor, either from intimidation or from fright, notwithstanding his solemn promise, issued out an order to the British consul demanding the delivery of these gentlemen. This the consul refused to do. Finally, the governor himself, accompanied by the commander general and the chief of police, went on board the steamer and demanded that these gentlemen should be at once landed; but the commander of the steamer refused, and sailed immediately thereafter. As the steamer was going down the stream she was fired upon by one of the batteries; some say that the gun was shotted, others say no. The party who gave the order to fire, as well as the one who fired the gun, have both been placed in prison.

The state of excitement has somewhat subsided, as a few of the leaders of the mob have been arrested by the police; but I am expecting that the same disorder will again occur, as the mob know the local governor is a man without any energy.

I could not refuse to join my colleagues in the mission to the governor, which was a mission of peace and of humanity. We were well received by the governor, who applauded the zeal we had taken in the matter, and said, in concluding with us, that he himself was a son of a Spaniard, and that he might perhaps be compelled one day to seek an asylum, and would, in that case, ask the protection of the flag of the "great republic."

I hope that my conduct in the matter will meet the approbation of the department.

I have the honor, sir, to remain, with great respect, your obedient servant,

L. V. PREVOST,

*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Prevost.*

DEPARTMENT OF STATE,

*Washington, May 4, 1866.*

SIR: I have to acknowledge the receipt, on the 3d instant, of your despatch of the 10th ultimo, with its enclosures, marked A, B, and C.

The course you have pursued respecting the non-payment of the instalment due on the 17th of February last by the republic of Ecuador, is fully approved.

You will, on receipt of this despatch, address a note to the minister for foreign affairs of that government, and make a peremptory demand for the payment of that instalment, now over due.

Meanwhile, I have to inform you that the correspondence which has hitherto taken place between yourself and the department will be immediately submitted to Congress for their consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LOUIS V. PREVOST, Esq., &c., &c., &c.

---

*Mr. Prevost to Mr. Seward.*

[Extract.]

No. 11.]

LEGATION OF THE UNITED STATES,

*Guayaquil, May 13, 1866.*

SIR: I have the honor to transmit to your excellency copy of the reply of Mr. Bustamante, the minister of exterior relations of Ecuador, in answer to my protest, marked A, with an accompanying translation of the same into English, marked B.

\* \* \* \* \*

Under the existing circumstances, the matter must now rest until I can receive especial instructions from the hands of your excellency.

Awaiting such instructions, I have the honor, sir, to remain, your obedient servant,

L. V. PREVOST,

*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

B.

*Mr. Bustamante to Mr. Seward.*

[Translation.]

QUITO, *April 25, 1866.*

I have the honor to transmit to you a certified copy of the despatch of this day's date, which the honorable secretary of the treasury has sent to me, relative to the claim for the payment of the first instalment stipulated by the mixed commission.

I avail myself of this occasion to reiterate to you the assurances, &c.

MANUEL BUSTAMANTE.

---

REPUBLIC OF ECUADOR, TREASURY DEPARTMENT,

*Quito, April 25, 1866.*

SIR: The claim made upon this department for the first instalment of the American creditors, which should have been paid upon the 17th of February last to Mr. L. V. Prevost, consul, and in charge of the legation of the United States of America, is right and proper,

and in order to fulfil it I have written this day to the governor of Guayas, instructing him to make arrangements for its payment in the months of July and August, in which the change of season will give place to the introduction of merchandise that may produce custom-duties, and the excise upon salt may cause sales for the consumption of the interior towns, which, in those months, assemble to purchase it.

The notorious paralyzation of these branches, which constitute the principal revenue of the State, have not allowed the government to pay in time the reclaimed dividend with the desired punctuality; and it is on this account that I have felt myself under the necessity of giving the order in the terms indicated.

According to the law of the treasury, which governs the matter, the payments should be made by presentation of the documents of credit. Mr. Prevost should present the certificates issued by the commissioners, so that the treasurer may note the amounts paid on account.

May God preserve, &c.

MANUEL BUSTAMENTE.

The Honorable SECRETARY OF INTERIOR  
*and of Foreign Affairs.*

The above is a true copy:

MANUEL BUSTAMENTE.

C.

*Mr. Prevost to Mr. Bustamente.*

UNITED STATES LEGATION,  
*Guayaquil, May 13, 1866.*

SIR: I have the honor to acknowledge the receipt of your excellency's despatch, under date of 25th April last, a copy of which I shall at once transmit to the honorable the Secretary of State at Washington.

I deem it my duty to remark to your excellency that the law of the treasury of Ecuador which compels the production of a document of credit to the treasurer as a voucher or proof of debt against the government, cannot govern the present case, because a special convention between the two nations has been entered into for the purpose, wherein it is stipulated in article III "*se pagara al gobierno de que dependan los reclamantes.*" The government of your excellency must have received from the commissioner on the part of Ecuador the names of the claimants, with their respective amounts, which should be furnished to the treasurer.

I avail myself of this occasion to reiterate to your excellency, &c.

L. V. PREVOST.

Hon. MANUEL BUSTAMENTE,  
*Minister of Exterior Relations, Quito.*

*Mr. Prevost to Mr. Seward.*

No. 12.]

UNITED STATES LEGATION,  
*Guayaquil, May 13, 1866.*

SIR: The British mail steamer from the south arrived here on the 30th of April, bringing the news that the Spanish fleet had entered the port of Callao on the 26th, and the commander had given notice to the "intendente" of the port that he should proceed to bombard the place on the 1st of May.

The government of Ecuador has received no official communication from Señor Mendez Nunez, the Spanish admiral, yet it is believed by every one here that the Spanish fleet is now on the road to this place. For thirteen days the community has been in a constant state of excitement; most of the merchants have removed the most valuable portion of their goods up the river by chartering, at a fabulous rate, every available launch, raft, canoe, and chata. A large number of families have retired themselves from the city. What little goods and necessaries of life remains in the town is sold at an unheard of price.

The government of Ecuador, with what little aid Peru has sent, are erecting a new battery near the city upon the river side. The government have also sunk three vessels in the channel of the river some eight miles below the city, and have also placed a chain across the river, attaching a number of torpedoes

with the view of preventing the Spanish squadron from getting up to this city ; but those who are expert in engineering seem to think that the obstructions thus placed will not prevent the squadron from passing.

Don Ignacio Veintimille, the minister of war from Quito, arrived here yesterday ; the defence of the city is to be under his direction.

The city of Guayaquil is entirely built of wood and timber ; should the squadron shell or bombard it, the entire city must fall a prey to fire ; misery, distress, and famine must result.

Two months ago I had requested the commander of the United States naval forces on the station to order one of the vessels under his command to this place to protect American property and interests. Again, on the 1st instant, learning that he was at Callao, I addressed him another communication, urging upon him the necessity of detaching one of his vessels with orders for this place. Up to this date no vessel has reached this port ; and in case of a bombardment or other trouble, the Americans here, notwithstanding the large squadron on the station, will be without protection.

I have the honor, sir, to remain your most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Prevost to Mr. Seward.*

No. 13.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, May 22, 1866.*

SIR : I have the honor to acknowledge the receipt of your excellency's despatch, dated the 21st of April, enclosing to me a copy of a note addressed by your excellency to Señor F. S. Asta Buruaga, the chargé d'affaires of the republic of Chili, dated 19th of April.

As instructed by your excellency's despatch, I immediately addressed a respectful note to the honorable the minister of exterior relations of the republic of Ecuador at Quito, (A,) enclosing a copy of said note, and requesting an answer thereto at his earliest convenience.

So soon as the minister of exterior relations of Ecuador shall answer my note, I shall avail myself of the first mail to transmit the same to your excellency.

I avail myself of this occasion to again offer to your excellency the renewed assurance of my high consideration and esteem with which I have the honor to remain your excellency's most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

A.

*Mr. Prevost to Mr. Bustamente.*

LEGATION OF THE UNITED STATES OF AMERICA,  
*Guayaquil, May 20, 1866.*

SIR : I am instructed by my government to transmit to your excellency copy of a communication addressed on the 19th of April last, by the Hon. William H. Seward, Secretary of State of the United States of America, to Señor F. S. Asta Buruaga, the chargé d'affaires of the republic of Chili duly accredited near the cabinet at Washington, in regard to the war now pending between her Catholic Majesty and the republic of Chili, and the allies of the latter.



I am further instructed by my government to request that your excellency will, at the earliest convenient moment, honor me with a reply, that I may transmit the same immediately to my government.

I avail myself of this opportunity to offer to your excellency the assurance of my high esteem with which I have the honor to remain your excellency's most obedient servant,  
L. V. PREVOST.

Hon. M. BUSTAMENTE,  
*Minister of the Exterior Relations of the Republic of Ecuador, &c., Quito.*

---

*Mr. Prevost to Mr. Seward.*

No. 14.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, May 22, 1866.*

SIR: Since my despatch No. 12, addressed to your excellency, the government of Ecuador has been constantly occupying a large body of men erecting a new fortification below the city. The several vessels sunk at Sono, some eight miles below, will not, it is believed, prevent the Spanish squadron from entering the port. The reported victory of the Peruvians at Callao, of the Spanish squadron, seems to have revived the energy of this government and filled the inhabitants with courage.

The government has served a notice to all foreign consuls in this place that it had caused the river to be obstructed and a line of torpedoes placed at Sono; that vessels bringing freights to Guayaquil must discharge their cargoes on the island of Puna, some forty miles from the city.

All the business houses continue to be closed; provisions of all kinds are becoming very scarce; should such a state of things continue, the suffering will become very great.

I have the honor, sir, to remain, your most obedient servant,  
L. V. PREVOST,  
*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Prevost.*

DEPARTMENT OF STATE,  
*Washington, June 5, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 11, of the 13th May, and copy of Mr. Bustamante's note in answer to your protest against the non-payment of the instalment due from Ecuador under the convention of November 25th, 1862, between the United States and that country, and of your reply thereto. Your answer to that gentleman is approved.

In this connection I transmit herewith copy of the correspondence\* between this department and the representatives of Peru and Chili near this government, from which you will perceive that an engagement has been entered into by which the payment of said instalment is deferred until the 17th of September next. You are, therefore, instructed to wait until the expiration of that period.

Your despatch No. 12 has also been received. It informs me that the community of Guayaquil are apprehensive that the Spanish fleet intend to bombard that city, and that preparations are in progress for the purpose of resisting it. Information here leads me to believe that the Spanish fleet are not meditating an attack on Guayaquil.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

L. V. PREVOST, Esq., &c., &c., &c.

---

\*For enclosure see correspondence with the Peruvian and Chilian legations.

*Mr. Prevost to Mr. Seward.*

No. 15.]

UNITED STATES LEGATION,

*Guayaquil, June 10, 1866.*

SIR: I have the honor to transmit to your excellency copy and translation of an official note from Mr. Bustamente, the minister for foreign affairs, acknowledging receipt of my note of May 20, which contained a copy of the note addressed by your excellency to the chargé d'affaires of Chili at Washington.

As soon as I shall receive a further communication from Quito, I will at once transmit it to your excellency as instructed,

I remain, sir, your most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Bustamente to Mr. Prevost.*

[Translation.]

QUITO, *May 30, 1866.*

I have the honor to acknowledge the receipt of your communication under date of the 20th of the present month, accompanying a copy of an official despatch of his excellency W. H. Seward, Secretary of State of the United States of America, addressed to Mr. F. S. Asta Buruaga, the chargé d'affaires of Chili at Washington, relative to the existing war between Spain, Chili, and the other allied republics.

The supreme government will give due attention to so interesting a communication, and will communicate to you its result with all possible despatch, so that you may place the same before the illustrious cabinet of Washington.

I avail myself of this occasion to salute you, and subscribe myself, &c., &c.,  
MANUEL BUSTAMENTE.

Mr. L. V. PREVOST,  
*Consul and Acting Chargé d'Affaires of the United States of America.*

*Mr. Prevost to Mr. Seward.*

No. 16.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Guayaquil, June 10, 1866.*

SIR: I have the honor to acknowledge the receipt of your excellency's despatch, dated May 4th, directing me to make a peremptory demand for the immediate payment of the instalment now over-due by the government of Ecuador, under the convention of November, 1862.

I enclose herewith copy of my note directed to Mr. Bustamente, the minister for foreign affairs, making the demand, marked A.

I remain, sir, your most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

*Mr. Prevost to Mr. Bustamente*

LEGATION OF THE UNITED STATES OF AMERICA,  
*Guayaquil, June 3, 1866.*

The undersigned, consul and acting chargé d'affaires of the United States, has the honor to inform your excellency Don Manuel Bustamante, the minister of exterior relations of the

republic of Ecuador, that the undersigned has been instructed by his government at Washington to make a peremptory demand for the immediate payment of the amount of the first instalment of the awards of the mixed commission under the convention of the 25th November, 1862, due by the government of your excellency on the 17th of February last, with interest due thereon.

The undersigned takes the liberty to enclose herein a copy of the awards taken from the official records of the proceedings of the mixed commission, marked U. S. and E., which amounts in the aggregate to \$94,799 56. The ninth part thereof being \$10,533 28, is the sum which the government of your excellency is at once expected to forward, with interest, to the undersigned, as the representative of the government of the United States.

With distinguished consideration, I have the honor to subscribe myself, your excellency's most obedient servant,

L. V. PREVOST.

Don MANUEL BUSTAMENTE,  
*Minister of Exterior Relations, &c., &c., Quito.*

*Mr. Prevost to Mr. Seward.*

No. 17.]

UNITED STATES LEGATION TO ECUADOR,

*Guayaquil, June 13, 1866.*

SIR: The United States steamer Mohongo arrived here on the 1st instant, and is still in port.

The report copied from the New York papers in the Panama Star, that President Johnson had sent to Congress the correspondence between the chargé d'affaires at Guayaquil and the Department of State, relative to the non-payment of the instalment due to the United States by the government of Ecuador, under the convention of November, 1862, has created some sensation among the people and the local authorities of this place. The newspaper report, coupled with the presence of a man-of-war in the port may have the moral effect of bringing the supreme government to something approximating a rational sense of justice, and thus induce them to pay the dividend within the period promised by Mr. Bustamante, to wit, in the months of July and August next, of which your excellency was advised in my despatch No. 11.

It is now believed that the Spanish squadron has entirely retired from the waters of this coast, yet the government are going on with their fortifications, although they have disbanded all their volunteer forces.

The commercial houses have all reopened their doors, vessels are now arriving, notwithstanding the pretended obstructions in the river, and all the families who had gone into the interior to shield themselves from Spanish guns are now returning to their homes.

With expressions of profound respect and consideration, I have the honor to remain, your obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Prevost.*

DEPARTMENT OF STATE,  
*Washington, July 3, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 16, of June 10th last, communicating your action with regard to the instalment due from the government of Ecuador, under the convention of November, 1862.

Your proceedings in the premises are approved, and you will in future be guided by the same instructions which moved your action in this matter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

L. V. PREVOST, Esq., &c., &c., &c.

*Mr. Prevost to Mr. Seward.*

No. 19.]

UNITED STATES LEGATION,

*Guayaquil, July 5, 1866.*

SIR: I have the honor to acknowledge the receipt of your excellency's despatch of June 5th, enclosing copy of a note addressed to your excellency by the ministers of Peru and Chili, relative to the debt due by Ecuador, together with your excellency's answer.

Your excellency then instructs me to await until the expiration of the period named in the note of the representatives of Peru and Chili, viz., 17th of September. I shall therefore make no further demand for the payment. Arrangements are now being made with the bank here by the government of Ecuador for the necessary funds to pay the first dividend; the money will probably be paid within a few days.

During the period that the Spanish squadron was expected here I had requested the commander-in-chief of our naval forces on the station, in view of the circumstances, to send one of the vessels under his command to this port. The United States steamer Mohongo arrived here about the 1st of June, and sailed for Panama on the 27th of the same month. It was at that time that I had made a peremptory demand on the government for the immediate payment of the amount due under the convention of 1862. The public prints, in noticing this, said also that the President of the United States had asked the Senate for more energetic measures to collect the amount due by Ecuador. The newspapers of this city also said that there was no doubt that the presence of a man-of-war in this port at the present time was sent for the purpose of forcing the government of Ecuador to pay the amount past due. I take occasion in all private circles to contradict the statement; I did not do so publicly, nor officially, for I was persuaded that the government placed no confidence in such a statement. There is no doubt, however, that the presence of a man-of-war here always has, and may have had especially at that time, its moral effect.

During the stay of the Mohongo she was visited by the minister of war, by the governor, and the local authorities of the place, who were received with the usual salutes, and they expressed themselves much pleased at having had an opportunity to visit a style of war ship which was entirely new to them.

On the occasion of the 4th of July I gave an entertainment at my residence; the minister of war, who was present, offered a very complimentary sentiment to President Johnson.

I remain, sir, your most obedient servant,

L. V. PREVOST,

*Acting Secretary of Legation.*

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Prevost to Mr. Seward.*

No. 20.]

UNITED STATES LEGATION,

*Guayaquil, July 11, 1866.*

SIR: On the 27th of June last I received a note from Mr. Bustamente, the minister of foreign relations, informing me that the treasurer of the government in this place had been instructed to make the proper arrangements to pay over to me the ten thousand dollars of the first instalment of the debt due under the convention of November 26th, 1862.

But owing to the sickness of the president of the bank, the treasurer here was unable at that time to make the necessary arrangement. On the 7th of the

present month, however, he placed in my hands a note or due bill of the bank of Guayaquil, payable on the 22d instant, for the sum of ten thousand one hundred and eighty dollars, which was the amount he was instructed to arrange for, which I accepted on behalf of the government as part payment of the first instalment.

This payment will be found short \$353 26, probably through the stupidity of some of the clerks in the department of Quito. I have written to Mr. Bustamante to correct the error, and have requested him to instruct the treasurer by return mail to pay over to me, not only the last-mentioned sum, but the interest upon \$10,533 26 from the 17th of February last to the 7th of July instant.

The note of the bank was drawn with interest, at the rate of  $\frac{3}{4}$  per cent. per month, amounting to \$38 17, which I have placed to the credit of the United States government, in the enclosed account, marked No. 1 A. The house of M. A. de Luzarraga, the millionaire banking-house, now conducted by Mr. M. P. Game, a citizen of the United States, was willing to take the due bill of the bank as cash, and even allow the unearned interest, and sell me exchange on London at the present rate, 35 per cent. premium, valuing the pound sterling at \$5, as is the usage here, or 675 cents of this currency to the English pound, this being the present rate of first class bills, per enclosed certificate, marked B No. 2.

I therefore send to your excellency first of exchange drawn by the aforesaid house at 90 days, dated 11th July, for one thousand five hundred and thirteen pounds sixteen shillings one penny, say £1,513 16s. 1d., drawn on Messrs. C. de Murieta & Co., of London, payable to my order, and by me indorsed over to the Department of State. Your excellency will notice that the present rate of exchange is only 35 per cent., whereas in February last, at the time the instalment was due, exchange was commanding 54 per cent., or 770 cents to the pound sterling.

In Mr. Bustamante's last despatch he says: "It is with no little degree of satisfaction that I manifest to you that if my government has not satisfied the payment of the instalment at the time it fell due, it was owing to the forced circumstances, of which you cannot be ignorant, that outside of the heavy expenses caused by the war with Spain, the winter season has considerably diminished the funds in the public treasury, in consequence of no foreign vessels having entered the port of Guayaquil."

Hoping that the course I have pursued in the premises will be satisfactory to your excellency, I remain, with sentiments of respect and esteem, your most obedient servant,

L. V. PREVOST,  
*Acting Secretary of Legation.*

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Prevost to Mr. Seward.*

No. 21.]

LEGATION OF THE UNITED STATES,  
*Guayaquil, July 20, 1866.*

SIR: I have the honor to transmit to your excellency copy of a note of Mr. Manuel Bustamante, the minister for foreign affairs of Ecuador, dated 11th July, containing the answer of his government relative to a proposition of his excellency the President of the United States, to indicate terms by which negotiation for peace might be commenced between Spain and the allied republics of South

America, which was transmitted by me to Quito, on the 2d of May last, by instructions contained in your excellency's despatch dated April 21st, 1866.

Copy of Mr. Bustamente's note is marked A. I enclose also a translation of the same, which I have marked B.

I remain, with great respect, your excellency's most obedient servant,

L. V. PREVOST,

*Acting Secretary of Legation.*

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

B.

*Mr. Bustamente to Mr. Prevost.*

[Translation.]

QUITO, July 11, 1866.

This department has received an authorized copy of the note that his excellency the secretary of foreign affairs of the United States wrote to Señor F. S. Burnaga, the chargé d'affaires of Chili, informing him of the repeated declarations that her Catholic Majesty's government has made to his excellency the President of that republic, expressing to him that that government may rely, that in the present war between Peru and the other South American States, Spain under no aspect has aspired to conquest, and that it hopes that the United States will interpose its good offices with some of the belligerents to promote the restoration of peace.

According to his excellency, the government of Spain has declared to the United States its disposition to accept the indications which the President may make, and which may tend to such important ends.

His excellency the President of Ecuador, before whom I have laid the aforesaid note, which came jointly with that of yours of the 20th of May last, has instructed me to declare to the cabinet of Washington his sincere desire to restore relations with the government of her Catholic Majesty, by means of a negotiation which takes into consideration the dignity, the repose, and the interest as well of Ecuador, as of the other allied nations in the present struggle. By agreement with them, my government will listen and resolve such propositions of peace as may be directed to it, desiring that the reasoning shall have the character which I announce.

By virtue of what you have expressed in the note to which I refer, you can transmit to your government the present answer on the part of Ecuador, and express to your government the sincere gratitude of his excellency for the sentiments of friendship which the United States has taken in the cause of the American nations who defend that of all the continent in its strife with Spain.

I renew to Mr. Prevost, consul and acting chargé d'affaires of the United States, the protestation of my highest consideration and esteem.

MANUEL BUSTAMENTE.

MR. L. V. PREVOST,

*Consul and Acting Chargé d'Affaires of the United States.*

*Mr. Prevost to Mr. Seward.*

No. 23.]

LEGATION OF THE UNITED STATES,

*Guayaquil, August 4, 1866.*

SIR: In the despatch No. 20, dated 11th July, which I had the honor to address your excellency, I remitted a bill on London for £1,513 16s. 1d., being the proceeds which I had then received from the government of Ecuador, but this left a balance of three hundred fifty-three dollars and twenty cents and the interest of four months and twenty days on the first instalment of ten thousand five hundred thirty-three dollars and twenty-six cents, which interest amounts to the sum of four hundred ninety-one dollars and fifty-five cents.

I now take great pleasure to inform your excellency that I have succeeded in collecting said balance with interest due, say eight hundred forty four dollars

and seventy-five cents, which is in full settlement for the first instalment under the convention of November 26th, 1862.

I therefore enclose to your excellency bill of exchange for £127 7*d.*, drawn by M. A. de Luzarraga, which I have purchased at six dollars and sixty-five cents of this currency to the pound sterling, as per certificate enclosed, marked A.

The energetic manner with which this claim has been prosecuted against the government of Ecuador, under your excellency's instructions, leads me to believe that the yearly payments or instalments will now be paid without much labor.

I remain, sir, your most obedient servant,

L. V. PREVOST.

*Acting Secretary of Legation.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

GUAYAQUIL, August 12, 1866.

We, the undersigned, merchants, certify that the present rate of exchange for 90 days' bills on London is \$6 65, Ecuadorian currency, per pound sterling.

PEÑANAR, PERES & OBANIO.  
MILLAN, BALLEUR & CO.  
J. VEVEROIHO.

*Mr. Seward to Mr. Coggeshall.*

No. 4.]

DEPARTMENT OF STATE,

*Washington, August 20, 1866.*

SIR: I have to acknowledge the receipt of the despatch No. 21, of Mr. Prevost, of the 20th of last month, transmitting copy of a note from the minister for foreign affairs of Ecuador, in answer to a communication addressed to him by Mr. Prevost, by direction of this department, transmitting to him copy of the letter of this department to Señor Asta Buruaga of the 19th of last April.

I enclose, for your information, a copy of the reply of this department to a communication addressed to it by Señor Asta Buruaga on the 5th ultimo, in answer to the letter from this department above referred to; also a copy of that communication.\*

You are instructed to bring the substance of these documents to the early notice of the minister for foreign affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM T. COGGESHALL, Esq., &c., &c., &c.

*Mr. Coggeshall to Mr. Seward.*

No. 2.]

UNITED STATES LEGATION,

*Quito, September 18, 1866.*

SIR: I have the honor to transmit copies of correspondence with the department of exterior relations for the republic of Ecuador, marked A, B, C, D, and E.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

\* For enclosure see correspondence with the Chilian legation.

A.

*Mr. Coggeshall to Mr. Bustamente.*

UNITED STATES LEGATION,

*Guayaquil, Ecuador, August 2, 1866.*

SIR: I have the honor to inform your excellency of my arrival at this port, and to transmit by courtesy of Don Ignatio de Vientanelle, commissioner of war for the republic of Ecuador in Guayaquil, an official copy of the letter of the President of the United States, announcing to the President of the republic of Ecuador that I have been accredited as minister resident of the United States of America near the government of Ecuador.

In virtue of the fact that on account of the absence from this republic of a minister resident, the United States consul at Guayaquil has been for some months chargé d'affaires, and consequently that the archives of the United States legation are here deposited, I shall be for a few days detained in this city, and therefore beg your excellency to advise me at your convenience, by letter in care of the consul of the United States, when it will please the President of Ecuador to grant me a personal interview, that I may present to him the letter which I bear from the chief executive officer of my government, and enjoy also the privilege of expressing on behalf of that government the earnest desire of the people and authorities of the United States to promote in every manner in their power most cordial relations to, and most friendly intercourse with, the authorities of the republic of Ecuador.

With considerations of distinguished respect I have the honor to be, your obedient servant,

W. T. COGGESHALL,

*United States Minister Resident, Ecuador.*

His Excellency DON MANUEL BUSTAMENTE,  
*Minister of Exterior Relations, &c., Quito.*

B.

*Mr. Coggeshall to Mr. Bustamente.*QUITO, *Saturday, September 8, 1866.*

SIR: I have to inform your excellency of my arrival in this city, and to advise you that I await here an answer to my communication, forwarded from Guayaquil, enclosing a copy of the letter of the President of the United States, by which I am accredited as minister resident near the government of the republic of Ecuador.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

His Excellency M. BUSTAMENTE,  
*Minister of Exterior Relations.*

C.

*Mr. Bustamente to Mr. Coggeshall.*

[Translation.]

QUITO, *September 12, 1866.*

The undersigned, minister of exterior relations of Ecuador, has had the honor to receive the estimable official note of your excellency, dated the 10th of the present month, in which the undersigned is kindly informed of your arrival in this capital, and returns the answer to the letter directed from Guayaquil on the 2d of August last, enclosing an official copy of the letter of his Excellency the President of the United States, accrediting your excellency as minister resident in this republic. The undersigned has delayed the answer to the aforesaid official note, thinking your excellency on the road from Guayaquil to this place, but now has the honorable satisfaction to announce to your excellency that on Thursday the 20th of the present month, at 2 o'clock in the afternoon, your excellency will be received in your character as minister resident, in the government palace, with the usual ceremonies.

Accept the high esteem and distinguished consideration with which the undersigned subscribes himself your obedient servant,

W. T. COGGESHALL,  
*United States Minister Resident, Ecuador.*

MANUEL BUSTAMENTE.



D.

*Mr. Bustamante to Mr. Coggeshall.*

[Translation.]

QUITO, September 15, 1866.

Some days ago was received in this office a communication from your excellency dated in Guayaquil the 2d of August last, communicating that the supreme government of the United States had invested your excellency with the character of minister resident in this capital, and sending the official copy of the autograph letter which accredits the appointment.

The express note was not immediately answered, because it was known that your excellency had already undertaken your journey from Guayaquil to this place, and it was thought more prudent to wait until your arrival; accordingly, I have now the honor to answer it, assuring your excellency that my government congratulates itself in a high degree that the United States has chosen such an illustrious and competent person to be the representative in Ecuador. The government of this republic, sincere estimator of that of the United States, and of its people, will have once more an occasion to manifest to your excellency its tendencies to cultivate the honorable relations that happily are established with the cabinet of Washington, and will co-operate in whatever may be possible to make closer the relations of friendship and good harmony between the two nations, that of Ecuador and North America.

With the most distinguished consideration, I have much honor to subscribe myself to your excellency, your most attentive and obedient servant,

MANUEL BUSTAMENTE.

W. T. COGGESHALL,  
*United States Minister Resident, Ecuador.*

E.

*Mr. Coggeshall to Mr. Bustamante.*

QUITO, September 16, 1866.

SIR: I acknowledge with pleasure your esteemed letter of the 15th instant, in response to my communication dated Guayaquil, August 2, and beg to assure your excellency that its contents will afford gratification to my government.

Taking this occasion to renew to your excellency assurance of most distinguished consideration, your obedient servant,

W. T. COGGESHALL.

His Excellency M. BUSTAMENTE,  
*Minister of Exterior Relations.*

*Mr. Coggeshall to Mr. Seward.*

No. 3.]

UNITED STATES LEGATION,  
*Quito, September 24, 1866.*

SIR: I have the honor to advise you that as minister resident of the United States, I was received by the President of Ecuador on the 20th instant. I enclose herewith a copy of my address on the occasion, and of the reply of the President; also a copy of the official paper of Ecuador, in which the addresses on the occasion above referred to are published.

Very respectfully your obedient servant,

W. T. COGGESHALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

His Excellency PRESIDENT OF ECUADOR.

SIR: I have the honor to present to your Excellency a letter of the President of the United States, by which I am accredited as minister resident in the republic of Ecuador. I am confident, sir, you do not require reassurance on my part of the friendly disposition of the government and people of the United States toward the government and people of the republic of Ecuador, in all political, commercial, and social relations; but I may remind your Excellency that a prominent result of the late triumphant struggle in the United States for union and freedom is witnessed by enhanced ardency of patriotism and elevated regard for republican government. In the very degree of that regard, manifested by untold sacrifices,

embodying potent lessons, is every representative of the republic of North America authorized to assume, on behalf of his nation, political sympathy and material interest for the republics of South America. In accordance with the instruction of my government, and in pursuance of personal wish and determination, I assure your Excellency that it shall be my highest ambition and my greatest pleasure so to represent in Ecuador the government and people of the United States as not only to strengthen the friendly political intercourse now existing, but to facilitate such interchange of industrial and commercial information as may be calculated to promote the practical interests of both republics, and augment the ties of good will maintained between them.

---

B.

[Translation.]

Mr. MINISTER :

SIR : By the official communication of his Excellency the President of the United States, that your excellency has just delivered to me, I am informed with pleasure of the high confidence which has been placed in you by your appointment as minister resident in this republic. The unhappy civil war which has agitated the Union, although it has harmed its interests and exacted sacrifices of every kind for its termination, has given additional evidence of the insuperable adhesion to liberty of the government and the people—an adhesion which is shown wherever their voice is heard, or that of their representatives.

In my administration, and in the country whose destinies I rule, your excellency will find sympathy and regard for the government and the people of the United States, and I have the resolution to conserve and cultivate the relations of friendship and harmony which unite both republics, identified in political principles, endeavoring to make them closer for mutual benefit. The fit election of your excellency, and your kind feelings expressed towards Ecuador, will contribute, I hope, to the success of your mission, as you will find in me the necessary co-operation for the realization of your elevated purposes in protection of the commerce of both countries.

---

*Mr. Coggeshall to Mr. Seward.*

[Extract.]

No. 5.]

UNITED STATES LEGATION,  
Quito, September 30, 1866.

SIR : I would respectfully advise you that in commemoration of the anniversary of Chilian independence, and in honor of the league, offensive and defensive, between Chili, Ecuador, Peru, and Bolivia, this government gave a grand banquet on the 18th instant, which was attended by the chief officers of government, the diplomatic corps resident in Quito, and persons of note at this capital. This entertainment was followed by a series of bull fights which were continued for eight days in the plaza Santo Domingo. Señor Casimir del Conval, the first diplomatic representative of Bolivia accredited to Ecuador, was officially received on the 24th instant.

A diplomatic agent from New Granada is soon expected in this city.

The news of the determination of Venezuela to unite with Chili and other republics in the anti-Spanish league was received with much satisfaction in Ecuador.

\* \* \* \* \*

Very respectfully, your obedient servant,

W. T. COGGESHALL,

Hon. WILLIAM H. SEWARD,  
Secretary of State, Washington, D. C.

---

*Mr. Coggeshall to Mr. Seward.*

No. 7.]

UNITED STATES LEGATION,  
Quito, October 16, 1866.

SIR : I have to acknowledge your despatch No. 4, transmitting correspondence with the representative of Chili in the United States, respecting the

mediation of the President of the United States for peace between the allied republics of South America and Spain. In accordance with its instructions, I immediately reported the substance of the correspondence to the minister of foreign affairs for Ecuador, who replied that Ecuador regretted that the good offices of the President of the United States for peace could not be rendered effective, expressed strong desire for amicable adjustment between the belligerents, consistent with the dignity and interests of all the allied powers, and renewed to the United States earnest assurances of grateful respect.

On the 10th of this month the representative of Great Britain at this capital, under instructions from his government, addressed a note to the minister of exterior relations, Mr. Bustamante, on behalf of the government of Great Britain and of France, proposing the good offices of those nations for the settlement of questions upon which Spain and the allied republics are at war. I am informed that to this proposition the Ecuadorian minister has responded that he cannot make definite answer without consultation, *con republicas aliadas*.

I am also informed that England and France have made to Chili and Peru the same proposition that has been received by Ecuador, and I am assured by the Chilian envoy resident here that the response of those republics will be that no steps for amicable relations with Spain can be taken until the basis of the adjustment proposed has been announced to the allied republics.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Coggeshall to Mr. Seward.*

No. 12.]

UNITED STATES LEGATION,  
*Quito, October 28, 1866.*

SIR: I have the honor to advise you that the question of the transfer of the Gallapagos islands has been reviewed before the government of Ecuador, by a proposition for their purchase from the British holders of Ecuadorian bonds. Such sale direct is forbidden by the Constitution of Ecuador, and by treaty stipulations, but the expediency of such a transfer, at a price to be agreed upon between the contracting parties, as will put the British bondholders in possession of the islands *de facto*, and yet conserve the political jurisdiction of Ecuador, has been urgently presented to the cabinet of this republic, and is now, I am credibly informed, a topic of official correspondence.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Coggeshall to Mr. Seward.*

No. 13.]

UNITED STATES LEGATION,  
*Quito, October 30, 1866.*

SIR: I deem it proper to advise you that reports of the intention of Spain to re-order her fleet to the Pacific have caused much discussion in government and diplomatic circles at this capital. The representatives of Chili and Peru claim that they are advised that it is the intention of Spain not only to bombard sea-ports, but to seize and occupy Lima, also to take possession of Valparaiso. In

themselves these rumors are of small importance, but compared with information in your possession, may be of value, or rather, perhaps I should say, added to facts from other sources, may be of service; therefore I forward them.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Coggeshall to Mr. Seward.*

No. 14.]

UNITED STATES LEGATION,  
*Quito, November 3, 1866.*

SIR: I have to report that on the 1st instant Señor Lino Ruiz, envoy extraordinary from New Granada, arrived at this capital. It is reported in diplomatic circles that he is instructed to complain that Ecuador has violated her treaties with New Granada by permitting the return of Jesuits; also, that he will protest against the movement which proposes a confederation of Chili, Peru, Bolivia, and Ecuador, known as the "Confederation of the Andes;" a movement earnestly urged here by the Bolivian minister. Some color is given to rumors of a disposition on the part of New Granada to be dissatisfied with Ecuador, from the fact that a few days ago this government received an elaborate despatch from the government of New Granada requesting Ecuador to join it in a protest against certain regulations entered into between Peru and Brazil concerning the navigation of the Amazon. Ecuador has declined to grant this request, because it is in alliance with Peru. The question is not likely to be settled by this correspondence. The free navigation of the Amazon to its mouth is of so great importance to all the South American republics, that sooner or later a surrender of the monopoly now exercised by Brazil must be insisted upon.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Coggeshall to Mr. Seward.*

[Extract.]

No. 15.]

UNITED STATES LEGATION,  
*Quito, November 21, 1866.*

SIR: \* \* \* \* \*

The envoy plenipotentiary for the Colombian States, Señor Lino Ruiz, was formally received by this government on the 9th instant. I enclose a copy of "The Nacional" containing his address, and the response of the President.

Garcia Moreno, envoy of Ecuador to Chili, who returned to this city on the 20th, reports that according to the best information he could obtain in Chili, there is no immediate prospect of peace between Spain and the allied republics.

It is understood that this government has appointed Don Antonio Flores minister to England for the adjustment of questions connected with the equadorian debt. Mr. Flores will also represent Ecuador at the Paris Exposition.

\* \* \* \* \*

Very respectfully, your obedient servant,

W. T. COGGESHALL.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

## FOREIGN RELATIONS.

[From the Nacional.—Translation.]

QUITO, November 13, 1866.

On the 9th instant his excellency Don Lino Ruiz, envoy extraordinary and minister plenipotentiary from the United States of Colombia, was received at a public audience, who, on placing in the hands of his excellency the President of the republic the autograph letter of the President of those states, delivered the following speech:

**YOUR EXCELLENCY:** I have the honor to place in your hands the autograph letter of the citizen grand general, President of the United States of Colombia, which accredits me as envoy extraordinary and minister plenipotentiary near the government of your excellency. Outside of the important negotiations which are still depending between the two republics, the government of Colombia considers that the events accomplished in the Pacific by reason of the maritime war which the allied republics sustain against Spain make the presence of their representatives near these governments opportune, to signify to them that their policy is in perfect harmony with historic traditions and family ties imposed on them by their relationship with all the free nations of the continent. In this respect I could say nothing better to you, serving as the faithful organ of the sentiments of the people and of the government of the United States of Colombia in all that bears relation to the holy cause of the independence and sovereignty of the American republics, than the words of the grand general, President, in his proclamation to the army of the 7th of August, last anniversary of the immortal day of Boyaca, of which your excellency knows. It is pleasant to me to announce to you that I am the bearer of a letter, in which the President of Colombia invites the government of your excellency in the same terms in which he has addressed the other republican governments of Latin America, that they may use their influence for the purpose of effecting the installation of the new American Congress—a Congress called, in reality, to give full development to the philanthropic thought of a great confederation of nationalities of like origin and identical aspirations, in which the Christian observances and benefits of the principles of liberty and equality common to all may be the guarantee of domestic peace, stable and fruitful; a measure, perhaps, the most effective to advance its credit and respectability abroad, and strengthen its independence. Far from the antagonism which different forms of government and sad commercial restrictions have cast upon the nations of the European continent, the South American states may form such intimate union that their frontiers may be mere geographical demarcations for the more easy administration of internal affairs. Happily, republican America has only to create this sentiment of union; it is sufficient to it to fortify by the adoption of fraternal compacts and of homogeneous popular institutions the spirit which animated it when it passed from the inert colonial life to that of action and independence—a spirit which ought to be more powerful among nations which find themselves endowed with the resources of modern progress, and which have displayed before their eyes the history of those which have preceded them in the march of civilization. As a proof of friendly consideration and of the high confidence which the government of Colombia has in the rectitude of the Equatorial government, the grand general, President, thinks there is no necessity to submit to the arbitrament of a third power the decisions of pending questions, it being possible to treat them directly with your enlightened government in the assurance that they will be solved in common accord, and conformity with what the just claims of both republics require. I entertain the purpose to carry out the sentiments of cordial friendship which the government of Colombia has sent me to express to you, and to cultivate with every care, and with such laudable views I hope to achieve and deserve during my stay in this capital the kindness of your excellency, of the members of your administration, and of the Equadorian people.

His Excellency the **PRESIDENT** replied:

I experience real pleasure in receiving the autograph letter of the citizen President of the United States of Colombia accrediting you as envoy extraordinary and minister plenipotentiary near this government. The divers objects which characterize the mission with which you are charged are certainly interesting; that I may appreciate them in all their extension I proffer to you that I will examine them with eagerness and with the cordiality which ought to reign among nations which belong to the old and glorious Colombia, and which it is suitable for our benefit should be kept united, availing of the wise and forecasting counsel of its founder, the liberator of three republics, at the very moment when he closed his eyes and bade farewell to his favorite daughter. The epoch which at present presses on America, and excites the contemplation of all its governments, looking to the future, compels to strengthen and affirm more and more a good understanding between the states of this continent in sustaining their sovereignty and the constituent principles of their political existence, to keep it intact, and to move on undisturbed to their future destiny of aggrandizement and prosperity. The citizen President of the Colombian union has well comprehended the present situation of the republics on the Pacific, and giving it due importance, manifests, opportunely, that his policy is in perfect harmony with the duties which historic tradition and family ties impose on the nations of the continent. Penetrated with the necessity of perfecting and advancing

the labors of the American Congress, and acceding to the invitation I received for the assemblage of another of like character, I have not hesitated in ordering my minister at Lima that he may assist thereat by forwarding to him the necessary instructions, and it will be satisfactory to me to hear of its installation, and that it is engaged on questions of vital transcendence to the peace, welfare, and fraternity of nations identified in origin, similitude of interests, and aspiration to the same purpose of assuring their independence, and turning it to the benefit of the associates under the shelter of solemn compacts dictated by the spirit of the most achrysolated Americanism. At present it seems to be occupied, by preference, in defence of principles sacred to the regulation of negotiations, which can easily be effected afterwards on appeal to noble sentiments and the powerful voice of justice. With the government of Ecuador this disposition will ever be found, and I doubt not the same prevails in the United States of Colombia, for settling pending questions, accepting with confidence the opinion of an arbiter who may give it in accordance with the evidence of his convictions. I am sure you will faithfully interpret the expression of the sincere friendship of the enlightened government of Colombia towards this republic, as well as the high estimation which the people and government of Ecuador have for it, promising you, during your stay among us, the consideration and respect which you will know how to gather round you through your distinguished department.

---

*Mr. Seward to Mr. Coggeshall.*

No. 11.]

DEPARTMENT OF STATE,

*Washington, December 5, 1866.*

SIR: Your despatch of October 28, No. 12, has been received. I thank you for the information it gives concerning supposed negotiations by British bondholders with the government of Ecuador, for the purchase of the right of soil in the Galapagos islands. The United States lay no claim to those islands. I do not understand that the fact of their ownership by Ecuador is established. Not being prepared either to concede or to controvert it, I reserve any expression upon that subject. If Ecuador is invested with the title to those islands, I know no reason upon which this government could question the right of Ecuador to convey the soil to such private persons as should desire to buy, whether they should be the subjects or citizens of one state or country or of another. Should there be any proposition to release or transfer that jurisdiction you will please keep me advised.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

W. T. COGGESHALL, Esq., &c., &c., &c.

---

*Mr. Seward to Mr. Coggeshall.*

No. 12.]

DEPARTMENT OF STATE,

*Washington, December 5, 1866.*

SIR: Your despatches Nos. 13 and 14 have been received. In your No. 14 you gave me an account of the agitation in diplomatic circles of complaints of the United States of Colombia against Ecuador.

You inform me that speculations concerning a movement for the free navigation of the Amazon are connected with those rumors. I shall hold myself under obligation for such other information as you can give me on that interesting subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

W. T. COGGESHALL, Esq., &c., *Quito.*

# GUATEMALA.

*Mr. Warren to Mr. Seward.*

No. 1.]

LEGATION OF THE UNITED STATES,  
*City of Guatemala, June 21, 1866.*

SIR: I have the honor to advise you of my safe arrival at this government on yesterday. I left my home in Iowa May 17th, and missing the steamer of the 21st, sailed from New York June 1st, and from Panama June 10th.

I have advised the minister of foreign affairs of my official character and my presence here, and have solicited an interview with the President, through him, for the purpose of presenting my letter of credence. The minister has been pleased to name Thursday of next week (June 27th) as the day of presentation. This time was fixed upon an unofficial consultation, and from considerations connected with my health, which is indifferent, and impaired by the fatigue of travelling.

I find the condition of the country tranquil, with a good hope of prosperity. New agricultural interests are being stimulated by successful experiments, and developing increased wealth. The culture of coffee has been very remunerative, and will soon become, I think, a leading article of export. The enhanced price of cochineal has induced more activity in that branch of production, but the accidents of seasons still render it precarious, while coffee is a sure growth. The raising of cotton has not been attended with the anticipated success, and it is not likely to be pursued as an interest, with the lower prices and enlarged supply in the United States.

The expressed feeling here is of great friendship and respect for the United States. They profess high satisfaction at the successful result of our war for the supremacy of the government.

I shall have the honor of again communicating with the department after my public audience.

I am, with high respect, your obedient servant,

FITZ HENRY WARREN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Warren to Mr. Seward.*

No. 2.]

LEGATION OF THE UNITED STATES,  
*City of Guatemala, June 27, 1866.*

SIR: Agreeably to the intimation contained in my last communication, I was to day presented to President Cerna with the usual ceremonies of the occasion. The presentation was in the audience of the ministry, and all of the high officers of state, civil and military. There was much of startling ceremony and high courtesy, and the general effect was imposing. I accepted the studied etiquette as a compliment to my government, and an evidence of the friendly disposition of the administration towards it.

I have the honor to hand herewith a copy of my address on presenting my letter of credence, with a translated copy of the response of his Excellency the

President. After my recognition by the government I paid the usual visits of ceremony to the officers of state, foreign ministers, and such others as it was intimated to me would be considerate and proper.

There is now no English legation here; the successor to Mr. Matthieu, late chargé, has not arrived, but is expected in September next. The French chargé is quite ill at his hacienda, and it is understood that his health will render his resignation imperative. The Spanish consul general has been recalled, and takes his departure by the steamer of July 1st, for his own country. The department is not perhaps advised that Mr. Henry Savage, titular consul at this city, has never received his exequatur. He is not here, but at Sansonati, in Salvador. I shall address him a note, desiring him to intimate his intentions as to the office. While there is no urgent need of a consul here, it is desirable that there should be such an officer, and I would respectfully recommend the appointment of some one, if, as seems to be understood, Mr. Savage declines to take the office.

I find the archives of the legation in a fair condition of preservation, and will forward by this mail a copy of the inventory.

I remain, sir, with great respect, your obedient servant,

FITZ HENRY WARREN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Warren's address to President Cerna.*

MR. PRESIDENT: In presenting to your excellency my letter of credence as minister resident from the government of the United States, I conform to a practice prescriptive and appropriate, and tender to you my personal assurances of the good will and friendly disposition of my government, in addition to the written declaration of which I am the bearer. It is my most agreeable privilege, also, to congratulate your excellency on the public tranquillity and private prosperity, the evidences of which I could not fail to observe since my entrance upon your territory. Contentment, remunerative industry and enjoyment are evident, and unequivocal in their manifestations. May I also be permitted to assure your excellency that my own land is now in the enjoyment of repose and quiet, after its long and severe struggle with rebellion. Peace now dwells in our borders, and order restored has taken the place of war and threatened anarchy. Under the temperate and just policy of our Chief Magistrate the former relations of our States are being resumed, and wise statesmanship and sagacious forecast, sustained with firmness and guided by justice, have preserved our relations with foreign powers in terms of amity and cordial friendship. The spirit of my government is that of peace, and its desire is justice, order, and happiness in its own and all other nations, and I can in no manner interpret its wishes with more fidelity to the administration or satisfaction to myself personally than when I endeavor to impress on your excellency the earnest wish of my nation for a long and uninterrupted continuance of the cordial and reciprocal friendship hitherto unimpaired and unbroken.

---

*President Cerna's reply.*

SIR: It is very gratifying for me to receive the letter investing you with the character of minister resident of the United States of America to this republic. Having followed with the most lively interest the prolonged struggle of which your country has been the theatre, we have seen with admiration and satisfaction the maintenance of the Union, which has made the United States the greatest and most prosperous of the nations of the American continent. That result, owed to the designs of Providence, does great honor to the wisdom of the North American people, and to the intelligence and patriotism of their statesmen. Duly appreciating the eminent qualities of your present First Magistrate and of his worthy Secretary of State, I am extremely gratified with the statements that in the name of your government you have been pleased to make. The government of Guatemala is vividly desirous of cultivating the most friendly intercourse with the United States, and I am confident that to this end will greatly contribute the appropriate selection made by the President of the United States in naming you minister resident to this republic. It will be one of my most pleasing duties to show you during your residence in Guatemala those considerations to which your character and your personal qualities entitle you.



# HAWAIIAN ISLANDS.

*Mr. McBride to Mr. Seward.*

No. 61.]

LEGATION OF THE UNITED STATES,  
*Honolulu, H. I., January 19, 1866.*

SIR: It is affirmed upon undoubted authority that it is the settled policy and determination of the mail steamship company taking the contract to run a line of steamers to China and Japan, "touching at Honolulu," to make an effort with the present Congress to repeal so much of the law, and rescind so much of the contract, as obliges those steamers to touch at this port at all, and substitute two propellers, owned by the steam navigation company, to run between this port and San Francisco.

In my opinion, such a change would be exceedingly injurious to every interest which the United States government should strive to encourage and promote on this group.

The line already employed by contract will care but little for any but fast freights between this and California, and, consequently, will not be tempted by low charges, temporarily, or by purchase of the sailing vessels now running, to put down competition, but the propellers will, as the carrying trade between this and California will be their entire business, I judge, from the nature of the case, and from what the steam navigation company have been doing on the Columbia river for five or six years past. They have wealth, and will not allow of competition, and we have a right to judge of the future by the past, and when competition is out of the way, it does not require a prophet to foretell the result.

Steam will not be likely to exclude competition, without a subsidy, and the China and Japan line can well afford to give one-fifth of their subsidy to the propellers to relieve them from touching at this port. This would be virtually a subsidy by the government, to aid that company in putting down competition more successfully, and leave them to increase fare and freights *ad libitum*. I beg the government not to lend its aid to so unfair and injurious an enterprise, as there must be an infinite difference between the steam navigation company and the Pacific Mail Steamship Company, as the latter will care only for fast freights, as with them the carrying trade between this port and San Francisco will be merely incidental.

And, secondly, as those steamers will touch on the return only once a month, they could not, if they would, drive off a fair and honorable competition. But were the same company to put on two propellers to run between this and California, and by which the China and Japan line would be freed from the obligation to touch at this port, the result would be the same as if the other company were substituted, as it is easy to see that there would be the same temptations to push competition out of their way, and hence such a change, even with that company, should not be allowed. It is right, precisely right, as it is.

What is wanting here is something in addition to what we now have. Those propellers, when once competition is out of the way, will not and cannot furnish the mails near as often as we now receive them. We have now two lines of vessels—fast runners—six in all, and some of them are ever on the wing, bringing us mails, freights, passengers, and the accommodations are decidedly good; and, considering the character of the business and the manner in which it is

done and has to be done here, there never was an arrangement better adapted to the circumstances and interests of these islands than the present contract with the China and Japan line, and I do hope that our government will hold with a steady hand, and see it promptly carried out. It is no hardship on the company, for they knew as well before and at the time of making the contract as they do now what the expenses would be. They were not a set of children, decoyed by strategy into a hard bargain, but business men of great sagacity and experience, who deliberately made their calculations with a knowledge of all the facts, and should now perform their contract faithfully, without trying to squirm out of it.

And, besides these considerations, there is a popular largeness about the China and Japan line of steamers which no substitute can equal, and it is now the hope and the expectation of everybody in these islands, and its withdrawal would be realized as a great disappointment, and regarded as indicative of vacillation on the part of our government, and calculated to weaken public confidence both at home and abroad. While that line would be a great blessing here, the substitute, if allowed, would be an unmitigated evil, forced and riveted on these people by the action of our government, like the French Emperor's enterprise in Mexico, with no power in these people to shake it off for the next ten years.

I have the honor to be, sir, with great respect, your obedient servant,

JAMES McBRIDE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. McBride to Mr. Seward.*

No. 67.]

LEGATION OF THE UNITED STATES,  
*Honolulu, July 2, 1866.*

SIR: It becomes my painful duty to announce to you the death of her Royal Highness the Princess Victoria Kamehameha Kahumanu, sister to his Majesty the King, and heir-apparent to the throne.

She departed this life on the 29th of May last. Her death has occasioned much grief throughout the nation, and especially with the more thoughtful portion of the natives, and with Americans, as her predilections were not British, but American.

She was interred on the 30th ultimo, or deposited in the mausoleum where her royal brother, Kamehameha IV and other members of the royal family are deposited.

Many conjectures are afloat as to whom the King will nominate as his successor to the throne, and I do not choose to hazard an opinion further than this, that it will be some one of undoubted British sympathies, policies, and predilections.

Our minister here should see that justice is done, as set forth in my two despatches, Nos. 44 and 54.

With great respect, I am, sir, your obedient servant,

JAMES McBRIDE.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. McCook.*

No. 3.]

DEPARTMENT OF STATE,

*Washington, July 3, 1866.*

SIR: I transmit to you herewith a copy of the Attorney General's opinion on the legality of certain municipal proceedings in the kingdom of Hawaii, by which seamen were released from their service on two American ships, the Josephine and the Blue Jacket. The subject was brought to the notice of the department by the consul of the United States at Honolulu, who, in the case of one of the seamen, had dismissed his complaint, declaring that he had been lawfully shipped. The seaman, notwithstanding this decision of the consul, was discharged from the ship by one of the judges of the supreme court of the kingdom. You will see that according to the opinion of the Attorney General the legality of this case turns entirely on the question whether the seaman was or was not a subject of the kingdom of Honolulu. In your remonstrances and arguments with the Hawaiian government you will adopt the enclosed opinion as your basis, keeping in view the circumstances of the case.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD M. McCOOK, Esq., &c., &c., &c.

ATTORNEY GENERAL'S OFFICE, *June 26, 1866.*

SIR: I have the honor to acknowledge the receipt of your letter of the 4th of May, together with the despatches of Alfred Caldwell, Esq., consul for the United States at Honolulu. The consul complains that the Hawaiian courts have been guilty of breaches of the treaty between the United States and his Majesty the King of the Hawaiian Islands.

The first case is this:

Four seamen were lawfully shipped at New Bedford in the United States, on the American ship Josephine, for a whaling voyage, not exceeding four years in duration, and back again to New Bedford. One of the judges of the supreme court of the kingdom discharged the seamen from the ship, and released them from the obligations of their contract, assuming jurisdiction because the four seamen were subjects of the kingdom. The four seamen had made no application to the consul for an exercise of his jurisdiction and power.

The second case is:

The American ship Blue Jacket went to the port of Honolulu for the purpose of taking from there a cargo of oil to New Bedford. A seaman on the boat by the name of Thomas Duane, but calling himself Burns, applied to the consul to be discharged from the vessel, because he had not been lawfully shipped. The consul notified the captain of the Blue Jacket, had the witnesses before him, heard the case regularly, and dismissed the complaint, on the ground that Duane or Burns had been lawfully shipped on said vessel at San Francisco for the voyage to New Bedford.

One of the judges of the supreme court of the kingdom, notwithstanding he was informed of the proceedings and judgment of the consulate court, assumed jurisdiction and discharged the seaman. After the seaman was discharged he sued the captain in a territorial court upon a claim of \$3,000. The despatch does not state whether Burns (or Duane) was or not a citizen of the United States.

By the 10th article of the treaty between the United States and the Hawaiian kingdom it is agreed that "each of the two contracting parties may have in the ports of the other, consuls, vice-consuls, and commercial agents of their own appointment, who shall enjoy the same privileges and powers with those of the most favored nations. \* \* \* \* \* The said consuls, vice-consuls, and commercial agents are authorized to require the assistance of the local authorities for the search, arrest, detention, and imprisonment of the deserters from the ships of war and the merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges, and officers, and shall in writing demand the said deserters, proving by the exhibition of the registers of the vessels, or the rolls of the crews, or by other official documents, that such individuals formed part of the crews; and this reclamation being thus substantiated, the surrender shall not be refused."

This treaty was concluded and signed at Washington on the 20th day of December, 1849.

It is unnecessary to discuss the question whether this treaty conferred any judicial power upon the consuls of the United States in the Hawaiian kingdom, because it is agreed that the consuls of the two contracting parties shall enjoy the same privileges and powers with those of the most favored nations; and if, therefore, by treaty with any other nation either of the

parties should confer judicial power upon consuls, then by the intention and express words of the treaty between the United States and the Hawaiian kingdom, the consuls mentioned therein were to have like powers.

Such power was conferred by the 21st article of the treaty entered into between the Emperor of France and the King of the Sandwich Islands. In that treaty it is stipulated that the "respective consuls shall be exclusively charged with the internal order on board of the merchant vessels of their nations, and shall alone take cognizance of all the crimes, misdemeanors and other matters of difference in relation to said internal order which may supervene between the master, the officers, and the crew, provided the contending parties be exclusively French or Hawaiian subjects, and the local authorities shall not be allowed therein to interfere, unless by the approval or consent of the consuls, or in cases where the public peace and tranquillity are disturbed or endangered."

From this article of the treaty between France and the Sandwich Islands, the judicial power of the consul of the United States at Honolulu is derived and limited. It is not known that the Hawaiian kingdom has any treaty with any other government granting larger powers to consuls. In respect to consular powers France has been the most favored nation.

What, then, are the powers granted by this treaty?

1st. To give the consul jurisdiction. If a French vessel be in a Hawaiian port the parties must all be French subjects, and if a Hawaiian vessel be in a French port the parties must all be Hawaiians. This article having become a part of the treaty between the United States and the Sandwich Islands, it conferred judicial power on the consuls of the United States only where the contending parties are exclusively citizens of the United States. If it should be shown that either party was not a citizen of the United States, the local courts and not the consul would alone have jurisdiction.

2d. Where the parties to the controversy are all citizens of the United States, and the controversy has relation to the internal order of a vessel of the United States in a Hawaiian port, the local authorities cannot interfere therein, except by the approval or consent of the consul, or in cases where the public peace and tranquillity are disturbed or endangered.

And that brings us to consider whether the validity or invalidity of the enlistment on the vessel is a matter relating to the internal order of the vessel. In the treaty between the United States and the Sandwich Islands it is directly agreed that upon an exhibition of the registers of the vessel, or the rolls of the crews, or by other official documents showing that a seaman belongs to the vessel, the Hawaiian authorities shall surrender the seaman as a deserter. So far as desertion is concerned, the plain language of the treaty precludes the Hawaiian courts from going behind the evidences mentioned in the treaty. If a vessel of the United States shall enter a Hawaiian port, and a seaman desert whose name is regularly borne on the ship's papers, he must be surrendered at the instance of the consul. The court there cannot inquire whether his shipment is regular or irregular. This feature of the treaty rests upon the idea that the vessels of the United States going into the Sandwich Islands have lawfully enlisted crews, and that if there is to be any controversy about the validity of the contract of shipment, the parties are remitted to the courts of the United States.

Now, when the consuls of the United States were invested with judicial power under the treaty between France and the Sandwich Islands, the treaty between the United States and the Sandwich Islands was not affected thereby in any particular. The judicial authorities of the islands and the consuls of the United States were still bound to regard all persons on vessels of the United States, and whose names appeared on the boat's papers, as parts of the crew.

But in the treaty between the United States and the Sandwich Islands the papers are only made conclusive in cases of desertion. It is not certain but that under the treaty a seaman could in any other case but desertion appeal to the courts of the island to be released from his contract. Upon that question I have no opinion. The provisions of that treaty are referred to simply to show that in cases of desertion the courts of the island are required to surrender deserters from vessels of the United States, and that in such cases they cannot look behind the papers of the boat.

In making this agreement in regard to deserters, the two governments announce the principle that the question whether the shipment of the seaman was lawful or not is one which should be remitted to the authorities of the country to which the vessel belongs.

In the treaty with France consuls are made judicial officers, and given cognizance of all the crimes, misdemeanors, and other matters of difference in relation to the internal order of the vessel which may supervene between the master, the officers, and the crew. The question whether a seaman is bound to fulfil the obligations imposed by the shipping articles is certainly a matter of difference between the master and one of the crew; the fact must be first determined that he is of the crew, before the consul can take jurisdiction; until the fact is made manifest that he is of the crew, no rules in regard to the internal order of the vessel can be enforced. Upon the question whether he is or not of the crew depends all the power and authority of the consul.

To say that the consul can decide all questions concerning the internal order of the vessel, except the question whether the man is or not of the crew, is in effect destroying his jurisdiction, making it of no value, by depriving him of the power to determine conclusively the very question upon which all order in the vessel can be supported. Unless consuls have the power to decide, and to decide without interference from the local courts, who compose the

crew, it seems to me that all their judicial powers are idle. It is a question concerning the internal order of the vessel, because upon it depends all right to impose and enforce rules for the government of the crew, and each member of the crew. If such is not the case the consuls could not rightfully take cognizance of any case until the local courts had passed upon the validity of the shipping articles, and any and every seaman could arrest the proceedings of the consuls by pleading that he had signed when he was drunk, or had been coerced by force, or induced by fraud to do so.

Considering, then, the treaty between the United States and the Hawaiian kingdom, and the treaty between the Emperor of France and the same kingdom, I am of the opinion that the consular courts of the United States at Honolulu have the right and power, and without interference from the local courts, to determine, as between citizens of the United States, who compose the crew of an American ship.

From what I have said it necessarily follows that in the case of the four seamen on board the Josephine, they being subjects of the Hawaiian kingdom and not deserters, the local courts had jurisdiction; and that in the case of the Blue Jacket, as it must be presumed that Burns (or Duane) being on an American vessel was a citizen of the United States, the local court had not jurisdiction. Upon its appearing to the local court that it was a difference between seamen—all American citizens—and that it concerned the internal order of a merchant vessel of the United States, the parties should have been referred to the American consul. This seaman had applied to the consul for redress; his case had been heard and his complaint dismissed. That fact seems to have been known to the local court which discharged him.

It seems to me to have been an unlawful proceeding, and a violation of the treaty.

With great respect, your obedient servant,

JAMES SPEED, *Attorney General.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State.*

---

*Mr. McCook to Mr. Seward.*

No. 4.]

UNITED STATES LEGATION,  
*Honolulu, August 1, 1866.*

SIR: I have the honor to inform you that some time during the next two months Queen Emma, the widow of the late King Kamehameha IV, will pass through the United States on her way here.

Should she receive the same attention from Americans that she received while in England, I feel confident it would exert a favorable influence on the mind of the present King.

Very respectfully, your obedient servant,

EDWARD M. MCCOOK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. McCook.*

No. 6.]

DEPARTMENT OF STATE,  
*Washington, September 24, 1866.*

SIR: Your despatch No. 4, of 1st of August last, in relation to the visit of Queen Emma to the United States, has been received.

In reply I have to state that your judicious suggestion in regard to bestowing on her similar attentions to those which she received in England has been anticipated by the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD M. MCCOOK, Esq., &c., &c., &c.

*Mr. McCook to Mr. Seward.*

No. 9.]

LEGATION OF THE UNITED STATES,

*Honolulu, October 4, 1866.*

SIR: I have the honor to enclose you the first of exchange drawn by C. Brewer & Co., Honolulu, on C. Brewer & Co., Boston, and payable to my order. It was placed in my hands by A. J. Cartwright, esq., one of the many patriotic American residents here, with the request that it should be devoted to "the erection of a memorial to mark the last resting-place of the gallant and good General James B. McPherson;" or should that have been already done, then "the proceeds to be paid to some soldier's widow or orphan daughter."

Accompanying the draft I send you a copy of Mr. Cartwright's letter, in order that you may more fully understand his wishes, and give to his patriotism and liberality the appreciation they so justly deserve.

I have the honor to be your most obedient servant,

EDWARD M. MCCOOK.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Cartwright to Mr. McCook.*

HONOLULU, OAHU, H. I., *September 27, 1866.*

DEAR SIR: Enclosed please find C. Brewer & Co.'s sight draft on Chas. Brewer & Co., of Boston, your favor, for two hundred dollars, (\$200.) United States currency, proceeds of which you will please have applied to the erection of a temporary tablet or memorial to mark the last resting-place of the gallant and good General James B. McPherson. I say temporary, because I have no doubt that the great State of Ohio will in due time do her full duty in this matter, and erect such a lasting monument to the memory of her great soldier and patriot as will fully convince all cavillers that republics are neither ungrateful nor forgetful.

Should my action in this have been anticipated, either by the State or individuals, (and I most sincerely hope it has,) you will please then pay the proceeds to some soldier's widow or orphan daughter, with the heart's best wishes of one who feels that he can never pay the debt of gratitude he owes the dead and living soldiers of the Union.

Very truly, yours,

ALEX. J. CARTWRIGHT.

General EDWARD M. MCCOOK,

*United States Minister Resident, &c., &c., &c.*

The above is the true copy of a letter from Alex. J. Cartwright to General E. M. McCook.  
H. B. ROUSE, *Secretary of Legation.*

---

*Mr. McCook to Mr. Seward.*

No. 12.]

LEGATION OF THE UNITED STATES,

*Honolulu, October 29, 1866.*

SIR: I have the honor to inform you that the United States steamer Vanderbilt arrived here on Monday, the 22d instant, with the queen dowager of Hawaii on board.

I transmit herewith a copy of a despatch addressed me by the minister of foreign affairs, expressing the gratitude of his Hawaiian Majesty's government and people for the respect and attention paid Queen Emma during her visit to the United States. Permit me to assure you that the courtesies extended to her are thoroughly appreciated and gratefully received by all the people here, both native and foreign. The respect which has been shown one of their native sovereigns, and the presence in this harbor of a man-of-war like the Vanderbilt, will greatly increase the esteem and respect in which our government is held.

The Prussian man-of-war *Vineta* (propeller) sailed from here on the 23d instant, bound for China and Japan, after remaining in this port seventeen days.

I have the honor to be your very obedient servant,

EDWARD M. McCOOK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. De Varigny to Mr. McCook.*

DEPARTMENT OF FOREIGN AFFAIRS,  
*Honolulu, October 23, 1866.*

GENERAL: I have the honor to enclose you a letter directed to the rear-admiral, commander-in-chief of the United States squadron in the North Pacific, conveying to him the thanks of his Majesty and of this government for his most kind attentions and hospitality towards her Majesty Queen Emma and suite. The King, his government, and his people will always remember with gratitude the numerous marks of sympathy and respect received by her Majesty during her visit to the United States, and they sincerely trust that the feelings thus created will perpetuate the friendly understanding that has for so many years existed between the two countries.

I renew to you the assurances of the high respect and distinguished consideration with which I remain, sir,

Your very obedient, humble servant,

C. DE VARIGNY.

His Excellency General E. M. McCOOK,  
*Minister Resident of the United States of America, &c., &c., &c.*

---

*Mr. McCook to Mr. Seward.*

No. 13.]

LEGATION OF THE UNITED STATES,  
*Honolulu, November 21, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch No. 6, dated September 24th, 1866. I also have the honor to enclose a copy of my despatch No. 5, dated November 10th, 1866, addressed to the minister of foreign affairs of this kingdom, in relation to the case of the American ship *Blue Jacket*.

I enclose also a copy of a communication addressed to the Russian consul at this port, refusing to receive an American seaman who committed murder in the Russian possessions in North America, and was sent here by Governor Makzontoff to be turned over to the United States authorities for trial.

Hoping my action in both cases may meet with your approbation, I have the honor to be your most obedient servant,

EDWARD M. McCOOK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. McCook to Mr. De Varigny.*

LEGATION OF THE UNITED STATES,  
*Honolulu, November 10, 1866.*

SIR: I have the honor to call your attention to despatch No. 16, dated February 14, 1866, in which my predecessor, Mr. McBride, earnestly protested against the exercise by the courts of the kingdom of Hawaii of jurisdiction in the case of one Thomas Duane, alias Burns, a seaman shipped at San Francisco on the United States merchant ship *Blue Jacket*, and discharged by one of said courts in the port of Honolulu. As the government of his Majesty paid no attention to this protest, the whole matter was laid before the government of the United States, and, in accordance with instructions received from the honorable Secretary of State, I have the honor to again call the attention of his Majesty's government to the ques-

tions involved. Burns (or Duane) was a citizen of the United States, appearing upon the papers of the Blue Jacket, an American ship, as one of the crew, having been shipped at San Francisco.

By the 10th article of the treaty between the United States and the Hawaiian kingdom, it is agreed "that each of the contracting parties may have, in the ports of the other, consuls, vice-consuls, and commercial agents of their own appointment, who shall enjoy the same privileges and powers with those of the most favored nations." Said consuls, &c., are authorized "to require the assistance of the local authorities for the search, arrest, detention, and imprisonment of the deserters from the ships of war and the merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges, and officers, and shall in writing demand the said deserters, proving by the exhibition of the registers of the vessels or the rolls of the crews, or by other official documents, that such individuals formed part of the crew, and this reclamation being thus substantiated, the surrender shall not be refused." The wording of this section is most explicit, and I submit that the only construction which can be placed upon its meaning is that the "register of a vessel or the rolls of the crews" is final and conclusive evidence as to who constitute the crew; is all and the only evidence required to establish the fact, and, as such, must be considered by the authorities of the country.

The 21st article of the treaty entered into between the Emperor of France and the King of the Hawaiian islands stipulates "that the respective consuls shall be exclusively charged with the internal order on board of the merchant vessels of their nations, and shall alone take cognizance of all the crimes, misdemeanors, and other matters of difference in relation to said internal order which may supervene between the masters, the officers, and the crew, provided the contending parties be exclusively French or Hawaiian, and the local authorities shall not be allowed to interfere unless by the approval of the consuls, or in cases where the public peace and tranquillity are disturbed or endangered." The United States consul derives his judicial power in part from this section of the French treaty, because by the tenth (10th) section of the treaty between the United States and Hawaii, "consuls, vice-consuls, and commercial agents of the United States shall enjoy the same privileges and powers with those of the most favored nations." In respect to consular powers France has been the most favored nation, and the consuls of the United States are invested with the same powers conceded to the consuls of France; consequently, in the case of the Blue Jacket, a case simply involving the question whether a seaman, a citizen of the United States, shipped on board a vessel of the United States, was or was not one of the crew, neither party (ship-master nor sailor) being subjects of the Hawaiian government, the United States consul, and no person else, had the right to decide the whole matter.

The parties to the controversy, it is conceded, were all citizens of the United States.

The register of the Blue Jacket and the roll of the crew proved that Duane (or Burns) was one of the crew, his name appearing on the papers of the ship as such.

Even if the courts of these islands had jurisdiction at all, this register or roll was the only evidence they had the right to regard under the provisions of the tenth section of the treaty between Hawaii and the United States.

As the court disregarded this evidence, and discharged the seaman, was it not a violation of the obligations imposed by this tenth section?

Again, the court assumed jurisdiction of the case, after it had already been adjudicated by the United States consul, with full knowledge of the facts, and against his protest. Was this not also a violation of the obligations imposed by the twenty-first article of the treaty between France and Hawaii?

The court had no right in the first instance to look behind the papers of the vessel; for the treaty with the United States expressly provides that these shall be received as "final and conclusive evidence as to who constitute the crew;" and in accordance with the treaty with France, giving the consuls of each country cognizance of all matters of difference between the masters, the officers, and crews of vessels of their respective countries, the consul of the United States had already made a decision, which, in my opinion was final. If the consul cannot decide whether a man is or is not of the crew of a vessel, then the very effect and intent of the treaty is destroyed by depriving him of the power of determining the very question upon which *all order* in the vessel can be supported. Unless consuls have the power to decide, and decide, too, without interference from the local courts, *who* compose the crew of American vessels, it seems to me that all their judicial powers are useless, because upon this depends all right to impose and enforce rules for the government of the crew, and each member of the crew. If such is not the case the consuls could not rightfully take cognizance of *any case until the local authorities had passed upon the validity of the shipping articles*, and any and every seaman could arrest the proceedings of the consul, by pleading that he had signed his shipping articles when drunk, or had been coerced by force or induced by fraud to do so.

The principle involved in this case is one which directly affects the interests of all the American shipping that touches at these islands, and I hope his Majesty's government may see how absolutely important it is to these interests that the local courts should refrain hereafter from any interference between the masters and officers and crews of merchant and



other vessels of the United States, in cases where the public peace and tranquillity of the kingdom are not disturbed or endangered.

I cannot more appropriately close my communication to your excellency than by quoting from a despatch lately received from my own government:

"In the case of the Blue Jacket, as it must be presumed that Burns (or Duane,) being on an American vessel, was a citizen of the United States, the local court had not jurisdiction. Upon its appearing to the local court that it was a difference betwixt seamen, all American citizens, and that concerned the internal order of a merchant vessel of the United States, the parties should have been referred to the American consul. This seaman had applied to the consul for redress, his case had been heard, and his complaint dismissed. That fact seems to have been known to the local court which discharged him. It seems to me to have been an unlawful proceeding, and a violation of the treaty."

I have the honor to renew to your excellency assurances of my highest consideration.

Your most obedient servant,

EDWARD M. MCCOOK,  
*Minister Resident United States of America.*

His Excellency C. DE VARIGNY,  
*His Hawaiian Majesty's Minister of Foreign Relations.*

---

*Mr. McCook to Mr. Pfluger.*

LEGATION OF THE UNITED STATES,  
*Honolulu, November 19, 1866.*

SIR: In reply to your communication of the 10th instant concerning the seaman George Reed, now in your custody, charged with the crime of murder, I have the honor to say that, as he committed the crime within the territory of Russia, in my opinion none other than a Russian tribunal is competent to try him; certainly the courts of the United States would have no jurisdiction over an offence committed within the jurisdiction and against the laws of the empire of Russia or any other foreign state.

I am satisfied that his excellency the governor of the Russian colonies in North America sent this prisoner to the American consul here as a mark of respect and consideration for the government of the United States; but neither the consul nor myself would be justified in receiving into custody a person who has committed no offence whatever within the boundaries of our own country. As his excellency the governor, Prince Makzontoff, states expressly in his letter that the crime charged was committed at New Archangel, and on Russian soil, it seems to me that the Russian authorities alone have jurisdiction in the case; consequently I must, most respectfully, decline receiving from you the prisoner Reed, and approve the action of the consul, Mr. Caldwell, in the same premises.

With sentiments of the highest consideration, I have the honor to be your very obedient servant,

EDWARD M. MCCOOK,  
*Minister Resident.*

Hon. J. C. PFLUGER,  
*Consul of his Imperial Majesty the Emperor of Russia.*

---

*Mr. McCook to Mr. Seward.*

[Extract.]

No. 14.]

LEGATION OF THE UNITED STATES,  
*Honolulu, November 21, 1866.*

SIR: I have the honor to enclose a copy of a communication addressed by me to Rear-Admiral H. K. Thatcher, concerning the good effect the visit and mission of the Vanderbilt have had upon the people and government of these islands. Certainly no conception could have been more happy in its results than that of the President in sending home to her people their favorite princess, as the honored guest of our government.

\* \* \* \* \*

I have the honor to be your very obedient servant,

EDWARD M. MCCOOK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. McCook to Admiral Thatcher.*

LEGATION OF THE UNITED STATES,  
Honolulu, November 21, 1866.

SIR: You have informed me officially that your flag-ship, the Vanderbilt, Captain Sanford, sails to-morrow for the Pacific coast.

Permit me to express the regret which I feel, in common with every member of this community, at your departure.

The people and government of this country fully appreciate the compliment paid them by sending Queen Emma home in such a vessel as the Vanderbilt.

In addition to this, your presence here, and the good impression the officers of your flag-ship have made upon both government and citizens, have done more towards harmonizing American interests and increasing American influence than anything which has happened for years.

I feel profoundly gratified that the Secretary should have selected to accomplish the delicate mission on which you were sent, a vessel and officers whose presence and conduct here have made all Americans feel renewed pride in their country and their countrymen.

With sentiments of the highest regard, I have the honor to be your very obedient servant,  
EDWARD M. MCCOOK,  
Minister Resident.

Rear-Admiral HENRY K. THATCHER.

---

*Mr McCook to Mr. Seward.*

No. 15.]

LEGATION OF THE UNITED STATES,  
Honolulu, November 21, 1866.

SIR: I desire to call your attention to an effort which I am informed is now being made by the Pacific Mail Steamship Company to obtain such a modification of their contract with the government of the United States as may relieve their China-bound ships from touching at these islands. I do this because I think it necessary that you should be kept thoroughly advised in relation to everything which can in any way affect the interests of our government in this country.

I believe that American interests would be greatly benefited by establishing a line of steamers between here and the Pacific coast; but the mere touching of these China steamers at any point on this group can result in no possible benefit to the political interests of our government, or the individual interests of any of our citizens. I think that the interests of the (our) government here require that the political influence of the United States should be absolutely paramount. Commercial and individual interests require that communication should be rapid, regular, and safe between the two countries, and that Americans who have their capital invested in these islands in the production of sugars, and the large population of California, Oregon, Nevada, and the rest of the Pacific coast who depend entirely on this production for their supply, should be secured reliable means for transportation of the cheapest and best character. Will any of these requirements be fulfilled by a line of steamers simply touching here once a month, landing and receiving the mails and a few passengers, and then sailing, without any further communication with the shore than will be necessary for these purposes? I think not. On the contrary, if the object in establishing and subsidizing this steam communication be to increase the commercial intercourse now existing between the two countries, to encourage American emigration, strengthen American influence, and assist such American capital and enterprise as may have already selected this country for its field of operation, I should think all this would be much more thoroughly accomplished by affording the American merchants of the Pacific coast and the American planters on these islands safe, regular, and rapid means for exchanging their commodities by a line of steamers whose terminal points will be San Francisco and Honolulu, and whose steamers will remain sufficiently long in each port to permit the transaction of the large

freighting business, upon which any line to these islands must rely almost exclusively for a support. A line of this character would undoubtedly prove a benefit to all, and I think I have succeeded in impressing his Hawaiian Majesty's government, as well as the American residents here, with my view of the matter. The whole question was thoroughly canvassed at the time the contract between the Hawaiian government and the Pacific Mail Steamship Company was under discussion, and the contract, as concluded, provides simply for steam communication between the Pacific coast of the United States and Honolulu, in consideration of which the Hawaiian government grants nothing more than free wharfage, water, &c., concessions which, by treaty stipulations, they had already guaranteed to any steam line which might be established between the two countries.

Aside from all considerations as to the disadvantage our steam merchant marine would labor under in competing for the carrying trade of China, Japan, and India, if compelled to lengthen their sailing distance some sixteen or eighteen hundred miles, against adverse winds and currents, in order to *touch* at these islands, I am confident that if the design is to create an American interest here, nothing will be accomplished by the China line merely *touching*—everything by a separate line *terminating* here. I cannot understand why these interests should be combined or confounded, as they certainly have nothing in common. To require the ships of the China line to touch at these islands is simply imposing an additional burden on them, without conferring any adequate benefit on either Americans or Hawaiians. The only class of persons who can possibly derive any benefit from it will be the hotel-keepers of Honolulu, and such travelers between China and the United States as may desire, from motives of curiosity or interest, to stop a few days or a few hours at these islands. Their claims can certainly receive no very grave consideration when so radically opposed to the interests of the Pacific coast and the success of the great enterprise about being inaugurated under the auspices of the government.

I have the honor to be, with sentiments of the greatest respect, your very obedient servant,

EDWARD M. MCCOOK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. McCook.*

No. 13.]

DEPARTMENT OF STATE,  
*Washington, December 1, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 9 of the 4th ultimo, containing the draft for \$200, handed to you by Mr. Cartwright for transmission to this department to be applied to the erection of a monument to the memory of the late General McPherson. The draft was sent to Judge Force, of Ohio, the treasurer of an association formed for the above object, and as soon as the receipt therefor shall have been received at the department, it will be transmitted to you.

I enclose a letter for Mr. Cartwright, expressing thanks for his patriotic act, which I leave unsealed in order that you may read it, whereupon you will place it in the hands of that gentleman.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD M. MCCOOK, Esq., &c., &c., &c.

## HAWAIIAN LEGATION.

*Mr. Odell to Mr. Seward.*

HAWAIIAN LEGATION,

*New York, June 7, 1866.*

SIR: I have the honor to enclose you a copy of the speech delivered on the 25th of April by his Majesty Kamehameha, at the opening of the Hawaiian legislature.

I avail myself of this opportunity to renew the assurance of my high consideration.

I am, sir, your most obedient servant,

S. U. F. ODELL.

Hon. WILLIAM H. SEWARD, &amp;c., &amp;c., &amp;c.

*His Majesty's speech at the opening of the legislature, April 25, 1866.*

**NOBLES AND REPRESENTATIVES:** I am happy to meet you in this hall, where you have gathered together to consult upon the happiness and welfare of our common country.

Relying upon your wisdom and patriotism, I trust that the results of your deliberations will be such as to justify the confidence reposed in you by the people as well as by myself.

Since the meeting of the last legislature the country has experienced a sad loss in the death of my late minister of foreign affairs, R. C. Wyllie. That faithful and devoted friend of my people and of my dynasty has passed away, but not before it had been given to him to behold that increasing prosperity which is the natural result of good government.

My relations with foreign powers are on the most satisfactory footing, and I have continued to receive from them the most indubitable proofs of their friendship and amity.

My minister of foreign affairs will explain to you the reasons that have induced me to discontinue the negotiation of a general political treaty with the great maritime nations of the world. The assurances so far received from them satisfy me that my throne and our independence may safely rest, as they do, upon our moral rights and the sacred obligations of our treaties.

The finances are in a most prosperous condition. A large surplus exists in the treasury, and our income exhibits a most gratifying increase. The report of my minister of finance will inform you of the estimated receipts for the next biennial period, and of the expenditures contemplated. The sums required for the internal improvements of my kingdom are in excess of those that have been appropriated for the preceding years; still I do not consider them as beyond our means. A plan will be submitted that will enable my government to achieve them, by applying the revenue accruing from some of them to the payment of the capital and interest disbursed.

I recommend to your earnest attention the improvements proposed for roads, as well as for harbors and landings. An increasing commerce requires increased facilities.

My minister of the interior will inform you of the steps taken to arrest the spread of leprosy. The energetic measures adopted by the board of health have been attended with good results, and I am satisfied that the important duties of this bureau have been discharged with efficacy and promptness.

The board of immigration have no less actively carried out the objects intrusted to their care. The immediate wants of our planters and farmers have been relieved, at a less cost than was anticipated. I have every reason to expect the most favorable results from the past and continued efforts of this board.

The fairness and impartiality with which justice has been administered continue to give to my subjects, as well as to foreigners resident, and visiting in my kingdom, all guarantees for the safety of life and property.

The report of the president of the board of education will inform you of the measures adopted during the last year, and of those they contemplate. The results have been gratifying, and I congratulate the country upon the improved state of our means of education.

Nobles and representatives: With heartfelt thanks to the Almighty Ruler of the universe for his many blessings upon my people and myself, I now intrust to your deliberate consideration the measures to be laid before you by my government. The remarkable progress of the last years, and your well-known zeal for the public interests, fill me with the hope that our career of prosperity will, through our joint efforts, continue uninterrupted.

And I do now declare the legislature of the kingdom opened.

The prosperity spoken of in this message is not the fruit of the King's policy and legislation, but of American enterprise and energy, notwithstanding the hundred-and-one obstacles which his Majesty and his ministers throw in the way to hinder it.

J. MC.B.

*Mr. Odell to Mr. Seward.*

HAWAIIAN LEGATION,  
New York, December 31, 1866.

SIR: I have the honor to enclose you a letter received this day from his Majesty's secretary of foreign affairs, conveying the thanks of his Majesty Kamehameha V, his government and people, for the cordial reception extended to Queen Emma on the occasion of her visit to the United States, and for the courteous hospitality received by her on board the United States steamer Vanderbilt.

With the renewed assurances of my highest consideration, I have the honor to be, sir, your very obedient servant,

S. U. F. ODELL,

Hon. WILLIAM H. SEWARD, &c., &c., &c.

---

*Mr. De Varigny to Mr. Seward.*

DEPARTMENT OF FOREIGN AFFAIRS,  
Honolulu, November 5, 1866.

SIR: By command of his Majesty the King, I hasten to transmit to your excellency the thanks of my sovereign, his government, and people for the kind and flattering reception extended by the government and people of the great republic to her Majesty Queen Emma. The courteous and delicate marks of attention received by her during her visit in the United States call for a feeling of sincere gratitude, of which I pray your excellency to find here and to transmit to the President the heartfelt assurance.

It has been with unmitigated pleasure that his Majesty has heard that it has pleased the President to place the Vanderbilt at her Majesty's disposal, and to confide her to the care of so distinguished an officer as Rear-Admiral Thatcher. Queen Emma will always preserve a most grateful remembrance of the kindness and hospitality received by her on board the Vanderbilt at the hands of the admiral, his wife, his daughter, and the officers.

This new proof of the friendly feelings of the government of Washington towards this kingdom will never be forgotten, and more than confirms the assurances to that effect already received from General E. M. McCook, minister resident of the United States, whose choice as the representative here of your government has been most agreeable to the King and his cabinet.

I pray your excellency to receive the assurances of the very high respect and most distinguished consideration with which I have the honor to be, your very humble, obedient servant,

C. DE VARIGNY.

His Excellency the SECRETARY OF STATE FOR FOREIGN AFFAIRS,  
Washington.

# HAYTI.

*Mr. Peck to Mr. Sexard.*

[Extract.]

No. 18.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, November 18, 1865.*

SIR : The last despatch which I had the honor of forwarding to the department was of date October 28, 1865.

In that despatch I recited the main incidents, as they had then come to hand, of an affair between her Britannic Majesty's steamer Bulldog and the insurgents of Cape Haytien. From this unexpected affair important results have proceeded. An outline of them is as follows :

After blowing up his vessel, as narrated in my last, Captain Wake, of the Bulldog, proceeded to Jamaica, and reported to his superior officer there what had occurred to and through him. His report decided the admiral to send to the Cape a force which could either compel Salnave to make such reparation as was thought necessary, or in case of obstinacy on his part, inflict on him proper punishment. Accordingly two men-of-war came from Jamaica, and taking on board at this place Hon. Spencer St. John, her Britannic Majesty's chargé d'affaires near this government, proceeded to the Cape and made an imperative demand on Salnave. Reports differ as to the tenor of this demand, and I will not now undertake to repeat the differing statements, or to decide between them as to their truth. When Mr. St. John returns to this place, I shall get the facts from him, and will report them in connection with another and more correct account of the Bulldog affair, which I shall take the liberty of forwarding to the department.

Whatever the demand was, General Salnave did not choose to comply with it, and in the end, on the morning of the 9th instant, the British ships opened fire on the defences of the town, and soon reduced them to ruins. With the way thus cleared, President Geffard made an assault, and by night his troops were in possession of the town, which meantime had been fired by Salnave's men. The fire was soon extinguished by the government troops, with comparatively little damage to the town.

While this was passing, General Salnave and some thirteen or fourteen of his associates went on board the United States gunboat De Soto and were taken by her to some unknown point.

The capture of the Cape permits the government to regard the revolution as ended, and it has published hopeful proclamations to that effect. But the indications are that the triumph is not likely to be permanent. The bombardment of the Cape by British guns has touched the national pride at a most sensitive point. All classes, including friends of the government, unite in denouncing it bitterly. This has, on the one hand, greatly weakened the government, and on the other united the parties opposed to President Geffard, which have hitherto been at odds. I fear the end of the revolt has not yet been reached.

News from Jamaica respecting the means, regarded by the most of people here as atrociously cruel, by which the provincial government has put down the rebellion in that island, has greatly inflamed the enmity against the British which the Bulldog affair has excited here, and has led to much acrimony against whites in general. This new irritation bodes no good to the foreign interest.

There was current here, some days ago, a report that our government had set up a protectorate at Cape Haytien. Being convinced from what I heard from reliable sources that the report was being widely propagated, and that it was doing much mischief, I addressed to the minister of foreign affairs a note with respect to it, of which the accompanying paper is a copy. I took the note to the minister in person. He received it politely, but thought (as I had somewhat expected he would, for just now it is to the interest of the administration to have our government misunderstood by the people) that the publication of it, which, as will be seen, I had requested, would do more harm than good.

The minister of foreign affairs informed me a few days since that the government would immediately make formal complaints, through me, against Captain Walker, of the *De Soto*, for giving shelter to Salnave, &c. I have not yet received the promised paper.

\* \* \* \* \*

We have news to-day that the republic of Santo Domingo is once more in revolution. Biaz, the old rival of Santanna, and often president of the republic, has returned to the country. The city of Santa Domingo has declared for him. Cabral has fled to the north, and it is supposed that he will lift the standard of a movement for the separation of the north from the south. Meantime a third uprising has occurred in the part of the republic which borders on Hayti, having for its object the annexation of that country with this. Thus the elements of new troubles for this poor island are at work. God only knows the end.

May I once more pray our government not to forget American citizens and property, which are exposed to unknown perils on this quaking soil.

I have not received any communication from the department since my arrival, nor has there been an American man-of-war in our port, except for about twelve hours.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State Washington, D. C.*

---

*Mr. Peck to Mr. Aug. Elie.*

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, November 4, 1865.*

SIR: This morning's post brought me from Gonaives a letter in which the writer informed me that it was currently reported in the north that a fleet of United States vessels, carrying troops from that country, had arrived at Cape Haytien, and, after receiving from General Salnave a surrender of the town, had set up, in the name of the government of the United States, a protectorate.

Since the receipt of this letter I have learned, in various ways, that the report conveyed by it has general circulation, and is seriously affecting the public mind. A prominent man in another town writes to his correspondent here that he is making arrangements to leave the country, as he is not willing to be subject while in Hayti to a foreign government.

Under these circumstances, I feel constrained to ask your excellency to make a public contradiction of this foolish and hurtful story. I speak of the story as being foolish, for it is indeed so. My government is jealous of all interference by other governments with its own affairs, and the immunity it asks for itself it will, on principle, extend to all other nations. On no account whatever would it meddle with the affairs of Hayti or of any other country. When it was controlled by slavery propagandists it would doubtless have been glad to get a footing here, so that it could re-establish slavery. But since it has itself shaken off the power of that infernal institution it has withdrawn from all projects for extending its territory. Its great object now is to develop its own people, to lift up the millions who have long been crushed by slavery, and to heal the wounds in its own social system which slavery has made. With such an object, it can have no other wish towards Hayti than that she may be a free, independent, and happy nation; it will extend to her weaker sister sympathy and good will; it will never force upon her, or even offer to her, protection or domination under any other name.

I may add that all the instructions and despatches I have received from my government agree in their spirit with what I have said above, and that I have had no notice from it of an intention to change its settled policy towards kindred nations. My government would not send a fleet or troops to set up a protectorate in Hayti without giving its representative here notice of its new purpose and plans. I have had no such notice, and I predict that I shall have none. By giving currency to this statement you will greatly oblige me.

I have the honor to be, with the highest consideration, your excellency's most obedient servant,

H. E. PECK,

*Commissioner and Consul General U. S. A.*

His Excellency AUG. ELIE,  
*Minister of Foreign Affairs.*

---

*Mr. Peck to Mr. Seward.*

[Extract.]

No. 19.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, November 26, 1865.*

SIR: \* \* \* \* \*

I received yesterday from the minister of foreign relations a despatch announcing the lifting of the blockade from Cape Haytien, a translation of which I send with this.

Order is now re-established in this republic. Still confidence does not reappear. It is reported that the President will immediately propose a new and conciliatory policy. If the report should prove true, it might be expected that the country would at once settle into permanent peace, and make the social and commercial advances of which it is capable.

I am, sir, with great respect, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Aug. Elie to Mr. Peck.*

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,  
*Port au Prince, Hayti, November 23, 1865.*

Mr. COMMISSIONER: I have the honor of informing you that the port of Cape Haytien, closed to commerce by an order of his Excellency the President of Hayti, dated June 14, 1865, has been reopened to the trade of all nations. The blockade hitherto existing has been made unnecessary by the occupation of the town by the troops of the republic.

I take this opportunity, Mr. Commissioner, to renew to you the assurances of my distinguished consideration.

AUG. ELIE.

Mr. H. E. PECK,  
*Commissioner and Consul General of the United States.*

---

*Mr. Peck to Mr. Seward.*

No. 20.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, December 2, 1865.*

SIR: In despatch No. 19, of date November 26th, ultimo, I forwarded a notice of the lifting of the blockade of Cape Haytien, which I had just received from the minister of foreign affairs. As the paper has some importance, I send a duplicate of it with this.



President Geffrard has returned to this city. His army has been disbanded. There is no political disturbance, but confidence does not yet return.

I have paid my respects to President Geffrard, and will presently report the conversation I had with him.

I am, sir, with great respect, your obedient servant,

H. E. PECK.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Peck to Mr. Seward.*

No. 22.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Port au Prince, Hayti, December 11, 1865.*

SIR: In consideration of the historical importance of the affair of her Britannic Majesty's ship *Bulldog* at Cape Haytien, and of the bombardment of the defences of that town, which grew out of that affair, I have taken pains to collate the facts connected with both events, and would beg leave to present them in this despatch. In the latter part of September last, the revolutionists at Cape Haytien captured the government blockading steamer *Voldrogue*, rechristened the *Providence*. Repaired, manned, and put under the command of Captain Villaneuava, the prize was soon ready to do service for her new owners. Several schooners were also put in commission by the revolutionists and attached to the steamer, and by the middle of October the extemporized fleet was at sea.

Finding nothing off the cape to oppose him, Captain Villaneuava at once steered to the mouth of the harbor of L'Acul, which, being the base of the operations of President Geffrard's army, he proposed to close.

On the 19th of the month (October) the *Jamaica* packet, a British merchant steamer, which for some months had been in the transport service of the Haytien government, and which was now loaded with army supplies, appeared off the port. The packet did not understand the character of the fleet which was in her way, and sailed, without hesitation, directly into its embrace. The first notice of peril which she had was a round shot from the *Providence*, which carried away a part of her flag. Not waiting for further information, she put on steam, and soon ran through the threatening crowd which surrounded her. At the moment of her escape she saw her Britannic Majesty's ship *Bulldog*, which was on her way into L'Acul to notify President Geffrard that the blockade of Cape Haytien no longer existed, and that British vessels must not be called to account by the government if they entered or departed from the port. The packet had a mail for the *Bulldog*, to deliver which she ran down to her. Going on board the *Bulldog* with the mail, and reporting the treatment he had just received from the revolutionists, Captain Cosgrove, of the packet, was told by Captain Wake, of the *Bulldog*, (the account of the affair given by Captain Cosgrove to many persons on his return to this city is here followed as strictly as possible,) "I have no right to protect you, but I will try to bluff these fellows this time. But you must not come here under a charter for the government again. If you come under a charter for President Geffrard with our flag flying, you will get our government into a scrape. If President Geffrard will buy your ship, and sail her under his own flag, very well. Otherwise, you must not come here; and if you do, I will not protect you." He then fired a gun to notify the *Salvage* fleet that it must desist from further assault upon the packet.

At this Captain Villaneuava brought the *Providence* under the quarter of the *Bulldog*, and by awkward steering came foul of her. He then came upon the deck of the *Bulldog*, and in strong and not polite language, which was

accompanied by menacing gestures, a pistol being in each of his hands, protested against the interference by which he had lost his expected prize. He claimed that the packet was not entitled to British protection, since she was carrying "contraband of war," and had gone into her present business with the knowledge that she was subject to capture by the revolutionary party, and had accordingly required the Haytian government, as a condition of the charter, to insure her owners against loss by such capture. He then proposed that Captain Wake and himself go on board the packet and examine her papers, promising that, if the papers showed that the ship's voyage was legal, and that she was entitled to British protection, he would allow her to go without further molestation. To the violent language which Captain Villaneuava at first employed Captain Wake replied, that he had "quite a mind to capture his (Villaneuava's) whole fleet;" and to the proposition that the packet's papers should be examined, he answered by saying, that he *knew* that the vessel was entitled to English protection, which protection she should have, at all events, and that the papers should not be examined. He also demanded of Captain Villaneuava proof of his right to stop British vessels, which proof the captain could not or would not produce. He then summarily ordered the Salnave officer to make off with himself and his fleet, or he would be punished for what Captain Wake called his "insufferable impudence."

Captain Villaneuava had no alternative but to run to Cape Haytien and report what had occurred between himself and the Bulldog. His story produced great excitement. As a consequence the revolutionary "Committee of Public Safety" decreed (1) that none of the Bulldog's officers or crew should be allowed to land on their return to the Cape, for the Bulldog was at the time stationed at the Cape, and (2) that the British consul should be required to give up the "political refugees" who were being sheltered under his flag.

Immediately on the return of the Bulldog to her anchorage the decree was put in force in both its parts. The British consulate was menaced by an armed party, and the person who was for the moment in charge of the house—for the consul had gone on board the Bulldog as soon as she came within the harbor—opened the door and gave up seven of the refugees. About the same time a boat from the Bulldog, in which was Captain Wake himself, was warned off from the wharf which it was approaching, with a notice that it would be fired upon if it did not respect the warning.

Immediately upon returning to his ship Captain Wake wrote to the "Committee of Public Safety," demanding an explanation of and satisfaction for their, as he regarded it, singular and outrageous conduct. This note he sent to Captain Walker, of the United States ship *De Soto*, then lying in the harbor, with the request that it should be sent ashore by Captain Walker. Captain Walker received the note and at once put it on its way. In a letter acknowledging the receipt of the note, and informing Captain Wake that it had been sent to its destination, Captain Walker expressed regrets for the untoward events which had occurred, and begging Captain Wake, in consideration of the bearing which hasty measures might have on the fate of the refugees who had been taken from the British consulate, and on the interests of the foreigners residing in the town, to act with caution, and, in a spirit of conciliation, offered to be mediator, if it would be agreeable to both parties. Captain Wake at once acknowledged the receipt of the letter, but gave no other reply to the suggestion as to the character of the measures to be employed than to ask if Captain Walker would assist him in executing the measures he should adopt. For a reason why such assistance should be given by Captain Walker, he said that the assault upon the consulate was an offence which it was to the interest of all nations having consulates in the town to rebuke.

To this request Captain Walker replied that he was not sufficiently in pos-

session of the facts to enlighten his judgment as to what he ought to do. He would inform himself and give a more specific answer the next day.

At daylight the next morning (October 20th) Captain Wake again wrote to Captain Walker, asking him to send an enclosed letter to the British consul, and also in terms declining Captain Walker's offer of mediation.

Captain Walker then wrote again to Captain Wake, counselling moderation and forbearance. At the same time he wrote to the president of the "Committee of Public Safety," asking what measures the committee proposed to take, and advising that such a course should be taken as would justify to the world the claim made by the revolutionary government that in all its acts it intended to be governed by a wise and just policy.

The next morning (October 21st) Captain Wake sent to Captain Walker another letter, in which he expressed the opinion that, as the committee had made no reply to his demand for redress, there was no room to hope that conciliation could effect anything, and adding that it was evident that resort must be had to extreme measures.

During this day Captain Walker visited the "Committee of Public Safety," hoping to induce them to put themselves in the way of reconciliation with Captain Wake. He, however, found them irritated by the language of Captain Wake's letters to them, which they regarded as menacing and insulting; they were consequently indisposed to come to terms. Later in the day Captain Walker called on Captain Wake and reported to him that he had found the committee convinced that "the forcing of the consulate was only a just retaliation for the indignity they had received in the Jamaica packet affair, and consequently that they were all for war."

But in the mean time parties ashore had followed up Captain Walker's labor with the committee, and induced that body to offer to Captain Wake, through Captain Walker, any reasonable satisfaction, provided Captain Wake would make suitable acknowledgments to them. At a late hour of the night Captain Walker was apprised of this new conclusion, but at such a time he could not communicate it to Captain Wake.

Early the next morning (October 22d) Captain Wake got under way and stood out of the harbor, having, while he was getting up his anchor, sent to the *De Soto* two letters, one for Captain Walker and the other for Mr. Rodatz, a prominent merchant of the place and consul for Hamburg. In the letter to Captain Walker he expressed regrets that Captain Walker had felt obliged to decline assisting him in his affair with the committee, and said he was convinced that this refusal had given moral strength to the committee. He also requested Captain Walker (1) to protect the British residents of the town, and (2) to provide for the safety of the refugees taken from the consulate by notifying the committee that the continuance of his (Walker's) intercourse with them must depend on their doing no violence to the refugees.

In the letter to Mr. Rodatz Captain Wake, after some preliminaries, (see A, in the file accompanying this despatch,) remarked, "I have determined, in the interest of the said foreigners and refugees who have been taken from under the protection of the British flag, to abstain for the present from retaliatory measures in the bay of Cape Haytien."

This letter to Mr. Rodatz led the foreigners ashore to believe that, as retaliatory measures were to be deferred, they might safely remain at their homes and not go on board the *De Soto*, as Captain Wake advised them to do.

To the astonishment of everybody, however, about sunrise on the 23d the *Bulldog* again appeared off the port, coming at a high rate of speed. The ship had been, since leaving the Cape, at *L'Acul*, where the British consul and Captain Wake conferred with President Geffrard, the result of which conference was a programme for a joint attack, the *Bulldog* to assail the fleet and the shoreworks, while the President assaulted the land defences of the town.

The return of the Bulldog being reported to Captain Walker, he ordered a boat to put off and convey to Captain Wake a notice that he (Walker) was confident that matters were in such a train that the unfortunate quarrel could be settled to the satisfaction of both parties. The Bulldog, however, took no notice of the boat, although the officer commanding it made two earnest efforts to reach her, and although it was distinctly seen by the Bulldog, as her captain afterwards admitted.

Meantime Captain Walker, fearing that matters might come to extremes, sent all his unemployed boats ashore for the foreigners.

After getting inside of Fort Picolet, the seaward defence of the town, the Bulldog opened fire on the fort. The fort answered the fire by only two shots, but a battery within the town fired vigorously on the vessel as soon as she came within reach. This fire the Englishman returned with interest.

As the Bulldog, which was at the moment running with a full head of steam for the steamer Providence, which she evidently intended to run down, came abreast of the battery she ran upon a spit and was instantly hard and fast aground. This, however, did not make her abate her fire, which she still resolutely maintained against the battery and the Providence. Her shots soon sent the Providence to the bottom.

It will be seen that the fire which the Bulldog drew from the battery exposed the De Soto, which having cold boilers could not move out of the way, nor was it until two hours had passed, during which the Bulldog still kept up her fire, that she could change her position.

Captain Walker, finding that his ship was in danger, and apprehending that the foreigners, some of whom were at the moment being brought off in his boats, and others of whom were yet on shore, would be likely to be killed by shots from either the Bulldog or from the battery which was firing upon her, or by the enraged populace in town, sent to Captain Wake and demanded his reasons for his unannounced act, by which a friendly ship of war and the lives of so many foreigners on shore were put in jeopardy. Captain Wake replied that he had got into a bad fix, but trusted to American generosity, and hoped Captain Walker would not take advantage of his position. Meantime the Bulldog still kept up her fire, thereby destroying a number of houses, and wounding three Germans in the town. She also sent a musketry fire from her tops upon the crew of the Providence who were struggling in the water. Captain Walker, seeing this, sent a boat to pick up the men in the water. Soon after this Captain Wake sent one of his boats on the same errand.

While this was passing the populace of the town was being excited, beyond measure, by the acts of the Bulldog. At the opening of the Bulldog's fire a clamor for the lives, not only of the refugees taken from the British consulate, but of all foreigners remaining in the town, was raised. With much difficulty General Salnave appeased the people by reminding them that the quarrel was not with foreigners as a class, but with the British only. He thus succeeded in averting the blow from the foreigners, and even saved four of the refugees. The other three he ordered to be shot, which order was immediately executed.

Captain Wake, finding that he could not get his ship off without help, sent to Captain Walker, and asked his assistance. Captain Walker replied that his own ship was adrift among the reefs, and that his first duty was to secure her safety. At a later hour, Captain Wake again appealed to Captain Walker for aid, saying, that if Captain Walker would get him off the spit, he "would at once leave the harbor." Captain Walker replied, that he "was sorry to see Captain Wake in a position so melancholy, but that he could not interfere as his ally in a war so recklessly begun by him. What he could do, however, without violation of neutrality, should be heartily done. He would take and provide for the Bulldog's sick and wounded, but could not tow her from under the fire of her enemy." In accordance with his offer to provide for the sick and wounded, he immediately

sent a boat, prepared to receive disabled men, to the Bulldog. The boat was alongside the Bulldog when a shell from the shore battery blew up one of the ship's boilers.

Captain Wake at first declined Captain Walker's offer as to the sick and wounded, but afterwards accepted it, and sent such of his crew as were *hors de combat* to the De Soto.

About nine o'clock at night Captain Wake, finding that his efforts to get his ship afloat availed nothing, blew her up, and with his crew left the harbor in his boats.

By this time the De Soto was crowded with the sick and wounded from the Bulldog, and the foreigners who had come from the shore. To relieve himself of the inconvenient company, Captain Walker sailed for Port Royal, Jamaica, where he landed the Bulldog's men; thence he came here and landed the foreigners. And it is in place for me to say here, that I regard the protection which Captain Walker extended to those foreigners as a service to humanity, for which he should be heartily thanked; nor do I doubt that the expense to our government occasioned by his hospitality to these shelterless people will come back in the future in large returns of valuable good-will to our flag.

The day before Captain Walker came into this port her Britannic Majesty's frigate Galatea sailed from here for Cape Haytien, having on board her Britannic Majesty's chargé d'affaires in Hayti, Mr. Spencer St. John, and expecting to be joined on her way to the Cape by several other British men-of-war. It was understood that the errand of Mr. St. John and the fleet was the settlement of the issue with the Salnave party at the Cape, and it was expected that the outcome of the affair would be the bombardment of the town by the fleet. It was seriously feared by all intelligent parties here that such an event would, by disturbing the *amour propre* of the Haytiens, put in peril the interests, and even the lives, of all foreigners in the island. When, therefore, the De Soto arrived here, and Captain Walker had reported to me what he had seen and heard at the Cape, I said to him that, "much as we needed his presence here in the excitement growing out of the Bulldog affair and the revolt in Jamaica, I could not doubt that he ought to return to the Cape, and, if possible, avert a resort by the British fleet to extreme measures, since by so doing he would more effectually protect not only Americans but all foreigners there than he could by remaining here." To facilitate his mission I gave him a letter of introduction to Mr. St. John, in which I expressed to Mr. St. John the belief that Captain Walker could promote that pacific solution of the unhappy controversy which I was certain he must, as I certainly did, regard as desirable. Captain Walker accordingly sailed from here without delay, and reached Cape Haytien early the next morning (November 7th.) As soon as his anchor had taken the ground he called on Captain Macguire, of the Galatea, and was by him introduced to Mr. St. John, to whom he presented my letter. A conversation, altogether general, followed, and Captain Walker, finding that neither his opinion as to matters at issue nor his aid was required, returned to his own vessel. During this day neither Mr. St. John nor the commander of the fleet communicated with parties ashore. The committee of public safety, however, learned in some way that Mr. St. John was on the Galatea, and in the evening wrote to say to him that they had heard of his arrival and were surprised that they had not seen him ashore. They would be glad to see him and would try to make his visit agreeable, &c., &c. This communication was sent to Mr. St. John through Captain Walker. Meantime, at 2 p. m. of the same day, Captain Walker had received from Captain Macguire a formal notice (B in file) that in retaliation for the violation of the British consulate, and the shooting of the refugees who were taken therefrom, the defences of the town would probably be attacked by the fleet the next day.

When, therefore, Captain Walker received from the committee the letter spoken of above, which he was to send to Mr. St. John, he reported to the mes-

senger of the committee the notice which he had received from Captain Macguire. This was the first intimation received by the committee as to the errand of the fleet or as to the purposes of its commander.

It should be said here that on receiving Captain Macguire's notice, Captain Walker wrote to Captain M. (see C in file) reminding him that the attack on the consulate had been provoked, first, by the interference of the Bulldog in the Jamaica packet affair, which the committee regarded as very unjust, and, second, by the attack of the Bulldog on the town, and that the committee had notified Captain Wake that the refugees would be shot if he attacked the city, and accordingly his order to the Bulldog to fire was in effect an order to shoot the refugees. Captain Macguire made no reply to this communication.

At 8 o'clock the next morning Mr. St. John sent to the committee of public safety a notice that he had come to get proper redress for the wrong recently done to the British consulate, but that he would not treat with the committee. The committee must therefore go on board some vessel in the harbor and leave for any place out of the country which they might choose, after which he would confer with any persons whom the people might name as their representatives. The committee replied that, "to give proof of their good will and to render homage to the British flag, which had always been respected in the city, they would embark on the United States steamer *De Soto* and there await the issue of his (Mr. St. John's) conference."

But about noon, and before this answer of the committee could reach him, Mr. St. John sent to the committee an ultimatum (see D in file) in which, after referring to his previous note, in which he required that the committee should go on board *any* vessel, he now required that they "should come on board the *Galatea* and be conveyed by her as passengers to any neighboring country, as, for instance, Monte Christo. When this was done he would enter into negotiations regarding future British intercourse with whatever authorities might be chosen by the people. In the event of the non-acceptance, by 10 o'clock p. m. of that day, of these last terms, Captain Macguire would be left to take such active steps as he should consider fit.

The terms were not accepted, and at nine o'clock the next morning the fleet attacked the defences of the town on one side, while President Geffrard made an assault on the other.

By night the works were all destroyed, and the government troops had entered the town. General Salmave's troops then fired the town in many places and scattered for safety. Some fifteen or twenty prominent persons, among whom were General Salmave, and Mr. De Lonne, the president of the Committee of Public Safety, took refuge on the *De Soto*.

The next morning Captain Walker got up his anchor and went to Monte Christo, in the Dominican territory, some thirty miles from Cape Haytien. Here he sent a boat ashore and notified the authorities that he had on board certain parties from Cape Haytien, who would like to land. The officer in command of the port replied, that all except General Salmave and Mr De Lonne might land. The excepted persons must not come on shore, as he had instructions to that effect from the general commanding the *arrondissement*. Captain Walker then put General Salmave and Mr. De Lonne on board an English schooner lying in the harbor, after which he returned to Cape Haytien.

Regretting that my narrative of events which may yet have an important bearing on political relations in the West Indies has necessarily been so long,

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Captain Wake to Mr. Rodatz.*

HER MAJESTY'S SHIP BULLDOG,  
*Cape Haytien, October 21, 1865*

SIR: I have to inform you that the revolutionary council having refused me any redress for the gross outrage they have committed on the British flag, and assumed a most hostile attitude, and whereas I have determined, in the interests of the said foreigners and refugees who have been taken from under the protection of the British flag, to abstain for the present from retaliatory measures in the bay of Cape Haytien, it is my intention, seeing that it is out of my power to afford protection to any one on shore, to take her Majesty's ship Bulldog out of this harbor; and, having obtained the promise of the American captain that he will allow his boats to embark, and will receive on board his ship any foreigners who may wish to avail themselves of his offer, I beg to acquaint you that I strongly recommend all foreigners to thankfully accept the said offer, if permitted.

I have the honor to be, sir, your obedient servant,

C. WAKE, *Captain.*

E. RODATZ, Esq., *Cape Haytien.*

*Captain Macguire to Captain Walker.*

HER BRITANNIC MAJESTY'S SHIP GALATEA,  
*Cape Haytien, November 7, 1865.*

SIR: An act of aggression having been committed on the English vice-consulate at this place, and several refugees seized from it and shot, I have, therefore, the honor to acquaint you that I shall probably attack the defences of Cape Haytien to-morrow, and beg to give you this notice, in the event of the United States ship under your command coming in the line of fire. I am informed that no subjects of the United States are at present at Cape Haytien.

I have the honor to be, sir, your most obedient servant,

MACGUIRE, *Captain.*

Captain W. M. WALKER,  
*United States ship De Soto, Cape Haytien.*

Received at two p. m.

*Captain Walker to Captain Macguire.*

UNITED STATES SHIP DE SOTO,  
*Cape Haytien, November 7, 1865.*

SIR: In your communication of this date, received this evening, you state, "An act of aggression having been committed on the English vice-consulate at this place, and several refugees seized from it and shot, I have, therefore, the honor to acquaint you that I shall probably attack the defences of Cape Haytien to-morrow," &c.

After perusing this paper, I cannot refrain from the observation that, in the difficulties which have supervened between the authorities of Cape Haytien and the British representatives, you seem not to have regarded as entitled to any consideration the great provocation said to have been given to the authorities of Cape Haytien by her Britannic Majesty's late ship Bulldog, of L'Acul, which is believed to have been the immediate cause of the demand of the refugees under the protection of the British consulate. Nor does it appear to me, sir, that in the attack you propose to make to-morrow upon the weak defences of an almost defenceless people, you remember or give any weight to the well-established fact that had not the Bulldog, in direct opposition to all declarations of her commander, had resort most unexpectedly to extreme measures, the fullest atonement to "British honor" for an offence hastily committed and afterwards deeply repented would have been made. Finally, sir, it should not be forgotten that, in reply to the menaces of the Bulldog, it was distinctly declared by the authorities of Cape Haytien that the refugees would be shot if the Bulldog fired into the town.

Under these circumstances, sir, I do believe that to many observers it will appear that the order given by the commander of the Bulldog to fire upon the town was, in effect, the order to shoot the refugees.

I have the honor to be, sir, your most obedient servant,

W. M. WALKER,  
*Captain United States Navy.*

Captain MACGUIRE,  
*Commanding H. M. ship Galatea, Cape Haytien.*

*Mr. St. John to Mr. Salnave.*

HER BRITANNIC MAJESTY'S SHIP GALATEA,  
*Cape Haytien, November 8, 1865.*

GENTLEMEN: I beg to inform you that the propositions made to you were—

First, that you should go on board one of the vessels in the harbor and leave the country; now, the terms are that you shall embark on board her Britannic Majesty's ship Galatea, and be conveyed to any neighboring country where you may desire to be landed, as, for instance, Monte Christo. We also, Captains Rochfort, Macguire, and myself, pledge our honor that you will be treated on board as passengers and not in any way as prisoners.

Secondly, that after your departure we will enter into negotiations regarding future British intercourse with whatever authorities may be chosen by the inhabitants to represent them.

Thirdly, we desire you to understand that we have entered the harbor of Cape Haytien simply to obtain what we consider adequate satisfaction for the insults offered to the British flag, and that we have held no intercourse with the forces now besieging the Cape.

Fourthly, I must draw your serious attention to the patience showed by Captain Macguire in retarding his operations, and that this cannot possibly continue. You must, therefore, consider this as an ultimatum, and that you must accept in full the above propositions. If I do not receive before 10 o'clock this evening your answer fully accepting them, Captain Macguire will consider that you decline them, and will take such active steps as he may consider fit.

Fifthly, this is the last communication which you will receive from me on the subject, unless your reply distinctly accepts the above terms.

I have the honor to be, gentlemen, your obedient servant,

SPENCER ST. JOHN,

*Her Britannic Majesty's Chargé d'Affaires.*

General SALNAVE,

*et aux Membres du Conseil Revolutionnaire.*

---

*Mr. Peck to Mr. Sevard.*

[Extract.]

No. 24.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, February 17, 1866.*

SIR: My last despatch to the department was of date January 17, 1866. I have received nothing from the department since early in November.

A Mrs. Myers, herself an American, the widow of a citizen of the United States, who lives near Cape Haytien in this republic, lost, by the occupancy of her premises by troops of the government during the late civil war, nearly all her movable property, amounting in value to some two or three thousand dollars.

Through our consul at Cape Haytien, who speaks of her as being a worthy woman, she has asked me to make claim upon this government for the amount of her losses. I was about doing so, when an arrival brought news of the adoption by our House of Representatives of a resolution forbidding the Committee on Claims to entertain the petitions asking for compensation for losses caused during the war by our troops coming from persons residing in the States lately in revolt.

This intelligence led me to doubt whether I can consistently ask from this government the payment of claims similar to those which it would appear our own government will refuse to recognize.

I would therefore respectfully ask the department to instruct me as to the course I shall take in the case of Mrs. Myers, and in similar cases, many of which are likely to arise.

There are positive rumors of a new uprising in the north or upon the north-eastern frontier. But I am satisfied that the reports have no other ground than the fact that there are in the country many disaffected people who would be glad to have a revolution occur, and hope to excite one by circulating these and similar stories. The government does not credit the rumors, but is taking notice



of them so far as to make such preparations as would doubtless promptly put down a revolt should one occur.

\* \* \* \* \*

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

P. S.—Since the above was written the government has learned from official sources that there is no disturbance in the north.

*Mr. Peck to Mr. Seward.*

No. 25.]

LEGATION OF THE UNITED STATES OF AMERICA,

*Port au Prince, Hayti, February 23, 1866.*

SIR: Knowing your desire that cordial political relations should be established between the republic of Hayti and Santo Domingo, I take the liberty to inform you in this despatch of some circumstances of recent occurrence which bear on that matter.

Some weeks ago President Geffrard appointed a commission for making a treaty with the Dominican government. This commission, made up of senators, generals, and other prominent men came together, and, after some discussion, concluded that it could not make the proposed treaty, nor in any way recognize the independence of the Dominican government, since the territory occupied by that government belongs to Hayti, by a title in terms affirmed by the constitution of the country.

The treaty project was thus apparently, much to the annoyance of the government, brought to a stand-still.

Yesterday I called informally on Mr. Elie, minister of foreign affairs, and got from him a statement with respect to the treaty matter, of which the following is a memorandum:

It has been and is the wish of President Geffrard to recognize Dominica, and make a treaty with her. Two difficulties are in the way—

1. This government has had no official proof that the Biaz government is rightfully in power, or even that it exists. President Geffrard was officially informed of the adoption of the Dominican constitution, and of the appointment of General Cabral as provisional president. He was also informed that an election to the presidency, under the constitution, would soon occur, and that he should be duly notified of the result. The promised information was never sent, and his Excellency knows only by hearsay that General Biaz is President. Through the same channel he also learns that the elevation of General Biaz to his place did not occur in the manner prescribed by the constitution. This government cannot enter into treaty negotiations with General Biaz until it has been officially informed that he has a right to make a treaty.

2. The constitution of Hayti must be changed before the government can make a treaty with Dominica. That instrument claims the whole of this island as Haytian territory. Until this claim is abated the government cannot make a treaty which will alienate two-thirds of the land claimed. But the government has asked the chambers to change the constitution so that the claim shall be modified, and a bill to that end has already gone through both houses once. It must be passed again at another session, and this will probably be done as soon as the chambers come together, which will be early in April. The two difficulties thus recited being removed, the government will make haste to recognize its sister government and enter into political relations with her. And if, meantime, the United States or any other government chooses to recognize Dominica, this government will interpose no objections.

Mr. Elie's manner in conveying these statements seemed somewhat constrained and from this fact, joined with the fact that in a conversation on the same subject which I had with him last month, and which I reported to the department, the difficulties in the way of making a treaty were not spoken of, or, if spoken of, received no emphasis, I have been led to believe (and street rumors confirm the belief) that the government is unexpectedly embarrassed over the question in hand, and that it is not certain that Hayti will immediately recognize Dominica.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Peck to Mr. Seward.*

[Extract.]

No. 26.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, March 26, 1866.*

SIR: I am in receipt of your despatch No. 11, dated January 27, 1866, with my commission enclosed.

I have to ask your attention to the following narrative of important events which have recently occurred, or are now occurring, in this republic:

In the early part of this month the government commenced trying, at Cape Haytien, persons charged with being concerned in the late insurrection. There were but twelve of the indicted at the bar; but, according to the custom of the country, trial proceeded against some fifty others, included in the indictment, who were yet at large. All the indicted were convicted and sentenced to death. Six of the twelve in custody were shot within three hours after receiving sentence.

It was immediately apparent that these executions had excited among the numerous friends of the executed, here and elsewhere, a sullen determination to be avenged, and it was generally feared that a new uprising would occur. This fear was justified by the speedy breaking out in this city of numerous incendiary fires. Still, no open revolt occurred.

But on Monday morning, March 19, a fire, whether kindled accidentally or by design is not known, broke out in the heart of this town. The strong land breeze which was blowing at the time soon drove the flames across acres of valuable buildings to the seashore. This destructive work had hardly been completed when an unusually heavy sea-breeze arose and sent the fire to the extreme landward side of the town. While this was passing, next to nothing was being done to arrest the flames. There was almost no apparatus and no organization. The people, who are taught by the system on which the government is founded to look to the authorities for all instrumentalities required by the public good, were powerless, and the government was both unprepared for and inadequate to the dreadful responsibility. The utter helplessness of the people and the almost total inefficiency of the government were spectacles too sad for contemplation.

The conflagration did not expire until nearly twenty-five squares, covering at least one-third of the territory and occupied by two-thirds of the real and personal properties of the town, had been swept clean. Hardly a single European business house, and but few of the better dwellings, escaped. Thousands of people were at once reduced from comfort to want, and as the losses amounted to five millions of dollars in gold, the commercial interests of the city received a shock from which they can hardly recover in a score of years.

The social and political aspect of affairs during the fire was appalling. The

people were panic-stricken, not only because of the havoc they were witnessing, but also because of the fear of a new uprising, which they justly entertained. The inefficiency of the government and its incompetency to meet the crisis were noticed by multitudes, who were in a mood to magnify every fault and undervalue every good act of the authorities. Many persons openly expressed bitter discontent and clamored for a change of rulers. An accession to the already too prevalent dissatisfaction with the government was certainly one of the leading, as it was one of the most unhappy, events of the day. Towards night attempts to fire the town in new places were made, and the knowledge of this fact increased the general alarm.

Since Monday last there have been no new fires, but the fear that the remnant of the town will presently be in ashes widely prevails.

Since these trying events the spirit of the people, so far as the enduring of great and perhaps irreparable pecuniary loss is concerned, has been admirable. The equanimity with which they have borne trial is truly surprising. I wish I could add that their anger towards the government is abating; but I cannot. It is but too clear that the disposition to find fault with the authorities which was exhibited on the day of the fire would still be very glad of an opportunity for an outbreak.

It is to be hoped, and I think it may be expected, that this great disaster will accomplish two good and greatly needed results: 1. It will convince the people that they must rely on themselves, as they have never done before, for the promotion of public interests and preservation against public dangers. 2. It will go far towards abolishing the credit system, which has always been an incubus, not only on trade, but on all the interests of the country.

Meantime bad tidings come to us from the Dominican part of the island. The report is that insurrection has broken out in the west and north. The west has taken arms, it appears, in consequence of an order from President Biaz forbidding the trade which Azua, Neyber, and other arrondissements have for a long time carried on with Port au Prince, to which trade President Biaz objects, on the ground that it deprives the Dominican republic of the custom duties it would receive if the arrondissements named should draw their supplies from St. Domingo city. This revolt is represented as being general throughout the west.

And here I may say, parenthetically, that Count Nisseau, French chargé d'affaires near this government, received, by the last packet, a letter from the French consul in St. Domingo, in which it was stated that President Biaz had recently expressed to the consul the conviction that the insurrection in the west was due to the influence of the Haytian government, and that he regarded this interference as poor compensation for the help he had given President Geffrard in capturing Salnave, and that the consul would favor him by conveying to President Geffrard and to Count Nisseau the assurance that Hayti would soon have trouble if she did not acquit herself of complicity in the insurrection.

\* \* \* \* \*

The events here and in the Dominican part, which I have thus narrated, have brought the public mind and trade to a seriously disturbed state. This fact has led me to feel that American interests at this point need the protection of a man-of-war, and I have so advised Admiral Palmer at St. Thomas, and asked him to send us one or more vessels. The early arrival of an adequate United States naval force would not only tend to restore business, and to calm the public mind, but would indirectly be a material help to the government, which, to make the best of its case, is in a difficult and perilous place.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Peck to Mr. Seward.*

[Extract.]

No. 27.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, April 4, 1866.*

SIR: \* \* \* \* \*

Since my last date, March 24th, 1866, (despatch No. 26,) although affairs in this city and through the republic have been in a feverish state, nothing of great importance has occurred. During the last week there were attempts to burn both Jeremie and Gonaives. Happily the infernal efforts failed. There are rumors of an uprising north of Gonaives, but the government professes to have, and probably has reason to have, but little apprehension of trouble on that question. Still it has sent a gunboat and a strong military force to Gonaives.

Reports as to affairs in the Dominican part are quite contradictory. They seem, however, to prove that matters there are still in a deplorable state.

The United States steamer *Bienville* is now here, and will remain some days or weeks.

\* \* \* \* \*  
I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Peck.*

No. 12.]

DEPARTMENT OF STATE,  
*Washington, April 16, 1866.*

SIR: I have to acknowledge the receipt of your several despatches to No. 26 inclusive, which are interesting and have my approbation. With reference to the claim of Mrs. Myers, referred to in your No. 24, it is not deemed expedient that you should do more than to use your good offices with the government of Hayti in her behalf.

In reply to your No. 25 I have to inform you that the President has recommended to Congress the establishment of a legation of the United States in the Dominican Republic, and that the proper measures are being adopted to that end.

Your No. 26, which is seriously interesting, will be communicated to the Navy Department, with the request to provide the requisite naval force for the protection of American interests in your quarter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY E. PECK, Esq., &c., &c., &c.

*Mr. Peck to Mr. Seward.*

[Extract.]

No. 28.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, April 20, 1866.*

SIR: My last despatch to the department, No. 27, was of date April 4th, 1866. I am still without dates from the department later (excepting the one conveying my commission) than October of last year.

The unrest and expectation of new revolutionary movements to which I referred in my last still continue here. Indeed, of late they have been aggravated by a report, the truth of which is fully admitted by the government, that General Salnave has been released from custody by President Biaz, and is in the neighborhood of Puerto Plata, fifty miles east of Cape Haytien, organizing a force for a new revolutionary attempt in this republic. This report is making the spirit of sedition in the country unusually active. Our consul at Cape Haytien reports that violent denunciations of the government are in all mouths there, and that if Salnave should again appear in the town there would not be thirty people to oppose him. It is not very different here. Of course the presence of the President's household troops curbs both the speech and action of the disaffected; but the revolutionary spirit is very high, and many experienced persons prophecy that the expected uprising will gain its end.

For my own part, however, although I fear that revolt will soon again appear, I doubt whether it will succeed. Several reasons conspire to justify the doubt: 1. The revolutionary feeling has no adequate leader. General Salnave does not enjoy the confidence of those persons who alone could bring revolution to success; and besides him there is no man who seems to be thought of by any considerable number of the discontents as being fit to lead. 2. The revolutionary spirit has no adequate purpose. All who favor revolution agree in hating President Geffrard; otherwise they do not seem to have a common motive or aim. Indeed, it may be doubted whether there is not an absolute contrariety of purposes among them. 3. The country is getting weary of disorder and revolution. 4. The government is measurably well prepared to put down an uprising. The household troops, somewhat over 2,000 strong, are in good condition as to equipments and discipline. The navy has two good steamers, one of which, our Galatea, is ready for efficient service. Leaving the national guard wholly out of view, these means would probably be sufficient to quell any revolt which might arise.

This, however, does not wholly avert danger, nor keep the minds of men who watch events composed. There is on all sides an uneasiness, which exerts a depressing influence on affairs, especially trade.

Next in importance to the political situation in this republic is the rapidly growing ill-will which the government of Hayti and St. Domingo are manifesting towards each other. For some reason President Biaz is, or seems to be, unfriendly towards President Geffrard. In his message to the congress recently (and perhaps now) in session in St. Domingo, he complained of the government of Hayti as being unwilling to enter into the treaty relations which he desired. And now he has released General Salnave from prison and allowed him to occupy himself on the Dominican territory with projects looking to revolution on this side.

Meantime this government has for some time, but especially since the appointment of General Cazneau as United States commissioner in St. Domingo, evinced at first suspicion, and later actual hatred, of President Biaz. Although I must not say, as some persons do, that it has indirectly aided, I can say that it has evidently rejoiced in the insurrection now in progress against him. And on Sunday last President Geffrard made to the troops here a speech, in which (such is the well authenticated report) he said that President Biaz was a bad man; that he was planning to give foreigners a footing on the island, and accordingly that he was an enemy of Hayti; and that as this government regarded him in that light, the frontier would be put in a state of defence against him, by the calling out of the national guard. These things are ominous of a speedy and exhausting quarrel between the two republics.

The prospect has filled me with solicitude, and I have done what I could to avert the impending calamity.

\* \* \* \* \*

I then (II) called on Mr. Elie again, and informally said to him about as fol-

lows: "I greatly fear that you and St. Domingo will soon be at war." His excellency replied, as I understood him, "Such an event is not improbable, although Hayti will do what she can to prevent it." I then proceeded: "From such a war no good can, in my opinion, possibly result to your government. You are already sufficiently weakened by war. A quarrel with St. Domingo would give domestic conspirators new and favorable opportunity for executing their desires against your government. To put General Biaz down would simply enhance the already too great disposition of the people of this island to gratify their political prejudices by an appeal to force. Withal, if my information as to the insurrection against President Biaz is correct, as I think it is, President Geffrard would get no advantage from the success of that movement. Several of the leading men in it are as bitterly opposed to President Geffrard as they are to President Biaz. It seems to me to be the true policy for both governments to recognize, and by all proper means support, each other. There are two reasons why I venture to say anything about this matter: (1.) My interest in the people of the island makes me, for reasons of mere humanity, greatly desire that peace and good-will should be maintained between the two governments. (2.) It is to the interest of my own government that Hayti and St. Domingo should be in accord. War between the two would be the surest means of introducing into the island an European influence which we do not wish to have established here." Actuated by these motives, I begged to know if "I could not promote an understanding between the parties. I thought I could go to St. Domingo, and with the aid of our representative there might, if I could carry proper assurances from President Geffrard, clear away some of the matters of form which are nominally in the way of a treaty." I am sorry to say that my plea did not seem to avail much with the minister. I may have misjudged him, but I could not but think that, while partially or wholly convinced of the truth of what I said, he labored under the impression that the President would not be anxious to have the way to peace smoothed. He said, however, that he would speak with his Excellency about the matter and convey to me his answer. I afterwards saw him, but he made no allusion to the President's views, and I did not press the matter.

In this connection I beg leave to suggest that a letter from yourself to the Presidents of Hayti and St. Domingo, with regard to the matters of which I have written, would be read with respect and be likely to have a wholesome effect on the present unhappy relations of the two republics. And if you should not think it best to write such a letter, a despatch to myself or General Cazneau, or, better still, to both, which should unfold the present policy and wishes of our government with respect to the West Indies, would be opportune and most useful.

I have to report the fact which may presently have important political results, that this government has lately been refused by the Emperor of France a concession as to the debt which it owes to him, which concession circumstances compelled it to ask. The case is this: In 1824, to avoid further annoyance from a French fleet which had long been demanding indemnity for losses sustained by French citizens in the insurrection of 1795, the Haytian government promised to pay to France in the course of fifty years, in constantly decreasing instalments, the sum of 20,000,000 francs. This promise has been sacredly kept by the government down to the present time. This year the expenses caused by the late civil war have so drained the public chest that the government was lately compelled to ask the Emperor to lessen the amounts of the instalments to be paid during this and the next six years, and increase those which are to follow; in fact, to divide the sum still due into equal annual instalments. This request has been refused, and the minister of finance will be put to great difficulty in meeting the payment which is on the eve of maturing. What is regarded as the unreasonableness of the French government in this matter is exciting much

feeling here. The question whether the Emperor does not wish to put this government into a dilemma from which he can reap important political advantages is being considerably discussed.

The latest intelligence from St. Domingo is that President Biaz has thoroughly defeated the insurgents in the western part of the country, but that a new and formidable conspiracy has come to light in the eastern part.

Since I came to the last passage of this despatch, the minister of foreign affairs has informed me that he has heard that President Biaz has very much improved his policy, and that now this government will renew its efforts to make a treaty with him.

Regretting the length to which my despatch has extended, I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Peck to Mr. Seward.*

[Confidential.]

No. 29.]

LEGATION OF THE UNITED STATES,  
*Port au Prince, Hayti, April 21, 1866.*

SIR: Confessing a doubt whether I should add a single line to the already voluminous pages which I send you by this mail, I cannot help asking your attention to two suggestions which seem to me important and urgently called for at the present time.

The first is, that the functions and title of the office held by General Cazneau and myself be changed to those of resident minister, so that we can have direct access to the heads of the governments to which we are respectively accredited.

Experience has made clear to my own mind two facts: First, that an active exercise of the influence of our government upon the two republics on this island is essential, not less to their welfare and progress than to the maintenance of proper relations between ourselves and the Antilles. Second, that this influence cannot be exerted if the representatives of our government are kept at the official distance from the springs of political influence which they now occupy.

To illustrate both these points, the relations between this and the sister republic are now in a crisis. The parties seem to be bent on quarrelling. If anything saves them from such an event it will be the influence of foreign governments, particularly our own. But the influence I exert in this behalf must be effected wholly through the minister of foreign affairs. He is a man of liberal views and realizes the advantages to Hayti of close relations with foreign powers. But his own position in office is somewhat precarious, and partly so by reason of his known good-will towards foreigners; and it would be expecting too much of him to hope that on any question relating to foreign powers he would speak in the cabinet as he would talk in his bureau. Withal, near the President are persons who earnestly hate all foreign governments, our own particularly, who could easily avert any influence which I might circuitously bring to bear on his excellency. Knowing what influences have the President's ear, I cannot, while I properly respect either myself or my office, go to him directly with any question, however important. My position would be too awkward, if, when I came to the pressing point, he should bow me to the minister of foreign affairs with whom I officially belong.

I cannot but think that if at this moment I could go directly to his excellency, I could do service at once to my country and to these poor distracted republics

which would be of incalculable value. And it tries me, when the case is so urgent, to be compelled to stand aloof a sort of wax figure.

The change I ask would add nothing to the expenses of the government, and would cost no material inconvenience in any way. It would be a proper compliment to a sister republic, and would withdraw an indignity which we seem to impose on this government by denying to it the kind of representation we make near other governments, which are less important in themselves, and which occupy much less close geographical and political relations with us.

The arguments which apply to a change of my title apply also to a change in that of General Cazneau. And I am sure that the enlargements of our functions which I ask would greatly extend American influence and usefulness in the Antilles, and would be most opportune at the present moment.

I beg leave to add one more suggestion. It is that it would be well for the department to permit or direct an interview between General Cazneau and myself, in which we would have opportunity to exchange information as to political affairs in the two parts of the island. In conversation we could give and receive knowledge of men, parties, and things which would materially serve us in our respective offices, and would give unity to the representation of our government to the two republics. The importance of unity in the policy to be adopted towards the two governments has induced the Emperor of France to extend the functions of his representative here to the other government. The department will, perhaps, think it advisable to order such a conference as I have proposed. If it should it would be necessary for the person directed to visit the other to have passage in a man-of-war, as there is no public conveyance.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Peck.*

No. 13.]

DEPARTMENT OF STATE,  
*Washington, May 11, 1866.*

SIR: I have received your two despatches, viz., the one of April 20th, No. 28, and the other, April 21st, No. 29; both of which relate chiefly to the domestic condition of Hayti, and to jealousies really existing or supposed to exist between Hayti and St. Domingo, which jealousies derive support from some imaginary political designson the part of the United States.

The contents of your No. 29 have been made known to the Committee on Foreign Relations of the Senate with a view to bring before them the question therein suggested of raising the rank of the mission of the United States in Hayti, and also the rank of the proposed mission of the United States in St. Domingo.

In regard to your No. 29, I have to observe that Congress has not yet taken action upon the President's recommendation of the creation of a mission in St. Domingo. The delay is understood to be inadvertent, and due only to the presence of more urgent questions.

The United States sincerely desire and hope that Hayti and St. Domingo may become cordial friends and may dwell together in peaceful neighborhood, each maintaining its own sovereignty, integrity, and independence. The forbearing and friendly policy of this government towards all the free states of the American continent and islands has been so often exposed and illustrated during the last five years, that it is deemed unnecessary now to make a distinct utterance on that subject when no event has occurred which could bring uncertainty or suspicion over it. If any such uncertainty or suspicion exist, either in Hayti



or in St. Domingo, it is exclusively a creation of parties there who have no grounds for claiming any interest or sympathy here.

Perhaps I could not more clearly elucidate the policy of the United States, in regard to other American governments, than it is already done in the correspondence which has recently taken place between the United States and some of the European powers with regard to Mexico. I give you, therefore, for your information a copy of that correspondence.

The President does not think that it would be expedient, under the present circumstances, to direct a formal conference between yourself and the representative of the United States in St. Domingo. The office of mediation is always a delicate one; it is never to be resorted to where alienation has not become flagrant, and it cannot even then be safely or wisely resorted to without first obtaining the consent of the alienated parties.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY E. PECK, Esq., &c., &c., &c.

---

*Mr. Peck to Mr. Seward.*

No. 30.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, June 10, 1866.*

SIR: By a vessel which leaves for New York to-night, I have an opportunity to inform you that this government received this morning the important intelligence that the people of the city of Santo Domingo have risen against President Biaz, and put him and his brother (or brothers) into prison preparatory to sending them out of the country.

I am sorry to have to say that with the fall of Biaz, if he has fallen, this government has had too much to do. It is a well authenticated fact that during a visit which he made here a month since, Cabral was supplied by an outside government's agent with some ten thousand dollars, (gold value,) with which means he has been operating against President Biaz. I fear that President GEFRAIRD will some time regret the example which he has thus set his Dominican neighbors.

Affairs in Santo Domingo are said to be in desperate confusion. A party which wishes to make Santiago the capital; another which desires to keep the government at Santo Domingo city; a third which strives to put Pimental into the presidency; and two others which favor the ambition of other leaders; such are the threads which are tangling into a seemingly hopeless knot.

There is in this republic a lull in the political excitement which has long been so active. The great fire here, the fall in cotton and coffee which has been going on for some weeks, and other circumstances, had, before the war news from Europe was received, depressed business to a level which it had never before reached, and the forbidden news brought by the last European packet sunk it yet lower. General bankruptcy seems to impend; the government is in great straits for money, and many people, even of the better class, are suffering actual want; with affairs in such a state, politics are for the time forgotten. But persons in the revolutionary interest say that the calm is only the lull before the storm; they even go so far as to assert that Salnave's forces will make a simultaneous assault on Cape Haytien and this city by the last of this month.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Peck to Mr. Seward.*

No. 32.]

LEGATION OF THE UNITED STATES,  
*Port au Prince, Hayti, July 9, 1866.*

SIR: I send you with this a copy of my correspondence with the minister of foreign affairs of this government with respect to the adoption of the amendment to our Constitution abolishing slavery; paper A is my letter to Mr. Elie, and paper B a translation of his to me. In this connection I may say that in his address to the chambers, at the opening of the present session, President Geffard spoke of the amendment as follows:

The abolition of slavery has been definitively proclaimed in the United States. This will assuredly be one of the most memorable acts of cotemporaneous history. It is not without just pride that we thus see the fall of the last links in the chains of a slavery which was a disgrace to humanity—we who broke its first links and who have first undertaken the restoration of our race.

The senate, in its address to the President, also said: "In proclaiming upon its territory the abolition of slavery, the American people has greatly raised itself in the esteem, in the consideration of the civilized world, and Hayti, which carries in its hands the torch of black civilization, cannot but rejoice over this grand act of humanity and justice accomplished in favor of the African race."

The event thus spoken of by his Excellency and the senate will greatly improve, I have no doubt, our relations with the people not only of Hayti but of the whole Antilles. It will remove prejudices, the existence of which was not surprising, which have been a bar to our commerce and influence here, and will secure for us consideration and respect, which will be of great account to us.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

A.

*Mr. Peck to Mr. Elie.*

LEGATION OF THE UNITED STATES,  
*Port au Prince, Hayti, March 3, 1866.*

SIR: I transmit to you with this communication an official notice from Secretary Seward of the adoption of an amendment to the Constitution of the United States of America, whereby slavery is forbidden longer to exist in that republic.

The incorporation of this prohibition into its organic law is an event of the greatest importance to the country which I represent. It wipes away the institution which from the first has been our blackest crime and our greatest disgrace. It removes from our political contests the most fruitful source of conflict. It takes from our social order the element which has been most prolific of harmful distinctions and of unjust inequalities. It lifts from the conscience of the nation a sin which has constantly been at war with all the virtues. Thus, while it breaks the chain of the bondman, and recognizing his title to inalienable rights which have hitherto been denied him, lifts him from woe and despair to happiness and hope; it takes away the most serious obstacle to the nation's progress.

In such results there is ample return for the blood and treasure which the working out of the great event has cost our people.

And it is not to ourselves alone that the benefits of this amendment to our organic law will extend. It will reach to the whole human family as an example of justice and an inspiration to right doing.

To your own people, sir, the first in human history to win freedom from slavery by their own hands, and the first to show that enfranchised Africans can build on the foundations of self-government the moral and political institutions of Christian civilization, this new exorcism of oppression will surely be of great account. It will assure them that a neighboring nation which long haughtily refused to recognize their political existence, and which, at times, even coveted their territory, will hereafter be in accord with them, and will extend to them

such sympathy and aid as are due from an older and more powerful to a younger and weaker sister republic.

Hoping that to both Hayti and the United States the blessings of a republicanism which has no taint of slavery upon it may long be multiplied,

I am, sir, with considerations of the highest respect, very truly, your obedient servant,  
 H. E. PECK,  
*Commissioner and Consul General of the  
 United States of America in Hayti.*

Hon. AUG. ELIE,  
*Minister for Foreign Affairs, &c., &c.*

B.

*Mr. Elie to Mr. Peck.*

[Translation.]

BUREAU OF THE MINISTER OF FOREIGN AFFAIRS,  
*Port au Prince, Hayti, April 30, 1866.*

SIR: I had the honor to receive your letter of the 3d ultimo, accompanying the official notice by the Secretary of State, Mr. Seward, relating to the amendment of the Constitution of the United States of America, which abolishes slavery in that republic.

This great act surely deserves to be reckoned among the great events of our age which are most worthy to be observed, and assures to the people which you represent a full harvest of sympathy, consideration, and glory.

Sincere and farseeing minds have, in fact, not failed to see how much effort, self-sacrifice, and moral energy have been needed to accept so resolutely the determination to efface completely from the organic law of the country an injustice to which years and the concurrence of immense interests had given enormous strength.

This phase of the history of the American Union will be of high interest for posterity; it will also be instructive in showing what a great people can do, when governing itself solely by the rules of eternal truth and justice; it does all in its power to shake off whatever can stop its development or stain the consideration which it should derive from its high position and power.

History will also record in its most illustrious place the names of those great statesmen who directed affairs during this period, and it will do special honor to the name of him who gave his life as the price of the triumph of a cause at once so just and holy.

The republic of Hayti, though she regretted that the degrading position given to the black man on American soil forbade the establishment of fraternal relations between herself and the Union, never despaired of the good sense and judgment of the people you represent, and always looked forward for the triumph in your country of justice and humanity. To-day our hopes are realized and our wishes accomplished. The Haytian republic now expresses her sincere and legitimate congratulations to the American people, that millions of men who have, with her, Africa for a birth-place, are regenerated by the breaking of their chains, and revisited with their dignity.

Yes, the great transformation will be of advantage to our republic. No longer finding a cause for uneasiness and suspicion in her position, beside a power great, but based on injustice, she can now work on calmly and free from all apprehension, since that she is now to find in the great American republic an elder sister, who will always tender her, as you well say, sympathy and assistance, and who will aid her by her example and experience in marching forward in the path of civilization.

Will you accept, sir, the expression of my highest consideration,

AUG. ELIE.

Mr. H. E. PECK,  
*Commissioner and Consul General of the  
 United States of America, &c., &c., &c.*

*Mr. Peck to Mr. Seward.*

No. 33.]

LEGATION OF THE UNITED STATES,  
*Port au Prince, Hayti, July 9, 1866.*

SIR: It is with great pain that I inform you that another formidable insurrection has broken out in this republic.

On Thursday last a pronunciamiento against President Geffrard was published

at Gonaives. The government troops at once accepted the declaration, and with their help the insurgents imprisoned the generals commanding the arrondissement and the place, and captured the steamer Estair, which happened to be lying in the harbor. It is also said that St. Marc is in revolt. By the defection of Gonaives and St. Marc, this city (the capital) is cut off from the whole northern part of the republic. This fact is of great importance, since it will at once open the way hither to General Salnave, who for some weeks has been lying with a force variously estimated on the northeastern frontier. The President, with the greater part of his household troops leaves here for the scene of the insurrection to-day. The government steamer Alexander Petion (formerly United States steamer Galatea) left with troops for Gonaives on Saturday night. Her captain carried orders, it is said, to bombard the town if it did not surrender immediately.

The situation of the government is precarious, and foreign interests are in an exposed condition.

In consideration of these facts, I have written by the royal mail, which leaves to-day, to the senior United States naval officer at St. Thomas, asking him to send a man-of-war here without delay.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Peck to Mr. Seward.*

No. 34 ]

LEGATION OF THE UNITED STATES,  
*Port au Prince, Hayti, July 14, 1866.*

SIR: I have received your despatches Nos. 11 and 12, and have carefully noted the topics embraced in them, especially those relating to affairs between the Haytian and Dominican republics, and the policy which our government proposes to adopt with respect to those affairs.

It is with great pleasure that I inform you that the very threatening rebellion which was in progress in this republic at my last date, July 9th, is at an end. The prompt action of General Montas, who is in command in the north, disconcerted the plans of the insurgents at Gonaives, the centre of the revolt, and put them to such straits that they surrendered on condition of a general amnesty. The back-bone of the rebellion was thus broken, and peace immediately followed.

No revolt which has occurred in this republic for several years has had in the beginning such promise of success as this one, and it was the general opinion of persons competent to judge that it would succeed. The abrupt breaking down of the movement is strong proof that the day of successful revolutions in Hayti has passed. There will, I doubt not, be attempts at an overthrow of the government at every change of the season, but the attempts will, I am well convinced, have less and less support, and meet with more and more condign failure.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Peck to Mr. Seward.*

[Extract.]

No. 36.]

LEGATION OF THE UNITED STATES,  
*Port au Prince, Hayti, August 13, 1866.*

SIR: I had the honor, in despatch No. 34, (dated July 14, 1866,) to report to you that the threatening insurrection which had been in progress for some time at Gonaives had collapsed. Since that meeting the encouragement given by the auspicious event thus reported has been clouded by occurrences of a less hopeful character.

The affair at Gonaives was hardly over before a bold attempt, evidently with a political purpose, was made to burn the city of Haytian. Fortunately the proposed mischief was checked before it had reached a great head. Only one square of the town was destroyed.

Then an assault was made by Salnave upon Mirabali, the strongest post on the northeastern frontier. Three attacks made by the partisan leader, on as many different days, were repulsed. Finding that he could not carry his points by *coup de main*, Salnave turned the position and entered the Haytian territory. The report of the incursion caused a general and profound excitement.

And this excitement was fanned by a report that the valley of the Artibonite had risen. What truth there was in this report is not yet known. It is only certain that the government immediately sent troops somewhere to the north.

Then, on the 29th ultimo, this city was anew excited by the arrest on political grounds of two leading citizens, and an attempt to arrest four others, who took refuge in the British consulate, and by a speech from the President to his troops, in which his excellency said, that it had been discovered that there was on foot an active conspiracy, having both home and foreign ramifications, with its centre in this city, the object of which conspiracy was to assassinate himself, and, if necessary, to fire the towns, and finally to overthrow the government. Further, that his excellency, although he had sometimes thought of resigning, had now determined to retain his office, and still further that he had concluded to lay aside mild measures and resort to the most forcible means.

\* \* \* \* \*

During the week subsequent to the adoption of these measures, a courier brought to the government tidings from Jacmel, in the south, (hitherto the most quiet part of the republic,) which led to the sending of troops to that point.

And, finally, the chambers last week called the ministers sharply to account for alleged neglect and waste of the public funds. A stormy debate followed. A sad state of things in the treasury department, for which it would seem that the President, the cabinet, the chambers, and the public are about equally responsible, was revealed. Three of the ministers, Messrs. Elie, Deslandes, and Phillipeaux, resigned. The vacancies have been filled by the appointment of General Deplus as minister of finance and foreign affairs, General Hector as minister of war, and M. Laboutie, as minister of justice. The change involves no change of policy. It will affect the department of foreign relations only in that it puts aside Mr. Elie, whose ability, comprehensive and just views and courteous manners made him a favorite with the diplomatic corps. General Deplus is an enlightened and travelled man, and will favor a liberal foreign policy.

The temper of the President still inclines to severity. In a speech to his troops, he said, yesterday, that he was more and more determined to be a ruler in fact, as well as in name. He should allow mercy to bias justice no more. It would be idle for any one in the future to ask him to spare a life condemned for political offences. He would pardon no more. The man convicted for conspiracy should be shot, whoever he might be.

Meantime the spirit of the opponents of the government daily grows more bitter, and curses of the President, if spoken in a lower tone, are more energetic than ever before.

There are, however, some compensations for these inauspicious agitations, irritations, and changes. 1. Salnave is evidently losing both his resources and his prestige. He has but a handful of men. It has lately transpired that his recent entry in Haytien territory was forced by the active measures against him of Pimental and Cabral, who are determined that the great agitator shall no longer have shelter on the Dominican side. The capture of the part of his baggage containing his papers has put the government in possession of information which will be effectively used against him. His power to do mischief seems to be approaching its end. 2. The failure of each new conspiracy is weakening the vital force of the revolutionary element, and proving to the country that insurrection is no longer a cure for political evils. 3. The debates in the chambers are uncovering wrongs which have been too long hidden, and, what is more, are restoring to the country that freedom of discussion in the public councils which President Geffrard repressed three years ago.

But, to make the best of everything, the condition of public affairs is deplorable. The situation may be thus described. The President is thoroughly, but in large measure, unreasonably hated by the majority of the people. The government, as a whole, commands no respect; it rules only by force. The people are without morals, and so are slow to learn the lessons which their experiment of so-called self-government brings to them. And under a thin crust of civilization there are lying dormant superstitions, traditions, and prejudices, the strength of which was proved in the drama of 1795. Fortunately, nature has imposed on these mischievous agencies the check of torpid dispositions. Ordinarily the people are as mild and orderly as any on which the sun shines; but their passions are easily aroused, and then they know neither reason nor fear. And the excitements which now prevail are bringing the fire fearfully near the magazine. Late events, especially the frequent incendiary fires, show that anarchy may suddenly spring up at an unexpected point and become epidemic. This is the present special peril of the country. Organised revolutions are not likely to do much more mischief, but an outburst of the passions of the rabble is imminent. The fear of such a catastrophe is becoming very prevalent among thinking people. Our consuls write me from all sides that the future is awaited by those about them with dread. The letter which accompanies this despatch, written by Mr. Loring, who at different times has acted as United States consul at Aux Cayes, and who has long resided in the country, fairly represents the apprehensions to which I refer.

It is to be hoped that President Geffrard, having put the bit upon the revolutionary element proper, will also be able to curb the spirit of anarchy which has already flung the torch into four cities. If he does this he will deserve well, not only of his country, but of the world.

And in this connection I beg leave to come again to a subject to which I have so frequently called the attention of the department that I am ashamed to recur to it, and to say that, in my opinion, the protection afforded by our navy to American interests, and to the interests of civilization and humanity in this and the neighboring republic, is seriously inadequate. It cannot be doubted, that it is important to our country that good government and stable society be maintained on this island, and that St. Domingo do not again become a hell of horrors, which would send its destructive anarchies through all the creole communities of the Caribbean. It is equally clear that a suitable part of our naval force, rightly employed, would, not less by its moral than by its physical power, accomplish valuable results in both of these directions. But during the last year, in which there has been in both parts of the island a constant succession of political agitations which has repeatedly brought society to the verge of anarchy. The admiral has not been here for a day, while our ships of war have come at

long intervals, and ordinarily in a merely routine way, and have tarried longest at points where they were comparatively least needed, and have, with but two exceptions, brought orders which have prevented their remaining in these waters even at the call of pressing need.

It is not for me to suggest what service should take the place of that which our squadron now renders here, but I would earnestly implore the department to request the Hon. Secretary of the Navy to send the admiral, or some other prominent officer, here without delay, so that it may be determined by competent professional authority, which has had personal observation for a guide, whether a new system of naval service in these waters is not needed. I may be excused if I add that if the Secretary of the Navy knew to what an expense of time, labor, care, and money, the coming of our naval vessels exposes me, he would readily believe that my motive in writing as I have done is not a personal one.

This despatch will probably be the last I shall send to the department during the first year of my occupancy of office here. I pray God, that if my official duties shall reach into another year, or other years, the topics of my despatches may be more cheerful than those which I have necessarily presented to the department during the last year.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Loring to Mr. Peck.*

AUX CAYES, August 7, 1866.

SIR: Your letter to Mr. De Long is before me, and I deeply regret to hear that there are new troubles at the north. What will become of this poor country, God alone knows. We are in perfect tranquillity here, but should the people of the south rise, you will see a greater carnage than has taken place at Cape Haytien. Should they do so they will massacre without distinction of age or sex the people of color, and pillage their property. Could they effect this, foreigners would not be safe, for the negroes look on them with a jealous eye, as friends and protectors of the colored class.

The hatred and envy which the blacks bear to the people of color are well known. They have always meditated a general massacre, and in 1844 and 1848, when the moment seemed opportune, they resolved to execute their projects. All colored people, and many blacks unwilling to participate in crimes so revolting to human nature, were compelled to save their lives by flight, leaving their property to be pillaged and destroyed; and since then similar attempts have been made under the present government, fortunately without success up to this moment. In the north they are trying to overthrow the government because, in their opinion, President Geffrard is not like them, and they would like to have one of their own. But here, the negroes, after nearly half a century of freedom, with rules of their own choice, governed by their own laws, and enjoying intimate communication with the most civilized nations of the earth, are still so far uncivilized that, perceiving the weakness of government, and relying on the strength of their party, which is great in number, are only waiting for a chance.

Excuse me, sir, if I have taken the liberty to write to you on such matters, but I could not help making a few reflections on the present state of things.

I received a package from Mr. De Long this morning, which I herewith enclose. He is to be pitied. He has a heap of troubles. I am in hopes that Mr. Ricar will be here on Saturday, although I do not see much of a chance, as the government may need every steamer for the north affair.

Receive my best thanks for your kind services.

I have the honor to be, sir, your most obedient servant,

R. LORING.

Hon. H. E. PECK,  
*Resident Minister of the United States, Port au Prince.*

*Mr. Peck to Mr. Seward.*

[Extract.]

No. 3.] LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, October 22, 1866.*

SIR: I beg leave to narrate in this despatch the leading events, having a political bearing, which had occurred in this republic since the date of my last report to you, (despatch No. 38, September 6, 1866.)

In the early part of September another insane attempt at revolution was made. The affair occurred at St. Marc. Among the conspirators were some of the leading men of that part of the country. The insurgents suddenly set upon the government troops and killed four of them. But at the first appearance of the energetic general commanding the place, the assailants incontinently fled. Some of them left the country; others were arrested, and have since been tried, but owing to some (for Hayti) singular eccentricity of the court, but one person was sentenced to severe punishment. This man, who was sentenced to ten years' imprisonment, acted through the trials as the chief government informer. It is said that this peculiar issue of the proceedings causes the President great chagrin.

In the early morning of September 18, the principal arsenal in the republic, situated at the middle of the sea front of this city, blew up. There were in the building and its enclosures about 30,000 pounds of powder, a large number of loaded shells, many small-arms, and some artillery. The explosion was indescribably terrific, and exceedingly destructive; but fortunately it caused the death of only about a dozen persons. Public opinion, taking sides against the government, as is usual here, assigns a political origin to the sad event, and the government is made to suffer the imputation of having desperate enemies who have at length found means to reach its most protected strongholds. Withal, the physical shock given to every person in the community by the catastrophe has resulted in a dread and in expectation of new horrors, which have a demoralizing political as well as social effect.

Since my last dates the government has been greatly exercised over the peremptory demand from the French government for the payment of its accrued debt to that power. Of the 800,000 francs which the republic should have paid to France in April, but 300,000 were paid. The July instalment, of equal amount, was wholly passed, and another instalment of equal amount is now due. The Emperor now refuses, and with much emphasis, to give longer grace, and in the present disordered political and commercial condition of the country it is almost impossible for the government to raise the needed funds. The dilemma is a serious and exceedingly unhappy one.

\* \* \* \* \*

On the 10th of the present month, Rear-Admiral J. S. Palmer, commanding the United States North Atlantic squadron, arrived in this port in his temporary flag-ship *Bienville*; he was followed two days after by the *Mackinaw*; and on Wednesday last (17th) the *Rhode Island* and the *Florida* came into port.

The visit of the fleet is already producing much good, which will, I think, be permanent. The display of our physical power, itself a matter of considerable importance in a community like this, makes an impression but small when compared with the moral influence which the purpose of the admiral, in causing a thorough investigation of the conduct of *Ensign Kane*, exerts. That an admiral should make such haste to come, at great personal and official inconvenience, to right a wrong done by one of his officers to people belonging to a weak government, is to this community at once a surprise and a proof that the admiral himself and his government love justice and truth above all other things. And this impression is happily strengthened by the personal bearing of the admiral and the officers under him.



I had the honor on the 13th instant to present Admiral Palmer to his Excellency the President of the republic. The interview was most cordial on both sides.

The admiral, on a later day, was presented by Captain Depuy, of the staff, to the ladies of the presidential household, from whom he received attentions as frank as they were respectful. He has also met during his stay many of the leading citizens of the town, and there is a general and very gratifying expression of satisfaction with the acquaintance which has been made with one of our prominent naval officers.

For my own part, my intercourse with the admiral has been a delight to me such as I have seldom enjoyed. Saying nothing of the pleasure I have taken in his society, the opportunity to unfold to him the whole political, social, and moral condition of this people which he has patiently given me, has been most acceptable to me. I shall hereafter feel that our interests here will have a wise and discriminative protection from our navy. As some complaints of want of attention from our naval officers to American interests here, which I have made to the State Department, have been forwarded to the honorable Secretary of the Navy, I beg that my acknowledgments for the present visit may be also conveyed to him.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Peck to Mr. Seward.*

No. 9.] LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Hayti, November 21, 1866.*

SIR: I have so constantly recited the disagreeable story of attempts at the revolutionizing of this government, that it is with great pleasure that I write that for two months the country has enjoyed a more profound political quietude than it has known before for years. I am glad to be able to add that appearances indicate that the rest will have unusual permanence. This new condition of things is to be ascribed partly to a weariness on the part of the people of political agitation, but more to the success which the government has lately had in putting down insurrections, and still more to the strength which has recently been given to the army, which is now on a footing never before occupied by it.

Reports assure us that President Cabral's administration is successfully organizing affairs in the east part of the island, and that there is now in the eastern republic such a promise of peace and development as the country has never before exhibited.

In this connection I beg leave to say that I am persuaded that the immediate appointment of a minister resident to represent our government near that of the Dominican republic would greatly promote the present happy condition of that country, and advance long-delayed and much-needed amicable relations between this and the Dominican government.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

# HONDURAS.

*Mr. Clay to Mr. Seward.*

[Extract.]

No. 52.]

LEGATION OF THE UNITED STATES  
AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, October 25, 1865.*

SIR: \* \* \* \* \*

Your instructions contained in despatch No. 37 shall be implicitly carried out and obeyed, and I herewith enclose to you a note dated the 23d instant, addressed to Don Francisco Cruz, minister of relations, &c.

I have the honor to be, respectfully, your obedient servant,

THOMAS H. CLAY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Clay to Mr. Cruz.*

LEGATION OF THE UNITED STATES AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, October 23, 1865.*

SIR: The minister resident of the United States at this republic takes occasion to inform the minister of relations, &c., of the government of this republic of the following instructions received from the State Department at Washington:

"With reference to the request for instructions you make in your despatch of August 9th, 1865, as to the recognition of a provisional President of Honduras, should a new constitution be adopted by the convention which was to meet at Comayagua, in the latter part of August, you are instructed not to make any recognition, and to take no proceedings in that connection until the proposed reform shall be consummated, and officially reported by you to the department."

In transmitting the above to you for your information and intelligence, I have the honor to be, with high consideration, your obedient servant,

THOMAS H. CLAY.

Don FRANCISCO CRUZ,  
*Minister of Relations and Governacion.*

*Mr. Clay to Mr. Seward.*

No. 54.]

LEGATION OF THE UNITED STATES  
AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, November 26, 1865.*

SIR: I herewith enclose to you a copy of the translation of a note addressed to me by the minister of state of this republic and my answer thereto.

You will perceive that he uses the words constitutional provisional president, which appear to me to involve an inconsistency. Referring the matter, however, to your better judgment,

I have the honor to be, respectfully yours,

THOMAS H. CLAY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Cruz to Mr. Clay.*

[Translation.]

COMAYAGUA, November 8, 1865.

SIR: The undersigned, minister of state, received and informed his Excellency the President of the republic of your despatch of the 23d of last October, in which you advise him of having received instructions of your government not to recognize the provisional President of Honduras, in case of the adoption of a new constitution by the congress assembled in this capital, and in consequence not to take any action in this connection until the proposed reform should be officially effected.

The supreme government of Honduras, being informed of the same, has ordered a copy of the new constitution of the republic, which has been published (*promulgado*) to the nation for its exact observation, to be sent to you.

Further, it is requested of your excellency to transmit to the Department of State in Washington the enclosed paper: the publication of the new constitution, (*carta*), the constitutional nomination of a provisional President, and the approaching election of a President, who on the first Sunday in December should become in possession (*propriedad*.)

Thus, the reform to which the instructions communicated to your excellency allude are fully consummated in such a manner that the new order of things enjoys (*gosa*) a legitimacy and advantages generally acknowledged in the whole nation.

Notwithstanding what is said, and willing as the undersigned minister has been to attend to the pending claim of the abandonment of the sloop Muhlenberg in the port of Ruatan, we hope an explicit answer of you. Do you admit or not the power of the constitutional provisional President, who actually is in the exercise or power of the executive of the republic of Honduras?

With sentiments of renewed respect to your excellency, and my protestations of high respect and appreciation, I subscribe myself your attentive servant,

FRANCISCO CRUZ.

THOMAS H. CLAY, Esq.,  
Minister Resident, &c.

*Mr. Clay to Mr. Cruz.*

LEGATION OF THE UNITED STATES AT THE REPUBLIC OF HONDURAS,  
Tegucigalpa, November 25, 1865.

SIR: The minister resident of the United States at the republic of Honduras acknowledges the receipt of the note of the minister of state, under date of November 8, 1865.

The copy of the new constitution of the republic of Honduras, transmitted to the minister resident with the request that it should be sent to the Department of State at Washington, will be forwarded, as desired, by courier.

As it is no part of his duty or business to define or discuss the powers of a provisional President, he has simply to refer the minister of state to his note of the 23d of October last, which contains his instructions from the Department of State of the United States.

With sentiments of the highest consideration, he subscribes himself the minister's attentive servant,

THOMAS H. CLAY.

FRANCISCO CRUZ, Esq., &c., &c., &c.

*Mr. Clay to Mr. Seward.*

No 59.]

LEGATION OF THE UNITED STATES  
AT THE REPUBLIC OF HONDURAS,  
Tegucigalpa, February 15, 1866.

SIR: I have the honor to report to you that the reforms proposed in September last, in the new constitution adopted by the republic, have been carried out, and been consummated by the constitutional election of General José Maria Medina as President of the republic for the term of four years, commencing on the 9th of February, 1866.

I enclose you an autograph letter from General Medina to me, giving me information of the fact.

I have the honor to be, very respectfully, your obedient servant,  
THOMAS H. CLAY.

Hon. WILLIAM H. SEWARD,  
Secretary of State, Washington, D. C.

*President Medina to Mr. Clay.*

[Translation.]

COMAYAGUA, *February 9, 1866.*

FRIEND AND DEAR SIR: I have the honor to inform you that on this day I have taken possession of the constitutional presidency of the republic, to which position I was proclaimed elected by a majority of the people of Honduras, in the enjoyment of one of those acts or rights of the true popular sovereignty.

If heretofore I have had great satisfaction in cultivating with your excellency relations of frank and sincere friendship—as my cordial demonstrations have indicated more than once—I have now the intimate persuasion that the personal endowments of your excellency worthily correspond to the high position which the government of the American Union has confided to you. I feel or receive a double pleasure in considering myself as one of the friends of your excellency, and beg, as I do, that my new government may also receive the confidence of yours. With that frankness which has marked my character, I place myself at the orders of your excellency, and remain your most obedient servant,

JOSE MARIA MEDINA.

Signor Minister Don THOMAS H. CLAY.

*Mr. Seward to Mr. Clay.*

No. 42.]

DEPARTMENT OF STATE,

*Washington, March 19, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatches of the 9th and 15th ultimo, Nos. 58 and 59, which are satisfactory.

General José Maria Medina having been duly elected President of the republic of Honduras, the objections hitherto existing to the recognition of his administration by the United States are now removed.

You are therefore authorized to express the congratulations of the United States at his accession to that high office, and to enter into full relations with Honduras.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS H. CLAY, Esq., &c., &c., &c.

*Mr. Clay to Mr. Seward.*

[Extract.]

No. 60.]

LEGATION OF THE UNITED STATES

AT THE REPUBLIC OF HONDURAS,

*Tegucigalpa, March 23, 1866.*

SIR: I herewith forward to you my answer to the letter of his Excellency General Medina, sent by extra courier to La Union, informing me of his election to the presidency of this republic, and of his inauguration.

\* \* \* \* \*

I have the honor to be, your most obedient servant,

THOMAS H. CLAY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Clay to President Medina.*

LEGATION OF THE UNITED STATES AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, April 9, 1866.*

MY FRIEND AND ESTIMABLE SIR: Your esteemed favor of the 9th instant was received last night. To no one of the many friends you have could the annunciation of your election as President of this republic and subsequent inauguration have conveyed more pleasure than to myself, which was increased by receiving the information in your own handwriting.

My government shall be informed without any unnecessary delay of the action of your congress, and of the constitutional election of yourself as President of this republic.

I am satisfied that President Johnson, of the United States, will view with satisfaction the efforts of the people of Honduras to place her right among the constitutional republics of this continent.

The energy which your Excellency has on every proper occasion exhibited satisfies me that your administration of the government of the republic will redound to your own honor and the best interests of Honduras.

With the highest consideration, I am your attentive friend and servant.

THOMAS H. CLAY,  
*United States Minister, &c.*

His Excellency General JOSÉ MARIA MEDINA, &c., &c., &c.

*Mr. Clay to Mr. Seward.*

No. 62.]

LEGATION OF THE UNITED STATES  
AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, April 25, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch No. 42, with expression of your satisfaction on the receipt of mine, Nos. 58 and 59.

The President of the republic with the members of the cabinet are understood to be temporarily at Gracias.

I have, in obedience to your instructions, forwarded to the minister of foreign relations a note, of which enclosed is a copy in English, on the 19th instant.

Very respectfully, your obedient servant,

THOMAS H. CLAY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Clay to Mr. Leiva.*

LEGATION OF THE UNITED STATES AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, April 19, 1866.*

SIR: I have this morning received a despatch from the United States Secretary of State at Washington, in which he writes that General José Maria Medina having been duly elected President of the republic of Honduras, the objections hitherto existing to the recognition of his administration by the United States are now removed.

I am authorized to express the congratulations of the United States at his accession to that high office, and to enter into full relations with Honduras.

I am, sir, respectfully, your obedient servant,

THOMAS H. CLAY.

Hon. Don PONCIANO LEIVA,  
*Minister of Foreign Relations, Comayagua.*

*Mr. Clay to Mr. Seward.*

[Extract.]

No. 63.]

LEGATION OF THE UNITED STATES  
AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, May 25, 1866.*

SIR: I have the honor to acknowledge the receipt of your No. 43, containing a sealed letter from the President of the United States to President Medina

of this republic, which shall be delivered according to your instructions. I also received proclamation by the President of the United States of the 2d April, declaring the insurrection at an end in certain States of the Union.

\* \* \* \* \*

I enclose translated copy of a note received from the minister of foreign relations of this republic, in answer to one I addressed to him, a copy of which I forwarded to you by the last steamer.

I have the honor to be, respectfully, your obedient servant,

THOMAS. H. CLAY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Leiva to Mr. Clay.*

[Translation.]

GRACIAS, April 28, 1866.

SIR: I have the honor to advise you of the receipt of your esteemed despatch of the 19th instant, which I have placed in the hands of his Excellency the President of the republic, in which you kindly make known that General Don José Maria Medina, having been constitutionally elected President of the republic, the objections to the acknowledgment of his provisional administration have ceased to exist.

His Excellency is greatly pleased at the continuation of the good and amicable relations of his government with that of the United States, and with the congratulations which you, as representative of that powerful country, have the kindness to address to him upon the occasion of his assuming the supreme command of the republic.

I am, sir, with distinguished consideration, your most respectful and obedient servant,  
PONCIANO LEIVA.

Hon THOMAS H. CLAY,

*Minister and Plenipotentiary of the United States in this Republic.*

*Mr. Clay to Mr. Seward.*

No. 64.]

LEGATION OF THE UNITED STATES,

*Tegucigalpa, June 9, 1866.*

SIR: I have the honor to enclose to you two translated copies of notes addressed by me to the minister of foreign affairs for this republic at Gracias.

Trusting they will meet your approval, I am, sir, your obedient servant,

THOMAS H. CLAY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Clay to Mr. Leiva.*

LEGATION OF THE UNITED STATES AT THE REPUBLIC OF HONDURAS,

*Tegucigalpa, May 22, 1866.*

SIR: I have the honor to enclose to you a printed copy of the proclamation issued by his Excellency the President of the United States of America, dated the 2d of April last. Have the kindness to place it before his Excellency the President of the republic, as it declares the insurrection at an end in certain States of the Union which had been in rebellion.

With the highest consideration, I am, sir, your most obedient servant,

THOMAS H. CLAY.

Hon. PONCIANO LEIVA,

*Minister of Foreign Relations.*

*Mr. Clay to Mr. Leiva.*

LEGATION OF THE UNITED STATES AT THE REPUBLIC OF HONDURAS,

*Tegucigalpa, May 23, 1866.*

SIR: I received the following note from the late minister of relations, Don Francisco Cruz, in October last, in answer to a demand made by me for indemnification for the loss of the

sloop Muhlenberg, at the port of Ruatan, in July, 1864, which occurred from the refusal of the chief magistrate to grant a clearance, although three different applications had been made for the same. The following is a copy of his note:

“COMAYAGUA, September 28, 1865.

“SIR: The governor of Ruatan, and the commandant of Truxillo, in compliance with my previous orders, had sent to this department some documents that gave information about the abandonment of the sloop Muhlenberg. With copies of these documents I hope to satisfy the claim you have made in reference to said sloop, and I only await a little time, as my business is pressing on me at present, for them to put in order the documents which I shall place at your disposal.

“Permit me to reiterate my high consideration.

“FRANCISCO CRUZ.”

From what I have written, and the evidence you must be in possession of, I hope you will give this matter your early attention, that the interests of the party concerned may not suffer by any further delay.

With the highest consideration, I am, sir, your most obedient servant,

THOMAS H. CLAY.

Don PONCIANO LEIVA,

*Minister of Relations of the Republic of Honduras.*

---

*Mr. Clay to Mr. Seward.*

No. 68.]

LEGATION OF THE UNITED STATES

AT THE REPUBLIC OF HONDURAS,

*Tegucigalpa, July 10, 1866.*

SIR: I transmit to you a communication from the minister of foreign affairs of this republic in relation to the loss of the sloop Muhlenberg, at the port of Ruatan, in July, 1864, appended to which is the statement of Don Francisco Bernardez, United States consular agent at Truxillo.

I have the honor to be, respectfully, your obedient servant,

THOMAS H. CLAY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Cisneros to Mr. Clay.*

[Translation.]

GOVERNMENT HOUSE,  
*Gracias, June 18, 1866.*

SIR: The undersigned is advised of the despatches directed by your excellency to his predecessors in relation to the claim for the sloop Muhlenberg, belonging to Captain Jacob Lang, a citizen of the United States of America, and respecting which no resolution has been taken, for the reason that this ministry had no information of the matter. Being now in possession of all the facts in the case, and aware of the strange pretensions of Captain Lang, the supreme government has ordered the undersigned to reply to your excellency in the following terms:

The whole matter properly belongs to the courts, as can be shown should a question arise on that point. But inasmuch as your excellency directs yourself to the undersigned, by virtue of the instructions which he has to investigate, whether the loss of the sloop was occasioned by improper conduct on the part of the official authorities, he feels assured by the evidence acquired *ad hoc* that your excellency will esteem the event from the manner in which he elucidates it.

Captain Lang arrived at Ruatan in a state of utter destitution, and was on that account recommended by persons in Truxillo to the governor of the islands. The governor, who was particularly well disposed towards him, received with surprise the news that Lang had disappeared from the bay without having received the customary clearance, (*pase*.) A short time afterwards Lang presented himself in company with a person belonging to Ruatan by the name of Loreto Mazier, the latter bringing suit against the former for the sum of \$41 87. The governor cannot take cognizance of causes where the amount demanded ex-

ceeds \$30, and can only use his influence to settle such disputes in a friendly manner. He advised them to appoint arbitrators, to whose decision they might submit the case. Some days afterward Mazier returns, asking for an execution against Captain Lang for the amount he owed him. The governor replied that if they did not appoint arbitrators, (a step which they ought not to omit,) they would have to wait until the court was in session to have the case decided.

Lang then brings suit against Mazier for a still larger sum. The governor insists that he has no jurisdiction except in a conciliatory way. He informs them that the court will sit in August, when the case would be disposed of summarily, but still advises them to submit the matter to an arbitration. Lang would not agree. Then Mazier makes the just observation to the governor that as the former was only a sojourner on the island, he might leave at any moment without paying him, and for this reason he demanded security. The governor represents this to Lang, who offers his sloop as security. And it should be noted that the governor assented to this security, as he was satisfied that Lang would appear before the court when in session. By the laws of the country a creditor can demand bail or security from a suspicious debtor to an amount sufficient to cover the claim, with costs and damages. The offer of Lang to give his sloop as security was entirely voluntary. The governor objected to it, as, being floating property, he might set sail at any moment, and to prevent this a man was sent on board the first night. Lang did not oppose this step, nor did another person who was on board the sloop, which was taken for one night only, and from that date the sloop was free to sail at any time. But Lang offered to remain until he should arrange the business with Mazier, saying at the same time that he needed a navigator, and would look for one in the island. Some days afterward the captain presented himself at the office of the governor, asking for a clearance to go to New Orleans, saying that he had navigator and cargo. The governor replied that if the cargo was on board he would give him the clearance; that it was an invariable rule in the island, as well as in all other ports, to specify in the clearance the articles which constitute the cargo. Lang then said that he had no cargo on board, but that in the island and at Utila it had been offered him. To this the governor replied that when the cargo was on board he would give him his clearance, but that he ought beforehand to arrange with Mazier; but that unless he (Mazier) would give security for the detention of the sloop, she was at liberty to sail at any time after having the cargo on board. Two days afterward the captain (by letter) asks for a clearance to leave. The governor replies that he will notify Mazier that unless security is given for the detention of the sloop he will grant a clearance the moment that the cargo is on board. Up to this time Lang had presented no manifest of cargo, which, as already stated, is customary on the island, as well as in all ports of the world, and without ever complying with this rule, he takes passage in another vessel, at the same time sending a protest to the governor, in which he declares that the sloop was *abandoned*, which, however, was not the fact, Lang having left a man in charge, as can be proven. Such, sir, are the facts respecting the merchant sloop Muhlenberg, for which no one in Ruatan would offer \$400, which shows her very deteriorated condition.

When Captain Lang left for the United States he had not the smallest idea that his claim was justly founded. The alleged abandonment of the sloop was a sham, else why did he leave a man on board, as before stated. It appears that Lang's idea was, that if his fraud should prove successful in the United States, to withdraw the man in charge of the sloop, but if it failed, then he would come back and take possession again.

Captain Lang has acted in this matter with most notable bad faith. Wishing to sell a useless sloop for the price of a steamer, without considering that to accomplish his object he compromised his own government with an unjust claim against a country that is far from wishing to attract the attention of any nation by an arbitrary act, and much less the United States, with whom they will ever preserve the best relations, and toward whose citizens they have ever manifested the greatest deference.

The government of this republic is guided in its policy by equity and justice, and a strict observance of international law. Its agents are particularly ordered to respect and observe those principles in their relations and intercourse with foreigners. It would not hesitate to indemnify any power, great or small, for even the smallest injury that any of its agents might occasion. But it cannot in any manner consent to satisfy imaginary claims, founded in the most flagrant bad faith by a foreigner wanting in sympathy for American republics, and whose naturalization in the United States he believes will enable him to acquire a capital without labor.

The government of the United States possesses material power to enforce its just demands, but it is more powerful still by the loyalty of its conduct and the regulation of its policy by right and justice. This conviction inspires the government of the undersigned with the fullest security in relation to a claim founded in falsehood and bad faith, which must be palpable to your excellency, as well as the fact that Lang has made inexact representations to your government in relation to the sloop. The question, sir, has only one point of view. Its solution is obtained by affirming or denying a single argument, viz: was there an attachment (embargo) of the sloop? If there was, then there is justice in the claim, admitting, notwithstanding, the causes which it arose from; and if no attachment was made, the whole foundation of the claim falls to the ground. From the question thus reduced, which is the only way it can be presented, it follows that the government of Honduras is not responsible



for the loss of the sloop, inasmuch as no attachment (embargo) was placed upon her, nor any order whatever given to prevent her departure. The governor only required that the cargo should be aboard, and a manifest presented thereof, in order to grant a clearance.

With respect to the claim of Mr. Mazier, the governor said that if he (Mazier) did not give security for the detention of the sloop she would not be detained. Finally, it is proven that the abandonment of the sloop Muhlenberg was a gratuitous and intentional act without any cause, and only for the object of making money on the part of Lang. The undersigned believes he has satisfied the honorable minister of the United States with respect to the before-mentioned claim. The foregoing statement covers the whole ground, and, moreover, the information given by the governor is corroborated by the testimony of sworn witnesses. The individuals who have endeavored to aid Captain Lang in the fabrication of his false and unjust claim are generally and proverbially known as enemies of the government of Honduras, as they would be of any other government not English.

The only ground upon which the claim is based is the exigence of the governor that the cargo should be on board. This nobody can complain of, as it is a general rule in all nations, and all submit to it without objection or resistance. Captain Lang would have complied with it if he had been the owner of a good vessel and if he had not been so very poor. But as he came with the intention to sell to the best advantage his useless and worthless property, he imagined in his dreamy calculations that he could effect the sale upon the strength of his own representations, without taking into consideration that the government to which these representations were made is guided only by justice and reason.

The undersigned cherishes the hope that the honorable minister, having in view the just principle of his government that the claim of Lang should be investigated before indemnification is demanded, will pronounce it a rash imposture. If, from want of attention or any other cause, the undersigned has omitted to fully explain any point, he will be happy to do so in deference to the good understanding which exists with the government which your excellency represents.

In thus replying to the communications of your excellency, the undersigned begs you will accept the assurance of the high esteem with which he subscribes himself your most obedient servant,

JOSÉ MARIA CISNEROS.

Hon. THOMAS H. CLAY,  
*Minister of the United States in the Republic of Honduras.*

#### CONSULATE OF THE UNITED STATES OF AMERICA AT COMAYAGUA AND TEGUCIGALPA :

Be it remembered, that on the 7th day of July, 1866, personally came and appeared before me William Burchard, consul of the United States of America, at Comayagua and Tegucigalpa, Francisco Bernardez, formerly governor of the Bay islands, and now consular agent of the United States at the port of Truxillo, who being by me duly sworn, did solemnly declare and state as follows : That he is well acquainted with all the parties whose names appear as vouchers in the petition of Jacob Lang to the officer of the United States commanding at Key West relative to the abandonment at the island of Ruatan of an American sloop called the Muhlenberg. That Thomas Connor and John Poppleton, who sign themselves *merchants* in the aforesaid petition, are small shop-keepers on said island, who have always been and are still hostile to the government of Honduras, and continually oppose and resist the officers sent by said government to govern the islands, and endeavor in every possible manner to involve them in difficulties with foreigners. That Linn H. Woods is a weak young man, who would sign any paper or document, however false, that the before-mentioned Connor or Poppleton might present for that purpose. That James C. Webster, although he has considerable influence in Ruatan on account of a little property he possesses, is not a person of veracity, and has on more than one occasion perjured himself in the courts of the island in criminal cases of great magnitude, and that he has not been convicted and punished for this crime in consequence of the disorganization of the people and government of the said Bay islands. And he, the said Francisco Bernardez, further declares and says that he is acquainted with E. Gordon Street, the same person who wrote a letter to George Hanerwell, of New Orleans, a history of the above document of the sloop Muhlenberg, at the island of Ruatan. That the said Street is a refugee from justice from the island of Jamaica. That he is a man of very bad character, who, as this deponent firmly believes, would not hesitate to make a false declaration or lend his services to advance any claim, however unjust, for a small consideration.

FRANCISCO BERNARDEZ.

Sworn and subscribed before me in the city of Tegucigalpa, the day and year first above written.

WM. C. BURCHARD, *United States Consul.*

{ Consulate U. S. A.,  
Comayagua and  
Tegucigalpa. }

*Mr. Seward to Mr. Rousseau.*

No. 7.]

DEPARTMENT OF STATE,

*Washington, August 22, 1866.*

SIR: On the 20th of February, 1865, in despatch No. 28, a claim was forwarded from this department to Mr. Clay against the government of Honduras for the loss of the sloop Muhlenberg, which was abandoned by its master, Jacob Lang, at the port of Ruatan, on the refusal of the governor of the island to grant him a clearance; and Mr. Clay was instructed to investigate the claim, and if he found it sufficiently founded, to present it to the government of Honduras. This the department was informed Mr. Clay had done; and on the 10th of last month he transmitted to this department the final reply of the minister for foreign affairs on the subject in question.

From that reply, if the facts therein stated are not controverted by any papers on file at your legation, this department cannot but conclude that the claim in question is untenable, and you are therefore instructed to examine the archives of your legation, and to satisfy yourself as to the reliability of the statement contained in the note of the minister for foreign affairs. You will further inform yourself as to whether it be usual in the port of Ruatan to demand a manifest of the cargo previous to the issuing of a clearance to a vessel. Upon ascertaining these points to your satisfaction, and unless you see reason for a contrary action, which you will at once communicate to this department, you are instructed to discontinue the claim against the government of Honduras.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. H. ROUSSEAU, Esq., &c., &c., &c.

---

*Mr. Rousseau to Mr. Seward.*

No. 5.]

LEGATION OF THE UNITED STATES OF AMERICA

AT THE REPUBLIC OF HONDURAS,

*Tegucigalpa, August 22, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch No. 3, under date of July 10th, 1866, containing your approval of two communications addressed by Mr. Clay to the minister of foreign relations, and enclosed in his despatch No. 64, of the 9th June last.

Upon referring to the records of the legation, I find that on the 10th of July last Mr. Clay transmitted to the State Department a further communication from Don José Maria Cizneros, the minister of foreign relations of this government, containing his version of the loss of the sloop Muhlenberg, and what he considers a complete vindication of the conduct of the governor of Ruatan in that matter.

I will give the case a thorough and searching examination, and report to the department my views with reference to the justice of the claim of Captain Lang, if after reading the minister's communication you may deem any further action necessary.

I remain, sir, respectfully, your obedient servant,

R. H. ROUSSEAU.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Rousseau to Mr. Seward.*

No. 7.]

LEGATION OF THE UNITED STATES OF AMERICA  
AT THE REPUBLIC OF HONDURAS,  
*Tegucigalpa, September 12, 1866.*

SIR: On the eve of starting to Gracias, to present my credentials to President Medina, I received a note from W. C. Burchard, enclosing a copy of the official gazette published at Comayagua, with translations of two articles which appear in the paper. As the publication of these articles has created no inconsiderable excitement here, I deem it proper to send them to you. I enclose translations as furnished by Colonel Burchard, and also the newspaper itself. I apprehend there is little or no foundation for what is asserted; but from my knowledge of the condition and feelings of many who were engaged in the late rebellion in the United States, such an expedition is not, in my opinion, improbable.

Honduras is deluged with rain now every day, which renders communication between the different departments very tedious and uncertain, and hence the great length of time between the date of the letters and the time the information reached here.

I have the honor to be, sir, your most obedient servant,

R. H. ROUSSEAU.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Burchard to Mr. Rousseau.*

CONSULATE OF THE UNITED STATES OF AMERICA  
AT COMAYAGUA AND TEGUCIGALPA,  
*September 11, 1866.*

SIR: The government gazette of this republic of the 18th of August, which has this day been received, contains official communications from the "commandante" of Truxillo and Omoa which have caused not a little uneasiness in this community, as they speak of a new invasion of filibusters from the United States.

I have the honor to remit you herewith a copy of the gazette and a translation of the two communications referred to.

I am, sir, respectfully, your obedient servant,

WM. C. BURCHARD, *United States Consul.*

Hon. R. H. ROUSSEAU,  
*United States Minister Resident, Tegucigalpa.*

[Translation from the official gazette.]

CONSULATE OF THE UNITED STATES OF AMERICA  
AT COMAYAGUA AND TEGUCIGALPA,  
*Truxillo, July 11, 1866.*

SIR: Day before yesterday information was brought to this office by a person from the island of Bonaca that one of the American vessels anchored at Ruatan is loaded with arms and munitions of war, concealed underneath a small lot of lumber. It is also asserted that two schooners, engaged in the fruit trade, have sailed for New Orleans in search of adventurers, who are to be armed on that island (Ruatan,) and from there undertake a simultaneous expedition against the ports of Truxillo and Omoa.

This news is not entitled to absolute credit, considering the zeal, fidelity, and honor of the governor of Ruatan; but as there are at present in the United States a multitude of people without employment and without fortune, who seek adventures to make up for the losses sustained in the late rebellion, it is not unlikely that such projects exist, and which will be carried out if found practicable.

As our relations with the island of Ruatan are obstructed in consequence of the small-pox which is prevailing in this city, I have not been able to write directly to the governor upon this subject, but have done so by way of Bonacca, but it is uncertain whether my communication will reach him.

It is advisable, therefore, that you address him and recommend him to search the vessels anchored in those islands and find out the truth with reference to the arms referred to.

The commandante of this port, General Alverado, left three days since for La Criba with an escort of fifty men to make investigation relative to an arrival of foreigners on some kays or islands called Graciosas, where Walker arranged his expedition in the year 1860.

I communicate to you these details in order that you may make such arrangements as may be necessary.

I am your attentive servant,

FRANCISCO ALVERADO.

The COMMANDER-IN-CHIEF of the port of Omoa.

OFFICE OF THE MINISTER OF FOREIGN RELATIONS OF THIS REPUBLIC,  
*Gracias, July 26, 1866.*

It is in conformity with the original.

JOSÉ MARIA CIZNEROS.

The foregoing is a faithful translation from the official gazette of August 18, 1866, No. 45.  
WM. C. BURCHARD, *United States Consul.*

[Translation from the official gazette of August 18, 1866.]

CONSULATE OF THE UNITED STATES OF AMERICA  
AT COMAYAGUA AND TEGUCIGALPA,  
*Omoa, July 15, 1866.*

SIR: To-day at twelve o'clock I received the despatch, a copy of which I have the honor herewith to remit, in order that you may place it before his excellency the Lieutenant General and President of the Republic, and inform him, at the same time, that day after to-morrow, the 17th, I shall despatch the packet schooner Colibri, under the command of Lieut. Colonel Pablo Nuila, with fifty men and a piece of artillery, in order that in conjunction with the governor (of Ruatan) and in conformity with my instructions, he may find out if it is true or not relative to the munitions of war on board the vessels anchored at Ruatan, as stated in the enclosed despatch copy, and if found to be true, that they (the munitions) be transferred to the Colibri, and that the authorities of Ruatan, in conjunction with the commander Nuila, declare them confiscated or a lawful prize, (cu comiso ò buena presa,) as also the vessel which may have them in custody.

Be pleased, sir, to elevate the foregoing to the knowledge of his excellency the Lieutenant General President, and believe me your attentive servant,

FELIPE ESPINOZA.

The MINISTER OF FINANCE AND WAR  
*of the Supreme Government of Honduras.*

OFFICE OF FOREIGN AFFAIRS OF THE REPUBLIC,  
*Gracias, July 26, 1866.*

It is a faithful copy.

JOSÉ MARIA CIZNEROS.

*Mr. Seward to Mr. Rousseau.*

No. 11.] DEPARTMENT OF STATE,  
*Washington, October 10, 1866.*

SIR: I transmit to you for your further information a copy of a communication received at this department from George Hunnewell, esq., of New Orleans, on the subject of the claim for the loss of the sloop Muhlenberg.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. H. ROUSSEAU, Esq., &c., &c., &c.

NEW ORLEANS, *October 4, 1866.*

DEAR SIR: At your kind request I write to advise you of my inability to obtain any further information in relation to the loss of the Muhlenberg. It being out of fruit season, we have no communication with the island of Ruatan.

After her being abandoned for want of a clearance, she was rifled of everything that was movable, comprising her sails, which were new, rigging, &c., and for want of proper at-

tion, owing to the rocky bottom of the harbor, she sunk, and was afterwards raised by the authorities of the island, and in this condition could not have been of much value. But in consideration of the charter which she was under, viz., \$450 per month, and the demurrage of \$15 per day on which she was abandoned, should be the basis of the estimate damage and loss. I do not mention these facts in the way of dictations, but only to advise you of her actual value to the parties interested at the time of her abandonment. And if there is any justice in this claim, I ask your kind consideration from the fact of the recent death of the captain, (Lang,) whose widow called on me yesterday and so informed me, leaving her dependent on the world's charity with six children. Of the many calls on me previous to his death, I advised you when I last saw you.

Trusting this may meet with your kind consideration and attention, I remain, yours very truly,

GEORGE HUNNEWELL.

(Lock box 256, P. O.)

E. P. JACOBSON, Esq

---

*Mr. Seward to Mr. Rousseau.*

No. 12.]

DEPARTMENT OF STATE,

*Washington, October 15, 1863.*

SIR: I have received your despatch No. 7, of the 12th of last month, containing a translation of two articles published in the official gazette of Comayagua, being communications addressed to the commander-in-chief of the port of Omoa, and to the minister of finance and war, bringing to their notice a report current that a certain American vessel at the port of Ruatan is loaded with arms and ammunition, and that two other American vessels are on their way to New Orleans for the purpose of enlisting some adventurers, who are to be armed at Ruatan, and with whom a hostile expedition is to be undertaken against the ports of Truxillo and Omoa.

We have no knowledge nor information calculated to sustain these statements. It is hoped that you have ere this presented your credentials, and that you are in a condition to investigate this matter officially, and if found groundless, as no doubt it will be, to dispel any apprehension which its official circulation may have caused.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. H. ROUSSEAU, Esq., &c., &c., &c.

---

*Mr. Clay to Mr. Seward.*

Na. 71.]

LEGATION OF THE UNITED STATES

AT THE REPUBLIC OF HONDURAS,

*Tegucigalpa, November 4, 1866.*

SIR: The Hon. R. H. Rousseau and the American consul, Mr. W. C. Burchard, did not reach this place from Gracias until the night of the 2d instant, and it was not until the evening of the 3d that their baggage and papers were brought on by the Arrow.

I enclose to you an autograph letter from President Medina to his Excellency the President of the United States.

You will also receive herewith a copy of a letter from President Medina to myself, which I deem it proper to remit to you, as also one from the minister of foreign relations.

Tendering you, on quitting this mission, my thanks for the courtesies received at your hands,

I am, respectfully, your obedient servant,

THOS. H. CLAY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Medina to Mr. Clay.*

[Translation.]

GRACIAS, *October 8, 1866.*

SEÑOR CLAY: The consul, Hon. C. Burchard, esq., bearer of the autograph letter from his Excellency the President of the United States of America, and of yours dated the 15th of August, has placed in my hands those highly esteemed documents, whose contents do me great honor.

I appreciate, in the highest degree, the sincere congratulations which the Chief Magistrate of the American Union has been pleased to give me for my elevation to the government and service of this republic in consequence of the popular vote which proclaimed me, and in which position I shall endeavor to correspond to the hopes and wishes of the people. The accompanying letter to his Excellency the President contains due thanks for this great and signal proof of attention.

With respect to the high position which you have occupied near my government as minister resident of the United States, I can assure you in all candor that I sensibly regret your separation. During a period of nearly four years our relations have been as loyal and frank as could be desired. You will leave in this republic nothing but feelings of gratitude, and in the cabinet a high appreciation of the ability and prudence which you have manifested in your official intercourse.

I have directed the minister of state to write an official reply to your farewell address. You have formed in Honduras relations of a most friendly and enduring character. Mine will follow you when you leave the shores of Honduras, and will always be characterized by the confidence with which your goodness has inspired me. You can depend upon my friendship, no matter how great the distance which separates us. If my fortune continues propitious, Honduras will soon arise from the prostration and ruin into which reckless hands have plunged her; but if it prove adverse, I will die with the best of her sons, leaving but one memento—*el del progreso*.

Your worthy successor, Mr. Rousseau, will be esteemed by me, not only as the representative of the great American republic, our friend and ally, but as a confidant. His pleasing disposition and high reputation will entitle him to public estimation. I have no doubt that my frank and unpolished style of intercourse will be as acceptable to him as, fortunately, it has been to you.

Adieu, Mr. Clay. Do not fail to invoke the favor of Heaven for the success of my administration, and for the happiness of the people of Honduras—your friends. I shall always desire your good health and prosperity.

Your attentive servant,

JOSÉ M. MEDINA.

HON. THOMAS H. CLAY,

*Minister Resident of the United States, Tegucigalpa.*

---

*Mr. Cizneros to Mr. Clay.*

[Translation.]

MINISTRY OF FOREIGN AFFAIRS, GOVERNMENT HOUSE,  
*Gracias, October 17, 1866.*

SR: From the hands of the consul of the United States, William C. Burchard, esq., his excellency the President of this republic has received the communication which you were pleased to address him, advising him of your retirement from the position of minister resident of the United States near this government.

His excellency takes great pleasure in declaring that the deportment of Mr. Clay in his character of minister resident near this government has been entirely faultless, and that he has given his attention to all matters relating to his important mission with the promptness and courtesy due to the supreme government of the United States.

The undersigned considers himself highly honored in assuring you of the sentiments of attention and respect with which he subscribes himself your obedient servant,

JOSÉ M. CIZNEROS.

HON. THOMAS H. CLAY,

*Minister Resident of the United States of America.*

*Mr. Rousseau to Mr. Seward.*

No. 8.]

LEGATION OF THE UNITED STATES

IN THE REPUBLIC OF HONDURAS,

*Tegucigalpa, November 16, 1866.*

SIR: I left this city on the 18th of September for Gracias, arrived there on the 4th of October, and on the 10th the President gave me a public reception, at which I presented my credentials and was duly recognized as minister resident of the United States in this republic.

Owing to the inclemency of the weather and my own health, not a little impaired by the hardships and privations of the journey, I was obliged to remain in Gracias several days longer than I had intended, and returned to this city after an absence of forty-six days.

During my stay in Gracias I was treated by the President, his cabinet, and the citizens generally, with constant courtesy and attention, and do not hesitate to assert that I have the entire confidence of his excellency. My despatches Nos. 9 and 10 will more fully demonstrate that fact.

I was accompanied to Gracias by Colonel William C. Burchard, United States consul for Comayagua and Tegucigalpa, who acted as interpreter and rendered valuable services both to me and the United States. He speaks and writes the Spanish language with fluency and elegance, is familiar with the manners, customs and laws of the country, and is highly esteemed by the government and people of all classes.

I remain, sir, respectfully, your obedient servant,

R. H. ROUSSEAU.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington. D. C.*

# NICARAGUA.

---

*Mr. Dickinson to Mr. Seward.*

No. 116.]

LEGATION OF THE UNITED STATES,  
*Leon, June 24, 1866.*

SIR: I have the honor herewith to hand you a copy of a despatch from the Costa Rican government to Mr. C. N. Riotte, as well as my reply to the same.

I am, sir, very respectfully, your obedient servant,

A. B. DICKINSON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Volio to Mr. Riotte.*

[Translation.]

NATIONAL PALACE, *May 22, 1866.*

SIR: The Central American Transit Company of Nicaragua, instituted by a contract on the 10th of November, 1863, has recently determined, as the government of the republic has just been informed, to turn the waters of the Colorado, now flowing within Costa Rican territory, into the lower San Juan, thus restoring the current to its former channel, in order to deepen the river at that point, and restore the port by means of the greater volume and velocity of the waters of the San Juan.

Although the said company declares the new work will not obstruct or damage the Colorado, yet it is scarcely credible when its waters will go to increase the San Juan, and destroy the natural and legal title that Costa Rica has acquired by gradual accession to those streams. Hard as it is to credit a fact which in its nature belongs to crimes against the integrity and sovereignty of the republic, the government, jealous of its rights and its obligation to maintain them in their integrity, has determined to send a commissioner to inspect the Colorado and its tributaries, and, if works are constructing to damage those rivers, to warn those engaged, and to expel them by force if they do not yield to reason.

As your interference might induce the company to desist in their contemplated project, the President of the republic has instructed me to inform you of the facts, as well as of all that has been done in the case, and that he is determined to repel any unauthorized trespass upon the territory of the republic.

In thus complying with the President's request I embrace the occasion to offer you the assurances of my distinguished consideration.

Mr. C. N. RIOTTE.

J. VOLIO.

---

*Mr. Dickinson to Mr. Riotte.*

LEGATION OF THE UNITED STATES,  
*Leon, June 15, 1866.*

DEAR SIR: Your communication, with its enclosure of a copy of a despatch from the Costa Rican government to your honor, has just been received, and I hasten to send a translation of the same to the president and general agent of the Central American Transit Company, as well as a copy to the Nicaraguan government.

Without stopping to discuss the questions at length which the Costa Rican government have presented for your consideration, I will briefly call your attention to a few of the prominent facts and circumstances as they exist within the recollection of every man acquainted with the navigation of the San Juan that has arrived to forty years of age.

Within the last twenty years there were from twenty to twenty-three feet of water on the bar at the entrance to the harbor of San Juan del Norte; at this time there are not more than eight to ten feet. At that time there was not more than one-tenth as much water discharged



by the Colorado as by the lower San Juan; at this time there is, by actual measurement, eleven-twelfths of the water discharged through the Colorado. The San Juan has been known as a navigable river ever since the settlement of the country; the Colorado has never been used for any purpose, and up to this moment is a desolate, barren waste of water, with scarcely an Indian canoe to be seen once a month.

Within the recollection of men now living the Colorado was not more than from twenty to thirty yards in width at its divergence; at this moment it is more than two hundred yards, and its depth has been proportionally increased, and in the same ratio which the Colorado has been increased the lower San Juan has been diminished and the harbor injured by its decreasing, and the bar made impassable for everything except small crafts, whereas twenty years since vessels of the largest class were admissible; nor is this all, as every heavy freshet increases the waters of the Colorado.

These facts seem to be well understood by his excellency J. Volio, the minister of foreign relations, as he distinctly avows that the company have decided to restore the waters of the "*Colorado to their old drain.*" The company wants nothing more, nor do I believe they want more than the one-half of that to restore the harbor and make a good and safe navigation. It would seem that his excellency the minister of foreign relations rests his case on the facts that the company was restoring the waters under their contract of November 10, 1863, as though the company had not acquired all the rights to the waters of the San Juan that belonged to Nicaragua, for the purposes of navigation, by the treaty of the 15th of April, 1858, between Costa Rica and Nicaragua, which ceded to Costa Rica a portion of her territory. Costa Rica was bounded by the right bank of the river San Juan. Costa Rica acquired no jurisdiction over the waters of San Juan, but only the free use for navigation. That I shall be better understood I will quote the 6th section of the boundary treaty between the two republics of the 15th of April, 1858, which distinctly shows the exclusive control which Nicaragua reserved to herself over the waters of said river, when she permitted Costa Rica to extend the boundary line then existing between the two countries up to the right bank of the San Juan and along a portion of said river:

"ARTICLE 6. The republic of Nicaragua shall have the exclusive domain and fullest command upon the river San Juan, from its headwaters on the lake to its mouth on the Atlantic; but the republic of Costa Rica shall enjoy upon said waters the perpetual right of free navigation from the aforesaid mouth of said river up to a point within three English miles before arriving at Castillo Viejo, for the purposes of commerce either with Nicaragua or with the interior of Costa Rica, by way of the rivers San Carlos or Sarapiquí, or by any other routes proceeding from that part of the margin of the river San Juan which it shall be decided corresponds (belongs) to Costa Rica. The vessels of both countries may, without distinction, come alongside of the banks of the river where the navigation is common without paying any class of tax, unless the same shall be empowered by common accord by both republics."

Now permit me to call your attention for one moment to the Colorado river, that Costa Rica seems so tenacious of. It is a river having for its source the outlet of Lakes Managua and Nicaragua, commonly known as the San Juan river. It not only has its source from this river, but from floods down to showers, and its growth from year to year, if not prevented by artificial means, will finally dry up the lower San Juan. It runs through an unbroken wilderness to the Atlantic, where it empties into an open roadstead, where there is not, nor ever has been, nor is there likely ever to be, water enough for vessels of sufficient size for conveying passengers, without being transferred from ocean to river steamers by means of small crafts, as they must be, where they are liable with scarcely a moment's notice to severe gales and heavy surfs.

I hardly need to say to one so familiar with the policy of our government as my colleague is, that while they protect and defend their citizens anywhere and everywhere in all legitimate business, she is not unmindful of her duties towards other governments, and will not stand patiently by and see her citizens committing overt acts that may draw her into controversy with other powers. If there is any one obligation stronger than another that a government is under to her citizens, as well as those of the nations of the earth, it is to protect their lives and property in the hands of her common carriers, created by themselves, which entitles the common carrier to look to his government for just and fair treatment.

I have sent copies of the despatch from the minister of foreign relations of Costa Rica to the parties interested, with but little expectation that it will have the effect to cause the Central American Transit Company to desist from their present purpose of restoring a portion of the waters that flow through the Colorado, first, for the reason that the Nicaraguan government reserved to herself the exclusive jurisdiction over the waters of the San Juan in the same treaty in which she permitted the republic of Costa Rica to extend her boundary up to the right bank of said river; secondly, for the reason that the company can restore and prevent these waters from escaping from the San Juan without touching the right bank of said river; thirdly, if it was an open question and the same amount of water had flowed through the Colorado in the past as at present, I hardly think, in this enlightened day and age of the world, that intelligent and impartial arbitrators would permit Costa Rica to seal up hermetically her Colorado from the use of mankind; and I am not prepared to believe that Costa Rica could afford, if left to herself, to force the thousands and millions of passengers that

will pass over this isthmus to be re-shipped on an open roadstead, at the great hazard of life and property that would attend the same.

These are a few of the prominent facts which Costa Rica proposes to enforce by arms, if she fails by persuasion, viz: to prevent a company from maintaining a navigation which by implication Nicaragua was bound by the same treaty to keep up, as both governments bound themselves per consideration that Costa Rica should enjoy upon the river San Juan the perpetual right of free navigation.

Your friend and colleague,

A. B. DICKINSON,  
*Minister Resident, &c., &c.*

Hon. C. N. RIOTTE,  
*Minister Resident at Costa Rica.*

---

*Mr. Dickinson to Mr. Seward.*

No. 119.]

LEGATION OF THE UNITED STATES,  
*Leon, August 9, 1866.*

SIR: I have the honor to enclose to you a copy, and a translation of the same, of a letter from Señor Don R. Cortes, minister of foreign affairs of the Nicaraguan government, to this legation.

I am, sir, very respectfully, your obedient servant,

A. B. DICKINSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Cortes to Mr. Dickinson.*

[Translation.]

NATIONAL PALACE, MANAGUA, July 17, 1866.

SEÑOR MINISTER: The undersigned has the honor to acknowledge to your excellency the receipt of the copy of the despatch that you addressed to your honorable colleague, Mr. C. N. Riotte, minister resident of the United States in Costa Rica.

His excellency the President, being informed of so important a document, in which are so wisely unfolded the principles and the rights that assist the Central American Transit Company, flowing with so much ingenuity and logic, from the principles and the rights that Nicaragua has, and such as have been specified in the boundary treaty between Costa Rica and this republic, is under the impression that when the government of Costa Rica comes to meditate cautiously on this question it will allow a just conclusion, convenient to the rights of the company and to the commercial interests of the universe.

With the due sign of appreciation, I am your excellency's most attentive and obedient servant,

R. CORTES.

Hon. A. B. DICKINSON,  
*Minister Resident of the United States.*

---

*Mr. Dickinson to Mr. Seward.*

No. 120.]

LEGATION OF THE UNITED STATES,  
*Leon de Nicaragua, September 7, 1866.*

SIR: Enclosed I have the honor of handing you a despatch received by this legation from Don Buenav'a Selva, minister of foreign affairs *ad interim* of this government, and my answer to the same.

I have the honor to be, sir, very respectfully, your obedient servant,

A. B. DICKINSON

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Selva to Mr. Dickinson.*

[Translation.]

NATIONAL PALACE, MANAGUA, August 22, 1866.

MR. MINISTER: The undersigned, minister of the interior, in charge accidentally of the office of foreign affairs of this republic, deems proper to address himself to the Hon. Mr. Dickinson, minister resident of the United States, to impart to him that sundry newspapers of New York publish the notice of a new complot of filibusters that, since a year ago, is getting up, after what is assured, in Cleveland, Cincinnati, St. Louis, and New Orleans, to come to some ports of Central America and occupy the country and organize a pure Yankee republic.

It is likewise ascertained that the project has already taken a very serious form; that the money for the expedition will be furnished by some of the most wealthy citizens of those places; that the job of recruiting and arming the expedition is to the care of Lieutenant Guy Wisner, a young man of great bravery and tact, and very capable to carry out this matter to the end; that the number of men required to march is five thousand, and that the lists of Guy Wisner reckon already four thousand; that the expedition is to commence in September next; and that a party of people from New Mexico will start from the ports of Texas at the same time.

Although the government of Nicaragua do not doubt but that of the United States has dictated measures most efficacious to make respectable the laws of neutrality by stopping the organization and departure of that expedition, it wishes, nevertheless, to call the attention of your excellency by exciting you to inform your government on this subject, with the design that, if the expedition has not yet verified its march, may then the government of the United States be pleased to dictate the correspondent orders to arrest the guilty and proceed to their judgment.

My government likewise desires that your excellency may transmit to him all the facts and news which might have reached you regarding this grave business.

With this opportunity I have the honor to subscribe myself your excellency's most attentive and obedient servant,

BUENAV'A SELVA.

Hon. Sr. A. B. DICKINSON,  
*Minister Resident of the United States.*

*Mr. Dickinson to Mr. Selva.*

LEGATION OF THE UNITED STATES,  
*Leon de Nicaragua, August 25, 1866.*

SIR: Your excellency's despatch of the 22d instant has just been received and the contents duly noted.

In reply thereto, I would say that the government of Nicaragua, judging from the past, has reasons to feel alarmed on account of the newspaper report of the filibuster movement in various cities of the United States; yet, as I have received from my own government nothing in relation to the matter, I am confident that the affair has been greatly exaggerated, if in truth it has any foundation—knowing as well as I do that it would be the first to advise me of the fact; and the present administration watches with so jealous an eye the neutrality laws, that even where it has felt itself aggrieved, as, per example, the late Fenian raid upon Canada, it does not wait for an official notice of an infraction thereof, but, at the first intimation of an overt act being committed, it at once crushes the attempt by the strong arm of military power.

I will, however, in accordance with your wishes, acquaint my government with the facts, as they are reported here, by the first mail, believing, however, should there be any foundation for the report, which, as it appeared in the Panama Star and Herald, was only the alleged statement of a correspondent of the Cleveland Herald, that the government has used its usual diligence in the matter, and that ere this the originators, if any there were, of the filibustering scheme have been punished according to the laws of the country.

I am happy to inform your excellency that all the facts that have come to my knowledge in regard to this "grave negocio" have been derived from the Panama Star and Herald of the 8th instant.

I am pleased to say that the vigilance of the present executive in protecting the rights of the citizens of this country is very commendable, and, in my opinion, to it the country is indebted for the peace and prosperity which has for so long a time and so uniformly attended his administration of public affairs.

I am, sir, your obedient servant,

A. B. DICKINSON.

Señor Don BUENAVENTURA SELVA,  
*Minister of Foreign Affairs ad interim.*

*Mr. Seward to Mr. Dickinson.*

No. 81.]

DEPARTMENT OF STATE,

*Washington, October 3, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 120, of the 7th ultimo, containing a note addressed to you by the minister for foreign affairs, on the subject of some unlawful expeditions which are reported by some papers to be forming in the United States, with intention to conquer Central America, and your reply thereto, very properly doubting the correctness of the report. Your proceedings are approved.

This department is not aware of anything transpiring in this country which could have given origin to the report. Nothing of the kind has been seen or heard of here; and you are authorized to declare it entirely groundless.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. B. DICKINSON, Esq., &c., &c., &c.

*Mr. Dickinson to Mr. Seward.*

No 121.]

LEGATION OF THE UNITED STATES,

*Leon, Nicaragua, November 23, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 81, of 3d ultimo, and enclose herewith a copy of my note to the Nicaraguan government, declaring the reports of filibustering expeditions from the United States against Central America, therein referred to, to be groundless.

I am, sir, very respectfully, your obedient servant,

A. B. DICKINSON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Dickinson to Mr. Cortes.*

LEGATION OF THE UNITED STATES,

*Leon, November 22, 1866.*

SEÑOR MINISTER: Referring to my despatch to your excellency of 25th August last, I have now the honor to enclose, for the information of your government, a copy of a despatch which I have received from the Secretary of State of the United States, conveying the satisfactory assurance that the late reports of unlawful expeditions being fitted out or contemplated in the United States against Central America are entirely groundless.

I am, senor, your excellency's very obedient servant,

A. B. DICKINSON.

His Excellency R. CORTES,

*Minister of Foreign Relations, &c., &c., &c.*

*Mr. Seward to Mr. Dickinson.*

No. 82.]

DEPARTMENT OF STATE,

*Washington, November 27, 1866.*

I transmit a copy of a letter which has been received from William W. Webb, esq., president of the Central American Transit Company, and of the extract to which it refers, from the London News, which passage seems to have given some uneasiness to the company.

The subject is commended to your vigilant attention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. B. DICKINSON, Esq., &c., &c., &c.

*Mr. W. W. Webb to Mr. Seward.*

OFFICE OF THE CENTRAL AMERICAN TRANSIT COMPANY,  
56 EXCHANGE PLACE,  
New York, November 23, 1866.

DEAR SIR: I beg leave to forward you a copy of the London Times [News] of the 9th instant, with a passage marked on page 5, to which I desire respectfully to call your attention, concerning an interview between Captain Pim and certain other parties, with Lord Stanley, on the subject of a projected railroad (British) across Nicaragua. We have never regarded the project of Captain Pim to build a railroad across Nicaragua as possible of accomplishment on its merits as a mere commercial speculation; but the question assumes a different character if the British government should support it on political grounds.

Our minister in Nicaragua, Hon. A. B. Dickinson, protested to that government against the Pim scheme on the 14th March, 1855. It would be of great injury to our interests if any such scheme should acquire character and credit from the support which is said to be given to it by Lord Stanley, if even it should ultimately be abandoned.

The fact of such a scheme being in existence and so supported will place more than ordinary difficulties in the way of our company to carry on the improvement of the harbor of San Juan del Norte and river San Juan, to which we are devoting our energy and means. The opposition of the Panama Railroad and the Pacific Mail Steamship Company to establish a monopoly has always to be encountered by us.

We are necessary to California, to keep down the old monopoly prices for transportation of passengers, freight, and government troops; but we work to disadvantage and under much discouragement, if, in addition thereto, we have to encounter the weight of the political influence of the British government in this scheme of Captain Pim in Nicaragua.

I have the honor to remain, dear sir, yours, very respectfully,

W. W. WEBB, *President.*

Hon WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

[From the London News of November 9, 1866.]

A deputation on the subject of the Atlantic and Pacific junction railway across Nicaragua was received by Lord Stanley, at the Foreign Office, this afternoon. The project was explained to Lord Stanley, in its various bearings, by Captain Pim, Captain Maury, and Mr. Pollock. His lordship stated, in reply, that he considered the matter one of great importance, and that he regarded it very favorably, at the same time promising to give the documents laid before him his careful attention, and to communicate fully with Captain Pim on the subject, without delay.

A telegram just received by the Varner Railway Company announces that the line has been accepted by the government, and was opened yesterday to the public.

---

## NICARAGUAN LEGATION.

*Mr. Seward to Mr. Molina.*

DEPARTMENT OF STATE,  
*Washington, November 26, 1866.*

SIR: I have the honor to inform you that the War Department having occasion to send recruits for the military force on the Pacific, has preferred the route through Nicaragua for that purpose. The number of the recruits will not, it is understood, exceed three hundred and fifty men.

This notice is given to you in order that there may be no misunderstanding upon the subject by the authorities of Nicaragua.

I avail myself of this occasion to offer to you a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Señor Don LUIS MOLINA.

*Mr. Molina to Mr. Seward.*

[Translation]

LEGATION OF NICARAGUA, NO. 51 PENNSYLVANIA AVENUE,  
*Washington, November 30, 1866.*

SIR: I have the honor to acknowledge receipt of your esteemed note of 26th instant, which did not come to my hands until yesterday, returned from New York, whither, without doubt, it was sent by mistake, in the belief, probably, through some misunderstanding, that I had changed my residence and address.

This circumstance has subjected me to the mortification of not having been able to write to the government or functionaries of Nicaragua on the transit by the same steamer which conveyed the troops of the United States to California, as I proposed to do, in view of the notice previously received from you of the approaching transit through that republic of the troops indicated. I am confident, however, that what I hastened to write on the subject, without precise dates or official advices, will be sufficient to avoid any difficulties.

Convinced that the treaty between Nicaragua and the United States, in which is stipulated the guarantee and innocent use of international transit through that republic, including that of troops and munitions of war, has only failed to reach completion through secondary circumstances foreign to the will of the contracting parties, and certain that my government desires that the United States may enjoy on equal conditions the like advantages of the most favored nations, I have not doubted in taking on myself the responsibility of addressing the governor of San Juan del Norte, asking him to take care that no hindrance be placed in the way of the transit of the recruits referred to, but rather that it be facilitated by the functionaries of that republic, and made report of the whole to my government, moved by entire confidence in and the best wishes toward that of your excellency.

In the same manner I shall transmit to Managua your esteemed aforesaid note, herewith flattering myself that my conduct will be approved.

I ought, nevertheless, to call the attention of your excellency to the absolute lack of treaties between Nicaragua and the United States, and to the necessity and convenience, even assuming their existence, to comply early enough with those essential formalities which prove and affirm friendship, without diminution or possible drawback under ordinary circumstances.

I ask your excellency to be pleased to receive in the like spirit of frank good will which suggests them to me, and to regard as sufficiently explained the delay which may be imputed to this note.

I have the honor to reiterate to you the assurances of my highest consideration, and am your most obedient servant,

LUIS MOLINA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

## PARAGUAY.

---

*Mr. Washburn to Mr. Seward.*

Buenos Ayres, *November 9, 1865.*

SIR: On leaving Washington, the 28th of August, I took passage on the steamer *Montana*, that was to touch at Rio de Janeiro on her way to California. She left New York on the 6th of September, and arrived at Rio on the 3d of October. I there learned that the *La Plata*, or rather the Parana river, was closely blockaded by the Brazilian squadron, and that I should find it very difficult if not impossible to reach my post in Paraguay, unless some war vessel of light draught should be detailed by the admiral of the fleet at Brazil for the purpose of carrying me up the river, but no vessel suitable for the trip was then upon the station, though Admiral Godon informed me that he was daily expecting the arrival of his tender to the flag-ship, and that from her light draught she would be well adapted for ascending both the Parana and the Paraguay. This steamer, the *Wasp*, arrived at Rio on the 20th of October, and on being informed by the admiral that she required so much overhauling and repairs that it would take some twenty days to accomplish them, I took passage on the first passenger steamer that left for this port, reaching here on the 4th instant.

Since my arrival here I have endeavored to inform myself concerning the war now existing between Brazil, the Argentine Confederation, and the forces under the invader of the Banda Oriental or Uruguay, on the one side, and Paraguay on the other. The accounts from the seat of war are very conflicting, but the general impression is that President Lopez is in a "tight place." Several months ago he sent a large force down the river and seized several towns of considerable importance, including Corrientes, Bella Vista, and Goya, belonging to the confederation. A large force of some eight thousand men was also sent to capture the Brazilian town of Uruguayana, situated on the Uruguay river. The capture was effected, but the troops were cut off from the base of the Paraguayan army, and after being shut up within the town till they began dying off by starvation, the whole force surrendered to the three potentates, Don Pedro II, Emperor of Brazil, Bartolome Mitre, President of the Argentine Confederation, and Venancio Flores, the Guacho chief and invader of Uruguay.

After this the Paraguayans fell back from Goya and Bella Vista, and made a stand for some time at Corrientes. They have since abandoned that place, and retired within their own territory, and are there awaiting the attack of the allies. It is not supposed any immediate advance will be made against the Paraguayans, as they are strongly posted at Humayta, just above the confluence of the Parana and Paraguay rivers, and the allies are not prepared for any general movement, and it is supposed will not be for several weeks. But of the final result there seems to be very little doubt among the people, both native and foreign, of Buenos Ayres; it is believed that Lopez will either be compelled to surrender or leave the country. That such will be the final issue there can be little doubt if the allies can keep from quarrelling among themselves. Of this, however, there is a very great doubt. Between the Brazilians and the Argentines there is an irrepressible antipathy; they have a mutual contempt for each other, and the fact that they have so long maintained the appearance of

harmony, proves only the deep-seated determination of both to destroy the Lopez power or dynasty in South America.

In entering into the alliance against Lopez the three powers solemnly agreed never to treat either separately or collectively with him as the head of the Paraguayan government. His government and policy were regarded by all as incompatible with the peace and prosperity of all the neighboring countries.

The retreat of the Paraguayans behind the fortifications of Humayta will give them such an advantage of position that the allies will not venture to attack them without large re-enforcements; and both President Mitre and the Emperor are making great efforts to get a force so strong that there can be no doubt of the result. Brazil has already three or four iron-clads that are to assail the fortifications in front, while a large force is to be sent up the Parana and cross over some distance above the confluence of that river and the Paraguay, and then make an attack in the rear. The allies are all the while increasing their forces, while Lopez is believed to have every man and boy capable of bearing a musket already in his army. Since the war began, he is thought to have lost not less than twenty thousand men, and the report is that provisions are getting to be very scarce there. In the meanwhile the allies are preparing for a long campaign. The special minister of the Emperor, now in this city, who is supposed to direct the general war movements, informs me that he does not suppose the allies will be ready for another movement before February. The government here is also fast recruiting its forces, and unless some division or other turn of affairs favorable to Lopez shall occur, it seems that he must succumb. It is thought by some that his own people may turn against him, but his system of espionage is so thorough that nothing of that kind can take place. Since I left there in January last, several of those most in his confidence, and on whom he most relied to carry out his policy, have fallen into disgrace. The admiral of his fleet was killed in battle, and the general of his army, next to himself in command, is a close and, they say, tortured prisoner at Humayta. He appears to have no confidence in any one, and is particularly jealous of some members of his own family. The prisoners that have been taken by the allies have no wish to return to Paraguay till the power of Lopez is broken. They seem to fear that they would be severely treated for ever having surrendered, as Lopez holds to the idea that it is the duty of every one of his soldiers, under all circumstances, to fight to the death. They must emulate Leonidas and his three hundred, or expect, if they again fall into the hands of Lopez, chains and stripes.

In fact there is no sympathy for Lopez among either natives or foreigners, and so soon as he is disposed of the war will stop. At least so say the members of this government, and so says Señor Octaviana, the Brazilian special minister. They say they have no war with Paraguay; they are only laboring to break up the power of Lopez; and that they say they will do, cost what it will. If they were to succeed in this, the next question of interest is, what is to become of Paraguay as a nation? That our government would never quietly assent to its dismemberment, or that its more powerful neighbors should divide and annex it, I took for granted, and I have, therefore, endeavored to ascertain what the ultimate intention of these governments was towards Paraguay in the event that Lopez is overcome.

On this point I am assured by Dr. Ramson, the minister for the interior, that there is not the least intention or desire to interfere with the integrity or sovereignty of Paraguay as a nation; that there never has been any such desire, and that the representations to the contrary have done great prejudice and injustice to the government of which he is a member; I may say, the most influential member. Señor Octaviana, is equally explicit to me in saying that the government of Brazil has no intention to interfere with Paraguay as a nation; that the war is only against Lopez, and that so soon as he is driven from power the



Paraguay people will be left to such government as they may choose for themselves.

There is now no regular communication between this place and Paraguay. Since the blockade was established, the English, French, and Italian ministers have each sent a gunboat to Ascension, to protect the interests of their respective countrymen. The Italian vessel is expected to return in a few days, and the French about the last of this month. The English boat returned several weeks ago. Under these circumstances, I do not know how soon I shall be able to reach Paraguay. I shall probably leave Mrs. Washburn here, and take passage by a merchant steamer as far as Corrientes, and thence make my way to Humayta as best I can. I shall then try and have an interview with President Lopez, and then, from my knowledge of the purposes and intentions of the two contending parties, I can judge whether any agreement is possible by which the carnage may be staid. Several known friends of Lopez have called upon me here to urge me to proceed to Paraguay with the least possible delay, and saying that he was very desirous to have me return. But as I understand the position of the two parties, I see little chance of effecting anything in the way of peace. If the allies will only treat on the basis that Lopez shall quit the country, it is pretty clear that he will fight to the last. Hence I do not see how, at present, I can be of any service to him in the cause of peace. Still, I shall make every effort to get to his dominions as soon as possible, and be ready to render any service in my power, whenever the time for treating may arrive.

I will not conclude this despatch without mentioning the extremely courteous offer of Señor Octaviana to put at my service any Brazilian steamer now at command, to take me to Paraguay. He says it shall be at my disposition and convenience, if I choose to avail myself of it; but for various reasons I think it best to decline the offer. This liberality is in striking contrast with the distrust and suspicion entertained by the government here towards me, as the latter, I have reason to believe, is more disposed to put obstacles in the way of my going to Paraguay, rather than facilitate my passage. The reason of this I ascribe to the fact that, at the time of the Flores invasion of Uruguay—which was certainly winked at, if not encouraged, by this government—I never spoke approvingly of Flores's cause or of those governments that, under the pretension of neutrality, really favored it. I also think it is believed by this government that it was on my representations that you were, to some extent, influenced to intimate to it that the disruption or destruction of the republic of Uruguay would not be viewed with indifference by the government of the United States. This government here I judge to be extremely sensitive to any expressed or implied censure from that of the United States, as it looks to ours as the model republic, and throughout the late rebellion steadily and unequivocally sympathized with and sustained the cause of the Union. Certainly our country has no better friend in the whole world of nations than that of the Argentine Confederation.

I should do injustice to my own sense of right, as well as be disregarding of a faithful public servant, if I did not, in this connection, ascribe very much of the good feeling here existing towards the United States to our faithful, zealous, and popular minister, the Hon. Robert C. Kirk. He is respected alike by the government here, by the members of the diplomatic body, by all of his own countrymen, and by natives and foreigners generally; and though I am aware it is not my duty or business to commend or criticise my colleagues, I trust I may be excused for bearing this testimony in behalf of a friend.

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State Washington, D. C.*

*Mr. Washburn to Mr. Seward.*

BUENOS AYRES, *December 15, 1865.*

SIR: I herewith transmit to you a sealed communication from the minister of foreign relations in Paraguay, which has been handed to me by the French minister plenipotentiary here resident, and who is also accredited to Paraguay. He received a communication similar in appearance for himself, which he said was a copy of a letter addressed by President Lopez to President Mitre, the commander-in-chief of the allied forces now advancing against Paraguay. This letter was translated and published in the Standard here, together with the reply of President Mitre, and I am therefore enabled to send you a printed translation of both. You will see that General Lopez complains that General Mitre has not observed the rules of war, as held by civilized nations, and threatens retaliation on any Brazilians or Argentines that may be in his power, unless the commander of the allies changes his course and carries on war after a different fashion. General Mitre, in his reply, denies the charges, and comes back on the marshal President with interest, accusing him of the commission of unheard of atrocities, not against prisoners taken in arms, for such he had none, but on the inoffensive women and children, whose husbands and fathers were beyond his reach, but who were themselves exposed to his savage barbarities. In reply to Lopez's threat to take vengeance on the unoffending Brazilian and Argentine civilians that have remained in Paraguay since the war began, he tells him that he shall be held responsible with his life for any acts not recognized in the code of civilized warfare.

It seems, however, that Lopez was not diverted from his course by the reply of Mitre, for I have reliable information that, on the reception of Mitre's letter, all the Brazilians and Argentines in the country were immediately seized and thrown into prison, some of them with heavy fetters. Among these is the Brazilian consul, who has been for twenty years in the country, and is married to a Paraguayan, and at the time of arrest was in such feeble health that a Paraguay prison must soon put an end to his troubles.

There is no recent news of importance here from the seat of war. The allies are getting together a large force, and are steadily but slowly moving towards the southern frontier of Paraguay. It is now thought a collision will take place, and an important if not decisive battle be fought within the next thirty days. And it looks, too, as if the Brazilian government were so determined on the extinction of the rule of Lopez, that no reverse that he can inflict could avert the final catastrophe. His Majesty the Emperor of Brazil has at least learned not to despise his enemy, for he is continually augmenting his forces with raw recruits, that can be of little service for months, and making such other preparations as show that, come what will of disaster, he will not treat for peace till the conditions of the triple alliance are fulfilled, and the Lopez authority is overthrown and destroyed.

At the date of my last despatch I was expecting to have been in Paraguay long before this; but it has been utterly impossible for me to get there. Before I left Rio, towards the last of October, Admiral Godon told me that he should start for the Platte in the course of two or three weeks, and on reaching here would furnish a steamer to take me to my post. I have been consequently awaiting the arrival of such vessel until now, but not one of our vessels of war has been in this river since my arrival here. I have been informed, however, that several vessels of our fleet left Rio, bound hither, on the fifth or sixth instant. I may, therefore, reasonably expect to soon be at my post.

I have the honor to be, sir, very respectfully, your obedient servant,  
CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*President Lopez to President Mitre.*

[Translation.]

HEADQUARTERS, HUMAYTA,  
November 20, 1865.

I have the honor to address your excellency the present note as commander-in-chief of the allied armies at war with this republic. In the imperious necessity which at times forces nations and governments to settle their difficulties by the sword, a war has broken out between this republic and the states whose armies you command. In such case it is customary for civilized nations to mitigate the evils of war by stripping it of all acts of cruelty which disgrace humanity and cast an indelible stain upon the commanders ordering or tolerating the same, and this I had expected from your excellency and your allies. Filled with this spirit, it was my first care to order the fullest respect for all prisoners who have accordingly enjoyed every convenience and even liberty compatible with their position. My government has given the fullest protection not only to Argentine, Brazilian, and Montevidean citizens in our power, but even to the prisoners of war. The strict discipline of the Paraguayan armies in Argentine and Brazilian territories is proof of this, and even the families and properties of those in arms against us have been respected.

Your excellency meantime initiated the war with atrocities such as the arrest of the Paraguayan agent in Buenos Ayres, D. Felix Egusquiza; the pursuit of our consul, General José Rufo Caminos and his son Felix, who had to take refuge under the British flag; the confiscation of public and private Paraguayan properties in bank and elsewhere; the arrest of Cipriano Ayala, who was bearer of despatches; the tearing down the Paraguayan flag and dragging it through the streets; the shooting me in effigy at Rosario; the assassinations by General Cáceres of Lieutenant Ayala, at Saladas, and Ensign Ferreyra, at Bella Vista, (both wounded;) the butchery of the wounded at Yatay; and the sending a Paraguayan deserter, named Juan Gonzales, to assassinate me. All these barbarous acts, however, have been unable to alter my resolution or make me imitate your excellency, nor did I expect that such new atrocities would be added to the infamous catalogue of crimes with which the civil wars of the river Plate have presented a disgraceful picture to the universe.

I hoped that in this first international war your excellency would impress on your subordinates that a prisoner of war is a man and a Christian, and when surrendered, no longer an enemy; and that the prisoners at least would be respected in their misfortune and treated as generously as we treat those of the allies. But it is with profound regret that I have to abandon such hopes in view of the atrocities committed with the unfortunate Paraguayans who have fallen into your power. Your excellency has obliged the prisoners of Yatay and Umuayana to take up arms against their country, to swell your ranks, putting aside all hope of an exchange of prisoners, and at once cruelly immolating those who dared to refuse. Such as escaped so sad a fate have been either sent as slaves into Brazil or (some of whiter skin) sent as presents and rare curiosities to people in Montevideo and Buenos Ayres. This contempt not only for the usages of war, but for common humanity; this barbarous alternative between death and slavery, stand without example in history; and it is to your excellency, to the Emperor of Brazil, and to the ruler of Montevideo, must be ascribed the infamy of perpetrating such enormity. The Paraguayan government by no act, either before or since the war, has provoked such barbarity. The Argentine, Brazilian, and Montevidean citizens have been permitted to retire with their effects from our territory or remain, as they preferred. My government respected the usages of war, although our treaty had expired, considering them of benefit to humanity and national honor, and never so far forgetful as to allow the tearing down of your flag or shooting your excellency in effigy, (even though at war,) much less murdering any stray Argentines or Brazilians in our encampment. Public opinion and history will severely judge such acts. The allied powers have not waged war according to civilized usages, but with atrocities that will forever brand them with infamy. Such being the case, my position as general of the armies of this republic obliges me to check such acts as far as possible. I therefore ask your excellency, in the name of humanity and decorum, to abandon this barbarous method of war; to treat your Paraguayan captives as prisoners of war and to prevent further atrocities. And I notify your excellency that in case you do not reply, or that the Paraguayan prisoners be kept in arms against their country, or that you hoist a Paraguayan flag in your ranks, or commit any fresh enormity, I shall feel myself excused from any further consideration and (however unwillingly) make all Argentines, Brazilians, and Montevideans that may now or hereafter be in my hands answer with their lives and properties for a rigorous reprisal.

I will await your answer for thirty days. You can send it to Paso la Patria.  
May God preserve your excellency many years.

FRANCISCO S. LOPEZ.

His Excellency the President of the Argentine Republic,  
Brigadier General DON BARTOLOME MITRE,  
*Generalissimo of the allied armies.*

*President Mitre to President Lopez.*

THE PRESIDENT OF THE ARGENTINE REPUBLIC AND GENERAL-IN-CHIEF OF THE ALLIED ARMIES.

[Translation.]

HEADQUARTERS, BELLA VISTA,  
November 25, 1865.

I have received the note which your excellency addresses me as general-in-chief of the allied armies from your headquarters at Humayta, dated 20th instant, wherein, after citing facts which you suppose inconsistent with the laws of war committed by the allied armies with the prisoners of Yatay and Umuayana, your excellency invites me to observe those laws, intimating your intention to use reprisals in a contrary event. On duly considering said note, I must say, in reply, that the facts you allege as grave charges of want of humanity and self-respect on the part of the allies towards the Paraguayan prisoners fallen into our hands are in part wholly untrue, and the rest distorted, probably owing to prejudiced reports which have reached your excellency, and I regret that a moment's reflection did not suffice to show you the falsehood of such statements.

The Argentine, Brazilian, and Montevidean governments being forced to stand forth in defence of their honor, dignity, and territory, which your excellency treacherously assailed in violation of all civilized usages, seizing our towns and vessels in time of peace without previous declaration of war and in a piratical manner, we had to hasten to rescue the lives and properties of our fellow-citizens in Matto Grosso, Rio Grande, and Corrientes from barbarous death and spoliation, but always in conformity with the rules of international war. And this we have fulfilled, not only for honor and duty, but because the crimes and outrages perpetrated by your excellency's troops in Brazilian and Argentine territory during your brief occupation had filled us with horror, and we could not fall into the same iniquity; neither should we show the civilized world any other conduct than becomes an army encharged with the noble mission of vindicating national honor instead of sacking defenceless towns and properties, as your excellency's troops have done from first entering Argentine and Brazilian territory on either side of the Uruguay till reaching Uruguayana and Paso los Libres, completely destroying all the towns and farms and carrying off a great portion of the booty for your excellency in Paraguay, and by your order, as appears from the note-book found in Colonel Estigarribias's papers, which book is now in possession of the Brazilian government.

At the same time, the army which your excellency poured into Corrientes, as far as the Santa Lucia, committed still greater atrocities, plundering thousands of cattle farms, burning the houses, leaving thousands of families without roof or shelter on the devastated plains, and even carrying its barbarity (or rather your excellency's, for it was by your order) so far as to tear from their homes and convey prisoners to Paraguay the innocent wives and tender children of several of our valiant officers. These poor women and children had remained in the places occupied by your excellency's troops, trusting you would observe with them the same usages as your excellency now invokes in favor of the Paraguayan prisoners, but which you flagrantly violated in their case. All these acts are notorious, and will stamp with undying ignominy those who have authorized or tolerated the same. Your excellency will have to answer for them not only to the allies who make war against you, but to the whole world, which has uttered a unanimous cry of execration on your head.

At the conclusion of those combats, resulting in the triumph of our arms, the wounded and captured survivors were first looked after and cared for in our hospitals on a par with our own wounded. Nay they were often better treated, as objects of greater compassion, owing to their nakedness and misery, and were regarded as the unhappy victims of an ill-advised ruler who hurled them to meet death in a war both unjust and unprovoked, the effect of an arbitrary caprice. So far from being forced to enter our ranks or treated with rigor, they have met with kindness and benevolence, some of them being set at liberty, others drafted off to various towns, and the rest kept for army servants, hospital work, &c. It is true many of them have entered the ranks of the allied army, but this was their own free will and request, a favor which could not be denied them, it having been already conceded to Paraguayan refugees in our territory who volunteered for the campaign.

I have answered the principal charges in your excellency's note, and not only controverted them but shown upon whom must fall the immense responsibility of whatever barbarities may unhappily have occurred in the present war. I might also descend to the isolated cases mentioned by your excellency, but some are so notoriously false, and others so exaggerated, that it is idle to refute them, especially as we are now at open war, when arms must decide the question. Your excellency will understand that this is not a season for recrimination, and I should be led into such if I answered the other charges of your excellency.

In conclusion I must add that I cannot understand how your excellency came to believe the story of the Paraguayan deserter Juan Gonzalez, if there ever really was such a man, and I regret, for the dignity of the post you occupy, that you have seriously affixed your signature to a letter stating your fear of a dagger treacherously directed against you by an

Argentine general. I declare to your excellency that I do not believe you capable of making such an attempt against my life or that of any of the allied generals, since I am accustomed to do this justice to the chiefs against whom I have ever fought, and I must do the same with your excellency.

In consequence of the above, and in order to prevent any excesses on the part of your excellency, as foreshadowed in your note, I beg formally to notify your excellency, for the protection of the lives and properties of the Argentines, Brazilians, and Montevidéans in your hands, (taken by chance or treachery, for in fair fight you have not yet taken a single prisoner,) that any act on the part of your excellency or subordinates in violation of civilized usages will be visited personally on your excellency, besides the other satisfaction that may be deemed requisite. If, in spite of this, your excellency take any measures unusual in war, you will have deliberately placed yourself outside the bound of international law and justify the allies acting towards you as your excellency intimates, it being plainly your intent to aggravate the horrors of war which the allies are doing their best to lessen; and in this resolution we intend to continue, not laying down our arms till obtaining the fullest reparation for our injuries, which we confide for vindication to the will of the Most High and the strength of our right arms—not to the cowardly and ignoble vengeance wreaked on unarmed men, defenceless women, and innocent children.

Such is the only reply I have to offer your excellency, without prejudice to whatever resolution may be adopted by the governments of the triple alliance, to whom I will to-day forward a copy of your excellency's note and of this my reply.

God preserve your excellency.

BARTOLOME MITRE.

His Excellency Marshal FRANCISCO S. LOPEZ,  
*President of the Republic of Paraguay.*

---

*Mr. Washburn to Mr. Seward.*

No. 49.]

BUENOS AYRES, *January 16, 1866.*

SIR: I have now the unpleasant duty of explaining to you the reason of my long detention in this place. It is the more unpleasant as it involves the necessity of making a serious complaint against an officer high in command in the naval service of the United States. This officer is the Acting Rear-Admiral S. W. Godon, now in command of our Brazilian squadron. Briefly I will recite the facts.

On arriving at Rio de Janeiro, on the way hither, I learned that the war between Paraguay and the allied forces of Brazil, Uruguay, and the Argentine Confederation was still raging, and that little or no communication could be had between Paraguay and the mouth of the river Plate. All merchant vessels had ceased running up the river as far as Paraguay territory, and it appeared as though I should have great difficulty myself in reaching my post of duty. At this time Admiral Godon was at Rio in the flagship *Susquehanna*, with several other American war vessels. On arriving in the harbor I was immediately invited to visit his ship, and on that and other occasions was treated with hospitality and kindness. I conversed with the admiral on several occasions on the state of the existing war, and of the difficulties that threatened to impede my ascent of the river. He told me he should soon go to the Plate with a part of his fleet, and that if such were the state of affairs, he "must contrive some way to get me up the river." The light-draught steamer *Wasp* was then daily expected to join the squadron as a tender, and it appeared that she was precisely adapted to the service of ascending the river, being fast and of light draught. Before her arrival, however, the admiral left Rio with the *Susquehanna*, to take an excursion down the coast to St. Catherine's, as he then said, for the purpose of exercising the men in target practice. Another reason was subsequently alleged. In about two weeks the admiral returned, and the *Wasp* having safely reached Rio, I had further conversation about coming to the Plate. He said the *Wasp* required certain repairs that it would take some ten or twelve days to complete, and that he should start soon after that work was done. I then left for this place on an English steamer, supposing that I would not be detained

here more than two weeks, or three at the utmost, before the expected means of conveyance up the river would be at hand.

I reached this place on the 4th of November, and found, as I had anticipated, that there was no way for me to get to Paraguay except on a war vessel of some neutral power. An Italian and a French gunboat had left for Paraguay some time before my arrival here, neither of which had then returned. So I waited the coming of the admiral, but instead of being obliged to wait till the 20th of November, as I had expected, it was the 26th of December, when I learned that the *Susquehanna* had arrived in Montevideo the day before. I had previously sent a letter to the admiral, to be delivered as soon as he arrived, informing him of the position I was in, and requesting him to furnish me the means of getting to my post. But without waiting for an answer to my letter, as soon as I heard the *Susquehanna* was in Montevideo I hastened to that place, to urge upon him that there might be no longer delay than was absolutely necessary in despatching a steamer up the river. To my great surprise, he now talked as if it was very doubtful if he sent a steamer; but he would not say positively whether he would or not. He would very probably go as far as Corrientes (twenty-one miles from Paraguay) himself, and in that case very likely two steamers, the *Shawmut* and the *Wasp*, would go up. He would not decide on anything, however, till he came to Buenos Ayres, which he said would be in a few days. So I returned, and waited for him till the 10th instant, and as he did not appear, I again went to Montevideo. He was still undecided whether he would send a steamer up the river or not, and alleged various reasons why it would not be proper for him to do so. If he did it at all, it would not be till after the arrival of Commodore Rodgers, who was expected here soon in the *Vanderbilt*. I observed to him that that would occasion another delay of at least a month, and that I could not and ought not to delay here that much longer. I must get to Paraguay if it were a possible thing, and I was determined to make the attempt, even if I must make the last part of the journey on horseback or buy a whale-boat, to get through the lines. He then said he would not say he would not absolutely send a steamer up before the arrival of Commodore Rodgers, but he would decide on what he could do after he got to Buenos Ayres and had talked with different parties on the position of affairs. He said then that he would positively be in Buenos Ayres in two or three days. Yesterday, the 15th of January, he arrived, and he had finally come to the conclusion not to send a steamer under any circumstances. The reasons which he gives are so various and extraordinary that I will repeat them, with the answers which I gave.

The first reason was the expense—it would take a large amount of coal for the trip. That is, as I admitted, an important reason, and were it only for my own convenience or comfort the steamer was going up, it would be sufficient; but it is not so. Whether I were to go up or not, it would be proper and expedient, as it seems to me, to send up a man-of-war. All other nations having war vessels that they could send up the river, have done so during this war, and I have always understood it was the policy of our navy to have its flag shown in the vicinity of troubled waters. There is more need of a war steamer at the *Tres Bocas* than anywhere and everywhere on the South Atlantic coast, and it is hard for me to explain the economy of maintaining a large fleet where it has nothing to do, when a small gunboat cannot be spared from it to do a real service because of the trifling expense incidental thereto.

Another reason given was that the American interests in Paraguay were very small, and it was just as well or better that I should remain here till a more convenient season. It is true that our interests in Paraguay are small, but that does not change my duty. The President and Secretary of State thought proper to send me there, and gave instructions what to do, and I do not conceive that it is for Admiral Godon to countermand those instructions or thwart me in exe-

cuting them. On the contrary, it is his duty to assist me, as far as he consistently can, in carrying them into effect.

A third reason alleged is that the weather is warm, the season is unhealthy, and the mosquitoes along the river banks are numerous. It is true the weather is warm, but it is never unhealthy in Paraguay; on the contrary, it is as healthy a country as I ever saw. During a residence there of near four years I have never known any epidemic, any chills or fever, or any miasmatic influence to endanger either life or health. It is true there are some mosquitoes about, but not more than on the shores of any North American river in the summer time. But great as is the heat, and thick as are the mosquitoes, they are not sufficient to deter Mrs. Washburn from attempting the journey; and I hardly think our gallant sailors, who have won such honors for themselves and our country during the last four years, would thank the admiral for his compliment were they to be told that what a young woman, unused to travel and exposure, would not hesitate to undertake, would be too severe for them to endure. The truth is, the trip would be an agreeable and healthy diversion for all—officers and men.

To sum up his objections, there is only one that has any validity, and that is the expense of the coal. But I do not see that Admiral Godon is at all consistent in his economy of that article; on the contrary, when it has suited his own convenience, I believe he has been very free in the use of it. As I have already mentioned, he left Rio while I was there to go on an excursion to St. Catherine's, for the alleged purpose of giving his men practice in target-firing. What need of going to St. Catherine's for that purpose, when he was going by there, three or four weeks later, on his way to the Plate? Why not save the coal necessary for that trip, and have the target practice when he called there (as he did call) on his passage to Montevideo? He has given the reason since his arrival here. It was this: Admiral H. H. Bell, of the Hartford, was expected about that time in Rio, and to avoid any question of etiquette or punctilio with him, Admiral Godon now says he took a run down to St. Catherine's, to stay there till Admiral Bell should have come and gone. Thus for a mere matter of etiquette he could take the huge *Susquehanna* to St. Catherine's, a distance of some four hundred miles; but he cannot send a little steam tender up to Paraguay, where a war vessel is absolutely needed, because it will consume too much coal. And yet I venture the opinion that the same coal that was burnt on his pleasure trip to St. Catherine's would have been more than sufficient for two trips of the *Wasp* to Paraguay and back.

I will now attempt to give some of the reasons I have adduced to the admiral why he should send a steamer to Paraguay. In addition to those I have already mentioned, I have said to him that many people here have told me that they thought I might be instrumental in effecting much good there. I have been requested by scores of people here to use my good offices with President Lopez in getting their friends out of prison, and if possible out of the country. It is generally believed here, and I think by all who have any knowledge of Paraguay affairs, that President Lopez was well affected towards me personally. If I succeed in getting into the country, I shall certainly exert myself to the utmost to persuade President Lopez that it is for his interest to consent to an exchange of prisoners, and not keep unoffending men in prison for no offence but that of being citizens of the enemy's country. I have faith to believe that I can effect something for their relief, and I think if I could go up in a war steamer, many poor unfortunates, who have long lingered in prison, would be permitted to avail themselves of it to come through the lines to the camp of their friends.

But the great and all-predominant reason I have why I think I ought to go on an American vessel is this: the hostile armies are now, and have been for a long time, at nearly a dead lock. Neither party has gained any material advantage for the last four months. The allies are in the meanwhile constantly augmenting their forces, and as yet show no signs of exhaustion nor any desire for

peace, except on the terms of the triple alliance. The first or most important stipulation of this alliance was that no treaty of peace should ever be made by either of the allies, or all combined, except on the condition that Lopez was driven from power and from the country. The Lopez power and family must be exterminated before any peace propositions could be entertained. Now it is generally, if not universally, believed here that the final result of the war must be the expulsion of Lopez, and many think that he must himself be already aware of the fact that his cause is lost, and would be only too glad of any means of escape from the country, so that he could safely get to the United States or Europe. If he could do that, it would doubtless save many thousand lives of his own people and as many more of the allies. But if there be no means of escape open to him, (and there seems to be none, unless some neutral man-of-war will take him away,) he must from necessity fight it out to the last. Now he would not trust himself with any neutral, except it were English, French, or American, and much more readily with the last than either of the others. He would feel no security in a Portuguese, or Italian, or Spanish war vessel, that the allies would not take him out of such vessel and wreak their vengeance upon him, trusting to diplomacy to satisfy the offended power afterwards. Now I know not whether he is to the extremity to which many suppose him to be; I only know that the persons best informed in regard to him, his country and resources, believe that he is, and I have endeavored to impress this fact on the attention of Admiral Godon. It may be that these parties are mistaken, but I submit that there is sufficient reason to think otherwise to justify the admiral in having a war vessel within the call of our minister there accredited, in the event that such a contingency should arise. The admiral, however, does not see that he has anything to do in the premises, even though this should be the actual state of the case.

Under the circumstances above described I have no alternative but to endeavor to reach my post as best I can. I now propose to take a merchant steamer as far as Corrientes, and there avail myself of any chance that offers for getting into Paraguay. I think it probable that the Brazilian admiral may offer me a conveyance, under a flag of truce, to some point whence I may pass within the Paraguayan lines. If I accept it, however, I am aware that President Lopez will regard me as the friend of Brazil rather than of Paraguay, and thus I shall probably lose any influence for good I might otherwise have. I shall, therefore, try and get through in some other way, even though it be undignified and uncomfortable. I will here say that our minister at this place, the Hon. R. C. Kirk, entirely concurs with me in the propriety of sending a war steamer to Paraguay, and has used every argument he could adduce in order to prevail upon the admiral to send it. But it is labor lost, and he, as well as myself, is left in the position of a minister whose advice is derided, and who, if he were desirous of effecting any diplomatic purpose or mediating for peace, would be without any hope of having his request acceded to by the admiral. The officers in command of the war vessels of all other nations, in this river, pay some respect to the opinions and wishes of their ministers. Not so, however, Admiral Godon, whose utter disregard of all they can say or urge is calculated to degrade and belittle the diplomatic agents of the United States in the countries to which they are accredited. The war with Paraguay may last six months longer, and it may come to an end much sooner; but if I am to be there, I respectfully and earnestly ask that instructions may be sent out to whomsoever may be in command of our naval forces on this station, to pay some respect to my representations, if I find that the presence of an American man-of-war is needed there either to save life or promote peace. Different merchants here have urged these considerations on Admiral Godon, and have even proposed to him to furnish the coal gratuitously, necessary for the voyage, if he would only send up a vessel from his fleet. But even this appeal could not move him, though he said it was very possible that he would go up to Paraguay himself,



about the first of April, at which time the weather will be cooler and the mosquitoes less troublesome. Neither the hot weather nor the mosquitoes, however, seem to frighten the younger officers of the squadron. On the contrary, they have expressed the strongest desire to go up to Paraguay, and if any steamer is to be sent up, they are anxious that the vessel to which they belong may be detailed for that service. They do not seem to apprehend either danger or serious discomfort from the heat or the terrible mosquitoes.

I am therefore forced to the conclusion that the only reason why Admiral Godon does not send one of the squadron to Paraguay is simply this—that it does not suit his own personal convenience. He says he has long desired to go to Paraguay himself, and means to do so when the weather shall be cooler. Whether an American war steamer will be of any use or service at that time, does not seem to be the question with the admiral; but it will suit his convenience and pleasure, and gratify his curiosity, (which he says is very great to see Paraguay,) and therefore, when the weather is cool and his duties do not require his presence with the squadron at the mouth of the river, he is going up there with I know not how many vessels.

The course of the admiral may be dictated by the highest patriotism and sincerest regard for the government service. I pronounce no judgment and report only the facts of the case. I may be allowed to say, however, that if the officers in command of our public war vessels would lend their assistance to the diplomatic representatives of the country in the execution of their official duties, especially in those cases in which no foreign complications are involved, the influence and interests of our country abroad would be greatly promoted. I had supposed that such instructions were usually given to such officers until the arrival of Admiral Godon at this port; but in view of the manner in which he has exercised his authority here, I trust that the suggestion may not be regarded as improperly offered. My next despatch will probably be from the vicinity of the allied armies, and after I have seen something of the condition of their forces, I may, perhaps, be able to make an estimate of the probable duration of the war. If I can get into Paraguay, it is a matter of great uncertainty when I shall be able to send an account of what I see and do through the lines of the hostile armies. Unless an order is sent to the admiral to send a vessel to Paraguay I shall probably be entirely cut off from all communication with the State Department. I have only to ask, in conclusion, that if the government shall think it advisable to send one of its steamers to Paraguay, the orders for it may be sent out immediately.

I have the honor to be, sir, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, *February 1, 1866.*

SIR: In my last two despatches, written at Buenos Ayres, I advised you of my detention at that place, by reason of the interruption of all communication between Paraguay and the Argentine Republic. I waited then the arrival of Admiral Godon, with our Brazilian squadron, not doubting but that he would send at least one war steamer to be near the scene of the existing hostilities, and would give me a passage above the allied fleet to my post. On his reaching Buenos Ayres, however, he declined sending any vessel from his squadron up the river, and I was left to get to my post as best I could. I accordingly left Buenos Ayres on Thursday, the 25th ultimo, on a merchant steamer, and reached

here the day before yesterday. This is a city of about 14,000 inhabitants, and is situated about twenty miles from what is called the *Tres Bocas*, or Three Mouths. At that point the three rivers, the Bermejo, the Paraguay, and the Parana, unite, and the main river below is known as the Parana till its confluence with the Uruguay, below which it is known as the Rio de la Plata. At the extreme southern part of Paraguay the whole army of President Lopez is said to be stationed. He has erected heavy batteries to prevent the passage of any force up either the Paraguay or Parana. The same force can man the batteries that command both rivers, the whole army being stationed just at the confluence of the two. Just opposite, on the left or southern bank of the Parana, the allied forces are encamped. Here they are collecting a large army, which is constantly increasing in number, and being drilled into a fair degree of efficiency. President Mitre is the commander-in-chief of the army, and has been constantly in the field with it since May last. From the best information I can get I judge that in the allied army there are about 62,000 troops, of which 15,000 are Argentines, 7,000 Orientals, and 40,000 Brazilians. Lopez's army is variously estimated from 35,000 to 40,000.

The allies are now preparing boats and pontoons to cross over the Parana and attack Lopez in his stronghold. They have been preparing so long for this invasion that some think they never intend to be ready. They are certainly far from ready now, and from the casual observations I have made, it does not appear to me that they will be ready for a general movement for at least two months to come. The river is very wide at the point El Paso de la Patria, where it is supposed the allies are to cross—at the present high stage of water, not less than a mile and a half. The crossing must be a very difficult and dangerous affair, but it is generally believed that President Mitre understands his business, and will not move till he is very sure of success.

The allies have also a very large fleet in the river, consisting of at least sixteen war steamers, of which three are iron-clad, and believed to be invulnerable to anything that President Lopez can send against them. The war fleet nearly all belongs to Brazil, and is being increased at such a rate that when the difficulty with Paraguay is arranged the whole of the Argentine and Oriental Republics will be at the mercy of the Emperor. He will have an immense fleet already in the river, and when the question arises about the payment of the cost of the Paraguayan war his allies must accede to his terms, or he may take possession of every town on the river from the *Tres Bocas* to the Atlantic ocean, including Buenos Ayres and Montevideo. The Emperor will be slow to send his fleet away until all his questions of dispute with his nearest neighbors are settled. What may be the ultimate intentions of his Majesty in the event of a successful issue of the war against Paraguay, is of course with me a matter of conjecture. But he will certainly be master of the situation, and I am of the opinion that the result will be an enlargement of the area of the imperial dominions.

This enlargement must come first from Paraguay. That will be the apple of discord if the prize once falls into the allied hands. Should that country be conquered and erased from the map of nations, Brazil will hardly fail to claim the territory. It is true it is stipulated in the treaty of alliance that the sovereignty of the country shall be respected, and that the people there, when once the Lopez family are driven out, shall be left free and independent to select their own rulers and form of government. But a rupture between the allies is looked for as inevitable as soon as Paraguay is disposed of, and then of course the treaty will be disregarded.

From considerations like the foregoing, I am led to conclude that the day of any permanent peace with these countries is remote. Should Paraguay succumb to superior force, both Brazil and the Argentine Republic will, I think, without doubt strive for the territory, and it is for a contingency like this that I would ask for instructions. I would like to be informed whether the United States

would view without remonstrance or objection the annexation of the republic of Paraguay to the empire of Brazil or to the Argentine Confederation, or its division between them.

Since my arrival in Corrientes, I have seen none of the military or naval authorities, and consequently I do not know whether I shall be permitted to pass through the lines to Paraguay or not. In the event of a refusal I shall probably return to Buenos Ayres, and if Admiral Godon still persists in refusing me any assistance from the fleet, I must wait till such instructions are sent, either to the admiral or myself, as will relieve me from a position so unpleasant to myself and so little calculated to do credit to the diplomatic service of the United States.

The encampment of the allied army is some twenty-two miles from here, and near the Paso de la Patria. I propose to go out there in two or three days, when I shall probably have an interview with President Mitre. The two armies are at what appears to be nearly a dead lock. The only demonstrations made are by the Paraguayans, who send over occasionally small detachments in boats, which return soon after, with such trophies as they can collect, including the heads of such as they may surprise. The atrocities committed in this war show that the race has changed but little since the days of Alba and Torquemada.

Hoping that under the peculiar circumstances in which I am placed I may be instructed as to what course I shall pursue,

I have the honor to be, sir, your most respectful, humble servant,  
CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

P. S.—I should add that the allies have not blockaded a single port on the river. Their whole fleet is lying opposite or below this city, and there is not a gunboat above here. Merchant vessels of all nations come to this place and depart without interference, and as it is twenty miles below the Tres Bocas, I do not see that there is even a pretext of a blockade of any port of Paraguay, and the allies have not pretended to blockade any of their own ports. The Brazilians have requested the flag officers of the respective national war vessels to send any of them above the allied fleet, and have announced that merchant vessels will be permitted to go up and down past this port. But I do not understand that they have a shadow of law or right to justify them in enforcing their pretensions, nor do I think they will attempt it.

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, *February 8, 1866.*

SIR: Since the date of my last despatch, of February 1, I have visited the camp of the allied forces, or rather the camp of the general-in-chief, President Mitre. It is situate about seven leagues from here, and about two from the Paso de la Patria. I left here in company with two others, both Americans, on the morning of the 6th instant, and reached the headquarters of the commanding general at about 5 p. m. I immediately sent him my card, and was invited at once to his tent. He received me with much frankness and apparent pleasure, and treated me, as well as my fellow-travellers, with great kindness and cordiality.

We very soon fell into a discussion of the present war, and the probabilities of its duration. The entire forces in the field, under him, as commander-in-chief, were about the same as given in my last despatch—say from sixty to sixty-five thousand, of which the larger half are Brazilians.

The fleet, consisting of some sixteen war steamers and sixty transports,

nearly all belongs to Brazil. General Mitre spoke of the slow progress of the war, and attributed it to the Brazilian admiral, Baron Tamandare, whose preparations are on so extensive a scale that they require much time to complete them. He expressed entire faith in his allies, however, and was confident they were acting with wise caution in collecting such ample forces as to render the result entirely secure when the advance should finally be made. But he was evidently weary of the long inaction, and eager to move against the enemy. His troops are under as good discipline as they can ever be made without active fighting service, and his part of the army, the Argentine, is composed of apparently very good material. The health in his camp is remarkable, for he assured me that the sick, except those wounded in battle, did not exceed three-fifths of one per cent.; and yet the only food of the troops is beef. No bread, no potatoes, no farinaceous food of any kind—only fresh beef. And yet the health of the troops is as I have said; a fact that argues much for the discipline, system, and cleanliness of the camp.

Three days before my arrival, an action of some importance took place between an unknown number of Paraguayans and a body of Argentine troops. The former crossed over at the Paso de la Patria and attacked the advanced post of the latter, where, being warmly received, they retreated into the woods, into which they were imprudently pursued by the Argentines, for when under the protection of the forest, they quickly reformed and severely punished their pursuers, picking off their officers in great numbers. No less than forty-eight officers of the Argentine army were either killed or wounded in this engagement. As the troops which fought this battle were from the city of Buenos Ayres, there were among the officers many young men of fortune and family, and several such were killed and more wounded. It is here thought that the news of this battle will be received with great dissatisfaction in Buenos Ayres, as it has long been the complaint that the Brazilians are never present when there is any fighting to be done, and that all such sport somehow always falls to the Argentines and Orientals. One result of this engagement has been, that the allies have had a new proof of the fighting qualities of the Paraguayans. All admit that they fought with a courage never excelled. They do not surrender, even though inevitable death be the consequence of refusal. When told to surrender and save their lives, they reply, their orders are to fight and not to surrender, and they literally obey this command. Their enemies say that this blind desperation results from a superstitious fear, and belief that if they fail to obey orders to the fullest extent they will sooner or later fall into the hands of Lopez, and then be put to inconceivable torture. They say, also, that Lopez has a system of vicarious punishment, and that he visits on the families of all who, by surrendering, escape from his power, the most terrible cruelties. But whatever the cause, they admit that the Paraguayans fight with wonderful courage and endurance.

General Mitre invited me to take a survey of his camp, and accompanied me on a quiet review of the same. The camp is finely situated on slightly elevated ground, dotted with a great many lakes, or ponds, that afford excellent facilities for bathing to the soldiers, and consequently contribute very much to the general health. We galloped through the different parts of the camp, unaccompanied by an escort, and though no notice was given of our approach, we found order, regularity, and cleanliness in every part. General Mitre is evidently regarded by all, officers and men, as so far above all other military men in this country that he has no occasion to fear the rivalries or jealousies of subordinate chieftains. With him in the field there can be but one chief; without him there would be many. He is his country's pride, not only as a soldier, but as a poet, historian, and politician, having distinguished himself in all these diverse walks of life, each of which requires the highest kind of talent in order to excel.

In my last despatch I alluded to the fact that the Brazilians were collecting a fleet in the Parana of so formidable proportions that the Emperor would have his allies at his mercy whenever the war with Paraguay should be concluded. The danger that the allies were incurring from this cause had struck many besides myself, and after the dinner which followed my ride with him, (General Mitre,) I took occasion, in a manner half playful but all earnest, to suggest that it might be somewhat difficult to settle with Brazil the numerous questions of expense, responsibility, and spoils, that would grow out of the war with Paraguay, if, as would probably be the case, Brazil had so powerful a fleet in the river that she could blockade every city and town from Paraguay to the Atlantic, and hold them under tribute at her pleasure. His answer was that, from his knowledge of the views of the Emperor, he had no fears of his taking advantage of the accidental position of his fleet to extort unjust terms from his allies, as it was patent to all the world that without them he never could have succeeded against Paraguay. But if it should so happen that war should follow the alliance between Brazil and the Argentine Republic, it would be found that the latter had not yet, in its war against Paraguay, begun to put forth its strength; that if Brazil were found to be acting in bad faith, there would be such a general, spontaneous uprising that every vestige of Brazilian power would be quickly driven from the river.

I next led President Mitre to speak of the probable continuation of monarchical principles and institutions in South America, and found that he was of the opinion that with the present Emperor, Don Pedro II, would expire the last vestige of imperialism in South America. He said, also, that such was the impression and belief of the Emperor himself; that he fully realized that republican ideas were each year growing stronger and stronger within his empire; and that as he had no male heir, his people would be slow to accept a woman or a foreign prince to rule over them. These ideas President Mitre said he gathered from the Emperor himself, during the time the Emperor was in the camp with the allied army.

These general views, above stated, were expressed during my stay at President Mitre's camp, at different interviews, but, preliminary to the most of the conversation, I took occasion to allude to the anomalous position in which I found myself, and of the duty I was under to get to my post, if it were a possible thing. Possible or impossible, it was my duty to make the effort, and such effort I should certainly make. General Mitre at once admitted that I had, as a minister of a friendly and neutral power, a perfect right to pass through the lines and go to Paraguay. But he strongly deprecated the passage of any of our war vessels above the "Tres Bocas," for he feared that with such a refuge Lopez would prolong the war much longer than he would if he knew that when his means of resistance were exhausted he had no means of escape. He said that the English, French, and Italian gunboats had been allowed to pass up and down; but he thought the same privilege might be denied to our national war vessels—following our own precedent in refusing foreign men-of-war to enter the southern ports at the time of the blockade. I replied that he was misinformed on that point, but that if foreign vessels of war had any good reason for entering the blockaded ports, they were permitted to do so, and in some instances certainly did enter them. I also said, that as there could be no object in sending an American war vessel up to Paraguay, unless it were to take me to my post, I was not disposed to press that question of the right to do so, if by other means I could reach my destination. Our government was so anxious to avoid all complications in this war, and was so particularly well-disposed towards the Argentine Republic, that I would submit to much personal inconvenience rather than be the cause of any embarrassment that might prolong the war, or influence its result. I had only my simple duty to go to Paraguay, and go I should, unless prevented by means above my control.

General Mitre admitted that my right to pass through the lines could not be questioned, and said, in his opinion, the proper thing to do would be not to prevent me, but to grant me every facility for doing so. But as I was a minister of a friendly nation, he could only give his opinion as President of the republic and commander-in-chief of the army; that he would communicate his views to his ministers, and a conference should be held with his Brazilian allies, and he had no doubt but I should have all the facilities granted for reaching my post that I might desire. As it will require some two or three weeks, however, for this correspondence to take place, I have determined to return to Buenos Ayres, and come back to this place, and after that I shall pass over to Paraguay, if I can.

The real objection, as I believe, and as others believe, to my going to Paraguay at this time, is this: It is thought that Lopez would take courage were I to return; that now he is weak and disheartened, and must see, by this time, that all the world is against him, as there is no diplomatic representative there of any country, and my return would lead him to renewed efforts that would prolong the war, as then he would think he was not entirely neglected and forgotten. These reasons have been assigned to me on several occasions why I should not go up to Paraguay till the war is concluded, and they may be good and valid as far as the interests of the allies are concerned. But I do not yet see that it is my duty to conform to the interests of the allies. The United States is not a member of the alliance, and to do any act seemingly unfriendly to Paraguay in order to comply with the wishes of her enemies, would be at least a passive violation of neutrality, and I should be wanting in good faith to the government to which I have been accredited.

I shall start on my return to Buenos Ayres in a few days. If I find that the views of President Mitre are accepted by his ministers, I shall return here immediately, and I shall come prepared to go through to Paraguay with my wife and servants. If not, and Admiral Godon still refuses to aid me in going to my post of duty, I shall be compelled to wait till the war is over, or till I receive instructions from home, or else till such time as the mosquitoes shall be less formidable to the gallant admiral.

Up to this time there has been no blockade of any port of Paraguay. The whole Brazilian squadron is lying off this city, and vessels of all nations are allowed to come thus far without interruption or question. The Argentine government has never declared any of its rivers or ports blockaded, and if there be a blockade of any Paraguayan port, it must be of that kind that is never seen except on paper. On the left or eastern bank of the Paraua are numerous forts, above Corrientes, to which small vessels have been accustomed to go, and though they are not allowed to do so now, for fear that when far above the fleet they should run up the Paraguay, yet it is clear they have the right to do it, according to the laws of nations. But as this question will probably never be seriously discussed, since the most of the vessels engaged in the traffic carry the flag of the country, I allude to the circumstance only to prove that the pretence of a blockade is untenable and absurd. In my own case, the Argentine government will probably adopt the views of President Mitre, and I have no doubt that within three or four weeks I shall be safely arrived at my post of duty; and once there, if I can have any influence towards putting an end to the slaughter, I shall certainly exercise it.

I have the honor to be, sir, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Washburn to Mr. Seward.*

CORRIENTES, *March 16, 1866.*

SIR: My despatch of February 8, dated at this place, was the latest I have had the honor to send you. By the first steamer that left for Buenos Ayres after that date I returned to that port, reaching there on the 15th ultimo. As our minister, Mr. Kirk, was absent from town, I went directly to see Señor Elizalde, the minister for foreign affairs, to learn what action the government would take on the matter of President Mitre's letter, the subject of which I mentioned in my last despatch. He replied without hesitation that his government fully concurred with President Mitre that no obstacle should be put in the way of my going to my post in Paraguay; that he had held a consultation with the Brazilian minister, and he was of the same opinion; and so far from putting obstacles in my way, he would give me a Brazilian steamer to take me to Corrientes. Señor Elizalde also said I could have an Argentine war steamer to take me thus far if I preferred it, and that from here another steamer, under the Argentine flag, would take me to Humayta, or Asuncion, if I preferred. I told him I must decline the war steamer, whether Brazilian or Argentine, to Corrientes, for various reasons; one of which was, that if I accepted such favors it would cause great distrust of me in the mind of President Lopez. For this reason it would be better for me to go as far as I could in a regular merchant steamer. The minister then said that as all the steamers between Buenos Ayres and Corrientes were more or less under government orders, he would have reserved for me whatever space might be required for myself, wife, and servants, and for such freight as I thought it necessary to take with me to Paraguay. I hesitated about accepting even this favor, but thinking that it might seem suspicious and distrustful on my part to decline such an act of courtesy, I expressed my thanks, and when the steamer was ready went on board, and on the 6th instant left the port of Buenos Ayres. We were eight days coming up the river to this place. The steamer on which we left ran ashore the first night, and rather than remain on her till she could be got off, we took another steamer that came along the next day, though we were obliged to leave the most of our baggage, including all my correspondence, in the hold of the unfortunate vessel.

Señor Elizalde gave me an open letter to President Mitre, of which I will send you a copy as soon as I can get the original from the steamer on which I unfortunately embarked in Buenos Ayres. The substance of it is, that the government requests him to furnish me a vessel to take me to a point within the Paraguay lines. I am expecting every moment to hear of the arrival of this steamer. As soon as it comes I shall go out to President Mitre's headquarters and present my letter, and then wait his pleasure for the vessel that is to take me to Paraguay. I do not think I shall have long to wait.

Since the date of my last despatch nothing has been done by the allies except that the Brazilians have been constantly increasing their forces. One large iron-clad has arrived since then, and another is shortly expected. Troops are coming all the time. We passed several transports in the river covered with them. The conviction is getting stronger and stronger that Brazil means something more than Paraguay in sending such enormous forces into the Parana, and that no matter how soon Lopez succumbs, the day of peace is far distant.

I observed while in Buenos Ayres that there is great discontent in the public mind at the prolonged inaction of the allies, and especially at the sluggishness of the Brazilians. The Argentines are obliged to carry on war without money, or only with what the Brazilians are willing to lend them. They have tried to negotiate a loan in England for £5,000,000, but have failed; and the people of Buenos Ayres chafe very restlessly at the figure they make as vassals of a people whom they profess to and heartily do despise. In the mean while the newspapers of Buenos Ayres and of Rio de Janeiro have fallen to abusing each other,

finding fault with the alliance. An article published in a Rio paper, and which is said to have a semi-official importance, and which has made a great sensation in Buenos Ayes, alleges that Brazil was dragged into this war by the government of President Mitre; that it was at the instigation of President Mitre that Brazil was induced to invade the republic of Uruguay in order to assist the rebel invader Flores to overthrow the established government of his country, and that this war with Paraguay is but the natural sequence of that act. The criminations and recriminations that the allies are now making against each other in regard to the origin of the war entirely confirm the statements of my despatches of a year and a half and two years ago on the same subject; that selfishness and a false neutrality were at the foundation of it I think no one will now deny, though there is much dispute as to where the blame lay.

These discussions and disputes portend serious troubles and dissensions in the allied armies unless they soon move against the enemy. But the army cannot move until the fleet does, and when that will be ready no one seems to know. Every day it is confidently asserted it will start to-morrow or next day. But it still lies idle off this city; and the Paraguayans cross over in small detachments, doing all sorts of saucy things, as if defying them to an attack. Of the condition of the Paraguayans very little is known here. Occasionally a pretended deserter comes into the Argentine camp with a piteous tale of suffering, destitution, and death among the forces of President Lopez. But such characters are generally missing within a few days, from which it is inferred that they came as spies, and having learned all they could of the affairs of their enemies, return to report to Lopez what they had discovered.

The result of my observation is that I have no reason to think that any general movement of the allies will take place for several weeks. But it may do so within three days. I shall write again, however, after I have had another interview with President Mitre, and before crossing over into Paraguay. I hope by that time to have some information of a more definite character.

I have the honor to be your most obedient and humble servant,

CHARLES A. WASHBURN.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Washburn.*

No. 43.]

DEPARTMENT OF STATE,

*Washington, April 16, 1866.*

SIR: Your despatch of the 8th of February last has been received. I thank you for the very interesting information which it gives concerning the military situation in the war between the several allied powers and the republic of Paraguay.

The President is surprised to learn that you have been hindered and delayed in the military lines of the allies on your return to Asuncion. That delay is inconvenient and is deemed not altogether courteous. The President desires to regard it as a not unfriendly proceeding.

Should the hindrance still continue, you will address yourself at once to the commander of the allied forces and to the President of the Argentine Republic. You will inform them that you are proceeding as resident minister for the United States at Asuncion; that you are charged with no duties that are inconsistent with the neutrality which the United States has maintained in the war in which the allies are engaged with Paraguay. You will ask them in the name of this government to give you, together with your family and domestics, safe conduct through their military lines.



Should the hindrance not cease within a reasonable time, you will then deliver a copy of these instructions, together with a copy of the accompanying letter of instructions from the Secretary of the Navy to Admiral Godon, and will proceed in such vessel, under such convoy as he shall furnish, to the place of your destination.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. CHARLES A. WASHBURN, Esq., &c., &c., &c.

*Mr. Welles to Rear-Admiral Godon.*

NAVY DEPARTMENT, *April 26, 1866.*

SIR: On the 12th ultimo the department acknowledged the receipt of your despatch numbered 33, and dated January 23, 1866, relating principally to your interviews with Mr. Washburn, minister to Paraguay, and to your action in not furnishing him with a public vessel to take him to his destination. You expressed some apprehension that Mr. Washburn would complain of your course to the Department of State.

In the acknowledgment to which I have referred the department advised you that it had received no intimation of such complaint having been made, and expressed its approval of your proceedings, as indicated in your despatch.

This matter is recurred to for the purpose of giving you additional assurances that your course was none other than you were justified, under the circumstances, in pursuing, and giving you instructions to afford Mr. Washburn, in a certain contingency, a public conveyance—that is, in one of the vessels of your squadron—to Asuncion, which the honor and dignity of the United States require to be done.

I submitted your despatch to the Secretary of State, who informed me that no complaint of any kind has been preferred against you to that department by Mr. Washburn, nor has there been any disposition on the part of the Secretary of State to question any proceedings which you have heretofore adopted.

The hindering and delaying of Mr. Washburn on his return to Asuncion, of which you are doubtless fully advised, is considered an erroneous and unfriendly proceeding on the part of the allies at war with Paraguay; explanations from them are regarded as due to the United States; and they have accordingly been informed that if, in future, they should refuse to Mr. Washburn the facilities necessary for the promotion of his journey, an occasion will have occurred in which the dignity of this government must be consulted, so far as to furnish the minister the conveyance and convoy necessary, though possibly at some cost and inconvenience.

I am assured by the Secretary of State that you are in no danger of being misapprehended by him.

From the general tenor of the last communication from Mr. Washburn, it is probable that the allies will desist from any further opposition to his progress. It is incompatible, however, with the honor and dignity of the United States that their representative should be hindered or delayed on his way to his official residence in a foreign country, and he has accordingly been instructed to ask the commander of the allied forces and the President of the Argentine Republic, in a respectful manner, to give him a safe conduct through the military lines. This, it is believed, will be accorded to him; but, in the event that it should not, he has been further instructed, without unreasonable delay, to apply to you for a passage on a war vessel, with sufficient naval escort, to his destination.

You will therefore, in the event of a refusal on the part of the allied authorities to permit him to reach the government to which he is accredited, (which refusal, however, is not anticipated,) furnish him with the necessary facilities for that purpose.

The delay of Mr. Washburn in prosecuting his journey, and the obstructions interposed in the mean time by others, are not matters which are now necessary to be discussed. It is a special request of the Department of State that Mr. Washburn should reach Paraguay, and, if other efforts fail, that he should receive the aid of the naval commander.

Under these circumstances you will extend to him, as the representative of this government, such assistance as may be necessary to enable him to accomplish that object.

Very respectfully,

GIDEON WELLES,  
*Secretary of the Navy.*

Rear-Admiral S. W. GODON,  
*Commanding U. S. Brazil Squadron, Bahia, Brazil.*

*Mr. Seward to Mr. Washburn.*

No. 45.]

DEPARTMENT OF STATE,

*Washington, April 21, 1866.*

SIR: Your very interesting despatch of the 1st of February, without number, has been received. I thank you for the early and important information which it brings.

I give you for your information a copy of instructions\* which have been sent by this department to our representatives at Rio Janeiro and Buenos Ayres, which instructions require them to ask explanations regarding your unlawful detention on your return to your mission.

This government thinks it unnecessary, and of course unwise, to give you instructions at this time, contingent upon the uncertain casualties of the war in which the republic of Paraguay is engaged.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

*Mr. Washburn to Mr. Seward.*

*CORRIENTES, April 27, 1866.*

SIR: In my last despatch, bearing date March 16th, I expressed the opinion that my long and vexatious journey was almost at an end, and that in a very few days I should be once more at my post in Paraguay. I was then awaiting the arrival of my baggage and other things that I had been obliged to leave on board the unfortunate steamer on which I had taken passage for this place, and which ran high and dry ashore the first night after leaving Buenos Ayres. I hoped, however, that she would soon get off and reach here within two or three days after I did. But she was obliged at last to send her cargo by another steamer, and this did not reach here till the 6th instant. The same day I started for the camp of President Mitre, going up by a transport steamer to the Paso de la Patria. It was late when I reached there, and I learned that General Mitre had just left for his encampment, some two leagues from the river. The minister of war, General Gelly y Obes, was there, however, and he told me the President would be in to the landing the next morning, or, if for any reason he could not come, he would send me a horse and escort to go out to his camp. So I went back on board the transport and waited, and about one o'clock the next day the minister, General Gelly y Obes, came off to inform me that President Mitre was too unwell to leave his camp that day, but had sent him to request me to have an interview with the Brazilian admiral, Baron Tamandare, with whom matters could be as well arranged as with himself. The minister offered me his boat to take me to the flag-ship, and I accepted it. I was courteously received by the admiral, and after a few general remarks we came upon the subject of my business at that place, which was no more nor less than to get to Paraguay. The admiral said that, as the allied squadron had moved up the river and commenced active operations, no person or vessel would be allowed to pass up. He said that when he was in Buenos Ayres he had an interview with Admiral Godon, of our navy, and told him that so long as the squadron was at Corrientes he would not object to an American war vessel going up to Paraguay, inasmuch as the gunboats of other neutral nations had been permitted to go up and down, but when the squadron moved up the river and became engaged in active operations the circumstances would be entirely changed, and no one would be allowed to pass.

\* For inclosure see instruction to United States minister to the Argentine Republic.

This statement of Admiral Tamandare very much surprised me, as it was in flat contradiction to what Admiral Godon had stated to me before I left Buenos Ayres. One of the strongest reasons he had for sending a gunboat to Paraguay was the objection made by Admiral Tamandare. He represented that he was as decided then not to permit anything to pass up as I found him afterwards when operations were being vigorously prosecuted. This discrepancy of statements I do not pretend to reconcile. I considered that it was my right to pass through the lines at any time, when it could not cause any embarrassment or delay in the military operations. The admiral, however, said that he should take the responsibility and not allow me to pass, be the consequences what they might. I told him that he could, of course, stop me; he could even make me a prisoner, but if it were in my power to go, go I would.

The admiral expressed his regret that his orders and duty imposed on him the necessity of doing what might seem to me an act of discourtesy, and said that anything else that I might require, either for my pleasure or comfort, I could have. He would place a steamer at my disposal that I might return again to Buenos Ayres, and bring me back at my pleasure. He also said that if I wanted any money during my detention I could have it. I told him I did not want his money, nor did I want a steamer to go to Buenos Ayres, but I did want to go to Paraguay, for it was there my government had ordered me. With this result, unsatisfactory, I believe, on both sides, I left the admiral and returned to the transport steamer on which I was staying.

The second day after this, President Mitre came in with his entire Argentine army, and they all encamped near the river. As soon as I learned of his arrival I made my way to his camp, and gave him my letter from the minister for foreign affairs in Buenos Ayres, Don Rufino de Elizalde, in which he was requested to give me all needful facility for arriving at my post.

President Mitre having read this letter began to talk about the change of circumstances that had occurred since my former interview with him and since the date of the letter. He alluded to the conversation that I had with the Brazilian admiral, and was evidently already informed of what had transpired between us. But the letter from the foreign minister was evidently very embarrassing. No allusion is made in that letter to any change of circumstances, present or prospective. It says that the government being desirous of facilitating my voyage, it has promised to put at my disposition a merchant vessel, by which I may pass within the Paraguay lines, and it expresses the hope that the President and commander-in-chief will give the necessary orders that the promise made by the government may be duly fulfilled.

"Espera el infrascrito que V. E. se servirá dar las ordenes necesarias para que la promesa hecha por el gobierno sea debidamente cumplida."

After discussing the matter at some length, President Mitre, who evidently felt that both he and his government were already compromised, said he would go and have a conference with Admiral Tamandare, with General Flores, and General Osario, the former commander-in-chief under General Mitre of the Uruguay forces, and the latter of the Brazilians. I told him that though I had had an interview with Admiral Tamandare, I did not consider that he had anything to do with my movements. I was not under the Brazilian jurisdiction, nor did I look for any Brazilian authority to give me protection or safe conduct through Argentine territory; I looked to the Argentine government to protect me in these rights, as by no treaty or alliance could it divest itself of the duty of protecting foreign ministers. President Mitre assented without reserve or hesitation to these views. He said he would have an immediate conference with the general officers and would advise me of the result that day, the 9th of April. I told him I wished to return to Corrientes as soon as I received his answer. In about an hour I received a brief note from him, saying he could not give an explicit answer immediately, but would send it the next day to me at Corrientes.

On the 12th I received the letter from President Mitre. I send herewith a translation; I send also a copy of my reply to it. He reiterates in the letter what he had said verbally in regard to the changed circumstances; that whereas before it had been a simple blockade, it was then a state of active operations. I replied that it was true there were active operations on the Parana, at the "Paso de la Patria," but that up to that time there had been nothing but a blockade of the "Tres Bocas," or mouth of the Paraguay, and it was by that river I proposed to go to Asuncion, and the only change of circumstances in regard to the Paraguay consisted in the fact that the blockading squadron was nearer than formerly. In this letter he particularly requested me to take no steps in the matter, but to suspend all proceedings until he could again consult with his government in Buenos Ayres. I replied that I should comply with his request, both from respect and deference to his wishes and for the reason that under the circumstances I could see of no way to help myself.

On the 19th I received another letter from President Mitre. Of this I also send a translation. He expresses great satisfaction at my deference to his wishes, and alludes to recent events that have transpired on the Paraguay, active operations having already commenced there as well as on the Parana.

In order to comprehend why President Mitre should be so anxious that I should suspend all proceedings and make no complaint or protest, one must understand the internal politics of the Argentine Confederation and the extreme jealousy and dislike that exists between the Brazilians and the Argentines. There is in Buenos Ayres a strong and active party who are all the while engaged in stirring up opposition to President Mitre. They complain that by the alliance he has been kept inactive for many months, waiting for the Brazilians to be ready to move, and that, though he is nominally commander-in-chief of the allied army, every movement is dependent on the will of the Brazilian admiral. Now the Argentine government and President Mitre himself have offered me a safe conduct through the lines to Paraguay, and when they want to carry out their promise Admiral Tamandare assumes dictatorial powers and says they shall not do it. Were these facts known in Buenos Ayres I believe there would be a general expression of indignation at the humiliating position of the Argentine government in thus forfeiting its promise at the command of a Brazilian admiral. I may be mistaken in my conjecture, but on no other theory can I explain President Mitre's solicitude that I should suspend all proceedings. I have before given my views at length on the questions that would probably arise when once the Paraguay question is disposed of. I have seen no reason to modify them since. That the Brazilian squadron will leave these waters till many other questions are settled besides that of Paraguay I think altogether improbable, and in the act of Admiral Tamandare forbidding the Argentine government fulfilling its promise to me I see but an earnest of strifes, contentions, and wrangles among the allies when once the Paraguayan question no longer serves to unite them against a common enemy.

In the event of hostilities arising between the allies I assume that the sympathies of our government and people would be with the republic rather than the empire. It has been with this idea I have so readily conformed to the wishes of President Mitre, believing, as I did, that anything like a protest would have caused great embarrassment and confusion. Besides I have tried to avoid anything like complications with either, and have especially avoided to do any act that might require any intervention or explanation on the part of the government. I have tried every possible way to get to Paraguay, and if I have not succeeded it certainly has not been from lack of zeal; and if I have not received all the facilities from foreign governments for prosecuting my voyage that I had a right to expect, I yet hope I have not involved my government in any question or dispute on my account. It now looks as though

the war was near its end. The whole allied army is on Paraguay soil, and it hardly seems possible that Lopez should be able to hold out a month longer. The allies have, it is believed, twice the number of troops that he has, and they are all well armed and have abundant supplies. Lopez's army, on the other hand, is terribly destitute. The prisoners taken are nearly naked, and they report a great scarcity of provisions.

As I am not permitted to go on in advance of the army I shall follow it up and try and reach Asuncion as soon as possible after it falls into the hands of the allies. I shall press on with the least possible delay, hoping to be able to exert a good influence in saving the lives of such persons as have made themselves peculiarly obnoxious to the allies. One reason why Admiral Tamandare objects to my going to Paraguay now I suspect to be this: He does not mean that Lopez shall escape, and fears that he would seek shelter and protection under the American flag by flying to my house and there relying on its privileged character to save him from his enemies.

This despatch being taken up so entirely with matters personal to myself, I send another of the same date that is devoted entirely to the condition and prospects of the war. I have not been able to give so full an account of the passing events during the last month as I would have done but for the fact that my health has been very poor for the last four weeks; and even now it is such that I write with great difficulty. I trust, however, it is now improving, and that hereafter I shall be able to give you full reports of everything of importance that occurs.

I have the honor to be, sir, your obedient and humble servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Minister of Foreign Affairs to President Mitre.*

[Translation.]

MINISTERIO DE RELACIONES EXTERIORES,

*Buenos Ayres, March 2, 1866.*

The undersigned has the honor of addressing your excellency, in order to inform you that the government, being desirous of facilitating the voyage of his excellency the American minister, Don C. A. Washburn, to Asuncion, has promised him to put at his disposition a merchant vessel, in order that he may disembark, together with his suite, at the point called "Cerrito."

The undersigned hopes that your excellency will give the necessary orders that the promise made by the government may be duly fulfilled, his excellency Mr. Washburn having made himself responsible for the return of the boat that carries him to his destination.

With this object, it is pleasing to the undersigned to reiterate to your excellency the assurances of his high and distinguished consideration.

RUFINO DE ELIZALDE.

His Excellency Brigadier Don BARTOLOME MITRE,

*Señor President of the Republic and General-in-Chief of the Allied Army.*

---

*Letter from President Mitre.*

[Translation.]

PASO DE LA PATRIA, *April 9, 1866.*

SEÑOR MINISTER: After the conference that I have had with your excellency, and after conferring with the allied generals, the admiral of the allied squadron being present, I have the honor to carry into effect what I expressed to your excellency.

When your excellency did me the honor to visit me in my camp I declared that I believed there would be no inconvenience, notwithstanding the state of the blockade, should your excellency pass over to the Paraguay territory, in order to fulfil the mission that the govern-

ment of your country has intrusted to you near that of Paraguay, but that I would refer it to the decision of the Argentine government, together with the allied governments

Your excellency having, in consequence, returned to Buenos Ayres and conferred with the minister of foreign relations of the Argentine Republic, who previously had come to an understanding with the Brazilian minister in Buenos Ayres, and the minister expressed to your excellency that it would not be inconvenient that you should continue your voyage in a neutral vessel as far as the first military post of Paraguay, notwithstanding the state of blockade that might prevent it. This was with the idea of a simple blockade, and not of the lines of the war, which would be established at the end of February.

In consequence, your excellency decided to commence your voyage at the beginning of March, (2d March,) and you departed from Buenos Ayres in the steamer Paysander; that having got aground on the passage, and remained aground for twenty days, it could only reach Corrientes at the end of March, our late conference being to-day, the 9th of April.

If the steamer in which your excellency came had arrived opportunely—that is to say, in the state of a simple blockade—it would not have been inconvenient that you should have continued your voyage, since you would have met the allied squadron at Corrientes, before the opening of decisive operations of war. But it did not so happen, and your excellency has found the allied squadron in position near Paraguay, on the eve of commencing warlike operations; so that what before would not have caused any inconvenience, to-day would have the effect to establish a precedent which, giving equal rights to all other neutrals, would make illusory our line of war, and would deprive us of a perfect right that belligerents have in such cases.

Thus then the circumstances have completely varied, and the conception under which the voyage of your excellency to Paraguay was arranged has been modified in such manner that it appears to me more convenient that, consulting anew the Argentine government in regard to this emergency, we may be able, in common accord with the allies, to adopt a definitive resolution in this particular, hoping that in the mean while your excellency will deign to suspend all proceedings, remaining, be it in Corrientes or be it in Buenos Ayres, where I shall make it my duty to communicate whatever there may be.

Under this same impression, Admiral Tamandare declared to the admiral of the United States that if the minister arrived at Corrientes under the circumstances that the allied squadron had not yet gone up the river in order to commencing military operations, there would have been no inconvenience in his passing, but that the naval operations being once opened against the enemy, and the lines of war established, such a thing would not be possible; to this the admiral of the United States answered, assenting to it, (*de conformidad*,) saying moreover that in such a case the allies would make use of a perfect right, that is, the right of belligerents in analogous cases.

Your excellency not having, then, been able to arrive within the time (*oportunidad*) indicated, the arrangement loses its base, and we find ourselves in the circumstances presumed by Admiral Tamandare and accepted by the admiral of the United States.

In view of this, I believe that what is most prudent and proper for all is, as I have said to your excellency, to consult anew the Argentine government, in order that, putting itself in harmony with the allies, it may indicate, in view of this emergency, what may be most convenient, and I do not doubt that this indication will be the most proper, consulting the friendship and the sympathy that we profess to the great republic of the United States of America, and equally the rights of the belligerents compromised in a war to which they have been provoked.

Therefore, in so far as it may concern your excellency, I flatter myself that, abounding in the identical friendly sentiments, you will defer willingly to what I propose, which will consult equally the dignity of all friendly governments, the legitimate rights of the belligerents, not before now questioned, either by your excellency or by the admiral of the United States.

With this motive, I salute your excellency with my most distinguished consideration.

BARTOLOME MITRE.

His Excellency the SEÑOR MINISTER DIPLOMATIC,  
of the United States.

---

*Mr. Washburn to President Mitre.*

CORRIENTES, April 12, 1866.

SIR: The letter bearing date the 9th instant, which your excellency has done me the honor to address me, has just been received. In it your excellency expresses the hope that I may find it conformable with my duty to suspend all proceedings relative to my going through to my destination, as minister of the United States in Paraguay, until the Argentine government can be again consulted on the matter.

To this request I readily consent, for two reasons; the first is, from respect and deference to the wishes of your excellency; and the second is, I do not see how I could, if I would, do anything to help myself. For these reasons I shall not now consider the various points of your letter further than to remark that I do not understand the circumstances to be at all changed in regard to the "Tres Bocas," or rather the mouth of the Paraguay. Your excel-

lency speaks of it as having been only blockaded two months ago. It is, so far as I am informed of the actual operations, only blockaded now. The only difference is that the blockading squadron was further then than it is now; and as there never has been, as I am informed, any military or naval operations at that point further than placing the blockading vessels there, I am unable to see such change of circumstances in regard to that part of the river through which I desire to pass to Paraguay as to furnish a just reason for withholding what had before been freely offered not only as a courtesy but as a right.

With the most sincere personal regard and esteem, I take this occasion to assure your excellency of my most distinguished consideration.

CHARLES A. WASHBURN,  
*United States Minister to Paraguay.*

General BARTOLOME MITRE,  
*President of the Argentine Republic and  
General-in-Chief of the Allied Army.*

---

*President Mitre to Mr. Washburn.*

[Translation.]

MY DEAR SIR; I had the honor to receive your excellency's letter dated the 12th instant, which I have not answered before to-day, the urgent necessities of the war, to which I have had to give my first consideration, having absorbed all my attention. I to-day comply with my duty of manifesting to your excellency how sincerely I esteem your noble and friendly proceeding in conforming, in the obliging manner you have done, with the observations that I presented in my former letter of the 9th of the same month, on the inconveniences that the generals of the allied armies and the admiral of the allied squadron encountered, in order that your excellency should pass at that time to the territory of the government near which you are accredited.

The events that are just now occurring must have brought the conviction to the mind of your excellency that to the blockade have succeeded serious military operations by land and water, which are not yet terminated at every point, and as your excellency has the deference not to answer the various points of my letter of the 9th, I have for my part especial pleasure in passing it by, leaving other topics without comment, since the acts to which I have referred make useless at the present moment all discussion on this particular.

I improve this opportunity to reiterate to your excellency my high consideration and personal esteem.

BARTOLOME MITRE.

The Most Excellent Senor Don CARLOS A. WASHBURN,  
*Minister of the United States near Paraguay.*

(Not dated, but received April 19, 1866.)

CHARLES A. WASHBURN.

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, April 27, 1866.

SIR: The Brazilian squadron that had been collecting off this port for several months finally got ready to move, and went up to the "Paso de la Patria," a pass in the Parana, some five leagues above its confluence with the Paraguay, in the last days of March. A few of the vessels composing the fleet remained at the mouth of the Paraguay for the purpose of blockading that river, but the main portion, including the four iron-clads, went up and took their station opposite Itapiru, a strong fort that the Paraguayans had erected on their side of the river. Firing was soon commenced from the fort upon the ships, and from the ships upon the fort; but little damage seemed to be done, however, on either side, though the firing was tolerably accurate and well sustained. Nearly all the damage sustained by the squadron was from a single shot from a rifled cannon that entered a port-hole of an iron-clad, killing twenty-seven, including her commander and two next principal officers, besides wounding several others. Just above Fort Itapiru there is a small, low island, not more than half a mile from the Paraguay shore. After the cannonading had been kept up for some

days from the ships, the Brazilians suddenly threw upon the island, in the night, some two thousand troops, with some of their heaviest guns. They immediately began to intrench, and, when the morning broke, opened furiously on Itapiru. The firing was sharply returned, but it was not sufficient to do any material damage, and it was evident that the fort was fast falling to pieces. The Paraguayans, however, kept up the cannonade on their part, generally giving shot for shot; and this sort of bootless warfare was kept up for several days. On the morning of the 9th instant, however, the Paraguayans attempted the desperate adventure of trying to drive the Brazilians from the island, and at about 3 o'clock in the morning they sent over a body of a thousand men in small boats, who undertook to surprise the Brazilians; but in this they did not succeed, for they were so warmly received that they soon signalled for re-enforcements, and some five hundred more were sent to their support. But by the time the daylight began to show where they were, the gunboats got into position to bear upon them, and such as could get away betook themselves to their boats, which were terribly riddled before they touched the Paraguay shore. It is thought two-thirds of this party never returned to the other side of the river. I have no accurate information in regard to the number, however. I hear it estimated from eight to fifteen hundred.

On the 16th the Brazilians began to pass their troops over to the Paraguay side, beginning late in the afternoon, and passing over some thirty thousand the same night. The Paraguayans made little or no resistance to their landing, but fell back from the river, abandoning Fort Itapiru, which was found completely knocked to pieces. Since then the allies have passed over most of their remaining troops, and it is said they have no less than fifty-five thousand troops on the soil of Paraguay. They are now engaged in taking over their cavalry and artillery, together with the necessary supplies. They are also steadily advancing and intrenching towards Humayta, where it is supposed the Paraguayans will make their last stand. If this point should be taken, there will be nothing to prevent the allied squadron from going right up to Asuncion, and it is supposed that before that time Lopez will try and run away. He may, however, fall back into the interior, and attempt to carry on a guerilla war, though it is impossible he should hold out long at that. I think the war will be virtually at an end when Humayta is taken, and every one here regards that as only a question of time. With the immense advantages of the allies in all material resources, it does not seem as though the place could possibly hold out a fortnight longer. The season is now very favorable for both military and naval operations. The rivers are high, so that the iron-clads have plenty of water for moving up near the shore, and the weather is cool and healthful. I shall be greatly disappointed if the next fortnight does not show a great change in the situation. In fact, I regard Lopez's cause as so hopelessly lost, that the sooner he succumbs the better it will be for all parties, especially his own people.

I am, sir, very respectfully, your obedient and humble servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, *May 4, 1866.*

SIR: Since my last despatch, of April 27th, the allied forces have been steadily though slowly advancing upon the soil of Paraguay. At that time the main army had already passed over the river and effected a landing on the Paraguay side. But as they are obliged to take everything with them in the



way of supplies, they have been occupied most of the time since in passing over beef, cattle, artillery and cavalry horses, and whatever else may be necessary for the army. The ground on the other side is exceedingly marshy and full of lagunas, or shallow ponds, and while the transports have been engaged in taking over supplies, the troops have been employed in bridging the lagunas and making roads over which the army may advance. In the mean while they are every day getting nearer and nearer the Paraguay encampment. This is at Humayta, and is supposed to be strongly fortified, and it is thought that here the principal battle will be fought. But the strategy of Lopez seems very peculiar to those on this side of the lines. It was supposed he would make great efforts to prevent the landing of the allies, and would certainly inflict great loss upon them before they could establish themselves on the Paraguay territory. But he did nothing of the kind. The allies landed, losing scarcely a man, and Lopez at once fell back, abandoning Fort Itapiru and burning up his encampment. It is not certain, therefore, whether he will risk a general battle or not at Humayta. It would seem that his cause must be lost if he does not hold that position. Since the allies moved up to the Paso de la Patria, everything seems to have gone against Lopez. His disastrous attack on the island opposite Itapiru, of which I made mention in my last, was of a character similar to another assault on superior forces made two days ago. On this last occasion he sent at mid-day some four or five thousand troops to surprise the outposts of the allies. The forces he encountered were the veterans of General Flores, from Uruguay, and for a moment the latter were compelled to fall back; but General Mitre at once ordered up such heavy re-enforcements that the Paraguayans were swept away like chaff. Of the five thousand engaged in the action, it is claimed that three thousand are killed, wounded, or prisoners. The loss of the allies is admitted also to be heavy, but not half that of the Paraguayans. Such severe and successive losses must seriously weaken the army of Lopez, and render still greater the disparity between his forces and those of the allies. It seems now that a decisive action must be fought within a very few days. General Mitre, however, is moving deliberately, as if conscious of his superior strength, and as though he knew he must win, unless provoked into some rash or precipitate act. Hence the day of the final struggle may be more distant than is generally supposed. Yet here there is no difference of opinion as to what will be the final result.

I have the honor to be, sir, your most obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, *May 24, 1866.*

SIR: Since the date of my despatch of the 4th instant there has been little of importance to note in regard to the war between the allies and Paraguay. At that time the allied army had already passed over the river and was encamped on Paraguay soil. On the 6th instant I paid a visit to the encampment, which was at a place called Estero Bellaco, some three leagues inland from the river. I then had another interview with President Mitre, the result of which will appear from the correspondence I have since had with him, and of which I send copies herewith.

The place where the allied army was then encamped was very unsuitable for a camping ground, as it was low and damp, with many lakes or ponds, with an almost absolute dearth of grass for the cattle and horses. Since then, however,

I hear that the allies have advanced about two leagues, towards Humayta, and are now encamped on high ground, where the grass is abundant. The Paraguayans had thrown up two lines of intrenchments, and it was supposed that the space which has been gained would not be surrendered without severe fighting. But scarcely any resistance was made, and it now seems very doubtful if a stand will be made even at Humayta. President Lopez has given up two or three of what were supposed to be his strongest points, with scarcely a show of resistance, and now it is believed that the disparity of forces between him and his enemies is so great that no advantage of position which he may have at Humayta will be sufficient to induce him to give battle. I think, however, that the fate of Humayta will be decided in a very few days. The allies are steadily advancing, and are now so near the two fortified places, Curupaiti and Humayta, that a collision, and that very soon, is inevitable. What Lopez will do if he loses Humayta is a matter of conjecture; the country will be at the mercy of the allies.

I take the liberty to send you with this a copy of the triple alliance, which I find translated into English and published in the Buenos Ayres Standard, the only paper published in English in this part of the world. I also send a leading editorial of the same paper, commenting on the somewhat remarkable terms of the alliance. You will gather from this article that the publication of the treaty has caused great dissatisfaction in Buenos Ayres, and, from all I can learn, it has very much affected the popularity of President Mitre, and many people are already beginning to threaten and talk of another of those miserable revolutions that have been the great impediment to the prosperity of the South American republics. That no such attempt will be made, however, is rendered probable by the fact that there seems to be no leader having sufficient prestige to make himself dangerous or formidable.

I have the honor to be, sir, your obedient and humble servant,

CHARLES A WASHBURN.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to President Mitre.*

CORRIENTES, *May 17, 1866.*

SIR: On the 7th of the present month I had the honor of an interview with your excellency at your encampment, near Itapiru. This was the third time I had been at your camp, and each time with the same object. The first interview was on the 6th of February, and on that occasion your excellency expressed a desire to consult your ministers in Buenos Ayres in regard to the matter to which I had called your attention, viz., the passage of myself and family above the allied forces to Paraguay, where I am accredited as minister of the United States. As several days would be required for this I returned to Buenos Ayres, and having conferred with his excellency the minister for foreign affairs, Señor Don Rufino de Elizalde, I received from him an open letter to your excellency requesting that you would furnish me with such facilities for going within the Paraguay lines as had been promised me. Owing to an accident it was not till the 6th of April that I could avail myself of the courtesies and facilities that had been offered me by your government, and I immediately went to your encampment at Paso de la Patria, where I had the honor of another interview. In the meanwhile the position of your army and of the allied squadron had changed, as active operations against Paraguay were then going on on the river Parana. After this interview, and after your excellency had conferred with the chief officers of the allied forces, you did me the honor to write me a letter saying that owing to the circumstances having so greatly changed since the time when the previous understanding had been made, you thought it necessary and proper to refer the matter again to your government, and requested me to wait without taking action till its decision was received. With this request I readily complied, and as I supposed that a month would afford ample time to communicate with Buenos Ayres, several times if necessary, I waited that length of time, or till the 7th of May, when I visited you again, this time near Itapiru, and on Paraguay territory. Your excellency then informed me that the subject on which I had then, as before, come, had been referred to your government at Buenos Ayres, but no answer had been received, though one was expected within

two or three days, and I was assured that I might expect the decision from your excellency within three or four days at furthest. That was on the 7th instant. Ten days have passed, and I am still as ignorant whether I am to be allowed to obey the instructions of my government and communicate with the government to which it has accredited me, as I was three months ago, when I first conferred with your excellency on the subject.

Under these circumstances your excellency will not, I trust, think it unreasonable if I request that a decision on this matter, which I may communicate to my government with as little delay as possible, may be accorded to me as soon as it shall be consistent with your perfect convenience.

I take this occasion to tender to your excellency the assurances of my very high regard and distinguished consideration.

CHARLES A. WASHBURN.

His Excellency Brigadier General BARTOLOME MITRE,  
*President of the Argentine Republic,  
and Commander-in-Chief of the Allied Army.*

---

*President Mitre to Mr. Washburn.*

[Translation.]

HEADQUARTERS, ESTERO BELLACO,  
May 19, 1866.

I have just received the courteous communication of your excellency, bearing date of the 17th instant, in which after making a *résumé* (*reseña*) of the means taken by your excellency to obtain a passage to the capital of Paraguay, you ask me for a decision on this matter, that you may communicate it as soon as possible to your government.

Acknowledging the exactness of the recollections (*recuerdos*) of your excellency in regard to what has taken place in the conferences in which I have had the satisfaction of talking with your excellency, and personally appreciating the qualities that so much distinguish you, I feel it very sensibly at not finding myself yet in a situation to be able to give a definite answer upon the matter to which your before-mentioned communication refers.

Its solution, as your excellency already knows, submitted as much to the Argentine government as to the other allies in the present struggle against the government of Paraguay. I have not yet any information upon it, and though when, after the last conference that I had with your excellency, I insisted newly for such solution from the Argentine government, it has not yet had time requisite (*tiempo material*) to transmit it to me after such intimation, (*insinuacion*.) But your excellency may be assured that whatever may thus be transmitted to me, I shall hasten to communicate to your excellency, improving such opportunity, as I improve the present, to reiterate to your excellency the assurances of my most distinguished consideration.

BARTOLOME MITRE.

His Excellency Hon. CHARLES A. WASHBURN,  
*Minister of the United States in Paraguay.*

---

[From the Buenos Ayres Standard, May 17, 1866.]

*Triple Alliance Treaty.*

The government of the oriental republic of the Uruguay, the government of his Majesty the Emperor of Brazil, and the government of the Argentine republic—the two last finding themselves at war with the government of Paraguay by its having been declared against them in fact by this government, and the first in a state of hostility, and its internal security menaced by the said government which violated the republic, solemn treaties, and the international usages of civilized nations, and committed unjustifiable acts after having disturbed the relations with its neighbors by the most abusive and aggressive proceedings—persuaded that the peace, security, and well-being of their respective nations is impossible while the actual government of Paraguay exists, and that it is an imperious necessity, called for by the greatest interest, to cause that government to disappear, respecting the sovereignty, independence, and territorial integrity of the republic of Paraguay, have resolved, with this object, to celebrate a treaty of alliance, offensive and defensive, and thereto have appointed to be their plenipotentiaries, to wit: His excellency the provisional governor of the oriental republic of the Uruguay; his excellency Dr. D. Carlos de Castro, his minister secretary of state in the department of foreign affairs; his Majesty the Emperor of Brazil; his excellency Señor Dr. F. Octaviano de Almeida Rosa, of his council, deputy to the general legislative assembly, and officer of the imperial order of the rose; his excellency the President of the Argentine Confederation; his excellency Señor Dr. D. Rufino de Elizalde, his minister and

secretary of state in the department of foreign affairs—who, after having exchanged their respective credentials, which were found to be in good and due form, did agree as follows:

ARTICLE 1. The oriental republic of the Uruguay, his Majesty the Emperor of Brazil, and the Argentine Republic unite in offensive and defensive alliance in the war provoked by the government of Paraguay.

ART. 2. The allies will concur with all the means they can dispose of, by land or on the rivers, according as may be necessary.

ART. 3. The operations of the war being to commence in the territory of the Argentine Republic, or on a part of Paraguayan territory bordering on the same, the command in chief and the direction of the allied armies remains intrusted to the President of the Argentine Republic, general-in-chief of its army, Brigadier General Don Bartolome Mitre.

The maritime forces of the allies will be under the immediate command of Vice Admiral Viscount de Tamandare, commander-in-chief of the squadron of his Majesty the Emperor of Brazil.

The land forces of the oriental republic of the Uruguay, a division of the Argentine forces, and another of the Brazilian forces, to be designated by their respective superior chiefs, will form an army under the immediate orders of the provisional governor of the oriental republic of the Uruguay, Brigadier General Don Venancio Flores.

The land forces of his Majesty the Emperor of Brazil will form an army under the immediate orders of their general-in-chief, Brigadier Manoel Luis Osorio.

Although the high contracting parties are agreed not to change the field of the operations of war, nevertheless, in order to preserve the sovereign rights of the three nations, they do agree from this time, on the principle of reciprocity, for the command in chief, in the event of those operations having to pass over to the oriental or Brazilian territory.

ART. 4. The internal military order and economy of the allied troops will depend solely on their respective chiefs.

The pay, victuals, munitions of war, arms, clothing, equipment, and means of transport, of the allied troops will be for account of the respective states.

ART. 5. The high contracting parties will afford mutually all the assistance or elements which they may have, and which the others may require, in the form to be agreed upon.

ART. 6. The allies pledge themselves solemnly not to lay down their arms unless by common accord, nor until they shall have overthrown the present government of Paraguay, and not to treat with the enemy separately, nor sign any treaty of peace, truce, armistice, or convention whatsoever, for putting an end to or suspending the war, unless by a perfect agreement of all.

ART. 7. The war not being against the people of Paraguay, but against its government, the allies may admit into a Paraguayan legion all the citizens of that nation who may choose to concur to overthrow the said government, and will furnish them with all the elements they may require, in the form and under the conditions to be agreed upon.

ART. 8. The allies oblige themselves to respect the independence, sovereignty, and territorial integrity of the republic of Paraguay. Consequently, the Paraguayan people may choose their government, and give to themselves the institutions they please, not incorporating it nor asking for a protectorate under any of the allies as a consequence of this war.

ART. 9. The independence, sovereignty, and territorial integrity of the republic of Paraguay shall be guaranteed collectively, in conformity with the foregoing article, by the high contracting parties, during the period of five years.

ART. 10. It is agreed between the high contracting parties that the exemptions, privileges, or concessions, which they may obtain from the government of Paraguay, shall be common to all gratuitously, if they be gratuitous, and with the same compensation if they be conditional.

ART. 11. The present government of Paraguay being overthrown, the allies will proceed to make the necessary arrangements with the authority constituted, to insure the free navigation of the rivers Parana and Paraguay in such manner that the regulations or laws of that republic shall not obstruct, hinder, nor burden the transit or direct navigation of the merchantmen and vessels of war of the allied states proceeding to their respective territory, or to territory not belonging to Paraguay, and they will take suitable guarantees for the effectiveness of those arrangements on the base that those regulations of fluvial police, whether they be for those two rivers, or likewise for the river Uruguay, shall be made by common accord between the allies and such other bordering states as shall, within the term to be agreed upon by the said allies, accept the invitation made to them.

ART. 12. The allies reserve to themselves to concert the measures most suitable in order to guarantee peace with the republic of Paraguay after the overthrow of the present government.

ART. 13. The allies will appoint in due season the plenipotentiaries required to celebrate the arrangements, conventions, or treaties, that may have to be made with the government that shall be established in Paraguay.

ART. 14. The allies will exact from this government payment of the expenses of the war which they have been themselves obliged to accept, as well as reparation and indemnification for the damages and injuries caused to their public and private properties, and to the

persons of their citizens, without express declaration of war, and for the damages and injuries committed subsequently, in violation of the principles which govern the laws of war.

The oriental republic of the Uruguay will likewise exact an indemnification proportioned to the damage and injury caused to it by the government of Paraguay through the war into which it is forced to enter to defend its security, threatened by that government.

ART. 15. In a special convention shall be determined the manner and form of liquidating and paying the debt proceeding from the aforesaid causes.

ART. 16. In order to avoid the discussions and wars which questions of boundaries involve, it is established that the allies shall exact from the government of Paraguay that it celebrate definitive boundary treaties with their respective governments upon the following basis: The Argentine Republic shall be divided from the republic of Paraguay by the rivers Parana and Paraguay, until meeting the boundaries of the empire of Brazil, these being on the right margin of the river Paraguay, the Bahia Negra.

The empire of Brazil shall be divided from the republic of Paraguay on the side of the Parana by the first river below the Salto de las Siete Cahidas, which, according to the recent map of Manchez, is the Igurey, and from the mouth of the Igurey and in its course upwards until reaching its source.

On the side of the left bank of the Paraguay, by the river Apa, from its mouth to its source.

In the interior from the summits of the mountain of Maracayú, the streams on the east belonging to Brazil, and those on the west to Paraguay, and drawing lines as straight as possible from the said mountain to the sources of the Apa and of the Igurey.

ART. 17. The allies guarantee to each other reciprocally the faithful fulfilment of the agreements, arrangements, or treaties that are to be celebrated with the government that shall be established in Paraguay, in virtue of what is agreed upon by the present treaty of alliance, which shall always remain in its full force and vigor to the effect that these stipulations be respected and executed by the republic of Paraguay.

In order to obtain this result they do agree that, in the case that one of the high contracting parties should be unable to obtain from the government of Paraguay the fulfilment of what is agreed upon, or that this government should attempt to annul the stipulations adjoined with the allies, the others shall employ actively their exertions to cause them to be respected.

If these exertions should be useless, the allies will concur with all their means in order to make effective the execution of what is stipulated.

ART. 18. This treaty shall be kept secret until the principal object of the alliance shall be obtained.

ART. 19. The stipulations of this treaty that do not require legislative authorization for their ratification shall begin to take effect so soon as they be approved by the respective governments, and the others from the exchange of the ratifications, which shall take place within the term of forty days, counted from the date of said treaty, or sooner if it be possible, which shall be done in the city of Buenos Ayres.

In testimony whereof, the undersigned plenipotentiaries of his excellency the provisional governor of the oriental republic of the Uruguay, of his Majesty the Emperor of Brazil, and of his excellency the President of the Argentine Republic, in virtue of our full powers, do sign this treaty, and do cause to be put thereto our seals, in the city of Buenos Ayres, the first day of May, in the year of our Lord 1865.

C. DE CASTRO.  
F. OCT. DE ALMEIDA ROSA.  
RUFINO DE ELIZALDE.

#### PROTOCOL.

[Translation.]

Their excellencies the plenipotentiaries of the Argentine Republic, of the oriental republic of Uruguay, and of his Majesty the Emperor of Brazil, being assembled at the department for foreign affairs, agreed:

1. That in fulfilment of the treaty of alliance of this date the fortifications of Humaitá shall be caused to be demolished, and it shall not be permitted that others of an equal nature should be erected, which might impede the faithful execution of that treaty.

2. That it being one of the measures necessary to guarantee peace with the government that shall be established in Paraguay not to leave arms or elements of war, those that are met with shall be divided in equal shares between the allies.

3. That the trophies and booty that may be taken from the enemy shall be divided between the allies who make the capture.

4. That the chiefs in command of the allied armies shall concert measures to carry what is here agreed on into effect.

And they signed this at Buenos Ayres on the first of May, 1865.

CARLOS DE CASTRO.  
RUFINO DE ELIZALDE.  
F. OCT. DE ALMEIDA ROSA.

*Mr. Washburn to Mr. Seward.*

CORRIENTES, *May 25, 1866.*

SIR: A great battle has been fought—great for any country or any armies, and great in its results. As usual since the Paraguayans retired to their own territory, they have suffered a terrible defeat. I have very few details of the action, but, from all I can learn, it was the intention of General Mitre to make a general attack upon the Paraguay lines to-day, this being the anniversary of the Argentine independence. The Paraguayans, however, did not wait for him to complete his arrangements for an assault, but at 11 o'clock yesterday they made a furious attack, some ten thousand cavalry advancing with desperate impetuosity upon the allies, whose cavalry force is small and badly mounted. They were supported by about the same number of infantry, and the battle raged with great fury for some four or five hours, when the Paraguayans were repulsed, and the repulse became a rout. It is said that they entered into the battle in a half intoxicated state, and that they fought with ferocious courage. But the great numerical superiority of the allies, with their effective and well-posted artillery, rendered all their valor vain, and it is said that some five or six thousand were left dead or wounded on the field. The allies are believed to have lost three thousand in killed and wounded. It is thought here that this will prove the last battle of the war. Humayta cannot hold out many days, and I shall not be surprised to hear at any moment that it has been taken and that Lopez has fled. It is more likely, however, that he will try and rally his forces at some point in the interior; but as these questions will all be decided within a few days, I will not speculate upon them. I suppose now that the allied squadron will go up the river Paraguay, and that it will be open to free navigation as far as Asuncion within a short time. In that event I suppose I shall be allowed by General Mitre to go up as a citizen, though he has denied me that privilege, or right, as a minister of the United States. I hope to be in Asuncion in one capacity or the other within a few days, and, should the power of Lopez be destroyed, I suppose no further obstacles will be placed in the way of the performance of my official duties.

Very respectfully, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Washburn.*

No. 46.]

DEPARTMENT OF STATE,

*Washington, May 25, 1866.*

SIR: I have to acknowledge the receipt of your despatch of March 16th last, giving me an interesting account of your proceedings up to that date, and of your efforts to reach your post of duty. Your perseverance in the endeavor to accomplish the latter object is most commendable and has my approval. I hope that every impediment to your doing so will have disappeared before you receive this reply, and that the war may soon terminate, to the relief of all the parties concerned in it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

*Mr. Washburn to Mr. Seward.*

CORRIENTES, *May 28, 1866.*

SIR: Since writing my despatch of the 25th instant, I have obtained further information in regard to the great battle of the 24th. The account I then gave I believe to have been substantially correct in regard to the battle itself, though I have had reason to change my opinion respecting the duration of the war. There is no doubt but the Paraguayans suffered terribly in killed and wounded. Of the twenty-one thousand that made the onslaught it is said that one-third never left the field. The allies also suffered terribly, but not, as they say, half so much as the Paraguayans. The fact, however, that 2,000 wounded have been brought to this city would indicate that their loss was little less than their enemies. But though the Paraguayans were repulsed, it was not a rout. They fell back to their former position, and the allies are near where they were before the battle. No strategic advantage was gained by either party, and the only effect the battle can have on the result of the war, supposing each side to have lost the same number, is to render the disparity between the stronger and the weaker greater than before.

But an unexpected difficulty has appeared in the way of the allies. As the army of General Mitre was to advance by land against Humayta, the squadron, under the Brazilian Admiral Baron Tamandare, was to advance up the river Paraguay and attack, simultaneously, the fortifications on the bank of the river. But now, after waiting for weary months for the admiral to get his fleet ready to move, it is found that the river has fallen so that the iron-clads and gunboats cannot ascend it. It is not probable that the river will rise again for four months, so that the Brazilian squadron will be as useless for all purposes of the war as was Robinson Crusoe's boat for navigation. That the river would fall to its present low stage within a month or so was almost certain, and it is not unfrequent for it to fall as low as it is now even earlier in the year than this. Hence the tardiness of the Brazilian admiral has caused great complaints; and now, when it is found that by reason of his unaccountable delays his squadron can be of little or no service, I apprehend they will be greatly increased. Should General Mitre be able to take Humayta without the aid of the fleet, probably some of the transport steamers and gunboats of light draught will work their way up to Asuncion. But to accomplish this will be a work of time, and whether without the aid of the squadron the allies can take Humayta at all is a question yet to be solved. In my former calculations as to the probable duration of the war, I have supposed the fleet would move while there was water in the river to float it, and not consume all the time of the high water in getting ready.

By the last mail from Buenos Ayres I received the first despatch from you that has reached me since I left the United States, in September last. It was despatch No. 42, and dated March 20th. Hence I have had no advice or instructions since I left as to the course I should pursue in the unpleasant and anomalous position in which I have been placed since my return to the river Plate. If the war is to last several months longer, as now seems not improbable, and if the allies persist in denying me the right of going to the capital of Paraguay, I hope to receive some definite instructions as to what I shall do under such circumstances. I cannot but think that the presence of an American gunboat in this vicinity would have a salutary influence, and that, too, independent of any relief it might be able to afford me in reaching my post in Paraguay. But our admiral refuses to send a gunboat into these waters, much to the surprise and chagrin of the Americans doing business on this river, though doubtless he has good and sufficient reasons of his own. The reason he alleges is that he doesn't choose to do so. So I am informed by Mr. Kirk. I see by the Buenos Ayres papers that he has been on an excursion up the Uruguay river, where he spent some eighteen days in partridge shooting. Mr. Kirk

wrote me that he did not go under sail; though what national interest he could serve up there that would justify in consuming the government coal I am not informed. His economy of coal when I was in Buenos Ayres was astonishing, but when the American merchants there proposed to furnish the coal gratuitously necessary to take a gunboat to Paraguay, he still declined and said that would make no difference. I conclude, therefore, the reason why he went up the Uruguay was, he did "choose to do so."

Very respectfully, your obedient and humble servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, June 8, 1866.

SIR: Since the date of my last despatch nothing of importance has transpired between the belligerents, now fronting each other near Humayta. So severe was the loss experienced by both parties in the great battle of the 24th of May, that neither seems to have been in a condition to attack the other. The loss on both sides was not over-stated in my previous despatch. General Mitre in his official report gives the number of wounded in his army at 2,645, and the killed at 702. He gives the number of 4,200 killed, and 370 wounded, on the side of the Paraguayans. The proportion of killed to wounded of the allied army is as one to eleven and a third, whereas of the Paraguayans nearly four times as many are killed as are reported wounded. Probably some wounded Paraguayans escaped back to their lines, but not many, as on their return they were exposed to a most galling fire from the artillery of the whole allied army. Yet the great disproportion of killed to wounded among the Paraguayans has caused a good deal of comment; and it appears that the Brazilians, much to the disgust of their allies, are disinclined to take prisoners, but kill alike wounded and deserters to their side. This course, it is pretended, is forced upon them by the treachery of the Paraguayans, who had a trick of advancing with the butts of their muskets in the air, crying out that they were deserters, (passados,) until they got so near that each was sure of his man, when they would suddenly bring their weapons to the shoulder and fire, and retreat instantly in the surprise and confusion their treachery had caused. Such tricks cannot successfully be repeated more than once or twice, and hence it is that when any number of Paraguayans are found together, though they make signs of surrendering, they are shot down without trust or mercy. Hence the battles are becoming of a most savage and sanguinary character.

The two armies are now where they were at the close of the battle of the 24th of May, and it is said that the allies are intrenching there. This leads to the inference that no offensive movement is contemplated by them at present. They are very destitute of horses and are waiting for large re-enforcements of cavalry from the army of Baron Port Alegre, who has crossed over from Brazil and struck the Parana some one hundred and fifty miles above the Paso de la Patria. It is said he has under him from six to eight thousand well mounted cavalry, and that he is now on the way with his whole force to unite with General Mitre. It is not supposed an attack on the Paraguay lines will be made before the junction of these forces. Hence, unless President Lopez makes another charge on the allies, I do not look for much fighting for the next month.

The naval forces are lying idle and apparently impotent and useless at the Tres Bocas. Two more iron-clads will soon be added to the fleet. One of



them is now in the river, and will soon be here if the water in the river is not too low to admit of her passage so high as this.

I have not yet had the pleasure of receiving an answer from President Mitre as to whether I am to be permitted to pass through the lines to Paraguay, or not. It is now two months since I visited him at his encampment at the Paso de la Patria, at which time he requested me to wait for an answer till he could consult his government at Buenos Ayres. As two weeks would be ample time for that, I consented, and though I have twice since requested a categorical reply, I have received none. His last communication to me was dated May 19th, in which he said he had not, up to that time, had an answer from his government, but having called its attention to the matter in question for a second time some ten days before, he had no doubt of an immediate decision, which he would communicate to me without delay. Three weeks have passed since then, and I hear nothing, and hence I conclude that I am to be detained here till my government shall give some instructions as to my going on, awaiting here the issue of the war, or recall me. It seems as if the allied authorities were conscious that they had no right to detain me here, and yet they do not want me to go through to Paraguay. So, instead of having the frankness to say *no*, they resort to the most contemptible quibbling and evasion. In the meanwhile I remain here, watching the events of the war, in a very disagreeable place, where the expenses are enormous, and where I feel that it is not my place to be.

With this I send you a copy of a letter which I addressed to the Brazilian special minister, Señor Octaviana, before I left Buenos Ayres. I should have sent a copy of it soon after it was written; but receiving no reply to it, I concluded that from some error it had not been received. But not caring to make any direct inquiry, and not learning anything of it incidentally, I mentioned the matter to our minister, Mr. Kirk, requesting him to advise me should he learn whether it had ever been received or not. By the last mail, which arrived two days since, Mr. Kirk writes me that Señor Octaviana told Admiral Godon that he received my letter, but did not choose to answer it. As I wrote you when I was in Buenos Ayres, Señor Octaviana offered me, without any solicitation, a man-of-war to take me to Paraguay. This offer was several times repeated, and in the presence of Mr. Kirk I replied that on the arrival of our squadron doubtless one of our gunboats would go up the river, so that it would not be necessary to avail myself of his kind offer. He repeated that if I should want it, a vessel would be at my disposition at any time.

After the arrival of our admiral, however, and he found that he would not send up an American war steamer, it seems that Señor Octaviana changed his mind, for on my writing him a note intimating that I would accept a passage in a Brazilian vessel, he did not condescend to answer it. Such is the brief history of this matter.

I am, sir, very truly, your most obedient and humble servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Octaviana.*

Buenos Ayres, January 18, 1866.

SIR: Your excellency is doubtless fully aware of the events which transpired in Paraguay at the time of the commencement of the war now existing between that country and Brazil, and you are probably equally well aware that at the time of the seizure of the Brazilian steam packet Marquis de Olinda by the Paraguay government, the minister of his Majesty the Emperor of Brazil, the Hon. Cesar Sannan Vianna de Lima, was left in the country with no means of egress for himself, family, or suite. The ports of Paraguay were closed against the departure of any merchant vessel, and no way was left for Senhor Vianna de Lima to get away except by an overland journey so long and difficult as to be utterly impracticable.

Under these circumstances, his Majesty's minister, having already received his passports, so that he could hold no further official communication with the Paraguay government, appealed to me, as the senior member of the diplomatic body at Asuncion, to obtain for him and his party some means of leaving the country, and such as would be consistent with the dignity and comfort of a public minister.

About this time I received from the Secretary of State for my government leave of absence to visit my own country, to which I was anxious and impatient to return. But I immediately responded to his call, and after a long correspondence, and a good deal of vexatious delay, I got the promise of a steamer to take the minister and suite to Buenos Ayres, but on the condition that he should pledge, as its agent and representative, both to the government of Paraguay and that of the United States, that the steamer should return unharmed without unnecessary detention. This pledge was at once given by the minister, and, on behalf of my government, was accepted by me, and the steamer finally left and arrived safely at Buenos Ayres. Having accepted this assurance of the steamer's safe return, it seemed to necessitate my remaining there in Paraguay till she got back, as my going away might have caused suspicion or distrust; so that what with the time consumed in the correspondence, the getting ready of the steamer, and the time taken for the voyage, I was delayed some six or eight weeks in setting out on my visit to the United States. Hence, I was the same length of time later in my return to the Rio de la Plata than I would have been but for the delay to render this service.

This last delay has, owing to peculiar circumstances, seriously interfered with my return to my post as minister of the United States in Paraguay. No steamer of any nation has ascended the river to Paraguay since my arrival in Buenos Ayres on the 4th of November last. Since that time I have been waiting here for one of our national gunboats to come to this river, supposing it would take me to my post. But I learn that the admiral of the Brazilian squadron now in the Plate objects to the passage of any person or vessel above the Tres Bocas, and the admiral of the United States squadron thinks with myself that it is particularly desirable to avoid any complications in the present war, and especially with the government of Brazil, which, during our late gigantic civil war, has shown itself our steady, reliable, and earnest friend. Hence, as no vessel of my own nation will go to Paraguay at present, I must avail myself of such means of getting there as may be open to me. It is under these circumstances that I beg to call the attention of your excellency to the fact that, had I not delayed to assist Senhor Vianna de Lima to leave Paraguay, I should have been back here at least a month and a half earlier than I was, and in ample time to have gone to Paraguay on one of the neutral gunboats that left for that country a few days before my arrival here. Hence it is, that from my waiting to render an important and vital service to the Brazilian minister, I am suffering all this inconvenience and detention. It is true that this result is not immediate, but it is no less direct, and I am persuaded that I have only to call your excellency's attention to the facts of the case to secure such action as will relieve me from my present unpleasant position.

I avail myself of this occasion to express to your excellency my high regard and distinguished consideration.

CHARLES A. WASHBURN.

His Excellency F. OCTAVIANA DE ALMEIDA ROSA,  
*Envoy Extraordinary and Minister Plenipotentiary*  
*of his Majesty the Emperor of Brazil, &c.*

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, June 15, 1866.

SIR: Since my last despatch of the 8th instant, there has been no movement of importance on the part of the allies against the Paraguayans, and the latter are believed to have been equally inactive. The allies are waiting for re-enforcements, and it is thought they will soon be joined by Baron Port Alegre with a large cavalry force, of which troops the allied army is greatly in want. The horses which they took into Paraguay when they first crossed the river have nearly all died of starvation, and unless Port Alegre's troops engage the Paraguayans immediately on their arrival their horses must fare like those that preceded them. Where the allies now are there is no grass whatever, and they must get possession of more Paraguay territory than they now have or else their horses must starve to death.

We hear it reported here that the Brazilian government is still busily engaged in raising troops to send to Paraguay, and it is certain that it has several more

iron-clads on the way to the Tres Bocas, three of which are already between here and the mouth of the river. It seems hardly possible, however, that they can be meant for the Paraguay war. The Brazilian fleet now at the confluence of the Paraguay and Parana is more powerful than was ever seen in South America before the present war. Yet it has done nothing except at a safe distance, even for wooden vessels, to fire on Fort Itapiru, and Admiral Tamandare refuses to go to Paraguay and attack Curupaiti or Humayta until the army shall have compelled their evacuation by the Paraguayans. Hence the inference is that the Brazilians are gathering together this immense fleet, not so much in order to conquer the army of President Lopez as to be in a condition to make the most of their success when the conquest shall have been achieved. As I have said before, it is believed by many that the conquest of Paraguay will be but the beginning of a war for the possession of the provinces lying on the left bank of the Parana and Plate rivers, including the republic of Uruguay.

I hear nothing later from President Mitre in regard to my request to be permitted to pass through the lines to Paraguay. As more than two months have elapsed since he first told me he wished to consult his government on the matter before giving an answer, and one month since he wrote me that he had called upon it a second time for its decision, I yesterday sent him a brief note saying that as it required only twelve days for me to send a letter to Buenos Ayres and get an answer to it, I thought it not unreasonable that I should, after so long a time, expect a reply without any further delay.

I send herewith a copy of this letter.

I am, most respectfully, your obedient and humble servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to President Mitre.*

CORRIENTES, June 14, 1866.

SIR: The letter which your excellency did me the honor to address to me, bearing date May 19, 1866, was duly received by me, and at the time of its reception I did not suppose it would ever be necessary to reply to it, as from the assurances therein given I did not doubt but that a definite answer would be soon given to my oft-repeated question, whether your excellency would permit me to pass to the country to which my government had ordered me to return, and to which I was already accredited as minister resident, or not. I had before that time ascertained that only twelve (12) days were necessary for me to receive an answer from Buenos Ayres to a letter despatched from here, and as in your last letter your excellency had informed me that you had, before then, already called on your government, for a second time, for its decision on the matter in which I was concerned, I could not doubt but long before this I should have received a final reply to my long-mooted question. But it is now nearly a month since the date of your last letter, and more than two months since I was first informed of your desire to refer the subject again to your government, and yet I have not, up to this time, been favored with a reply. I trust, therefore, I may not be thought hasty or impatient if I again ask that such reply may be given me without any further delay than may be required for your convenience.

I take this occasion to reiterate to your excellency the assurances of my most distinguished regard and high consideration.

CHARLES A. WASHBURN.

His Excellency Brigadier General BARTOLOME MITRE,

*President of the Argentine Republic and Commander-in-Chief of the Allied Armies.*

---

*Mr. Seward to Mr. Washburn.*

No. 47.]

DEPARTMENT OF STATE,

*Washington, June 27, 1866.*

SIR: Your despatch of the 27th of April has been received.

The President learns with deep dissatisfaction that at the day named the hindrance and obstruction of your journey to Asuncion were not only continued

but renewed by the President of the Argentine Republic and the admiral commanding the Brazilian navy on the Parana.

We observe, of course, that the instruction which was given to you from this department on the 16th of April could not have reached you at the date of your last despatch and therefore could not have been executed. The case is the same concerning the subject of instructions sent to our ministers at Buenos Ayres and Rio Janeiro.

It is to be regretted that we must proceed now in ignorance of what may have been done when those despatches reached their respective destinations; nevertheless, the dignity and honor of the United States will not allow a further detention on the way to your mission under any conceivable circumstances. If, therefore, the obstructions which have been placed in your way by the authorities of the Argentine Republic and Brazil shall have continued until the arrival of this communication, you will at once return to the United States. Proper instructions in regard to the case in its present aspect are now given to the minister of the United States at Buenos Ayres and Rio Janeiro, respectively. A copy of those instructions is herewith communicated for your information.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

---

*Mr. Washburn to Mr. Seward.*

CORRIENTES, July 9, 1866.

SIR: As, at the time of writing my last despatch, the two hostile armies seem to be at a dead-lock in sight of each other, near Humayta, the allies are waiting to be re-enforced by the army of Baron Porto Alegre, who is said to be very near, having under him some 14,000 troops, 8,000 of which are cavalry. The admiral of the squadron is said to be waiting for more iron-clads. He has more now than he has ever put to any use, and his tardiness and apparent disinclination to support the land forces with his fleet has caused great dissatisfaction in the army from the commander-in-chief to the last recruit. For the last month there has been no fighting, except that occasionally the Paraguayans have fired some heavy shot at long range into the camp of the allies. They have caused but little damage, however, and have not been replied to.

With my last despatch I sent you a copy of a letter I had sent to President Mitre, in which I intimated that he had had time enough to consult his government in regard to my passing through the lines to Paraguay. The letter, though dated on the 14th, probably did not reach him till the 16th. On the 22d I received an answer, a copy or translation of which I send. You will observe he declines making any decision, but sends his private secretary to make some verbal explanations to me. These explanations were simply this, that the Brazilian envoy extraordinary, Señor Octaviana, was expected here very soon, and the President wanted to confer with him before he gave a final reply to me. The secretary said the minister was expected to arrive the same day, and I might count on a decided answer within three days at furthest. This was on the 26th instant, four days after the date of the letter; and about an hour after the messenger that brought it had left me the steamer having the Brazilian envoy on board came into port. He stopped here for two or three days, but I did not see him, as since his neglect or refusal to answer the note which I sent him in Buenos Ayres I could not call on him, and he did not call on me. He went from here to the army, and was gone several days, and then returned and is here yet. Soon after his return he called to see me, and was very profuse in

his professions of desire to serve me in any way but that of getting to Paraguay. He said he had received orders from his government at Rio de Janeiro to extend to me every courtesy and attention and do anything that might render my stay here less unpleasant to me and my family. He said his government was fully aware of the service I had rendered it at the beginning of the war in extricating their minister to Paraguay from a very unhappy position. But with all these professions he was not disposed to grant the only thing I wanted, and that was to go through to Paraguay. As for other attentions, I was as comfortably situated as the place would permit. I must either return to the mouth of the river, to Montevideo or Buenos Ayres, or wait here the issue of the war. This place is at present unfit to live in. Though usually very healthy, it is now far otherwise. It is full of sick and wounded soldiers; every house in town that can be had being taken as a hospital, and new buildings of boards going up all the time in different parts of the city to meet the ever-increasing necessity of more room for the sick. There is little or no regard paid to any sanitary regulations, dead animals being permitted to lie in the streets till they rot above ground, and the offal of the slaughter-houses being thrown out to infect the air, without remonstrance or question from any one.

Señor Octaviana is very confident that the war is near its end. He told me that he had been in consultation with the principal officers of the army and navy, and had asked each one the reason of so prolonged inaction. They all said that if they could be supplied with this or that thing necessary to a safe and certain movement they would take Humayta immediately. To this the envoy said, "Very well; everything you ask for shall be on the ground in less than thirty days, and then I shall expect you to make good your promises." Accordingly most of the steamers that have been lying here for some time have been despatched to Buenos Ayres with orders to bring up as many horses as possible, with the hay and corn necessary to keep them in good order for several weeks. Strong fat horses are about the only thing lacking, and they will undoubtedly be supplied in abundance within twenty days, and within the next month I think it safe to count on a decided action. I trust that something will happen soon of so decisive a character that I may be able to get out of this place.

I am now expecting the arrival of the American mail that left New York the latter part of May, within two or three days. I hope it may bring me something in the way of instructions from you, as I have received nothing of the kind since I left the United States the first of September last, and for nearly all the time I have been so peculiarly situated as to be in doubt what course I ought to pursue. I, therefore, hope that some instructions may arrive soon.

Very respectfully, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

No. 62.]

CORRIENTES, July 23, 1866.

SIR: The prospect of peace seems as remote as ever. The two contending armies are where they were at the date of my last despatch, and the allies, if anything, have lost prestige in the meanwhile. They have also lost two of their best generals; one of them, General Netto, died in this city some three weeks ago. He was the richest and most influential man in the province of Rio Grande, and, it is believed, was the real author of the war, since it was at his instigation that the Emperor of Brazil was induced to take sides with Gen-

eral Flores in the late civil war in Uruguay that resulted in the overthrow of the legal government of that republic. Since then General Osorio, from the same province of Rio Grande, and who had achieved more reputation as a soldier than any other in this war, has left the army and returned to his home. The reason alleged for this is that his health had failed, but it is thought by many that political reasons have led to his recall. Both he and General Netto were notorious republicans, and have formerly been in favor of separating from the empire and setting up a republican form of government, either alone, or united with the Banda Oriental. The fact that he was very popular with the army, together with his known political ideas, have perhaps been the cause of the very general belief that he was superseded against his will. Marshal Polydor, a veteran officer in the Brazilian service, has taken his place. He is said to be an able man, but he has not the prestige with the troops that Osorio had, and he has done nothing yet to inspire confidence in his superior capacity. On the contrary, since he assumed the command of the Brazilians the military operations have been very disastrous for the allies. The two armies, since the battle of the 24th of May, have been fronting each other, not being more than a league and a half apart. There is only one narrow strip of hard ground between the two encampments, on both sides of which the ground is swampy, and on one side covered with a thick growth of wood or jungle. Across this neck of land the Paraguayans have erected strong batteries, on which they have mounted guns of so much heavier calibre than any possessed by the allies that they have been enabled to annoy their enemies continually, being, themselves, at a safe distance from the artillery of the allies. On their right they were continually extending their batteries, and about the time that Polydor took command it was found they were erecting a battery that would enable them to flank the allies on the left. Polydor at once determined that they must be driven from this position, and, it is said against the advice and opinion of the commander-in-chief, President Mitre, sent a battalion to take it. This battalion was all destroyed, but, being supported by two divisions, the place was carried at last, and immediately afterwards several others of the more advanced batteries. But they were unable to hold them, and, having neither horses, oxen, nor mules, they were unable to move the guns, and, having spiked them, left them to be retaken. The uncompleted battery, however, they were able to hold, and retain it yet. But the loss of life was very great; how great I am unable to say, no official account having yet been published. The estimate of killed and wounded is from four to eight thousand. The battle here is not regarded as a success, and I have always found that even a drawn battle is here regarded as a great victory.

I dare not predict anything as regards the probable duration of the war. The prolonged inaction of the squadron under command of Admiral Tamandare has confounded all my previous calculations. Ever since the taking of Fort Itapiru it has been lying idle and useless. The most of the vessels composing it are in the Paraguay river, just above the "Tres Bocas," but none of them have ever ventured up high enough to be of any service or render any assistance to the army in its efforts to take Curupaiti and Humayta. The most it has accomplished has been to fish up some torpedoes placed in the river by the Paraguayans. These torpedoes, though so imperfectly made as to be quite harmless—the powder in them being found all wet—seem, nevertheless, to have been sufficiently formidable to paralyze the fleet, without the co-operation of which it hardly seems possible that the allies can take Humayta with the armies they have now in the field. Whether Brazil will be able to send sufficient reinforcements to ultimately take the place I have no means of judging, but even if she can, it must take months for them to arrive, and it is far from certain that before they reach here the whole allied forces now in Paraguay may not be driven

out of the country. Unless, therefore, the fleet takes part in the war I see little prospect of its termination for months to come.

The great want of the allies is cavalry, and horses for their artillery. Confined as they are upon a narrow strip of land between the Paraguay camp and the Parana and Paraguay rivers, the horses they have hitherto passed over have nearly all died of starvation. They are now making great efforts to supply this deficiency, having sent a large number of transports below to bring up horses, together with the corn and hay necessary to keep them in condition some weeks after they are landed on Paraguay soil. The long-expected army of Baron Porto Alegre will give them, it is said, some eight thousand or more good horses. A part of this army has already arrived at Paso de la Patria, so that if the present allied army is ever to make a general attack it will be in better condition for it within the next thirty days than it ever can be afterwards.

The latest reports I have heard in regard to the condition of the Paraguay army are that they are confident of final success, and are preparing to defeat the advance of the allies at every point. During the time the latter have been lying idle they have been making their present position as strong as possible; at the same time they have been raising heavy batteries at a point some twenty miles higher up the river, at a place called "Villa del Pilar." To this point it is supposed Lopez is prepared to fall back should he find himself unable to maintain himself at Humayta. The endurance and courage shown by the Paraguayans is something wonderful. Whether it will avail them anything more than their own annihilation will probably depend on the state of the Brazilian exchequer. The "last ditch" is no figure of speech with them.

I am, sir, very truly, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

No. 63.]

CORRIENTES, July 26, 1866.

SIR: My previous despatches from this place have informed you of the repeated applications I have made to the commander-in-chief of the allied forces to be permitted to pass through their military lines and reach my post of official duties. They have likewise advised you of the way I have been put off from time to time, without receiving any decided answer to my application. In my last despatch, dated the 9th instant, I mentioned the circumstance that President Mitre had sent his private secretary to me to make verbal explanations of his long delay in giving me a final reply, which explanations were to the effect that as soon as Señor Octaviana, the Brazilian special minister, who was expected here every moment, should reach the headquarters of the army, I should be advised whether I should be permitted to pass through to my post or not. Señor Octaviana arrived here the same day, and a couple of days after proceeded to meet President Mitre near his camp in Paraguay. The secretary promised me the reply within three days at furthest after this meeting should take place. Instead of three days I waited nearly four weeks—until the 21st July—and not hearing a word more from General Mitre, I wrote him again, using language somewhat stronger than I had before employed. I send a copy of that letter herewith. After reciting the repeated calls I had made on him for permission in this place for months; a place so crowded with sick and wounded as to be that had never been fulfilled, but in faith of which I had been induced to remain to pass through his lines, and the many times he had put me off with promises

almost intolerable. I protested in strong terms not only against the detention as unlawful and discourteous, but against the manner in which it had been effected.

This letter was despatched on Sunday morning last, the 22d of July, and probably reached President Mitre's hands the same day. To-day, the 26th, I have received no reply. Yesterday, however, the mail from Buenos Ayres arrived, bringing your despatches Nos. 43, 44, and 45, together with a circular letter of instructions and a copy of a letter from the Secretary of the Navy to Admiral Godon, besides copies of the instructions to our ministers at Buenos Ayres and Rio de Janeiro, requesting them to ask explanations of their respective governments in regard to my detention in this place.

I had repeatedly anticipated your instructions in your despatch No. 43, in which I am directed to apply to President Mitre, the commander-in-chief of the army, for a safe conduct for myself, family, and domestics through the military lines. I shall wait a few days longer for a reply to my last letter to President Mitre, and if I hear nothing I shall return to Buenos Ayres and make application to Admiral Godon, in accordance with your instructions.

I am, sir, very truly, your most obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C*

---

*Mr. Washburn to President Mitre.*

CORRIENTES, July 21, 1866.

SIR: On the 26th of last month I had the honor of receiving, by hand of your secretary, Lieutenant Colonel Don José M. la Fuente, your esteemed favor of the 22d ultimo. In that letter your excellency informed me that circumstances entirely foreign to your desire to give an answer to my oft repeated question whether or not I should be allowed to pass through the lines of the allied forces to Paraguay, had prevented your giving me a definite answer; but that, being desirous of showing due consideration to the matter, you had despatched your secretary to make verbal explanations of these circumstances.

The explanations made by Colonel la Fuente were these: That the Brazilian special minister, Señor Octaviana, was expected to arrive very soon at the seat of war, and it was the desire of your excellency to confer with him before granting me a final answer. The secretary further assured me that within two or three days after the arrival of Señor Octaviana at the headquarters of the army, I should have the final reply of your excellency. Within two hours after this interview with your secretary, a steamer arrived in this port having on board the Brazilian minister. A day or two after he left for the army, and though since then nearly four weeks have elapsed, I have received no such reply as I was promised in two or three days on your behalf, by your secretary.

It is now nearly six months since I first called on your excellency, and made known my desire to pass over to the country to which I was accredited by my government. The opinion you then expressed to me was that I was entitled to pass through without interruption to my destination, but that you preferred to get the opinion of your government on the question before taking any action upon it. I accordingly waited until such opinion was obtained, and then, as it corresponded with that previously expressed by your excellency, I did not suppose I would have any more trouble or difficulty in reaching the capital of Paraguay. But month after month has passed since I had the honor of delivering personally into your hands the letter of Señor Elizalde, in which he, as minister for foreign relations, requested your excellency to furnish me such facilities of passing through to Paraguay as he had promised me. Your reply then was that circumstances had so far changed since my former interview that it would be again necessary to consult your government. Since then I have repeatedly, personally and by letter, requested your final answer, and each time I have been told that within a very few days I should have it, so that there has not been a day for the past four months when I might not reasonably have expected such a decision from your excellency as would have left me at liberty to go to Paraguay, or, if the decision was unfavorable, would have justified me in returning to Buenos Ayres or Montevideo to await the instructions of my government. But this decision I have not yet received, and have, as it were, been compelled to remain with my family in this town of Corrientes, which all the while has been a city of hospitals, full of sick and wounded, and every way unhealthy, disagreeable, and very expensive.

To what extent and under what circumstances a nation at war with another may rightfully, and without giving just cause of offence, detain the accredited minister of a third and



friendly power, and prevent him from reaching the government to which he is accredited, I do not propose to discuss. That a nation at war has a right to guard its lines and prevent any one from passing over into the enemy's territory at a time when active operations might thereby be embarrassed, I do not and never have questioned. But as, since my first visit to your headquarters, there have several times been weeks at a time when there were no active operations going on, I am unable to see how that my passing through to Paraguay could in any way cause embarrassment or affect the result of the war.

It is unnecessary, as it would be improper, for me to remind your excellency of the system of international law that has in the course of many generations grown into established usage, and under which the diplomatic agents of all friendly countries are entitled to certain privileges and immunities alike in the countries through which they may pass as in those to which they may be accredited. Nevertheless, I may allude to the fact that this system or code recognizes the absolute independence of all diplomatic agents of any local authority. This immunity results from the necessity that in time of war there should be some persons who may be independent of the belligerent powers to pass between them, and who may be at liberty to reside in the country where they are accredited, subject only to the laws of their own government, and free from molestation or hindrance in passing through other friendly countries to or from their own legation. By reason of these immunities and privileges, the ministers of foreign countries have often been instrumental in averting war, and sometimes initiating terms of peace, or mitigating the evils of war. This exemption from local laws is so important a privilege that it underlies the whole system of the diplomatic service of the world, as it is, to a great extent, by reason of the immunities and exemptions enjoyed by the ministers of foreign and neutral nations, that they are enabled to exert their good offices at a time when the subjects of the belligerent nations are exposed to liabilities and suspicions that may render their interference dangerous to themselves and embarrassing to their governments. But if such diplomatic agents may be detained at the pleasure or caprice of one of the belligerent parties, there is an end to the whole system, for what minister of a neutral power will venture himself in the territory of a nation that may prevent his return his post of official duties? Such an act would not be so much against the enemy as against the friendly power whose agent it restrained. No nation has a right to say to another that because it is at war with a third, therefore this other shall not have a diplomatic agent to reside near the government of its enemy. The government of the United States have a right to send a minister to any recognized nation in the world, and it would not comport with its dignity to ask permission to do so of a third power with which such nation happened to be at war. It has as much right to have a minister at Asuncion as it has at Buenos Ayres or Rio de Janeiro, and when it is prevented from the exercise of that right, as it has been during all the time of my detention here, it will not be thought unreasonable should it regard the action of your excellency with serious concern as a violation of the undisputed rights of one of its agents. Supposing at the time this war commenced, or at a later period, our minister at Buenos Ayres, Mr. Kirk, or our minister at Rio de Janeiro, General Webb, had found himself within the military lines of the Paraguay army, and had been detained there as long as I have been delayed here, what would have been expected of the United States government in that case? Would it not have regarded such an act on the part of Paraguay as a great indignity, and would it not have been justified in resorting to extreme measures in vindication of its violated rights? And in what does my case differ from that of the one supposed? Will not my government be justified in taking the same means of vindicating the rights of its humble minister to Paraguay as it would be were our minister to Buenos Ayres now detained within the lines of the Paraguay army? It has been the object and intention of the United States in this war to observe the strictest neutrality. If it has not done so, it is because your excellency has denied it the privilege of having a diplomatic representative in Paraguay the same as it has in Buenos Ayres and Rio de Janeiro. Of this partiality, however, it is only for Paraguay to complain.

It is with extreme regret that I find myself compelled to speak, after so long a delay, of my detention in this place, and to enter, as I now do, most earnestly, my protest against it. I protest against the detention as a violation of the laws of nations, and of all diplomatic usages and courtesies. I protest against the detention as unnecessary and unlawful in itself, and I protest against the manner in which it has been effected. If it was your purpose to thwart the wishes of my government, and prevent me from doing that which it had ordered me to do, I certainly had a right to know it long before this. I protest against the repeated intimations and assurances I have from time to time received that within a few days a final answer should be given me, when now nearly six months have passed and such answer has not yet been received. I submit that the United States have ever shown such friendly sentiments towards the government and institutions of the Argentine Republic as to entitle its accredited agents to the customary privileges and courtesies accorded to diplomatic persons. Such privileges I consider have not been granted me, and, therefore, I take this occasion to make my formal protest, and at the same time to express to your excellency the assurances of my most distinguished consideration.

CHARLES A. WASHBURN,  
*United States Minister to Paraguay.*

His Excellency General BARTOLOME MITRE,  
*President of the Argentine Republic, and Commander-in-Chief of the Allied Army.*

*President Mitre to Mr. Washburn.*

[Translation.]

HEADQUARTERS, TUYUTY, June 22, 1866.

I have had the honor of receiving the esteemed communication of your excellency of the 14th instant, insisting upon (instando) a definite answer on the still pending matter of your passage to the interior of this republic.

Circumstances entirely foreign to my sincere desire of satisfying the just demand of your excellency prevent my answering definitively the aforesaid communication of your excellency, but, desirous of granting it all the importance (estima) and consideration which it merits from me, I send to your excellency my secretary, Lieutenant Colonel Don José M. La Fuente, who is authorized to give you verbally any explanations on the matter in question, and at the same time to repeat in the same manner the sentiments that I entertain in being your excellency's attentive and obedient servant,

BARTOLOME MITRE.

His Excellency MR. CHARLES A. WASHBURN,  
*Minister of the United States to Paraguay.*

*Mr. Washburn to Mr. Seward.*

No. 64.]

CORRIENTES, July 27, 1866.

SIR: I have just received a long letter from President Mitre in reply to my note of the 21st instant, a copy of which I sent with my despatch of yesterday, No. 63. A copy of this letter is enclosed herewith. He still declines to give me a passage through the military lines to Paraguay, and claims it as a "perfect right" of the allies to prevent me or any other person whatever from crossing over into the territory of their enemies. He justifies himself in this position by saying that Admiral Godon had explicitly recognized it as just, and as the exercise of a perfect right. In my different interviews with President Mitre he has alluded to the opinions of Admiral Godon, and to the fact that he had admitted that the allies had only exercised a right in accordance with the practice of all civilized nations in refusing me or any other person a passage through their military lines. In my interview with Admiral Tamandare, on board his flagship, on the 7th of April last, an account of which I gave in my despatch of April 27th, he also justified himself in detaining me by quoting the admissions of Admiral Godon. I always denied that I was in any way bound by the admissions of the admiral, and insisted that my detention was in direct violation of the laws of nations. I had never understood that foreign ministers were to accept the interpretation of laws from naval commanders, or that foreign governments were to treat with them to the derogation of the diplomatic representatives, especially in matters affecting the rights and courtesies due to the latter.

I shall leave this place in a day or two and return to Buenos Ayres, and at once send a copy of your despatch No. 43 to the admiral. I learn that the squadron has gone back to Rio, so that it may be some weeks before I shall be able to communicate with him.

I am, sir, very truly, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*President Mitre to Mr. Washburn.*

[Translation.]

HEADQUARTERS, TUYUTY, July 24, 1866.

SIR: I have had the honor to receive the note of your excellency, dated the 21st instant in which, making reference to the diverse circumstances that have intervened since you presented yourself soliciting a passage to the Paraguay territory in order to continue there your

diplomatic duties with which you were charged by your government, you terminate your note by protesting against the delay of a definite answer on that matter, in the supposition that it may have been the mind of the Argentine government or of the allied governments to hinder the United States from having a diplomatic representation in Paraguay.

Without entering on my part into a discussion of the point of international right that your excellency touches upon, I limit myself to consider the acts of which you make mention, referring to whom it pertains such discussion, as likewise the consideration and answer to your protest if it should take place.

When your excellency presented yourself for the first time at my headquarters soliciting, in terms most frank and friendly, your passage to the Paraguay territory, the operations of war against the republic of Paraguay had not yet commenced, and all the allied forces, land and naval, were yet in Argentine territory. I then manifested to your excellency that I believed that it would not be inconvenient that you should continue your voyage to Paraguay, but that this being a matter that pertained to the decision of the government, in which it ought to co-operate with its allies, and not being myself in the exercise of the executive power, I would refer it to my government in order that, with the consent of said allies, it should dictate to me the line of policy that I ought to pursue. Your excellency having assented to this, returned to Buenos Ayres and obtained from the Argentine government, with the approbation of their allies, the passage which you solicited. But in these circumstances, the admiral of the allied squadron being in Montevideo, mentioned to the United States admiral whom he met there that there would be no obstacle in the way of the minister continuing his voyage to Paraguay all the while that things should be in the state in which they then were, that is to say, the allied forces being in Argentine territory, as when your excellency honored me with your visit at headquarters; but that such a thing could not take place after the allies should establish their line of war, since it was a right, recognized by all nations, that the military lines of belligerents could not be crossed by neutrals, whatever might be their character, except by an express concession, and in so far as it would not damage their arrangements or prejudice their operations. This principle was recognized, without any restriction, by the admiral of the United States, declaring that we are in our perfect right in not allowing any neutral to cross our lines of war once established.

From unforeseen accidents, and in circumstances that are made clear by our confidential correspondence, your excellency arrived at Corrientes, after much delay, at a time when the invasion of Paraguay was already effected and when our lines of war controlled their coasts. Thus far the circumstances had varied, as your excellency may yourself remember. Notwithstanding this, being desirous of giving to your excellency a proof of esteem towards your person and of the consideration of the allied governments towards that of the great republic of the United States, I referred it again to the decision of the allied governments, a proceeding to which your excellency willingly gave your assent.

I then thought, as I manifested to your excellency, to be able to give very soon a definite answer to the question; but the minister plenipotentiary of Brazil not finding himself authorized to decide the case, the definitive resolution of the allied governments being yet pending—having to make their communications through such long distances, and in the midst of the pressing engagements of a war to which they have been provoked without reason and without justice—it has not been possible for me to give such answer to your excellency in my quality of general-in-chief of the allied armies, in which I have only been a simple intermediary, without assuming in any case the character of a diplomatic personality to treat or discuss with your excellency, for which reason I have limited myself always to communications confidential and friendly; this also being the reason for which I sent my military secretary to your excellency to give some explanations in my character.

Not having, then, to the present time obtained any definite answer from the allied governments, from the circumstance that it has not been possible for them to act in concert, it is not possible for me to accept the conclusions that your excellency deduces in the note to which this is an answer, neither the diplomatic personality in which you invest me, nor to take into account the protest that you make in consequence.

Notwithstanding, I cannot let pass in silence that, in compliance with the instructions of the allied governments to permit no one to cross over lines of war, they have had in view only the exercise of a perfect right, a right explicitly recognized by the admiral of the United States, before that your excellency commenced your voyage on distinct conditions, and that, this being in harmony with the practice of all civilized nations, and as the exercise of their own right, it cannot give offence to a third; and it is correctly deduced from this that the allied governments, in making use of their own right in establishing a general rule for all, have not had in view to offend any other, and much less that of the United States, respecting which they cherish sentiments of confraternity and sympathy.

With only this, I hope that your excellency will yourself acknowledge the violence of your deduction, when, starting from the fact of a definite answer not having been given to this late time, you suppose that the intention of the allied governments may be to prevent that of the United States from having a diplomatic representative in Paraguay, which cannot be deduced, not even from the refusal itself, since it would import only the use of a proper right, foreseen and acknowledged beforehand; so much the more as your excellency having obtained, in time fit and opportune, the definite answer that you solicited and the passport to

continue your journey to Paraguay, and having arrived at Corrientes at a time when the circumstances under which condition the passport was given had entirely changed, the act itself fails to serve as a base for such deduction.

Therefore I refer everything to my government, in order that, together with the allied governments, it may decide this matter and may give to your excellency in the form, and by such action as may pertain to it, the definite answer, taking into consideration your protest, if there should be occasion for it, leaving this correspondence for my part thus terminated, since finding myself engaged in an active war and of daily combats, and without the exercise of other than military functions, it is not possible, neither is it permitted me, to enter into diplomatic disputes.

Having thus answered the note of your excellency, I cannot avoid showing that if the sentiments of the government of the United States have been friendly towards the government and the institutions of the Argentine Republic, greater and more spontaneous have been those that the Argentine people and government have manifested towards the government and institutions of the United States in times of real trial, the same to the diplomatic agents, including your excellency.

With this motive, I have the honor to salute your excellency with my most distinguished consideration.

BARTOLOME MITRE.

His Excellency CHARLES A. WASHBURN,  
*Minister of the United States in Paraguay.*

*Mr. Washburn to Mr. Seward.*

No. 65.]

BUENOS AYRES, August 10, 1866.

SIR: I left Corrientes on the 3d instant, and reached this place on the 7th instant, and immediately addressed a letter to Admiral Godon, advising him of the continued refusal of the allies to permit me to pass through their military lines, and requesting him to furnish me a war vessel and such convoy as might be necessary to enable me to reach my destination. In accordance with your instructions, I also sent him a copy of your despatch to me, No. 63, together with a copy of the letter of the Secretary of the Navy to him. When or where they will reach him I am unable to conjecture. I had supposed that on receiving the instructions from the Secretary of the Navy he would move in this direction, or at least that he would not go further away, so as to require longer time for me to communicate with him. Instead of that, however, I am told by Captain Crosby, of the *Shamokin*, that he has been informed the admiral has gone to Bahia, and thence to Pernambuco; and, for aught I know to the contrary, he may go to Para or Maranhão before coming this way again. In that case, it will be a long time before he can get my letter, and as none of the commanders of the vessels of the squadron will move without his orders, it may be a longer time yet before I get to Asunción. It is strange to me that the admiral should show such reluctance to send a gunboat to Paraguay. It cannot be to economize coal, for he shows no such economy of coal when he has a pleasure excursion in view.

On my return to this place I found that it was generally known that the United States government condemned the action of the allies in refusing me a passage through their military lines, and had sent orders to the admiral to send the naval force necessary to take me to my destination. This news had caused great satisfaction among the Americans here. One of the heaviest shippers from this port to New York assured me that during a residence of twenty-five years no news had ever been received here so satisfactory to Americans, save only the news of the collapse of the rebellion. This may be an exaggeration, but I know that, with scarce an exception, the Americans here are greatly delighted at the changed aspect that your last instructions have given to this act of discourtesy on the part of the allied authorities.

I have in previous despatches alluded to the fact that before I left here, some six or seven months ago, to go up the river to Corrientes, where the allied forces

then were, supposing that they would permit me to pass through to Paraguay, the proposition was made to Admiral Godon that the American merchants here would furnish gratuitously the coal necessary for the trip, provided the admiral would send a gunboat. The proposition was made to him by Mr. Samuel B. Hale, one of the wealthiest and most respected American merchants in all South America. He has been in business here for some thirty years, and though there are other rich and influential Americans here, he has more influence here than any other American has or ever had. Mr. Hale now tells me that when he saw the admiral here in January last, and urged upon him the propriety of sending up a gunboat to Paraguay, suggesting that the coal would be furnished gratuitously, the admiral answered that would make no difference. The Brazilian admiral, he said, was opposed to his sending up an American vessel, and opposed to my going through to Paraguay. Therefore he should not send a gunboat. Such is the testimony of Mr. Samuel B. Hale. It is cited now to show that there has been equivocation or had faith somewhere. In my despatch of April 27th, 1866, in my account of my interview with Admiral Tamandare, of the Brazilian squadron, I wrote as follows: "He (the admiral) said that 'when he was in Buenos Ayres he had an interview with Admiral Godon, of our navy, and told him that so long as the squadron was at Corrientes he could not object to an American war vessel going up to Paraguay, inasmuch as the gunboats of other neutral nations had been permitted to go up and down. But when the squadron moved up the river and became engaged in active operations the circumstances would be entirely changed and no one would be allowed to pass. This statement of Admiral Tamandare very much surprised me, as it was in flat contradiction to what Admiral Godon had stated to me before I left Buenos Ayres. One of the strongest reasons he had for not sending a gunboat to Paraguay was the objections made by Admiral Tamandare.'"

Thus it appears from what the Brazilian admiral then said to me, and from the letter of President Mitre, (a copy of which I send herewith,) there is a conflict of statement between them and our admiral as to whether Admiral Tamandare did object to the sending of an American war vessel up the river previous to the advance of the squadron from Corrientes to Paraguay. They both, however, the President and the admiral, justified themselves in impeding my voyage to Paraguay by saying that Admiral Godon had assured them they had a perfect right to do so. I infer from the copy of the letter from the Secretary of the Navy to Admiral Godon, accompanying your despatch No. 43, that a long despatch of mine, dated January 16, 1866, was never received by you. In that I gave a long account of my endeavors to induce the admiral to send a war vessel up the river at that time, the reasons he gave why he should not, and the reasons I gave why he should. I send with this a copy of that despatch.\* I think it was sent by some sailing vessel from this city to New York, but I do not precisely remember.

Had a war vessel been sent up to Asuncion at that time, the round trip could have been accomplished easily in two weeks, at a trifling expense, as the river was then high and no serious impediments to navigation had been placed in it by the Paraguayans. Now, however, the river is very low, and President Lopez has been long engaged in placing torpedoes in the river and choking up the channel, so as to render it impassable for the Brazilian squadron. The Brazilian admiral and President Mitre now both say that had a gunboat gone up at that time no objection would have been made. Now, however, the question has assumed a serious aspect, and however well disposed the allies may be to

\* The original of the despatch above referred to was never received at the Department of State.

avoid a dispute with the United States, the expense to our government will be at least quadrupled.

I have the honor to be, very truly, your obedient servant,  
CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Admiral Godon.*

BUENOS AYRES, *August 8, 1866.*

SIR: Since my last interview with you in this city, in January last, I have made repeated attempts to reach my post of official duties in Paraguay. I have been unable to do so from the fact that the allied powers, now at war with that republic, have refused to grant me permission to pass through their military lines. I have therefore been awaiting here and in Corrientes, nearly all the time in the latter place, till I could inform my government that you had declined to furnish me with a war vessel to take me to my destination, and that the allies had refused me a passage through their lines. By the last mail from the United States, I have received a despatch from the Secretary of State in which he informs me that the President is very much surprised at the course of the allied commanders in detaining me, as it is a proceeding both discourteous and illegal. He also sent me a copy of a letter which the Hon. Gideon Welles, Secretary of the Navy, had addressed to you, in which you were instructed to furnish me with a war vessel and such convoy as might be necessary to take me to Paraguay. Copies of these two letters are enclosed herewith.

I had already anticipated the instructions of the Secretary of State, and had requested of the commander-in-chief of the allied armies a passage through the lines for myself and family, but it has been persistently refused, and I therefore must request you to furnish me a war vessel with the necessary convoy, in accordance with the instructions of the government.

I arrived at this place yesterday from Corrientes, and shall await here or at Montevideo the arrival of so much of the squadron as you may detail for the voyage to Paraguay.

I am, sir, very respectfully, your obedient servant,

CHARLES A. WASHBURN.

Acting Rear-Admiral S. W. GODON,  
*Commanding United States Brazil Squadron, Rio de Janeiro.*

---

*Mr. Washburn to Mr. Seward.*

BUENOS AYRES, *August 14, 1866.*

No. 66.]

SIR: I have before, on several occasions, called your attention to the magnitude and strength of the Brazilian squadron in the Parana river. I have also mentioned the fact that it has taken little part in the war. Though ostensibly supporting the land forces in the attack, on Paraguay, it has not yet lost a vessel, and not received a half dozen damaging shots. It seems to be the policy of the admiral to keep it out of danger; and I find, on returning to this place, that the opinion is entertained by many, as I have frequently expressed my suspicions to you before, that the fleet is intended for something else than Paraguay. The war was commenced by President Lopez, in the belief that it was the intention of the imperial government, in assisting General Flores, to overthrow the established government of Uruguay, and afterwards to annex that country to the empire. The opinion is now very often expressed, that if the war should terminate favorably to the allies, Brazil will then ask, as compensation for the expenses it has incurred, not only the Banda Oriental, but the provinces of Entre Rios and Corrientes, now a part of the Argentine Republic. This must of course lead to a furious war between the latter and Brazil, for which Brazil would be so well prepared with its enormous fleet that it can lay every important town of the two republics under tribute.

These suspicions of what may happen in a certain contingency, I give only as the suspicions, fears, and surmises of men better informed of the politics of this country than I am. For these reasons it is believed that this government will deny all responsibility for my detention and put it on the Brazilians, as in such an event it will be very anxious for the friendship and moral support of the United States.

I am, sir, very truly, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington D. C.*

---

*Mr. Washburn to Mr. Seward.*

No. 67.]

BUENOS AYRES, August 17, 1866.

SIR: Soon after my return from Corrientes to this place, I was told by our consul, H. R. Helper, esq., that he had had an interview with the minister for foreign affairs, Señor Elizalde, who had protested to him that the Argentine government had never had the least desire or intention to show any disrespect or discourtesy to any agent or representative of the United States, and that he desired that I should call upon him at the foreign affairs office, when he doubted not he could make such explanations to me in regard to my detention within the military lines of the allies as would be satisfactory.

I accordingly called on Señor Elizalde as requested, and the result of our conversation was that he expressed a desire for me to write a note requesting permission to pass up to Paraguay, and he would refer the matter to the Montevideo government and to the Brazilian minister at Corrientes, and after he should hear from them he would give me an answer. Having already waited five or six months in Corrientes for an answer from President Mitre, promised under similar circumstances and in similar terms, I told him that orders had been sent by my government that a national war vessel should take me to my post of duty, and that when said vessel was ready I intended to go up to Asuncion, whether the permission of the allied forces was granted or not. He replied that in that case his government could only protest, as the whole naval force of the allies was under the control of the Brazilians. He was very solicitous, however, that I should write him some kind of a letter, as he said he could do nothing without the concurrence of the allies, and a note from me would furnish the occasion for an appeal to them. I accordingly sent him a copy of my protest to President Mitre of the date of 21st of July, a copy of which I have already sent to you. This was accompanied by a brief note, in which I said that, as President Mitre had written me that such protest should be made to his government, rather than to himself, I enclosed him a copy of it, and took the occasion to repeat and reiterate it.

I enclose a copy of my note herewith, and a translation of Señor Elizalde's answer.

I am, sir, very truly, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Señor Elizalde.*

BUENOS AYRES, August 13, 1866.

SIR: On the 21st ultimo, I had the honor of addressing a note to his excellency Don Bartolomé Mitre, president of the Argentine republic and commander-in-chief of the allied

armies, protesting against my long detention within the military lines under his command. In his answer to that letter, his excellency the president did me the honor to say that as he was but commander-in-chief of the army, it was not for him to enter into diplomatic disputes, and that if there were occasion for the protest it must be made to his government. Having waited for near five months in Corrientes after delivering into the hands of the President your letter of the 2d of March last, in which your excellency in behalf of your government requested him to furnish me with the necessary facilities for passing through the military lines to Paraguay, and such facilities not having been granted me to the present date, the refusal, moreover, being aggravated by repeated assurances that a definite answer should be given me within a very few days, which answer has never yet been given me, I now enclose a copy of that protest to your excellency, and take the opportunity to say that it is hereby repeated and reiterated.

I avail myself of this occasion to offer to your excellency the assurances of my most distinguished consideration.

CHARLES A. WASHBURN,  
*United States Minister to the Republic of Paraguay.*

His Excellency DON RUFINO DE ELIZALDE,  
*Minister for Foreign Relations.*

---

*Señor Elizalde to Mr. Washburn.*

[Translation.]

MINISTRY OF FOREIGN RELATIONS,  
*Buenos Ayres, August 14, 1866.*

SEÑOR MINISTER: I have the honor to answer your excellency's note of yesterday, the 13th instant, making known to you that the Argentine government has addressed to its allies in the war against the government of Paraguay, to whom it is probable (es natural) that your excellency has addressed a like communication, in order that they may agree on the resolution that the case may require, it being agreeable to me to express to your excellency that the Argentine government is disposed, for its part, to solicit the acquiescence of its allies, in order to do in respect to your excellency, as the representative of a government that merits the greatest sympathies and estimation, all that may be compatible with the rights and primordial interests of the alliance.

I improve this occasion to offer to your excellency the assurances of my most distinguished consideration.

RUFINO DE ELIZALDE.  
His Excellency THE MINISTER OF THE UNITED STATES OF AMERICA,  
*in the Republic of Paraguay.*

---

*Mr. Washburn to Mr. Seward.*

No. 68.] BUENOS AYRES, *August 20, 1866.*

SIR: I am informed by the Hon. Charles Lefebvre de Becour, the French minister here, that he has received orders from his government to send the small French gunboat *Decidee* to Asuncion; that the vessel will start from here to-morrow, and the commander will take a letter from him to the Brazilian admiral, in which he will state that it is the particular desire of the French government that no objection may be made to its passage through the blockading squadron, and that if a free passage is not permitted to it the French government will be greatly displeased. The minister, however, says he does not anticipate that the request will be complied with, in which event the commander will have orders to remain in Corrientes until the arrival of an American war vessel, and if that is allowed to pass through, then to insist that he has the same right, and follow on if not stopped. The particular object in sending up the *Decidee*, I suppose, is to give some relief to the French consul at Asuncion, who has been unable to communicate with the outer world for the last eight or ten months, who it is feared must have suffered much in the meanwhile from the want of the comforts and luxuries, if not the necessaries, required by a family like his.



As yet I can form little idea as to the time when I shall get away. Captain Crosby of the Shamokin tells me that he has received orders from Admiral Godon to get ready to go up the river, but to what point or for what purpose he is not advised. He has obeyed his orders and is ready to start. So am I, and have been for eight months.

From the admiral I learn by a letter from Mr. Kirk, written at Rio de Janeiro, on his way home, that after getting his instructions to send a vessel from his squadron to Paraguay if so requested by me, he went northward to Bahia, where it is probable my letter will reach him if he has not gone still further north. Mr. Kirk writes me that the admiral told him if I would send an official note he would send a vessel to take me up the river. From this I infer he will try and justify himself for not having done it before by pretending that I have not duly and officially notified him of my desire for his assistance. I will spike that gun for him here and now by sending you a copy of a letter I addressed to him in December last.

Enclosed I send you a printed copy of a protest made by the Peruvian government for itself and in behalf of its allies, Chili and Bolivia, against the "triple alliance" and its proposed overthrow of the government of Paraguay and the substitution of another to be imposed by its conquerors.

Very respectfully, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Washburn to Admiral Godon.*

[Extract.]

BUENOS AYRES, *December 14, 1865.*

MY DEAR SIR: You see by the date of this that I have only got thus far on my way to Paraguay. I reached here on the 4th of November, and have been patiently waiting here ever since for some conveyance to take me to my post of service. But, as I anticipated while at Rio, all communication between this place and Paraguay has been suspended, and only the war vessels of neutral nations have ventured to pass the lines of the belligerents. A French and an Italian gunboat had been sent up from here a short time before my arrival, neither of which has yet returned to this port. The English gunboat Spider left at a later date, and is supposed to be lying at Corrientes, the Brazilian admiral objecting to her going above the "Tres Bocas." The Brazilians assume that they have the right to forbid any man-of-war of a neutral power going up the river, and have declared that it was only under favor that the above-mentioned gunboats have been allowed to pass. But both the French and English ministers have protested against this assumed right of the allies, though the latter have not yielded the point, but on the contrary have requested the different ministers to recall all vessels bearing their respective flags to some point below the Brazilian squadron.

Under these circumstances, I do not know what objections may be made if an American war vessel were to go up the river. I infer, however, that no real objection would be made. The Brazilian special envoy here, Senor Octaviana, has assured me repeatedly that he would do everything in his power to facilitate my passage, and has even offered me a steamer to take me all the way to Paraguay. But for reasons you will readily understand, I have declined to accept any such favor. But I think I ought not to delay here any longer than is absolutely necessary, and hope that you may find it convenient to despatch the Wasp or some other light-draught steamer to take me to my destination. Please inform me with as little delay as possible if you can do so and how soon. I think matters are coming to a crisis at the seat of war, and I am very anxious to be near the scene of action when the day for negotiation arrives.

I write this letter to you in anticipation of any notice of your arrival in Montevideo, but as I received a letter from our friend, Major Ellison, saying that you had left Rio on the 5th instant, I think it possible you will be there by the time this note is. I shall be greatly obliged for early information as to what I may expect, as I can make no calculations or arrangements in regard to my own movements till I know how and when I am to go to Paraguay.

I have the honor to be, very truly, your obedient servant,

CHARLES A. WASHBURN.

Admiral S. W. GODON,

*United States Steam Frigate Susquehanna.*

*Protest of Peru and her allies against the triple alliance treaty.*

[Translation.]

*To the Chargé of the Republic near the governments of  
Buenos Ayres, Montevideo, and Rio Janeiro :*

Since the establishment of our present provisional government, notwithstanding difficulties we have had to contend with at home, we have watched the course of events among the nations on the Plata with no little interest, and have never failed to express the most fervent wishes for the termination of a contest that must harm, not only the nations engaged in it, but all portions of South America.

Without investigating the original causes of the contest, the justice and necessity of which can be determined only by the belligerent parties, our chief magistrate protests against its disastrous results, particularly at a time when the western coast of the continent is suffering from an unjust European invasion, which, if successful, might be repeated on the eastern coast.

It was enough for our supreme chief to know that the war was between American nations to desire its end, and this desire was the more ardent because it was necessary for all the South American nations to unite against a common enemy, in sustaining the liberty and independence they conquered forty years ago. The Peruvian government is grieved to see an alliance between nations on the eastern coast of America against another American nation bound to us in ties of friendship, and which was once a part of the territory of those nations it is resisting, at the same time that there is an offensive and defensive alliance among the pacific republics, to repel the violent attacks and arrogant pretensions of Spain.

This is the more painful to us at the present time, because of the European aggressions on America since 1861. These and other considerations easy to be seen induced the Peruvian government to try to bring about a termination of the contest between the allies and Paraguay, by sending you instructions on the 20th of December, 1865, offering the good offices, and even the mediation of Peru. Subsequently, and after the alliance of Bolivia, Chili, Ecuador, and Peru, an agreement was entered into between the Chilian minister of foreign relations and the representatives of Boliver and Peru in Santiago, confirmed by the government of Quito, offering the joint mediation of the four nations, which was approved by all the other governments. But before the government at Lima had heard of the result of the mission to La Plata, the text of the treaty of the first of May, which had been kept secret up to that time, became known.

It is not my intention to examine the motives of enmity of the allies against Paraguay, and why they kept their alliance secret. The reasons must have been good, since the publication of the fact has given cause for events that demonstrate the inconvenience to the allies of making known the stipulations they had formed.

If it is an unquestionable right of every nation to declare war and form alliances with other nations, we cannot understand why the allies, after declaring war against Paraguay, and even carrying it into the territory, should want to conceal the fact for doing it, which could not be long kept secret. It is the custom to keep treaties of alliance secret till the time for action; but when the results of the alliance begin to be seen, then the fact is made public. In article 18 of the treaty of May, 1865, it is expressly stipulated that it shall be kept secret *till the principal object of the alliance is accomplished*; and we learn from the preamble and various clauses of the treaty that the principal object of the alliance was to destroy the government of Paraguay, and of course the treaty was to be kept secret till the end of the war, that is, till Paraguay was conquered and at the mercy of the victorious allies, for that was the only way to destroy the government of Paraguay.

So, virtually, the treaty of alliance was to be kept secret during the war, so that the other American nations were not to know the fate of Paraguay till it was conquered. But it seems the government of Great Britain had some fears of this and made them known by her representatives in Montevideo, and to allay them, the minister of foreign relations of Uruguay delivered a copy of the treaty to the English minister. It might have been known that other governments, particularly those of America, would entertain the same suspicions, and it was the duty of the allies to explain the causes of the war and their objects in order to remove all doubt about the independence and sovereignty of the American nations.

The declaration of the allies in the first part of article 3, that they would respect the independence, sovereignty, and territorial integrity of the republic of Paraguay, is certainly deserving of praise, but that obligation is annulled by other more explicit stipulations, as a brief analysis will demonstrate.

In article 7 the allies assert that the war is not against the people of Paraguay but against its government. However plausible the theory may be that war may be made on the government of a nation and not on the nation itself, in practice, it is hard to separate a government from the nation it forms when treating of a foreign war. The law of nations admits no such distinction; on the contrary, it considers the nation and its government as one and inseparable, and injuries to subjects or citizens as injuries to the government.

Admitting the principle laid down in article 7 of the treaty, war would be difficult in some cases and impossible in others; for instance, there might be a government against which re-

prisals could not be enforced by an enemy without exercising them first against the nation, reputed innocent.

Though the right of the allies to make war on Paraguay may be lawful, the right only extends to conquest, and the imposition of conditions to force a reparation of offences and damages, and securities for the future; the alliance has no right to overthrow the government of Paraguay, for the right to destroy a government rests in the people who formed and constituted it.

The only competent judge of this question is the Paraguayan nation itself. Let it suffer from the mismanagement of its government; but, as long as it supports that government, no other nation has the right to do for the Paraguayans what they would not do for themselves.

To act in any other way is to undermine the principles of modern public law, principles that prevail in all the American States, and establish a doctrine which, if applied to Paraguay as it lately was to the Mexican republic, would place the rest of the American States at the mercy of any neighboring or remote powers that might choose to determine their destinies, present or to come. What security would a nation then have of preserving its sovereignty, independence, territorial integrity, institutions, and each and every one of those elements that constitute its autonomy? The existence of the governments, and by greater reason of the nations themselves, would not then depend solely and exclusively upon the will of the people, but upon the judgment, the estimation, and may be, the convenience of other governments and other nations. To admit of such a doctrine would be to renounce the principles of national sovereignty, which is the foundation of all the American states. To keep silence when we see this doctrine put in practice by one or several of the American nations, would be to acknowledge a doctrine or system which might be applied, sooner or later, to any one of them with good right.

The allies allow, as a forced consequence of the obligation to respect the independence, sovereignty, and territorial integrity of the Paraguayan republic, the power to choose its own government and institutions, and do not pretend to annex it, or assume a protectorate, as a consequence of the war. Though it appears, from article 8 of the treaty, to be the decided will of the allies to respect the sovereignty of Paraguay, it is not less evident that there is a lesion of this sovereignty when the obligation to select a new government is sought to be imposed upon the Paraguayans as a condition of peace, even though the new government be very similar to the one now in existence.

As to the change of institutions suggested in the treaty, though seemingly left to the will of the Paraguayans, it is evident the allies mean it to take place, because, though the present government suits the people of Paraguay, it does not suit the allies, and must be altered according to the will of the latter, by right of conquest. That such is the intention of the allies is plainly shown in article 9 of the treaty, by which the three governments bind themselves to guarantee the sovereignty and territorial integrity of Paraguay for the period of five years. This guarantee is understood to refer to a country ruled by a new government, formed by the allies in accordance with article 7, and naturally on principles suggested by the influence of the alliance. Let a war treaty of offensive and defensive alliance be formed for the reparation of an injury—there is nothing more just and rational; but that this alliance should assume the right to pull down one government and put up another, with new principles and institutions, is to change the nature of the war. It is then no longer a war to restore rights and repair injuries, but purely and simply a war of intervention, which the other nations cannot look upon calmly while watching over the principles of public law common to all of them, and trying to preserve the continental balance of power for their own security.

The promise of the allies to guarantee the sovereignty, independence, and territorial integrity of Paraguay, declaring, moreover, that *it should not be annexed nor ruled by any one of the allies*, are deceptions altogether inconsistent with the promise to guarantee the sovereignty, independence, and integrity of the country for the period of five years. This means that Paraguay may not be ruled by any *one* of the allied nations, but by all three; and the existence of Paraguay, as a nation, will depend upon the allies, at least for five years, and not upon the will of the Paraguayans, who wish to form their own government and remain a sovereign and independent State. And if the allies had the right to guarantee the independence and sovereignty of Paraguay, it is clear they had no occasion to give this guarantee and dispose of the nation as they pleased. We regret to say such principles cannot be accepted by the other American nations.

And after the five years what is to become of Paraguay? Free from their obligation, will the allies, or any one of them, annex Paraguay, or divide it among them, giving a portion to each neighbor?

The treaty does not say, but the supposition that they will is the logical deduction from the clause establishing the triple protectorate and offering a joint guarantee for only five years.

The destruction of Paraguayan nationality is so plainly foreshadowed in the treaty of alliance, that no provision is made in it to define the future limits of the respective territories.

The treaty does not say that the allied nations and Paraguay will proceed together to fix these limits after the war, but requires the new government of Paraguay to abide by the

decision of limits fixed in article 16 of the treaty. It is unquestionable, from this peremptory stipulation, that if the Paraguay government resists, as it has a right to do, it would give a new cause of war that would be thought more just and legitimate than this one to overturn the government and introduce changes in the institutions of the country. In this way Paraguay will never be free from the allies; because, by article 17 of the treaty, the war is made perpetual and lasting, and the allies have not even taken the trouble to examine the justice or injustice of the demands that any of them might hereafter make against Paraguay.

That there might be no doubt about what the triple alliance proposed to do with Paraguay, a protocol in four articles was added to the treaty, to fix the meaning of the several stipulations.

These articles establish that the fortifications at Humayta shall be demolished, in fulfilment of the treaty of alliance, and no others of the kind shall be hereafter constructed; that, to secure peace with the new government of Paraguay, no arms or munitions of war shall be left in the country, and all that are taken shall be distributed among the allies, &c. Requiring a nation to demolish its fortifications, and prohibiting it from erecting others in future: obliging it to give up its arms and war materials, thus leaving it incapable of defence or protection, are pretensions without example in history, and forms the most explicit disavowal of the sovereignty and independence of Paraguay, which the allies had bound themselves to respect and guarantee. After the work undertaken by the allies is finished, will they say that Paraguay is still a sovereign and independent nation, with the exclusive control of its own destinies?

The allies certainly did not think to inquire whether the system they were imposing on Paraguay would be approved by the other American nations or not! To make an American Poland of Paraguay would be a shame to all America. The Peruvian government relies upon the assent of its allies, as their respective representatives in Lima have already been informed, and we expect soon to hear from their governments a defence of the sovereignty and independence of Paraguay. Bolivia, Chili, Ecuador, and Peru would not say a word against the disastrous war now sprinkling the fertile fields of Paraguay with fraternal blood, were it not that this war is not confined to the right of demanding satisfaction for a wrong or injury, but goes so far as to oppose the sovereignty and independence of an American nation, and seeks to establish a protectorate over it and dispose of its future. Under these circumstances Peru and her allies cannot remain silent. It is their most sacred and imperious duty to protest in the most solemn manner against a war of such tendency, as well as against any acts that might lessen the sovereignty, independence, and integrity of the Paraguayan republic.

That the governments to which you are accredited (those that signed the treaty of the 1st of May, 1865) may know the opinion of the Peruvian government on the subject of the treaty and its tendency, contained in this protest, which they see themselves under the necessity of promulgating, the supreme chief charges me to order you to send a copy of this note to the cabinets of Buenos Ayres, Montevideo, and Rio Janeiro.

God preserve you.

T. PACHECO.

LIMA, July 9, 1866.

---

*Mr. Washburn to Mr. Seward.*

No. 69.]

BUENOS AYRES, September 12, 1866.

SIR: Your despatches of May 25th, No. 46, and of June 27th, No. 47, were received on the 8th instant.

Since my last despatch, No. 68, I have had no communication with any of the allied authorities, but have been awaiting your instructions, and now they have arrived, and are very clear, explicit, and peremptory, yet, owing to the extraordinary circumstances in which I am placed, they do not relieve me from my unpleasant position.

With your despatch No. 47 I received copies of instructions to General Webb, at Rio, and General Asboth, who, it was supposed, would be here, in which they are directed to demand their passports if I am longer delayed within the military lines of the allies. Unfortunately, General Asboth has not yet arrived, and Mr. Kirk had left for the United States before my return from Corrientes. Your previous instructions, therefore, that our minister here should demand explanations of this government, could not be executed, though the minister for foreign relations, Señor Elizalde, in acknowledging the receipt of a copy of my protest to President Mitre, said that his government was disposed

to favor me in reaching my post, and only waited the concurrence of their allies to do so. I also have received a despatch from General Webb, at Rio, in which he informs me that the Brazilian government had given him assurances that no further objections will be made to my passing through to Asuncion.

But though no obstacle is put in my way, how am I to reach Paraguay? I cannot ask the Brazilians to send me through, for the first and only note I ever wrote to their special envoy remains unanswered to this day, and I do not care for, nor would I accept a letter from this government to President Mitre, requesting him to send me through, for I have had one such already, and he did not respect it.

Immediately on my return from Corrientes, I wrote to Admiral Godon, in obedience to your previous instructions, to furnish a war vessel from the squadron to take me to Paraguay. I sent my letter in duplicate, and by different means of conveyance, but as yet I have no answer from him. It appears that on receiving the instructions of the Secretary of the Navy to furnish me with a vessel of war if I should ask for it, he waited in Rio till it was about time to expect a letter from me, and then went north, and at the latest advices from Rio, as late as the 7th instant, he had not returned. I am, therefore, somewhat doubtful of what I ought to do in such embarrassing circumstances. It appears to me that I ought not to return to the United States until the arrival of General Asboth, for should he reach here soon after my departure, his position will then be even more embarrassing than mine is, and I am yet in hopes that Admiral Godon will not much longer delay in obeying the orders of the Secretary of the Navy. This whole difficulty has been caused by the strange course of the admiral. So strange does it appear to me that I am entirely unable even to make a guess as to what his future course will be, notwithstanding the instructions he has received.

I am, sir, very truly, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

No. 70.]

BUENOS AYRES, *September 20, 1866.*

SIR: The great irregularity and uncertainty of the established mail line between this country and the United States induces me to send this despatch by a sailing vessel that will leave this port to-morrow for New York, as the chances are that it will thus reach its destination sooner than if sent through the mail, by way of Rio de Janeiro, and by the American mail steamer.

The news from the seat of war is important, but the rumors and reports afloat in regard to it are so contradictory that I can only gather the following facts: That President Lopez sent a flag of truce to the camp of President Mitre and requested a conference; that a conference between the commanders-in-chief was held, lasting for five hours, at the latter part of which General Flores was present, but, though requested to do so both by Mitre and Lopez, the Brazilian general-in-chief, Polodoro, refused to attend the conference. The newspaper reports are to this effect, that Lopez professed a desire to stop fighting and treat for peace; that he was ready to submit the questions in dispute to be arranged by treaty, and come to such terms of arrangement as would be honorable for all parties. To this President Mitre replied that the allies were equally tired of fighting, but the terms of the "triple alliance" must be fulfilled, the leading article of which was, that neither of the three allied powers should ever treat with Lopez, and, therefore, it was necessarily a condition precedent to any ne-

gotiation that he should leave the country. To these demands Lopez is said to have replied, that if no other terms would be accepted by the allies, he would fight it out to the last. The interview was conducted with strict courtesy on both sides, as between Mitre and Lopez, though some words of crimination and recrimination passed between the latter and General Flores. Nothing, therefore, seems to have resulted from the interview, though the opinion is very prevalent here that it is a prelude to peace. I do not, however, concur in this opinion.

I send you with this copious extracts from the English newspaper here, *The Standard*, giving the substance of the reports now in circulation.

I hear nothing later from Admiral Godon, neither do I hear anything from General Asboth. The French packet, due eight days hence, will probably bring the latter, or at least some news in regard to him, and I trust by that time I shall learn whether or not it is the intention of the admiral to obey the instructions of the Secretary of the Navy, and furnish me with a war vessel to reach Paraguay. A copy of those instructions were received by me on the 26th of July at Corrientes, and they must have been received by him some three weeks earlier. He remained in Rio till near the time when he might reasonably expect to get a letter from me, and then, on the 4th of August, started to go north. *The Standard* of this morning has the following paragraph in regard to him: "The American admiral, when last heard of, was at Bahia. We are happy to learn that he also has been promoted to the rank of rear-admiral; he leaves there on the 20th instant for the river Plate, touching at Rio and all intermediate ports."

If this statement be true he cannot be here for several weeks to come, and from his independence of all orders of the government, I can form no idea of what he will do when he gets here. I forbear further comment on his course hitherto. I have suffered too much from the humiliating position to which I have been subjected during the last eight months, all caused originally by his singular conduct—(as, but for that, the allies would never, as I believe, have interfered with my passage to Paraguay)—to speak of him except in terms that I might afterwards regret. I therefore forbear, not doubting that the subject has already received due consideration.

I am, sir, very truly, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Washburn.*

No. 51.]

DEPARTMENT OF STATE,  
*Washington, September 24, 1866.*

SIR: I have to acknowledge the receipt of your despatch of the 10th of August, No. 65, and of those of the 9th, 23d, and 26th of July, without number.

The channels of communication in Spanish America are too irregular and too much obstructed to render it at all profitable to attempt to maintain punctuality in the acknowledgment and transmission of despatches. Your despatch which bears the date of "Buenos Ayres, August 10th" leads me to understand that even at that late day you had failed in reaching Paraguay. From despatches just received from Mr. Kirk at London, dated at the beginning of this month, I learn that despatches which I had addressed to you and to General Asboth were at that date still remaining in his hands. Under these circumstances all that can be done is to make a record clear and explicit. For that purpose I give you a

copy of the correspondence which has just taken place between this department and Mr. Webb, in Brazil. I refrain from making any comment upon the various subjects specially discussed in your despatch.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

---

*Mr. Washburn to Mr. Seward.*

No. 71.]

BUENOS AYRES, *October 3, 1866.*

SIR: I have the honor to enclose herewith a copy of a letter received on the 29th ultimo from Admiral Godon, in reply to mine of August 8th, in which he declines to order a vessel from the squadron to take me to Paraguay, assuming that I have not yet complied with my instructions. I also enclose you a copy of my reply to him, in which I tell him I have done all it was possible for me under the circumstances to do; that the Brazilian envoy not having condescended to answer my former letter to him. I cannot, with a proper sense of the respect due to a minister of the United States, write to him again, and that as President Mitre in his last letter to me declared the correspondence closed on his part, saying that for the future it must be carried on, if at all, with his government, I could not with propriety address him again. I had, however, had an interview with Señor Elizalde, the minister for foreign relations, and informed him of the tenor of your despatch No. 43, and sent him a copy of my protest to President Mitre, having thus carried out, as I thought, the spirit of your instructions and the letter, so far as the attitude taken by President Mitre and Minister Octaviano towards me would permit.

The admiral, however, having set himself up as the interpreter of my instructions, when he could know nothing of the circumstances in which I was placed, declines to furnish a war vessel as directed by the Secretary of the Navy, and I am informed by our late minister here, Mr. Kirk, that he had said in his presence he would not take me up under any circumstances. Consequently, I see no way of getting to Paraguay, and I therefore propose returning to the United States by the first convenient opportunity, unless in the meanwhile the admiral shall change his mind and consent to obey instructions, or I shall receive such additional instructions as will render it advisable to remain a while longer.

Nothing has yet been heard here of the new minister, Mr. Asboth; should he arrive after my departure his position will be even less enviable than mine, and he may think it incumbent on himself not to present his credentials till further instructed by you.

Of the consul recently appointed in the place of Mr. Helper, we also hear nothing. The latter is exceedingly anxious to return to the United States, and fears are expressed by the American merchants here that should the impending diplomatic rupture take place before the new consul receives his exequatur, it may lead to serious commercial difficulties. I am extremely loth to be instrumental in doing harm to our commerce, but I have endured the indignities put upon me and my government so long that the place has become intolerable to me.

This sense of wrong has been doubly aggravated by the perverse conduct of our own admiral, who, as my former despatches have shown, has justified and sustained the allies in their discourteous and illegal course towards the government of the United States.

I observe that certain newspapers in the United States have made comments in regard to my position here, evidently with the intention to put me in a false light, and, by assailing me, to vindicate somebody else. It is certainly hard, after the indignities I have received from foreign governments, not from any personal

motive, but for simply endeavoring to do my duty as a servant of the United States, to be maligned at home. I hope therefore that it may be consistent with the public interest to publish so much of the correspondence in this case as may show that I have been sustained. My protest to President Mitre and the accompanying letter to the admiral would show, I think, that I have not been neglectful of my duties, or insensible to the national dignity.

Very respectfully, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Admiral Godon to Mr. Washburn.*

SOUTH ATLANTIC SQUADRON, FLAGSHIP BROOKLYN,

*Rio de Janeiro, September 16, 1866.*

SIR: I have to acknowledge the receipt of your two letters, dated respectively the 8th and 28th of August—the first in duplicate, enclosing copies of a despatch from the Secretary of State to yourself, and also a copy of a letter from the Secretary of the Navy to me, containing instructions under which, in a certain contingency, I was to send you in a vessel of the squadron to Asuncion.

In anticipation of the contingency therein alluded to, I had given orders in the month of July to Commander Crosby, of the Shamokin, to hold himself in readiness for immediate service up the river Paraguay.

The letter from the Secretary of the Navy leaves me in no doubt how to act in regard to his orders. It informs me that you have been instructed to ask the commander of the allied forces and the President of the Argentine Republic, in a respectful manner, to give you a safe conduct through the military lines, which it is believed will be accorded to you; but in the event of its not being done, you have been further instructed, without unreasonable delay, to apply to me for a passage in a war vessel with sufficient naval escort to your destination.

Clear as these instructions are, they are made even more distinct by the despatch of the Secretary of State to yourself, a copy of which you have been kind enough, under directions from the department, to furnish me. That despatch, after alluding to the "inconvenient" and "not altogether courteous" delay caused you in returning to Asuncion, but without desiring to regard it as an "unfriendly proceeding," directs that, should the hindrance still continue, you are to address yourself at once to the commander-in-chief of the allied forces, and to the President of the Argentine Republic, informing them that you are proceeding as resident minister for the United States at Asuncion; that you are charged with no duties inconsistent with the neutrality which the United States has maintained in the war in which the allies are engaged with Paraguay, and to ask them in the name of the United States government to give you, together with your family and domestics, safe conduct through the military lines.

After having addressed this letter as directed, the despatch adds, "should the hindrance not cease within a reasonable time," you will then deliver a copy of these instructions, together with a copy of the accompanying letter of instructions from the Secretary of the Navy to me, and will proceed in such vessel as I shall furnish to the place of your destination.

You will perceive, sir, from the preceding synopsis of your and my instructions, that the contingency alluded to has not arrived; and that I would not be carrying out the spirit of the orders of my superior, or the evident intention of those from your chief, by immediately sending you to your destination in a vessel of war, as you request.

The Secretary of State evidently desired to show the Argentine government that the obstructions interposed by the commander-in-chief of the allies to your passage through the military lines to your legitimate duties was regarded as an act "not courteous," and one which was causing an agent of the United States inconvenience. That, as there was no good reason for such a course, they were requested not only to discontinue it, but to aid you with a safe conduct through the military lines.

Therefore, until you receive from the authorities named a refusal to comply with that request within a reasonable time, my orders will not justify me in construing the hindrance to your movements as a proceeding sufficiently "unfriendly" to require me to send you with an armed escort through the blockading squadron.

From the character of the despatch of the Secretary of State, it is clear to my mind that no violent measures are either desired or anticipated, and the Secretary of the Navy distinctly informs me, as you will notice in his letter, that from the general tenor of your last communication, it was probable that the allies would desist from any further opposition to your progress.



It is therefore with regret I find that your letter, which I have been expecting, does not state that you have addressed the commander-in-chief of the allied forces or the President of the Argentine Republic, for the purpose of obtaining the desired safe conduct, or that you have allowed a "reasonable time for the hindrance to cease," before making the application for a vessel and suitable naval escort to take you to your destination.

I have not been unmindful of the inconvenience and seeming discourtesy of the allies in keeping a minister of the United States from passing through the military lines to his post, and have communicated with our acting chargé d'affaires to this government in regard to it, from whom I learned that the obstructions would be removed. I feel satisfied that the same information will be given to you when you address the president of the Argentine government, as directed by the Secretary of State.

The truly friendly relations that exist between the allies now at war against Paraguay and our own government, disposed me still more to refrain from committing any act which would seem like arrogance in a great and powerful nation like the United States, towards governments too weak to resist it, although they might in their very weakness venture to commit indiscretions, as in the present instance.

Should a refusal of safe conduct follow your letter to the Argentine government and commander-in-chief of the allies, I will then consider under my instructions that they have committed an unfriendly act, and that the occasion has arrived for the dignity of the United States to be sustained by furnishing you with a vessel and suitable naval escort to carry you through the blockading squadron to your station.

Even should a safeguard be offered you for your passage through the lines, as is fully anticipated, I will, under all the circumstances of delay, still find it advisable, if you desire it, to furnish you with a vessel to carry you in a friendly manner, but with national dignity, to the government to which you are accredited. I shall await and hope to receive an early communication from you.

I am, sir, very respectfully, your obedient servant,

S. W. GODON,

*Acting Rear-Admiral, Comd'g South Atlantic Squadron.*

Hon. C. A. WASHBURN,

*Minister Resident for the United States at Asuncion.*

---

*Mr. Washburn to Admiral Godon.*

BUENOS AYRES, October 1, 1866.

SIR: Your letter bearing date September 16 was received by me on the 29th ultimo. From this letter it appears that you decline at present to send a vessel of the squadron to take me to Paraguay, assuming that I have not yet obeyed my instructions, and that I have yet something more to do before you will feel it your duty to comply with the instructions of the Secretary of the Navy, and order a war vessel to take me to my post. In my letter to you of August 8, I informed you that the contingency contemplated by the instructions both to you and to me had arrived, as I had done the very thing but a few days before my instructions reached me which I was ordered to do by the Secretary of State; and there was no reason why I should do the same over again. In fact, I could not do it, for the reason that President Mitre, in reply to my last letter to him, said that for his part the correspondence must close. Had you known all the facts of the case, I would fain believe you would not have hesitated a single moment in sending the orders for one of the war steamers now lying in this river to proceed at once to Paraguay; and that you may now be fully informed of the repeated indignities to which I have been subjected during my long detention within the military lines of the allies, I now write you more at length, though not with a view to influence your action. I considered that I was the proper judge and interpreter of my own instructions, as you were of yours, and that when I sent you my last letter my duties had been fulfilled, and if you had conformed to your instructions, and not constituted yourself the interpreter of mine, there would have been no occasion for question or argument.

When I met you in Rio de Janeiro, now about a year ago, it was then known that all communication by merchant vessels between Paraguay and the outer world had been destroyed, and I then expressed to you my fears that without the aid of a war vessel I should be unable to reach Asuncion. You then said that you were shortly after coming to the river Plate, and if that should prove to be the position of affairs you would send me up on a war vessel. To use your own words, at the house of and in the presence and hearing of our common friend, Major Ellison: "In that case we must send you up in one of the government vessels." With this understanding I left Rio and came to this place. Soon after my arrival I called on the Brazilian special envoy, Senor Octaviano, and was profusely thanked by him for the services I had rendered the Brazilian government in extricating its minister to Paraguay and his family from that country a year before, after the war had commenced and his diplomatic relations with that government had ceased. He also said that a Brazilian vessel would be at my disposition to take me to Paraguay if I would accept it. I de-

clined the offer, saying that as our squadron would be here in a few days it would be much better for me to go on an American vessel, as, if I went as the guest of the Brazilians, it might excite the suspicions of President Lopez, and I should lose any influence for good that I might otherwise have. He acknowledged that my reasons were just and valid, but he subsequently repeated his offer, which, for the same reasons, was again declined.

It was not till near the middle of January, and after your arrival at this place, that you positively refused to send a gunboat to take me up the river. While you were lying at Montevideo I twice went down there solely to urge upon you the necessity of sending a war vessel; for I felt the position I was in here was not only unpleasant and undignified, but that my detention was not calculated to do credit or cause respect to our government. At that time you will recollect that the rivers were high and the navigation safe and easy, and it is believed that there were none of the obstacles, such as torpedoes and sunken vessels, that have since been placed in the channel by the Paraguayans, and the trip could then have been quickly and safely made at a trifling expense to the government. On hearing your final determination, and finding that to reach my post I must avail myself of any means that offered, I addressed a note to Senor Octaviano, saying that you had concluded not to send a vessel up the river, and intimating that I would accept his offer of a passage to Paraguay in a Brazilian steamer.

It seems, however, that the minister, on hearing of your determination, changed his mind, for instead of furnishing the vessel as promised he never condescended to answer my letter. Hence you will observe I was utterly precluded from writing him again, and after waiting here some ten days longer I left my family here and started up the river, intending to go through to Paraguay if it were possible. I disembarked at Corrientes, and went from there to President Mitre's camp to ask for such facilities and escort over the lines as my position entitled me to. Before granting it President Mitre said he wished to consult his government, but gave it as his opinion that I had a perfect right to pass through, and said he had no doubt his government would take the same view of the matter. I then said if he must refer the matter to his government, as it was probable I should have no trouble in passing through to Paraguay, I could go back to Buenos Ayres and return with my family by the time he would get his answer. I accordingly returned, first having written an account of my interview with President Mitre to the Secretary of State, and of his detaining me until he could consult his government. It was on the representations made in this despatch that the instruction of Mr. Seward, No. 43, of which I sent you a copy with my letter of August 8, was based. It was clear from the tone of that instruction that the Secretary of State regarded my detention, even while President Mitre should consult his government, as discourteous and illegal. But evidently it was hardly thought possible that the allies would persist in their unlawful and insulting course. On returning to Buenos Ayres I called on the minister for foreign affairs, Senor Elizalde, and he told me that he had received a letter from President Mitre giving an account of our interview, and that he agreed with the president that it was their duty to grant me every facility for passing through to my destination, and he would give me an open letter to President Mitre requesting him to furnish me everything that he, in behalf of the government, had promised me. With this letter I returned to the front, which was then on the left bank of the Parana, and on presenting it to President Mitre he refused to respect it! He said circumstances had changed, and he must again consult his government. Admiral Tamandare, with whom I also had an interview, told me that I could not go through; that he should take the responsibility of stopping me; that he had told you when in Buenos Ayres that as the war vessels of other neutral nations had been permitted to pass through the blockading squadron, he should make no objection to an American gunboat doing the same as long as only a blockade of the river was maintained, but that when active operations should commence no vessel or person would be permitted to pass the fleet, or to cross the military lines. I was greatly surprised at this statement of the admiral, as I had understood from you that when you met him here he even then objected to the passage of any neutral war vessel above the squadron. My despatch to the State Department, giving an account of this interview with Admiral Tamandare, and of his positive refusal to allow me to pass up the river, and of the repudiation by President Mitre of the promise made to me by his government, was not received till after the instructions before mentioned had been issued by the department. On the receipt of that, however, still stronger instructions were sent not only to me but to our minister at Rio, Mr. Webb, and our minister, who it was supposed would be here before this time, Mr. Asboth. Peremptory orders were given to the two latter that if my detention was continued, and if within six or eight days satisfactory explanations were not given, then they were "to ask their passports to return to the United States." My instructions, also, were to return to the United States if the hindrance alluded to had not ceased through some proceeding on the part of the allied powers. No proceeding to cause such hindrance to cease has yet been made by the allies, and from the fact that Mr. Asboth has not yet arrived, whose action, with that of Mr. Webb, was to have been concurrent with my own, I am yet obliged to remain here to await still further instructions, unless, in the meanwhile, you shall furnish me a vessel of war and it shall be allowed to pass up to Paraguay.

Subsequent to my interview with President Mitre, before alluded to, when he refused to fulfil the pledge of his government and told me he must again consult it, I wrote him sev-

eral letters asking for a final answer. But I was always put off with the excuse that more time was wanted, till at last, on the 21st of July, I sent him a protest against the course that had been pursued towards me. From that protest I make the following extracts :

"It is now nearly six months since I first called on your excellency and made known my desire to pass over to the country to which I was accredited by my government. The opinion you then expressed was that I was entitled to pass through without interruption to my destination, but that you preferred to get the opinion of your government on the question before taking any action upon it. I accordingly waited till such opinion was obtained, and then, as it corresponded with that expressed by your excellency, I did not suppose I would have any more trouble or difficulty in reaching the capital of Paraguay. But month after month has passed since I had the honor of delivering personally into your hands the letter of Senor Elizalde, in which he, as minister for foreign relations, requested your excellency to furnish me such facilities of passing through to Paraguay as he had promised me. Your reply then was that circumstances had so far changed since my former interview that it would be again necessary to consult your government. Since then I have repeatedly, personally and by letter, requested your final answer, and each time I have been told that within a very few days I should have it; so there has not been a day for the past four months when I might not reasonably have expected such a decision from your excellency as would have left me at liberty to go to Paraguay, or, if the decision were unfavorable, would have justified me in returning to Buenos Ayres or Montevideo to await the instructions of my government. But this decision I have not yet received, and have, as it were, been compelled to remain with my family at Corrientes, which place has all the while been a city of hospitals, full of sick and wounded, and every way unhealthy, disagreeable, and very expensive."

"It is with extreme regret that I find myself compelled to speak, after so long a delay, of my detention in this place, and to enter, as I now most earnestly do, my protest against it. I protest against the detention as a violation of the laws of nations and of all diplomatic usages and courtesies. I protest against the detention as unnecessary and unlawful in itself, and I protest against the manner in which it has been effected. If it was your purpose to thwart the wishes of my government and prevent me from doing what it had ordered me to do, I certainly had a right to know it long before this. I protest against the repeated intimations and assurances I have from time to time received, that within a very few days a final answer should be given me, when now nearly six months has passed and such answer has not yet been received."

This protest drew forth a prompt and a lengthy reply from President Mitre, dated on the 24th of July, in which he defends his course towards me, and gives various reasons for it. After speaking of the interview which you held with Admiral Tamandare, in which the latter said there would be no difficulty in the way of my going to Paraguay so long as affairs were as they then were, but that after the allies had established their military lines it was a right recognized by all nations that they could never be crossed by neutrals, whatever might be their character, except by express concession, the president adds: "Este principio fué reconocido sin restriccion alguna por el Señor Almirante de las Estados Unidos declarando que estamos en nuestro perfecto derecho al no dejar atravesar á ningun neutral neustros lineas de guerra una vez establecidas."

In another place, in justification of the course of the allies towards me, he says: "Ellos no han tenido en vista sino el ejercicio de uno derecho perfecto, derecho explicitamente reconocido por el Almirante de las Estados Unidos antes de que V. E. emprendiese en viaje."

He afterwards adds that he can have nothing more to do with the matter, but will leave it to his government and its allies, shutting the door in my face with this expressive sentence: "Dejando asi terminada esta correspondencia por me parte pues contraido como hallo á una guerra activa y de combates diarios, y sin ejercer mas feruciones que las militares no me es posible en me es permitido entrar en contestaciones diplomaticas."

This answer from President Mitre was received on the very day that my first instructions from the Secretary of State on the same question came to hand; and the combination of authorities arrayed against me and the position I had assumed, representing as it did three distinct governments, backed up as it was by the approval of the acting admiral of our own squadron on this coast, was certainly enough to abash a man less confident than I was of the position assumed or less sensitive to an insult to his government and country. Fortunately, however, the letter from my superior came to hand at this trying crisis, and I found I was not only sustained, but that our government regarded the conduct of the allies as "disrespectful in itself and entirely inconsistent with the laws of nations." Under the circumstances then existing I could not again apply to President Mitre, for, in the first place, it was unnecessary, as I had anticipated my instructions and had just done all that the Secretary of State had directed me to do, and the president had replied, declaring the correspondence closed on his part. I could not address him again without exposing myself to a rebuff, nor could I apply to the Brazilian minister, Octaviano, for he had not had the courtesy to answer the first and only letter I ever addressed to him. There was but one course open to me, and that was to apply to the admiral of the squadron, as I had been ordered to do by the Secretary of State, for a vessel to take me up the river. This I have done, and you refuse to comply with my request until I do certain acts that I consider it would be derogatory to my

government that I should do. To do what you require, I must again apply to President Mitre; and, judging of the future by the past, it would be six months before I could get an answer, and then it would probably be, like the last, a refusal to consider the question submitted to him. It took him that length of time before to come even to that conclusion; and, as it is just as far from Buenos Ayres to Paraguay as it is from Paraguay to Buenos Ayres, it would probably take him full as long to come to a similar result a second time. And I am not prepared to wait here six months to please the allies; my place is in Paraguay. And I prefer to trust to my own government to vindicate the rights of its ministers rather than trust to another correspondence with those already proved false and faithless.

I will add that after President Mitre had closed his correspondence with me, and referred all further discussion in regard to my detention to his government and its allies, I had, on my return to this city, an interview with Señor Elizalde, the minister for foreign affairs, and verbally represented to him the view taken of the matter by our government; and I afterwards sent him a copy of my protest to President Mitre, accompanied by a brief note saying that such protest was reasserted and reiterated. Señor Elizalde, in acknowledging the receipt of the note and the protest, said he would submit them to the allies of his government; since when I have received nothing, official or otherwise, from any of the allied authorities, so that you will see I have literally complied with the instructions of the Secretary of State in the despatch before mentioned, as far as it was possible for me to do so. I did not mention this circumstance to you in my letter of August 8, or that of the 25th, for I had never been instructed to report to you the details of what I had done, or that you were to pass judgment on or approve my action before obeying the express orders of the government.

Before receiving your letter, I had already advised our government of all that had transpired. In a despatch dated September 12, 1866, I said that I was precluded from addressing another letter to the Brazilian minister, as the first and only note I had ever written him had never been answered, and that "I did not care for nor would accept another letter from this government to President Mitre, requesting him to send me through, for I had had one such already, and he did not respect it." I shall not recede from that position unless specially instructed so to do by the Secretary of State.

At the conclusion of your letter you are kind enough to say that, should a safeguard be offered me for my passage through the lines, you will, under all the circumstances of delay, still find it advisable, if I "desire it," to furnish me with a vessel to take me with "national dignity" to my destination. I had previously supposed that I had already made known my desire on this matter, for I thought I had made the request for such vessel often enough to leave you in no doubt on the matter. But, as I have been so unfortunate in making my wishes known to you that you seem still to be in doubt as to what they are, I will now distinctly say that, under any and every contingency, with or without a safeguard, and with or without the consent of the powers allied against Paraguay, after the long and undignified detention which the allies have caused me, and the consequent notoriety occasioned by their unlawful and unprecedented course towards me, the "national dignity" requires that I should go to Paraguay in a United States national vessel. I therefore say again that I do desire such vessel.

I will also say that I fully concur with the views of Mr. Seward, as expressed in his instructions to Mr. Webb and Mr. Asboth, that "the sovereignty and honor of the United States will admit of no hesitation or delay," and that, if a vessel is not promptly furnished, I shall have no discretion but to close all discussion on the question, as far as you and I are concerned; after which our government will, of course, take such measures as may be necessary to vindicate those rights that have been so contemptuously disregarded by the allied authorities.

I have the honor to be your obedient servant,

CHARLES A. WASHBURN.

Rear-Admiral S. W. GODON, &c., &c., &c.

---

*Mr. Washburn to Mr. Seward.*

No. 72.]

BUENOS AYRES, October 8, 1866.

SIR: The French gunboat *Decidee*, which, in my despatch No. 68, I said had been ordered by the French minister, Hon. Charles Lefebvre de Becour, to go up the river, and, if allowed by the blockading squadron, to go to Asuncion to give relief to the French consul there, who for more than a year has been unable to communicate with his government, has been arbitrarily stopped by the Brazilian admiral. The minister informs me that the request for the steamer to pass was most ungraciously, if not uncivilly, refused by the admiral, and by

the special envoy of the Brazilian government, and that, consequently, the gunboat will return to this port.

At the time of the arrival of the *Decidee* at the Tres Bocas, the allies were preparing to make a general attack on the outpost of Curuzu and the stronger position of Curupaiti. The former position was carried with great loss, but at Curupaiti the allies suffered a terrific defeat. For the first time during the war, in which many defeats have been incurred, as well as many successes achieved, the newspapers of this city speak of the attack on Curupaiti as a most disastrous repulse. The number of killed and wounded is variously estimated from five to eight thousand. No estimate has as yet been made, to my knowledge, of the losses of the Paraguayans; but, as they fought behind intrenchments, they are believed to have suffered but little comparatively.

When this news first reached here people in despondency talked of peace; but such ideas seem to have passed away, and now the only talk is of more men and means for the war. The best friends of Paraguay and of President Lopez admit that the war must go on; that this country, and more especially Brazil, can never treat with Lopez without exposing themselves to the contempt and derision of all the rest of the world.

The three powers began with an alliance in which Paraguay was considered as a country already conquered, and the division of the spoils was the main subject of the treaty. To retire now, under the opprobrium of defeat, would not only be the signal for the overthrow of the party in power here, and of the usurping Flores party in Uruguay, but, it is believed, would even endanger the throne of Brazil. Hence, there is a strong probability that the war will last for at least a twelvemonth longer.

Very truly, I am, sir, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to Mr. Seward.*

No. 73.]

BUENOS AYRES, *October 13, 1866.*

SIR: I learn that the English packet which arrived here this morning brought the newly-appointed United States minister, the Hon. Alexander Asboth, as far as Montevideo. I take it for granted he will be here by to-morrow or next day. As he doubtless had an interview while at Rio with Mr. Webb, and very probably learned whether or not it was the inexorable purpose of Admiral Godon not to send a vessel of war to Paraguay so long as he should be in command of the squadron, I shall be able to decide at once, after conferring with him, on the proper course for me to pursue. Unless very strong reasons are given why I should remain, I shall take passage for the United States on the next steamer connecting with the American mail packet at Rio de Janeiro.

The French gunboat *Decidee* has returned to this port, having been refused a passage to Paraguay by the Brazilian admiral. The French secretary of legation here, Count Beaumont, who went up to the Tres Bocas on the *Decidee*, remains at Corrientes, or in the vicinity of the headquarters of the allies. Just as the *Decidee* was leaving, Count Beaumont received a note from President Mitre saying that he would try and make an arrangement so that he could pass over under a flag of truce, or else under it have an interview with the French consul at Asuncion, M. Cochelet, and deliver to him his long-accumulated correspondence. I apprehend, however, that this will be like President Mitre's promises to me, a mere device to gain time.

There is no late news from the seat of war. Since the attack on Curupaiti

both parties have rested to recover and reorganize. There seems to be no disposition on either side towards peace. It is now a question whether the interference of the stronger powers would not allow the Brazilians to retire without too great a sacrifice of pride and national honor, and thus stop what otherwise promises to be a war for the extermination of a peculiar but brave people.

I have the honor to be your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Washburn.*

No. 54.]

DEPARTMENT OF STATE,

*Washington, October 17, 1866.*

SIR: The war between Paraguay and her adversaries has been watched from here with an interest which could not fail to be entertained from the material, moral, and political results involved, both to the parties and to this country. The region which is its seat, naturally one of the richest on the globe, had, until recently, been shut out from trade by the peculiar policy of the former chiefs of Paraguay, and by other well known causes. When this policy was ended by the treaties to which the United States was a party, opening the magnificent rivers in that quarter to intercourse abroad, we began to share in that intercourse to a degree which inspired, apparently, just hopes that its prosperity would rapidly augment. These hopes have been disappointed by the war referred to, which has now been so much protracted that the resources of the belligerents must be materially affected, even if they should make peace at once. It is deemed so desirable that tranquillity should be restored there, that if either or all the parties should desire our good offices to that end, they would be promptly and cheerfully bestowed. You may so inform the minister for foreign affairs of Paraguay, officially or otherwise, and apprise the department of the result. A similar instruction has been addressed to Mr. Webb at Rio de Janeiro, and to Mr. Asboth at Buenos Ayres.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

---

*Mr. Washburn to Mr. Seward.*

No. 74.]

BUENOS AYRES, *October 22, 1866.*

SIR: In my despatch No. 73 I had the honor to inform you that the newly appointed minister to reside near this capital would reach here within a couple of days, and that I only waited for him and for information from Admiral Godon, whether he still adhered to his determination not to send a vessel from the squadron to Paraguay, in order to decide whether I should go on to my post or return to the United States.

General Asboth arrived here as expected on the 14th instant, and he informs me that while at Rio he had an interview with General Webb, who told him that the Brazilian government had given orders that no more obstructions should be made to my passing through the military lines to Paraguay, and that Admiral Godon had been notified of that fact. General Asboth also brought me a letter from the admiral advising me that he had given orders to Commander Crosby, commanding the United States steamer Shamokin, to receive me and my family on board his vessel and take us to Asuncion.

Under these circumstances it seemed that the only course for me was to avail myself of the means at length for my disposal for reaching my post, and after waiting for General Asboth to present his credentials, and ask such explanations as might seem to him necessary, I now propose to embark to-morrow morning on the Shamokin and proceed, without delay, up the river.

It has occurred to me that the time might come when peace might sooner take place if a certain distinguished person in Paraguay could find a safe means of escape from the country, and it has therefore been a question with me whether or not such person should be received and protected on board of an American war vessel, if it should appear that peace might thereby be hastened, and the effusion of blood be sooner stayed.

I am informed, however, by Commander Crosby that he can have no discretion in such a contingency, as the admiral has given him positive orders not to bring away President Lopez, or any other Paraguayan. It appears to me that some discretion could with propriety be left with the minister in such contingency, and I therefore ask your early attention to the subject, so that both the admiral and myself may soon be advised of the views of the government on this matter.

Most respectfully, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Seward to Mr. Washburn.*

No. 56.]

DEPARTMENT OF STATE,

*Washington, October 23, 1866.*

SIR: Your despatch of September 12th (No. 69) has been received. I refer you to despatch No. 51 of this department, dated September 24th, 1866, and its contents, which I trust has been received since you wrote the communication which is now acknowledged.

The President does not clearly understand the difficulties which you have presented in regard to your reaching Paraguay. It appears that when writing your despatch you had the recent official information from Mr. Webb, at Rio Janeiro, that the Brazilian government would not further object to or oppose your passing up the river to Asuncion.

It appears, further, that you cannot ask the Brazilians to send you through because a note of yours heretofore written to some special envoy of Brazil remains unanswered.

It also appears from your despatch that you do not care for, nor would you accept, a letter from the government of the Argentine Republic to President Mitre, requesting him to send you through, for the reason that you once had such a letter and he did not respect it. It appears, further, that you have put yourself in the way of correspondence with Admiral Godon, in obedience to your previous instructions, asking him to furnish you with a war vessel from the squadron to take you to Paraguay, and that you have no answer from him, and no advice of the receipt of your letter.

It must be manifest to you, that if you yourself have all these difficulties, when you are at the mouth of the Paraguay river, to ascertain how you are to reach Asuncion, when no opposition is made to your progress by the belligerents, it must be tenfold more difficult for this department, at so great a distance, and with the impossibility of conducting correspondence with the government of the Argentine Republic and its allies, to determine for you in what way you shall proceed. Several of your despatches have conveyed cen-

sure against Admiral Godon in regard to his agency in the question of your detention, but the delay in the reception of those despatches, and the difficulties of communicating with him, have rendered it impossible to use those communications for the purpose of giving him more explicit instructions than those which you allege he has disregarded.

You will now please take notice, that if this despatch find you outside of the republic of Paraguay, the President expects you to overlook all points of ceremony and of past offence, real or imaginary, on the part of the allied governments, or any of them, and of past neglect, real or imaginary, on the part of Admiral Godon, and adopt whatever course in your discretion may seem best to reach Asuncion. Assuming that you find no opposition or resistance to your ascending the river and passing to Asuncion, then you will adopt the most practicable means to reach that destination without unnecessary delay, either by means of Brazilian vessels, or of those of either of the allies, whether such vessels are armed or unarmed, or of a ship of war to be furnished by Admiral Godon, or, if absolutely necessary, by means of steamer or other vessel hired by yourself—the expense to be reported to this department.

The past delay has become embarrassing to this government, and it is not disposed to allow itself to be put in the wrong by your failure to reach your destination promptly, when the opposition of the allied belligerents is represented by them to have ceased. Should you longer fail in proceeding towards your destination, and to reach it without serious procrastination, you will report all the circumstances distinctly to this department, in order that the government may be well informed where the responsibility of such failure shall belong.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

---

*Mr. Washburn to Mr. Seward.*

No. 75.]

HUMAYTA, PARAGUAY,  
November 6, 1866.

SIR: On the 24th of October I left Buenos Ayres for this place, or rather for Asuncion, on the United States sloop Shamokin, Pierce Crosby commander. We came along without any difficulty to the "Tres Bocas," where we came to about 7 p. m., and were boarded by a Brazilian officer commanding a gunboat stationed at the mouth of the Paraguay to blockade it. He notified Captain Crosby of the blockade, and that no vessel of a neutral nation would be allowed to go above the squadron. Captain Crosby replied that his orders were to take me to Paraguay, and without delay, and he wished to notify Admiral Tamandare of his instructions, and his purpose to carry them out. The officer then said he would take any communication from Captain Crosby to the admiral immediately. Captain Crosby accepted the offer, and the same night he sent off an officer, Acting Ensign R. C. J. Pendleton, with a letter to the admiral, and also a package that I had brought for him from the Brazilian minister resident at Buenos Ayres. The messenger returned at 3 a. m. the next morning, and brought word that the admiral said he had received no instructions from his government in regard to any passage up the river, but that his orders were to stop everybody from passing through the military lines. He said, however, he would visit us on board the Shamokin the next day at 10 a. m. At about that hour he came on a small gunboat from his flagship that was with the rest of the squadron lying some twenty miles further up the river. On first coming on board he appeared very much excited, and said he could not allow the Shamokin to



pass, but he would permit me with a small Brazilian steamer to take myself and family and effects, under flag of truce, within the Paraguay lines, whence we could be transported to a Paraguay vessel, and thence go to our destination. I told him in reply that, at that stage, his offer could not be accepted; that eight months before I had asked to go through, and offered to go in any way that they might select, but that I had been detained till my government could be informed of my position; that my detention had been so protracted it had become a subject of great notoriety; and now the United States government having sent a vessel of war so far to take me to my post, it would not comport with its honor and dignity that it should turn back with its mission unfulfilled; Captain Crosby here told him that his orders were positive and not discretionary, and that he should go through, unless stopped by force. The admiral then said, that as it appeared from the letters of General Webb at Rio, and General Asboth at Buenos Ayres, (copies of which had been sent him,) as well as from the instructions of Admiral Godon, that the Brazilian government had engaged to withdraw all obstructions to my going to Asuncion, he should not resort to force to stop the Shamokin, but protest against her passage and let her go. This being settled the admiral then offered to facilitate our passage in every way in his power. He offered to give us a pilot above his lines, and to send off a letter from me to President Lopez, to tell him of our approach, and to request a pilot from him to take me through the obstructions which he had placed in the river. I accordingly wrote a letter to President Lopez, requesting him to furnish us a pilot, and if the obstructions in the river were such that they could not be removed, so as to render the passage of the Shamokin entirely safe, then he should suggest such other means of reaching Asuncion as would be most easy and expedient. The next day, at about 12 m., the officer who took the letter, Acting Ensign Pendleton, returned, having been passed through to the Paraguay camp under a flag of truce. He there saw President Lopez, and was informed by him that the Shamokin could not get up through the sunken vessels and torpedoes without great risk, and saying that having passed within his line she would furnish me the means to reach Asuncion. He wrote me a letter to the same effect, and on the morning of the 5th Mr. Pendleton started to return, and as soon as he reached the Shamokin and made his report, matters having been all arranged with the admiral, we steamed up and passed the flagship about 4 o'clock, and soon after changed pilots, discharging the Brazilian, and taking on board a Paraguayan. The latter took us a tortuous course up under the guns of Curupaiti, above which place he said it was unsafe to go. So we disembarked there and found a coach which the President had sent to take us to this place, some two leagues above Curupaiti, where we found comfortable quarters awaiting us. This morning the steamer Iguerey was put at my service to take us to the capital, and I was told by one of the President's staff that he was unwell and not able to see me before I should go to Asuncion. I suspect that he is quite sick, and has been so for several days. Mr. Pendleton says he appeared unwell when he saw him, and the next morning when he expected to see him again, he was told he was sick, and the fact of his not seeing me renders it quite probable that he is seriously sick, for I have every reason to believe he was very anxious for my arrival, and doubtless must strongly desire to converse with me on the affairs of the war. As yet I can judge nothing of the relative strength of the belligerents, not having met anybody who would venture to tell me the true state of affairs. I do not know how soon I may be able to communicate with you again. Mr. Pendleton came up with me from the Shamokin, to take back my correspondence, and I propose to embark this evening for Asuncion. I shall do my best to get my correspondence through the lines, if I have anything important to communicate. I hope to be able to do something to mitigate the condition of foreigners in this country, and shall try and get permission for some of them to leave it. I believe that no one was ever so anxiously

looked for in this country, both by natives and foreigners. They all hope more from me than I have any faith in being able to accomplish.

I trust I shall not be exceeding the limits of propriety if I allude in this despatch to the manner in which Commander Crosby has discharged his duties on his difficult voyage and delicate mission. I hardly can praise it too highly. It was confidently predicted in Buenos Ayres that the Shamokin would not be able to reach Paraguay, the river being so low and the currents in it so strong and variable. The steamer is probably the longest ever in the river Plate, and the most unwieldy and hard to steer. But so excellent was the discipline of the vessel, so ready and prompt every officer to his duty, so alert and well trained the men, that with the aid of the additional appliances which Captain Crosby had ingeniously arranged to aid her steering, we came from Buenos Ayres to Curupaiti without the least difficulty or unpleasant incident. I hope it may be consistent with the rules of the State Department to transmit this testimony of a faithful, vigilant, and meritorious officer to that of the Navy.

I have the honor to be, sir, your most obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Mr. Washburn to President Lopez.*

UNITED STATES STEAMER SHAMOKIN,

*Tres Bocas, November 3, 1866.*

SIR: I arrived at this place on this war steamer at 7 p. m. last evening, and the commander, Captain Crosby, immediately communicated with Admiral Tamandare, with a view to passing through the blockading squadron. He has visited me on board this vessel and proposed to furnish me with the means of going through the lines, but as Commander Crosby told him his orders were imperative to go to Asuncion and take me and my family there, the admiral then kindly offered to forward a letter from me to your excellency by flag of truce, that I might learn of the impediments in the river, and your excellency might, if you would so oblige me, send some person to act as pilot from above the squadron to Humayta.

The admiral says that as soon as we pass above his squadron, whatever person you may choose to send to act as pilot or communicate with me will be allowed to come on board, after which, if we can do so with safety, we shall at once proceed to pass up the river, when I hope to have the pleasure of again meeting your excellency. Should it not be thought entirely safe for this vessel to pass up the river, will your excellency suggest such other means of reaching Asuncion as will be most easy and expedient?

I have the honor to be, sir, your most obedient servant,

CHARLES A. WASHBURN.

His Excellency Field Marshal FRANCISCO S. LOPEZ,

*President of Paraguay.*

---

*President Lopez to Mr. Washburn.*

[Translation.]

HEADQUARTERS, PASS PUCU, *November 4, 1866.*

I have had the honor to receive the communication you were pleased to address me from Tres Bocas, yesterday, on board the Shamokin, a steamer going to Asuncion.

The presence of that steamer at the port of the capital would be very agreeable to me, as Commander Crosby would thus have finished his voyage, and you would have overcome the difficulties opposed to your reaching your post. Though I might immediately give the necessary orders to have the obstacles in the river channel removed, it would hardly furnish a free and safe navigation to a friendly vessel.

However, as the blockading squadron has permitted the Shamokin to pass its lines, I suggest that the vessel come up as far as it can, when you can proceed by land, or by water in smaller vessels, the short distance to Humayta, where I will place a special steamer at the disposal of Mr. Charles A. Washburn, minister resident of the United States of America for Asuncion.

In any event, as soon as the Shamokin has passed the vanguard of the blockading squadron, a naval officer will have a row-boat ready, and Commander Crosby can do as he thinks best.

God save you many years.

CHARLES A. WASHBURN,  
*United States Minister.*

FRANCISCO S. LOPEZ.

---

*Mr. Seward to Mr. Washburn.*

No. 57.]

DEPARTMENT OF STATE,

*Washington, November 21, 1866.*

SIR: Your despatch No. 70, written at Buenos Ayres on the 20th of September last, has been received.

I thank you for the information it contains in regard to the operations of the war in South America between the allied states and Paraguay.

I learn from your communication that so late as the day of its date you were still remaining outside of the country to which you are accredited.

I have nothing to add to what was said in my No. 56 in regard to that painful subject, which despatch is now, for the sake of caution, duplicated.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

# PERU.

---

*Mr. Hunter to Mr. Hovey.*

[Extract.]

No. 1.

DEPARTMENT OF STATE,

*Washington, October 10, 1865.*

SIR : \* \* \* \* \*

It is probable that when you arrive in Peru you will find that country in a state of revolution. You are only to recognize the constitutional government of that republic, at the head of which President Pezet now stands, with whom we have hitherto been in amicable relations. The United States are slow to recognize revolutionary governments, and should you find the revolutionary party in power at the capital of Peru, on your arrival there, you will report the facts to this department, and await its future instructions, before taking any steps towards its recognition by this government.

The department entertains the confidence that your intelligent and zealous attention to the interests of the United States, now confided to your care, will be eminently conducive to the harmony and friendly relations existing between the governments of the two countries.

\* \* \* \* \*

I am, sir, your obedient servant,

W. HUNTER,  
*Acting Secretary.*

ALVIN P. HOVEY, Esq., &c., &c., &c.,  
*Washington, D. C.*

---

*Mr. Robinson to Mr. Seward.*

No. 351.]

LEGATION OF THE UNITED STATES,

*Lima, November 9, 1865.*

SIR : The revolution is an accomplished fact. The government of General Pezet is deposed. He left Lima on the 26th of October and placed himself at the head of the government forces encamped at Lurin, a distance of seven leagues from Lima, where he was strongly intrenched. Some flank movements executed by the revolutionary army obliged him to retire to within some eight miles of the capital, which it was his purpose to protect, and the latter occupied his deserted camp. On the afternoon of Sunday, the 5th, the forces of General Canseco commenced their march upon Lima, again flanking both wings of the government army and placing themselves between the latter and the city, which they entered at half past three the following morning, having performed a march of twenty-one miles over a desert country, skirmished at Chorilloo, and stormed and carried the Gaudaloupe gate of the capital. They immediately advanced for the Plaza, or great square. At a distance of a block and a half, nearly in front of the legation, a battalion formed for the assault upon the palace or government houses, and the attack was sounded at four o'clock a. m. As they entered the Plaza, they were met by the celadores, or armed policemen trained

as infantry. After some desperate fighting, the latter were driven from their position, and the assault was immediately made upon the palace. This was defended with artillery, supported by two or three battalions of selected troops. Here the contest was severe and bloody, the walls furnishing a strong protection to its defenders. The battle continued till half past nine a. m., when it was surrendered, and General Canseco was in possession of the city and the archives of the government. The next day the army of General Pezet, after various movements, and threatening an attack upon the city, marched to Callao. These movements were designed to favor the escape of General Pezet and some of his ministers on board of some foreign ships of war in the bay of the port. This they accomplished, and Callao is now in possession of General Canseco, and the contest ended.

The revolutionary chief made admirable arrangements to prevent any deprivations upon private property or injury to persons. Immediately after the battle, as well as during it, his troops were patrolling the streets of the capital and preventing those disorders which accompany so often and follow these revolutions. I regret to be obliged to say that the same good order was not observed in Callao. Here, on the Monday night succeeding the taking of the capital, great excesses were committed, the revolutionary army not having possession of the city, but being under the control of the Pezet government. General Rivas, the prefect, whose duty it was to protect the city from the ravages of the mob or disbanded soldiery, deserted his post to seek an asylum on board of the Spanish frigate Numanzia, and the place was virtually surrendered to the populace. Stores were broken into, sacked and plundered, and the robbery was only stayed by the formation of citizens under the direction of the municipality into guards. Among the losers by this wholesale pilfering are some American citizens. One was a Mr. Reutlinger, who had a small jewelry store, and was a repairer of watches and chronometers, &c.; his shop, I understand, was completely emptied. The other was a Mr. Josephson, who had a very extensive clothing store, and a heavy and valuable stock of goods. Every article was taken from the warehouse, not even leaving the shelves.

After the formation of the citizen guards, some of the stolen property was recovered, and many persons in whose possession it was found have been arrested and will be prosecuted and punished. It is also announced in the Comercio that a commission had been appointed by the municipality of Callao, composed of the alcalde and two merchants, to examine the books of the merchants who were robbed, for the purpose of ascertaining the amount of the damages they suffered.

The conclusion of the war is a subject of the most hearty congratulation among all classes of citizens, and the deposition of General Pezet and his cabinet is hailed with unanimous acclamations of joy.

It is universally conceded that among the bad administrations under which Peru has suffered, his was incomparably the worst.

His cabinet were known to be open and avowed monarchists, and the government in its disregard of the constitution, the statute laws, and the decisions of the courts, and in its atrocious abuse of the personal and political rights of the citizens, finds no parallel in the history of the country.

I am, sir, your obedient servant,

CHRISTOPHER ROBINSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Robinson to Mr. Seward.*

No. 352.]

LEGATION OF THE UNITED STATES,  
*Lima, November 13, 1865.*

SIR: I have the honor to transmit a translated copy of the note addressed to me by the minister of foreign relations, under the new administration, and my reply to the same.

By the ministry of the law to which his excellency alludes as one of the means by which the executive power has devolved upon General Canseco, he undoubtedly refers to that article of the constitution of Peru which provides that "the exercise of the office of presidency should be suspended when the President in person commands the public force." General Pezet in his proclamation announced that he had placed himself at the head of the army, and thereby virtually deposed himself.

In the circular addressed to the ministers representing European powers, the words "*and the strong bonds which nature has established between both countries*" are omitted. This omission is intentional, and undoubtedly refers to the American policy.

On the evening of the eighth, the day on which the above note was received, a meeting of the diplomatic body was held at this legation, and it was unanimously resolved to recognize the government of General Canseco.

I am happy to say that the country appears to be now in a state of perfect tranquillity, and the new administration seems to have the hearty confidence and co-operation of the people.

I am, sir, your obedient servant,

CHRISTOPHER ROBINSON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Puente to Mr. Robinson.*

[Circular.]

MINISTRY OF FOREIGN RELATIONS,  
*Lima, November 6, 1865.*

The undersigned, minister of foreign relations of Peru, has the honor to inform your excellency that his excellency the second vice-president of the republic, charged with the executive power by the will of the people and by ministry of law, has occupied with the restoring army the capital of Lima and the city of Callao, in the midst of the most enthusiastic acclamations and of the most splendid acts with which a people could manifest their sovereign will. The whole territory of Peru is therefore confided to the administration of the restoring government, which pledges itself to preserve the friendly relations which connect it with the government of your excellency by virtue of pre-existing treaties, and the strong bonds which nature has established between both countries.

The government of the undersigned, the faithful interpreter of the national sentiment, will endeavor always to make practical the good relations of both countries, respecting the principles of justice, avoiding every embarrassment that might tend to disturb the harmony which should prevail among all the people of the land, without diminishing by any of its acts the honor and dignity of Peru.

This opportunity furnishes the opportunity to offer myself your excellency's attentive and obedient servant,

JOSÉ MANUEL LA PUENTE.

The Most Excellent ENVOY EXTRAORDINARY AND  
MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA.

*Mr. Robinson to Mr. Puente.*

LEGATION OF THE UNITED STATES,  
*Lima, November, 9, 1865.*

The envoy extraordinary and minister plenipotentiary of the United States has the honor to acknowledge the receipt from his excellency the minister of foreign relations of Peru of the circular of the 6th of the current month, by which the undersigned is informed of the

triumphal entry of the restoring army into the capital, Lima, and the city of Callao, by which act, and the sovereign will of the people, the whole territory of Peru is confided to the administration of the restoring government, and also of the assurances of the latter of its efforts to preserve the good relations existing between the two countries.

The undersigned congratulates his excellency upon the speedy termination of the conflict which has pervaded the whole country, upon the restoration of peace, and the cheerful satisfaction with which the result has been received by the nation, and assures his excellency that the frank and loyal principles which the new administration proposes as the rule of its policy toward the government of the undersigned will receive its warmest appreciation, and will be met with the corresponding determination to cultivate the most friendly relations with Peru.

The undersigned improves this opportunity to offer to his excellency the assurances of his highest consideration and esteem.

CHRISTOPHER ROBINSON.

His Excellency Señor Don JOSÉ MANUEL LA PUENTE,  
*Minister of Foreign Relations of Peru, &c., &c., &c.*

---

*Mr. Robinson to Mr. Seward.*

No. 353.]

LEGATION OF THE UNITED STATES,  
*Lima, November 17, 1865.*

SIR: A ministry has been organized by General Canseco, as follows:

President of the council and minister of the government, Dr. Francisco J. Mariatequi; minister of foreign relations, Dr. José Manuel La Puente; minister of the war and navy, Colonel José Balta; ministry of the treasury and commerce, Don Thomas Vivero; minister of justice, Don José L. Quiñones.

All the above-named gentlemen have a high reputation for their ability and patriotism. The president of the council, Dr. Mariatequi, is distinguished as a lawyer, having long occupied a seat in the supreme court, and is known for the liberality of his political sentiments, his attachment to the cause of religious toleration, and his ardent devotion to the American question as understood by the South American republics, and commands the fullest confidence of the intelligent and educated people of Peru.

The condition of the country will require the closest attention of the administration, and to restore internal tranquillity throughout the republic, and to relieve the national treasury from its complicated embarrassments, will test not only the skill and ability of the statesmen at the head of the government, but the patience and patriotism of the people at large.

I am, sir, your obedient servant,

CHRISTOPHER ROBINSON.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Seward.*

No. 1.]

LEGATION OF THE UNITED STATES,  
*Lima, November 20, 1865.*

SIR: I have the honor to report that I arrived in the city of Lima on the 17th instant.

Before my arrival (as you have no doubt already learned) President Pezet was defeated, abandoned the country in the English steamer *Mutine*, and the second vice-president, General Canseco, assumed control of the Peruvian government.

The battle of Lima was fought on the 6th instant, with a loss on both sides of about three hundred killed and wounded. Considerable gallantry was displayed by the assailing party, under General Prado.

On the 8th instant the entire diplomatic body in Lima resolved to, and did, recognize the government under Canseco. Great unanimity now prevails in favor of the new order of affairs, and Pezet is loudly condemned as being completely under the control of European influences. A rupture with Spain seems inevitable.

I have written to the minister of foreign relations requesting my presentation in accordance with instructions received from the Department of State.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Hovey to Mr. Seward.*

No. 2.]

LEGATION OF THE UNITED STATES,

*Lima, November 28, 1865.*

SIR: I have the honor to report that since my last despatch another bloodless revolution has taken place in Peru.

General Pedro Diez Canseco was, on my arrival, regarded by every one here as the lawful president of Peru. First, as was said, because Pezet had assumed command of the army in the field, and this under the organic law constitutionally deposed himself; and, secondly, because he had abdicated, leaving neither friends, adherents, nor an army supporting his cause.

The people, under a feverish excitement, induced by the recent contest with Pezet, and the threatening attitude of Spain, seem willing to rush to the greatest political extremes.

On the 26th instant about sixty officers of the army met and resolved to appoint a dictator. It is said that they tendered the position to the president, who, with his entire cabinet, rejected it. A large meeting, numbering about two thousand persons afterwards took place in the plaza, which resulted in proclaiming Colonel Mariano Ignacio Prado dictator of Peru. He will announce his cabinet to-day. It is believed by many that Canseco will make no opposition.

Rumor says many things, but, having lost her character in our revolution, I shall not respect her language until I have some assurance of its truth.

I have not yet been presented and shall not be until I receive further instructions from the department.

In my special instructions No. 1 I am directed to "only recognize the constitutional government," &c., and am further informed and directed that "the United States are slow to recognize revolutionary governments, and, should you find the revolutionary party in power at the capital of Peru, on your arrival there, you will report the facts to this department and await its further instructions before taking any steps towards its recognition by this government."

Under the above instructions I now await the further orders of the department.

I shall have no difficulty in offering to the authorities a proper and plausible excuse, as my letter of credence is directed to the President and not to the dictator of Peru.

On my arrival in Lima I was struck with the fact that the whole diplomatic body here, (including my predecessor,) had made haste in recognizing the new government under Canseco, and I now perceive the signs of a like hasty action in recognizing the dictator. What the motives may be for this speedy concurrence I do not now pretend to understand, but trust I shall be enabled to unravel it in the future.

I regard Canseco as a weak, good, patriotic man, without much ability to govern. Prado, on the contrary, has great energy, considerable ability, and some military



pretensions. The creation of the dictatorship and his assumption of its powers shows that he at least possesses great nerve and ambition.

The cabinet it is said will be Pacheco, foreign affairs; Tejeda, interior; Galvez, war and navy; Quimper, justice; Lavelle or Althouse, finance.

I have the honor to be, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Hovey to Mr. Seward.*

[Extract.]

No. 3.]

LEGATION OF THE UNITED STATES,

*Lima, December 13, 1865.*

SIR: Since my last despatch no radical change has transpired.

Three days of rejoicing (9th, 10th and 11th instant) have taken place, to celebrate church ceremonies and the battle of Ayacucho. This battle, you will remember, terminated the war between the revolutionists of South America and Spain, and owing to the excited feeling here against the mother country, the celebration has been attended with great pomp and ceremony, under orders from the authorities to spare no expense. On the top of the municipalidad, the flags alone of the American governments were displayed, that of Chili on the right, and the United States on the left of the Peruvian standard. No enthusiasm was manifested, and I did not hear one single viva during the three days of pompous ceremony.

The people seem waiting, wondering, hoping, but as the army is now under the complete control of the "Jefe supremo provisario de la republica," (supreme provisional chief of the republic,) they have but little to say, but are silently awaiting the action of the dictator.

So far his reforms have all been salutary, and meet with the approbation of the thinking part of the foreign population.

By the constitution and laws of Peru hundreds of ex-officers draw full pay during life. It is said that more than one-third of the people live upon the funds of the government. The supreme chief has cut off the salaries and has by every means economized the expenses of the treasury department. These and other reforms will appear from the files of El Peruano, which are herewith enclosed.

I have had no official intercourse with the authorities now in power, as your instructions, under the present condition of affairs, required me to report and await further orders.

The representatives of other governments, even before being informed, by note, of the change, awaited in person upon the "Jefe supremo." They all seem anxious to be first in congratulating his supremacy, and the hats which they threw up for Canseco have scarcely come down when they are found making their grand salaams to the new dictator.

My impression is that General Prado will remain in power many months, and if patriotic and endowed with the genius for the hour, will do great good for Peru. Many reforms are needed, and some strong arm must make them, or liberty here will be only a name.

The warmest feelings are felt for the United States, and a child-like faith exists that we will shield them in every emergency.

\*

\*

\*

\*

\*

I have the honor to be, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Robinson to Mr. Seward.*

LEGATION OF THE UNITED STATES,

*Lima, December 19, 1865.*

SIR: On Saturday evening, the 16th of December, I received from Mr. Pacheco, the minister of foreign relations, the note, a copy of which in translation is adjoined, in reply to my note of the 20th of November, requesting the appointment of a time to present my letter of recall. The note of Mr. Pacheco was accompanied with a verbal message, requesting me to fill the blank designating a day to suit my convenience.

My despatch requesting the appointment of a day to present my letter of recall was addressed to the government of General Canseco, the second vice-president of the republic, who, by the abdication of General Pezet and his withdrawal from the country, was the person upon whom, by the constitution and laws, the executive power devolved. He was, in law and fact, the actual president of the country as fully and legally as General Pezet, who succeeded to the presidential chair through the death of General San Roman.

Some three or four days after the date of my note of the 20th of November, I received a verbal message from the Foreign Office, informing me as well as my successor, General Hovey, that as soon as the palace or government house (which had been sacked by the mob on the morning of the 6th of November) could be placed in a proper state of repair for the ceremonies, a day would be appointed for the presentation of my letter of recall, and for the reception of my successor.

Before this time arrived, however, on the 26th, 27th and 28th of November, another and thoroughly radical change was made in the government by the withdrawal of General Canseco, under protest, from the chief command, and the assumption of a dictatorship by Colonel Prado, under the title of "Supreme Provisional Chief of the Republic," an office unknown to the constitution and laws, and to whom my letter of recall was not addressed.

On Monday, the 18th, I sought an interview with Mr. Pacheco, the minister of foreign relations, stated to him my difficulty in the matter, and suggested that I would have a private interview with Colonel Prado on the following day and explain to him my position.

The interview was had; I stated to him very frankly the embarrassments in which I was placed, at the same time assuring him that the government of the United States entertained the warmest sympathy for the republic, and earnestly wished its advancement and prosperity. He assured me that the change in the government was made to effect reforms which could not otherwise be accomplished, and which when effected would speed the progress of the country and relieve it from the heavy and oppressive expenses which have been the great obstacle to the development of its resources. He also expressed his earnest desires for the prosperity of the United States, and their speedy recovery from the injuries occasioned by the rebellion.

The interview was brief, but his remarks expressed an earnestness in accomplishing the reforms he contemplated.

I shall leave for my home in the steamer which sails for Panama on Thursday, the 21st instant.

I am, sir, your obedient servant,

CHRISTOPHER ROBINSON.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Pacheco to Mr. Robinson.*

[Translation.]

MINISTRY OF FOREIGN RELATIONS,  
*Lima, December 15, 1855.*

SEÑOR MINISTER: Upon placing myself in correspondence with the diplomatic body resident in this capital, one of my first cares has been that of answering the note in which your excellency solicits an audience with the chief of the State to present your letter of recall, and the reply to which has been delayed by political circumstances known to your excellency.

SEÑOR EXCELLENCY, the supreme chief in whose cognizance I have placed said note, has indicated to me that he will have the honor to receive your excellency on the \_\_\_\_\_.

SEÑOR EXCELLENCY charges me at the same time to express the regret which he experiences upon seeing the most excellent Mr. Robinson, whose high qualities have merited the respect and esteem of all Peru, separate therefrom.

Upon making myself the organ of these sentiments, which are also my own, I have the honor to reiterate to your excellency my high consideration, and subscribe myself your excellency's most attentive and very obedient servant,

T. PACHECO.

Most Excellent CHRISTOPHER ROBINSON,  
*Envoy Extraordinary and Minister Plenipotentiary of the United States of America.*

---

*Mr. Hovey to Mr. Seward.*

No. 4.]

LEGATION OF THE UNITED STATES,  
*Lima, December 20, 1865.*

SIR: Several applications for asylum have been made to me by Peruvian citizens charged with crime against the republic. So far I have refused them on the authorities of law: Wheaton, §18, page 416; Woolsey's International Law, §92 (b) page 152; and Polson's Law of Nations, §31, page 103.

A different practice has prevailed in Peru, and the houses of foreign ministers have become little less than the abode of criminals who flee from the vengeance of the law. It seems to me that this practice is highly censurable and leads to very evil consequences. Crime ripens and accumulates where offenders are so easily shielded; and no government can be secure where high treason, if unsuccessful, can flee to the "horns of the altar" for protection.

By this practice the minister indirectly assumes a kind of infallibility, exalts himself above the executive and courts of the land, and thus pays the authorities, as I view it, a very unkind compliment.

I feel assured that such a practice would not be tolerated in Washington; and as we should be willing to abide by what we teach and exact, I have refused to recognize the doctrine of asylum as practiced in this country, until I am otherwise directed by the Department of State.

I have the honor to be your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Hovey.*

No. 3.]

DEPARTMENT OF STATE,  
*Washington, December 20, 1865.*

SIR: I have to acknowledge the receipt of your despatch No. 1, of the 20th ultimo, in which you announce your arrival in Lima; the flight of President Pezet; the assumption by the second vice-president, General Canseco, of the control of the Peruvian government; the result of the battle of Lima on the 6th

of November last; and the recognition of the Peruvian government, under General Canseco's administration, by the entire diplomatic body in Lima.

From the last paragraph of your despatch it is inferred with some regret that you have not adhered strictly to the instructions given you in my despatch No. 1, of the 10th October, 1865. It is presumed, however, from the fact communicated in your despatch now before me, that, having requested your presentation as the minister of the United States to the republic of Peru, your request has been promptly acceded to by the minister for foreign affairs of that government. Your attention is again asked to the instructions which were given you in my No. 1.

You will be pleased to report your proceedings in this connection, which when received will be submitted to the President for his consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

---

*Mr. Hovey to Mr. Seward.*

No. 5.]

LEGATION OF THE UNITED STATES,

*Lima, December 21, 1865.*

SIR: I have the honor to transmit herewith copies of the letter of Señor Pacheco, minister of foreign affairs, requesting me to appoint a day for my reception as minister, and my answer thereto. Also a memorandum of a conversation with Antonio Barrenachea, sub-minister of foreign affairs, on the 14th instant. After the visit from the sub-minister, I received the note from Pacheco, above referred to, under date of the 15th instant.

On Sunday, the 17th instant, after my reply, Señor Pacheco called upon me at my house, which resulted in the conversation detailed in the enclosed statement.

Several arrests by the government have been made of prominent ex-officers, charged with speculation.

So far the government of Prado seems to be in the right direction, and gives satisfaction to all, save those whose personal interests have been affected by his decrees.

The army and munitions of war are under his control, and he will probably remain in power as long as he may desire, as he is regarded as the ablest man in Peru to meet "the Spanish question." As there are now no opposing elements, his government may now be regarded as not only *de facto* but *de jure*.

The interests of several American citizens demand immediate attention, which cannot be given until I am fully accepted.

I enclose a copy of the circular of the minister of foreign affairs, with a very imperfect translation of the same, awaiting your further orders.

I have the honor to be, sir, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Conversation with José Antonio Barrenachea, Sub-minister of Foreign Affairs, December 14, 1865.*

Senor Barrenachea called on me and requested that I should name the day for my reception as minister, saying that the "jefe supremo provisario del republica" would waive all technicalities in my letters of credence."

I replied that "I arrived in Lima on the 17th ultimo, and immediately wrote to the secretary of foreign affairs under President Canseco, sending to him an office copy of my letter of credence, and that I had not officially heard from the matter since." That "I had no doubt the confusion following upon recent events (two revolutions) had caused the delay, for I felt assured that the most sincere feelings of esteem and friendship existed between our governments." He still urged that I should be received, but I told him that "owing to the delay in my reception, the change of government, the lack of letters of credence to the jefe supremo, I had deemed it to be my duty to write to the Department of State for further orders, and that I could not place the department in the singular predicament of first asking its advice and then acting before I received the answer.

I assured him that the United States entertained the most sincere friendship for all republican governments, and said that they should compose one grand sisterhood, and that, if General Prado should continue in his works of reform as he had commenced, with a heart true to republican institutions, I entertained no doubt that my government would direct me to acknowledge the new order of affairs. That the United States had as deep an interest in the spread of republican institutions on the western continent as Europe felt in maintaining the balance of power in the east, and that I could say to him, as a citizen of the United States, that my heart was with Peru as long as she supported the cause of liberty and humanity, and that I did not believe that my government would silently permit any republic to perish, for the lack of sympathy, through physical force."

---

DECEMBER 17.

T. Pacheco, secretary of foreign affairs, called upon me at my house to-day. He expressed great love for the institutions of the United States, and hoped that the most amicable relations would ever exist between the great North American republic and her sisters of the south. He said that my note of the 16th instant, declining a presentation to the jefe supremo, under the circumstances was entirely satisfactory.

I replied in complimentary language towards Peru, and hoped that the democratic features of her government would not be permanently changed. He answered, that the intention was only to remedy the great evils growing out of an aristocracy that had arisen under the constitution and old laws of Peru, by which thousands were pensioned for life, exhausting the entire resources of the state, and that as soon as the evils could be reformed, the government would flow on in its old democratic channels; that the new government would be a democracy and reflect the popular will.

Such is the substance of the above conversations conveyed to me by imperfect English.

---

*Mr. Pacheco to Mr. Hovey.*

[Translation.]

LIMA, December 15, 1865.

One of my first cares, on putting myself in contact with the representatives of the friendly powers, has been to answer the official note which your excellency addressed the last cabinet to ask an audience in order to present the letter of his Excellency the President of the United States, accrediting you as envoy extraordinary and minister plenipotentiary to Peru.

The change of government having delayed the answer due you, I now hasten to give it, assuring you that his excellency the supreme chief considers the continuance of the cordial relations between Peru and the United States as one of the principal elements for the prosperity of America, and his excellency General Hovey as a guarantee for their continuance.

I shall be most happy to agree upon the day which will suit you to present to his excellency the supreme chief the letter accrediting you as envoy extraordinary and minister plenipotentiary to Peru, and I hasten beforehand to offer to his excellency the assurances of high esteem and consideration with which I am your excellency's most obedient servant,

T. PACHECO.

His Excellency General ALVIN P. HOVEY,

*Envoy Extraordinary and Minister Plenipotentiary of the United States.*

---

*Mr. Pacheco to Mr. Hovey.*

[Translation.]

LIMA, December 13, 1865.

To reform the abuses existing in the interior government of the republic, pretended to be excused by its institutions, has long been one of the most legitimate aspirations of the people of Peru. The revolution that began on the 28th of February, and which has been happily brought to a close, with a unanimity and enthusiasm unequalled in the history of America,

was intended to effect that reform, as indispensable to the present and future welfare of the nation.

On the 6th of November, after the triumph of the revolutionary cause, an attempt was made, in error of opinion, to restore the former constitutional system, which was incompatible with the revolution, and had been destroyed by it *de facto*, and which condemned the regenerative principles invoked by the people, and left the republic stationary, without obtaining any good results from their heroic efforts, except a change of persons, that signifies nothing when the destiny of a nation is concerned.

A few days sufficed to show a palpable mistake of great importance. Even the government of General Canseco, the restoring army, the national navy, and the people of Lima and Callao thought proper to put an end to evils of such magnitude, and hence the events of the 26th, 27th, and 28th of November last, which are but the realization of the thoughts of the entire republic, as is shown by the acts of adhesion of the provinces cognizant of those events. Thanks to them, a new government has been formed and vested with plenary powers, which will be conferred upon a single person as soon as the republic has recovered from its troubles, and a new constituent Congress has assembled to confer them.

Under these circumstances General Pedro Diaz Canseco was designated to receive the supreme command; but he refused it, as incompatible with his constitutional investiture, thus giving a new proof of the inconsistency of the revolutionary programme with the former constitution. The laws had provided for this emergency, and Colonel Mariano Ignacio Prado was called to take General Canseco's place, and has now assumed the supreme power, with the title, which appears in the decree published in the annexed number of the official paper, containing also the manifest of the supreme provisional chief, which is the true programme of the new administration.

In making known this change in the government of the republic to the American minister, and informing him that the supreme provisional chief has honored him with the place of secretary for foreign affairs, the undersigned deems it his duty to say that, whatever changes the Peruvian nation may make in its government to perpetuate the democratic principles that constitute the foundation of its social and political system, it will never disturb its frank and cordial relations with other nations, but will ever strive to give them a security founded on justice, equity, and respect that all civilized nations should have towards each other.

The supreme provisional chief is deeply impressed with these sentiments, and in making them known, the undersigned hopes to strengthen the ties that bind Peru to the nation that Mr. Hovey so worthily represents.

The undersigned embraces this occasion to offer to his Excellency Mr. Hovey, envoy extraordinary and minister plenipotentiary of North America, the assurances of his high esteem and distinguished consideration.

T. PACHECO.

His Excellency the ENVOY EXTRAORDINARY AND  
MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF NORTH AMERICA.

Mr. Hovey to Mr. Pacheco.

LEGATION OF THE UNITED STATES,  
Lima, December 16, 1865.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America near the government of Peru, has the honor to acknowledge the receipt of his excellency's letter, dated the 15th instant, requesting the undersigned to appoint a day for his reception by the jefe supremo as minister aforesaid.

The official copy of the letter of credence received by the undersigned from the President of the United States to the President of the republic of Peru, with a note from the undersigned, (to which his excellency has alluded,) transmitted to the secretary of foreign affairs of the republic of Peru, on the 20th ultimo. No official answer to said note having been received by the undersigned, and a radical change having taken place in the government of Peru on the 26th, 27th, and 28th ultimo; and, as the letter of credence of the undersigned was not addressed to the jefe supremo, and not being officially advised whether the jefe supremo would take cognizance of said letter of credence, the undersigned, on the 13th instant, addressed a note to the Hon. William H. Seward, Secretary of State of the United States, asking instructions, under the circumstances, for his future action.

As the answer to said last-named communication has not yet been received, the undersigned cannot, without great indelicacy towards his superiors in office, name a day for his reception until further advised by his government. The undersigned takes pleasure in assuring his excellency that the President and people of the United States feel a deep interest and solicitude in regard to the progress of Peruvian republicanism, and that whatever may add to the future happiness, greatness, and glory of Peru will be hailed with joy in the United States.

The undersigned has the honor to offer to his excellency the assurances of his distinguished consideration.

ALVIN P. HOVEY.

His Excellency Señor T. PACHECO,  
Secretary of Foreign Affairs.

*Mr. Seward to Mr. Hovey.*

No. 4.]

DEPARTMENT OF STATE,

*Washington, December 28, 1865.*

SIR: I have to acknowledge the receipt of your despatch No. 2, of November 28th ultimo, in which you report a new revolution in Peru, resulting in the overthrow of the government under the acting President, General Canseco, and in proclaiming Colonel Mariano Ignacio Prado as dictator, the latter measure having been effected by the army and people on the 26th of November.

Your course in not recognizing the government thus forcibly established by Colonel Prado is approved by the President. The subject upon which you desire to be instructed in this connection is now being considered by the government of the United States; and you are especially enjoined meanwhile to take no step which may even imply a recognition by this government of the authority assumed by Colonel Prado and his adherents.

You will continue to report the condition of affairs in Peru and await the further instructions of this department, which will be communicated to you in due season.

I am your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

*Mr. Hovey to Mr. Seward.*

No. 7.]

LEGATION OF THE UNITED STATES,

*Lima, January 20, 1866.*

SIR: On the 14th instant Peru announced an alliance offensive and defensive with Chili, and declared that a state of war existed between Peru and Spain.

This declaration is very popular, and has been hailed by enthusiastic demonstrations. From every indication the present form of government here will exist for many months to come, and I would most earnestly recommend that the United States acknowledge the same in its present form.

I transmit herewith the manifesto of the secretary of foreign relations, explaining the motives that induced the declaration of war.

In view of the present state of affairs, I would recommend that additional naval force be sent to this coast. Captain Murray, commanding the *Wateree*, concurs in this view, and thinks that the forces now here are not sufficient to protect the interests of our people.

I have the honor to be, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Hovey to Mr. Seward.*

No. 8.]

LEGATION OF THE UNITED STATES,

*Lima, February 14, 1866.*

SIR: I have the honor to inform you that there is no change in political affairs in Peru since my last despatch.

The government, in its present form, seems firmly established. General Prado has made a good impression with all, and will probably hold his position until the close of the war with Spain. Since my last the iron-clad *Loa*, and

the 34-gun frigate Amazonas, have been wrecked; the former in the bay of Callao, and the latter upon the Chilian coast. The loss of these vessels will be severely felt by Peru, and I understand that the Peruvian government will now adopt a system of defence by torpedoes and torpedo boats.

As usual, I send herewith files of Peruvian papers.

As yet, I have not had the honor of receiving any instructions from the department in regard to the policy I should adopt towards the government in power. I earnestly recommend that power be given me to present my credentials to the "Jefe supremo provisario de la republica," (supreme provisional chief of the republic.)

I believe that the best interests of our country and countrymen demand that this step should be immediately taken.

There are great irregularities with our mails on the isthmus, and numerous complaints are made in consequence of delays.

I have the honor to be, with great respect, your obedient servant,  
ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Hovey.*

No. 6.]

DEPARTMENT OF STATE,  
*Washington, February 20, 1866.*

SIR: Your despatches from Nos. 3 to 7, inclusive, have been received.

That portion of your No. 7 which recommends an increase of the United States naval force in the South American coast having been referred to the Secretary of the Navy, I now transmit, for your information, a copy of his reply, dated on the 17th instant.

You will be pleased to inform Mr. Pacheco that his communications to this department of the 5th December and 20th January last have been received, and the former will have due consideration.

Replies to the other subjects treated of in your despatch, herein referred to, will go forward by the mail of the 1st proximo.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P HOVEY, Esq., &c., &c., &c.

---

*Mr. Welles to Mr. Seward.*

NAVY DEPARTMENT,  
*Washington, February 17, 1866.*

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, enclosing a copy of a despatch dated the 20th ultimo, addressed to you by Alvin P. Hovey, esq., United States minister to Peru, in relation to the recent alliance between Peru and Chili against Spain, and to the importance of increasing our force on the South American coast.

A copy of Mr. Hovey's despatch shall be transmitted to acting Rear-Admiral Pearson, the commanding officer of the Pacific squadron, who will doubtless see that a sufficient force is stationed on the South American coast.

Commodore Rodgers, with a special squadron, being now on the way to the Pacific, the department has recently sent instructions (to meet him at Valparaiso) to him, to remain near the coasts of Peru and Chili until the arrival of acting Rear-Admiral Pearson.

Very respectfully, &c.,

GIDEON WELLES,  
*Secretary of the Navy.*

Hon. WILLIAM H. SEWARD,  
*Secretary of State.*



*Mr. Seward to Mr. Hovey.*

No. 8.]

DEPARTMENT OF STATE,

*Washington, March 8, 1866.*

SIR: I have to acknowledge the receipt on the 6th instant of your despatch No. 8, of the 14th ultimo, in which you communicate an interesting account of the situation of affairs in Peru, earnestly recommending, also, that authority be given you to present your credentials to the supreme provisional chief of that republic, the best interests of our country and countrymen, as you believe, demanding that this step should be immediately taken.

In reply I have to state that, so far as this government is enabled to form an opinion as to the propriety of the measure recommended, the time has not yet arrived for the recognition of the revolutionary government instituted by General Prado. The policy of the United States is settled upon the principle that revolutions in republican states ought not to be accepted until the people have adopted them by organic law, with the solemnities which would seem sufficient to guarantee their stability and permanency. This is the result of reflection upon national trials of our own.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

*Mr. Hovey to Mr. Seward.*

[Extract.]

No. 10.]

LEGATION OF THE UNITED STATES,

*Lima, March 12, 1866.*

SIR: I have nothing of special interest to communicate to the department unless it be the rather significant fact, that every diplomatic agent now resident in Lima has been instructed to recognize the present government of Peru.

\* \* \* \* \*

I enclose a brief statement of an "unofficial" conversation held with General Prado, the provisional President of Peru; and I have the honor to be your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Conversation between General Prado and the United States Minister.*

LIMA, March 12, 1866.

SIR: I have the honor to report that General Prado, the "provisional chief" of this republic, paid me an informal and private visit last evening, and to transmit to you a brief summary of the conversation which ensued.

After the usual courtesies, General Prado said it afforded him much pleasure to note the sympathy of the people of the United States with Peru and Chili, as manifested in the tone of their public journals. He then expressed his surprise at the "coldness" of Mr. Seward in delaying to recognize the present government of Peru.

I hastened to assure General Prado of the continued and earnest friendliness of the government and people of the United States for their sister republics of the south, and accounted for any seeming tardiness in the recognition of his government by mine by begging him to consider the importance of the step, and the necessity for all careful deliberation. I reminded him, moreover, of the fact of your late absence from Washington, and of the impossibility of any important measure of policy being determined at the State Department without your personal decision upon its expediency.

General Prado then adverted to the arrest of Señor Vicuña Mackenna, the Chilian agent at New York, and expressed his fear lest the shipment might be stopped of certain munitions destined for this country.

To this I replied that the United States were at present in peaceful relations with the government of Spain, and could, of course, permit no open breach of their obligations to that country; reminding him, further, of our very large claims against Great Britain now pending for this very breach of neutrality law.

I further directed his attention to the very culpable indiscretion of Señor Mackenna, in publicly avowing his intentions and purposes, when he must have known them to be in direct violation of our established and recognized laws.

General Prado expressed himself gratified with my views, and the conversation terminated.

I have the honor to be your very obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD, *Washington, D. C.*

---

*Mr. Seward to Mr. Hovey.*

No. 9.]

DEPARTMENT OF STATE,

*Washington, April 7, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 10, of the 12th ultimo, enclosing report of your unofficial conversation with General Prado, the provisional chief of Peru, respecting the recognition of his government by that of the United States, and for which you will accept my thanks.

In reply I have to repeat here what has already been communicated to you, that in the opinion of this government the time has not yet arrived for such recognition, but that while neglecting no good office of friendship towards the American republics, the United States aim to fulfil all their international obligations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

---

*Mr. Hovey to Mr. Seward.*

No. 13.]

LEGATION OF THE UNITED STATES,

*Lima, April 13, 1866.*

SIR: I have the honor to acknowledge the receipt of your last despatch, No. 8, in which you announce the policy of the United States in relation to revolutions in republican states, and in which you inform me that, in the opinion of my government, the time has not arrived for the recognition of the revolutionary government instituted in Peru by General Prado.

Deeming it my duty to give you every important fact and thought that may influence the government of the United States in its relation to this country, I hasten to reply to your despatch. As I have had the honor of informing you in previous communications, the existing state of rule here has been recognized by every government represented in Peru.

I understand from your despatch that the recognition of the government of Peru, as at present constituted, would be in contravention to the policy of the United States, which is settled upon the principle that revolutions in republican states ought not to be accepted until the people have adopted them by organic law, with the solemnities which would seem sufficient to guarantee their stability and permanency.

A brief retrospect of the policy which has guided the administration of affairs here for the last twenty years would not be unimportant in the solution of this question, and, judging by this retrospect, it would not be asserting too much to state that for many years past this government has been republican only in

name—the elective franchise being but an ideal privilege, and nine-tenths of the people neither voting nor taking any part in the affairs of the government.

I would respectfully suggest further, that should the present government be overthrown, that which succeeds it will be nothing more stable, so far as organic law guarantees its stability.

The real administration of affairs here will long be in the hands of him who best controls the military power; and, should the United States wait until Peru is governed by organic law, in fact as well as in name, it will, in my opinion, be a far distant day before our country is represented at all in Peru.

At the time of the inauguration of the revolution by General Prado the governing power was entirely in the hands of the aristocratic or white portion of the inhabitants of this country. These appear to have been banded together in a species of freemasonry, with the sole aim of aggrandizing their particular caste, and preferring their families and friends to all the positions of emolument or distinction.

To such extent had the abuse obtained that the government was paralyzed for the want of her resources, which had been expended to pension the families of worthless officials and ex-officials. In brief, I have been reliably informed, by native and foreign residents here, that three-fourths of the inhabitants of Lima received their daily bread from the bounty of the government. The abuse had become chronic. A pensioned aristocracy, arrogant, imbecile, and helpless to aid the people, had heretofore controlled the country and absorbed its resources. Pezet's government was nothing more nor less than an adjunct of Spain; its only effect was to create wide differences between ruler and people, and enrich those in power. Canseco, his successor, was weak and vacillating, and adopted a system of governing in consonance with the policy of his predecessors. With the treasury empty, war with Spain impending, and with a strong Spanish party in the country, it was deemed advisable to place General Prado in power as dictator of the republic.

The public decrees, forwarded to you, and the files of the national organ, "El Peruano," will manifest to you the reforms already consummated by General Prado. Conspicuous among these are the abolishment of unjust pensions and the adoption of measures which tend to simplify the judicial system and promote the prompt administration of justice. He has, moreover, enforced the most rigid economy in the expenditures of the government.

As illustrating the working of the corrupt system of favoritism which has disgraced former administrations, I may mention the fact that several ex-collectors of the port of Callao drew the same pay as the *de facto* official, and the same unjust influences secured for *ex-officials*—*soldiers, sailors, and civilians*—the sorely needed revenues of the government.

But one opinion in relation to the reforms of General Prado exists here among North Americans and Europeans, and that is, that he is tearing down a system of effete aristocracy, and erecting instead a more truly democratic form of government.

So far he has manifested nothing indicating an intention of assuming supreme power; his habits are simple, and his motives appear honest.

There is no nation upon whom the Peruvians rely more implicitly for sympathy and support than the people of the United States, and the kindest feelings are always manifested toward our people, whenever opportunity occurs.

Should the fact be announced that our government refuses to recognize the present authority in Peru, it is possible, from the temper of this people, that those in power might withdraw the privileges granted to our consuls, and thus materially injure our commerce in these waters; and I respectfully request to be instructed as to my course of action should any interference with our commerce arise from the fact that our diplomatic and consular agents are not duly accredited to the existing government of Peru.

you to recognize the actual government now in power at Lima, the capital of Peru.

You are accordingly instructed, on receipt of this despatch, to inform the minister for foreign affairs at Peru that you will deliver your credentials as envoy extraordinary and minister plenipotentiary of the United States to that government at such time as he may designate.

After the consummation of the above-mentioned measure you will address a note to the minister of foreign affairs, with which you will transmit to him a copy of my communication,\* of the 19th instant, to Señor F. S. Asta Buruaga, the chargé d'affaires of Chili here, a copy of which you will find enclosed, and request a reply thereto at his earliest convenience, which, when answered, you will lose no time in forwarding to this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

---

*Mr. Hovey to Mr. Seward.*

No. 17.]

LEGATION OF THE UNITED STATES,

*Lima, April 27, 1866.*

SIR: I have the honor to inform you that the Spanish squadron, under the command of Admiral Nuñez, arrived at the port of Callao, and anchored off the island of San Lorenza on the morning of the 25th instant.

From the enclosed translation of a manifesto, No. 1, which I transmit, you will be enabled to judge of the reasons which have influenced the Spanish admiral in the proposed bombardment of the port.

On this day, the 27th instant, the port of Callao was declared to be blockaded, (see enclosure No. 2,) and the diplomatic body here were notified that the attack was to be made on the 1st of May proximo.

I have no doubt that the town will be bombarded on the day specified, unless the engagement should be precipitated by the action of the Peruvian government.

Should the city be bombarded much American property will be destroyed, and the chances seem to be, at present, favorable to the Spanish fleet.

I have the honor to be, sir, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

No. 1.

*Manifest or Circular to the Diplomatic Corps resident in Lima.*

[Translation.]

HEADQUARTERS OF H. C. M. SQUADRON IN THE PACIFIC.

The treaty that was made on the 27th of January last, on board the Villa de Madrid, in the harbor of Callao, by the plenipotentiaries duly authorized by Spain and Peru, defined the basis for the definitive one that was to place both countries on the footing of the most complete and lasting peace.

That treaty was and is the most complete evidence that anything but views of conquest had brought the Spanish squadron to Callao, and that its only aspiration, in conformity with the instructions of her Catholic Majesty's government, was to obtain that satisfaction to which Spain thought herself entitled from this republic.

---

\* For this enclosure see correspondence with the Chilean legation.

Applications are frequently made to me by American citizens in regard to the enforcement of their claims. In my present powerless position I am entirely unable to assist them.

I have the honor to be, with great respect, your obedient servant,  
ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Seward.*

No. 15.]

LEGATION OF THE UNITED STATES,  
*Lima, April 13, 1866.*

SIR: I have received definite and reliable information that the port of Valparaiso was bombarded by the Spanish squadron on the 31st ultimo, and that several millions of private property, including a large amount owned by Americans, were destroyed.

Also, I have information from reliable sources that it is the intention of the Spanish admiral to sail northward and destroy other ports of Chili and Peru.

Presuming that the proper authorities have forwarded to Washington official reports of this event, I defer any further statement, and I have the honor to be your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Seward.*

No. 16.]

LEGATION OF THE UNITED STATES,  
*Lima, April 21, 1866.*

SIR: I have the honor to enclose herewith a letter to Captain Paulding, of the United States ship Wateree, in relation to the capture of the ship Odessa. The question may be of some importance from the fact that the Peruvian authorities had sent an agent to seize the vessel previous to her capture by Captain Paulding, and I understand verbally that the Peruvian authorities have determined to seize other ships engaged in like commerce with the Odessa.

If the position which I have assumed in my letter to Captain Paulding be correct, this government has no right to make seizures, and, as I am unable to correspond with the authorities here in relation to the matter, I respectfully ask to be informed as to what course I shall pursue under the circumstances.

I have the honor to be, sir, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Captain Paulding.*

LEGATION OF THE UNITED STATES,  
*Lima, April 21, 1866.*

SIR: I have duly considered the circumstances under which you deemed it your duty to take possession of the American ship Odessa.

Having examined the ship's papers, I herewith return them, with my opinion as to your future action in the case. As appears upon the papers, the Odessa is an American-built ship,

But few days had passed since that happy termination, when an unprovoked aggression from the populace of Callao—aggression not repressed by the armed forces—endangered the lives of not a few of the crews of the Spanish squadron, who, unarmed and confiding in the faith of what had been stipulated, were tranquilly promenading the streets of the city. One lost his life, horribly mutilated; others were wounded; while that same populace assaulted and sacked nearly all the residences of the Spanish subjects. At the same time, in the capital of the republic, several individuals of the same squadron were assaulted, pursued and wounded, also, and the rest sought safety in the residences of the representatives of his Majesty the Emperor of the French, and of Bolivia.

His excellency the late General Don José Manuel Parepa, acting with a prudence and forbearance praised by every one, abstained from employing force to destroy a city where such offences had been committed, being convinced that their origin and perpetration sprang, not from what constitutes the true people of a country, but from the instigations of a party that, desirous of power, used the scum of society to involve Peru in a new conflict that, reviving the one that had been settled by the stipulations of the 27th of January, would have brought on it great evils, even at the risk to that party of having to bear the terrible responsibility of having originated them, as poor compensation for the power obtained.

To the 5th of February in Callao nearly corresponds the successive uprisings of the principal departments of the republic, adopting as a primary and prominent motto the treaty adjusted with all the solemnity required by the rules and usages of civilized countries; a treaty that in proper time obtained reciprocal ratification.

The revolution having been begun and continued with views hostile to Spain, the chief of this squadron not only abstained from acting, as he could with safety have done, against the vessels that had joined the revolution, but obeying, also, the orders he had received from the government of her Catholic Majesty, forbore from the least demonstration that could be interpreted as a desire on his part to aid in any way the government of President Pezet. And it was because the government of her Catholic Majesty and its representative in the Pacific were convinced that the noblest titles of a powerful nation, as the one they represented, are those resulting from a dignified moderation in their relations with others, particularly with those that, beside not being as strong, are much less so from their normal state of intestine dissensions.

The whole time of duration of the revolution of Peru, begun by the aggression in Callao, has served to demonstrate clearly the most sincere desire on the part of Spain to maintain herself completely neutral in the civil contest that has afflicted Peru—of which the present dictatorship is merely a stage or step (*estapa*)—a desire emanating purely and simply from the more, if possible, sincere one of living in peace with that of a people that owes to its former metropolis that which even ages will be unable to efface, its language and religion, its history and many of its customs.

Spain and her representative in the Pacific confided, from the signing of the treaty on the 27th January, in the faith of that treaty; they remained in dignified impassibility before the fratricidal struggle which they saw, with no little regret, devouring the resources of the republic.

It would appear as if this conduct, appreciated at its full value by the other countries, and the more appreciated by reason of the conviction that the weight of the naval forces of Spain, thrown into the balance of the contest, would have inclined victory to the side of the government of President Pezet, would have been also duly appreciated by that which the triumphant revolution would have definitively created or established.

Unfortunately for the counsellors of the dictatorship, and still more unfortunately for Peru, it has not been so. From the moment of its enthronement by the power of the bayonet, begun in the republic a series of acts, one more hostile and offensive than the other to Spain. To the slighting of her Catholic Majesty's representative, installed in Lima under the sacred guarantees of a preliminary treaty of peace, solemnly exchanged and ratified, was added the firing of a projectile against the coat-of-arms of the Spanish legation by the hand of one of the aides of the dictator himself, and in broad daylight—both insults more offensive to the government that authorized than to the one against whom they are directed; the adoption of all kinds of measures hostile to Spain, initiated in that bastard manner that even as it depreciates the character of a government, plainly reveals not only the injustice of its impulses, but also the conviction of that same government of its own injustice.

A consequence of this unjust conduct on the part of the dictatorship was the union of the vessels of war of Peru with those of Chili in the waters of Chiloe, where, unfortunately for Peru—itsself victim of the blameful recklessness of its present rulers—remains fastened to the reefs one of its frigates, and in whose waters, also, the other vessels fared badly, while the most powerful one of Chili, within sound of the cannon that was causing serious damages, some irreparable to its allies, near whom it only came to conduct them to a place where the natural obstacles, insuperable to the class that composes the Spanish squadron, saves them from attack.

The treaty of alliance offensive and defensive between Peru and Chili—bringing out in bold relief the bad faith which, it can safely be said, keeps pace with its political ignorance—came to crown that series of acts that constitutes the most wanton or scandalous of aggressions.

sailing under an American register. She cleared from the port of Montevideo on the 21st December, 1865, under a charter-party made 29th of November, 1865, between Albert B. Nickles, captain of the *Odessa*, and Samuel Blixen, merchant, of Montevideo, by whom she was chartered to carry 400 tons coals and 300 tons wine, biscuit, beef, pork, rice, beans, sugar, coffee, &c., to the offing of the port of Valparaiso.

On the 10th of April, 1866, she was regularly cleared at the port of Callao, and sailed thence for the Chincha islands.

From your statement made to me verbally, and from copies of your correspondence with the intendente of the Chincha islands, it further appears that on the — of April you seized the *Odessa* at the Chinchas in behalf of the United States, for an alleged violation of the neutrality laws existing between the United States government and that of Chili.

You stated to me that the captain of the *Odessa* admitted to you that, by order of an agent of the ship's charterer, he delivered his cargo in the offing of the port of Valparaiso, on board of a vessel belonging to the marine of Spain, with which country Chili was at war.

After seizing the vessel you communicate the fact to the intendente at the Chincha islands, and apprise him of your intention to tow the captured ship to the port of Callao, and to deliver her there to the United States authorities.

In reply, the intendente informs you that he has not been officially advised by superior authority, and requests you to take such action as you may think needful, as well with the *Odessa* as with other vessels suspected of the alleged offence.

Whereupon you bring the vessel to Callao for delivery to the United States authorities, and submit the papers and statements to me for my advice or action.

My opinion, in view of the facts, is as follows as to the question of liability of seizure of vessel and cargo, and the penalty incurred by the captain when delivering contraband goods :

It is a general principle as settled in the United States, that " neutrals may lawfully sell at home to a belligerent purchaser, or themselves carry to belligerent powers, contraband articles, subject to the right of seizure *in transitu*." (I Kent, p. 142.)

The cargo *only* is liable to seizure and confiscation, unless the carrying has been connected with aggravating and malignant circumstances, among which false destination and false papers are considered the most heinous, in which case the ship herself can be confiscated by the belligerent party injured. But, by treaty with Chili, it is stipulated that the contraband articles on board do not affect the ship. (I Kent, page 143, and note B; and Woolsey, p. 308, § 183.)

The general rule is, that " contraband articles must be taken *in delictu* and actual prosecution of the voyage to any port, and the proceeds of the voyage cannot be seized." (Wheaton, International Law, p. 809.)

The doctrine of the United States on the subject has always been the same as that of Great Britain, namely, that neutral governments are under no obligation to stop a contraband trade between their subjects and a belligerent power, and that the only penalty of such a trade is the liability of contraband shipments to be captured on the high seas by the injured belligerent.

This opinion is based upon the supposition that the cargo delivered by the *Odessa* was of contraband material.

I have examined our treaty with Chili of May 16, 1832, and with Peru of July 26, 1851. In neither can I find that coals or provisions are specified as contraband of war, and in both it is directly stipulated that vessels carrying contraband shall not be forfeited. In article 23, treaty with Peru, and article 16 of that with Chili, both treaties expressly provide that all articles other than those enumerated as contraband shall not be subject to seizure or confiscation.

In view of these facts I would recommend that the *Odessa* be released, and, together with her papers, (which I enclose,) be delivered to her captain.

I have the honor to be your obedient servant,

ALVIN P. HOVEY.

Captain LEONARD PAULDING,  
Commanding United States Steamer *Wateree*.

---

Mr. Seward to Mr. Hovey.

No. 10.]

DEPARTMENT OF STATE,  
Washington, April 21, 1866.

SIR: Since my last despatch to you, No. 9, of the 7th instant, your several reports concerning the stability of the government inaugurated by General Prado in Peru having been reconsidered, and the peculiar circumstances of the situation of affairs surrounding the war which is now being waged by Spain against the republic of Chili and her allies, have induced the President to direct

And, as if it was necessary that this government, even in the preamble of the pact of that alliance, should demonstrate the iniquity of the aggression to which it has made a victim of its country, it is impossible to do it more completely than its minister of foreign affairs has done in the text of that document.

Still more, the dictatorship did not consider sufficient what has been above stated. It wanted to arrive at the end of the road of vexatious acts on which it had entered, and to accomplish it, it gave the decrees prohibiting Spaniards from leaving the territory of the republic, and entering into any transactions with the property they possess in it; or, what is equivalent, declaring as prisoners foreign subjects, who thought they were residing in Peru under the safeguard of that good faith which ought to be obligatory on all governments, and seized—it is nothing else—that property.

Such an act constitutes a double and repugnant infraction of one of the most sacred principles of human rights; a principle that, subordinating all political egotism to the precepts of morality and humanity, prohibits a sovereign, when he declares a war, from detaining the subjects of his enemy who may be within his dominions at the time of declaring it, or on the commencement of hostilities, or to seize their property. The sovereign must concede a reasonable time for leaving the country, and to realize or send off their property; and if at the expiration of the term they continue residing within his dominions, he then has the right to treat them as unarmed enemies.

But the dictatorship, which has been careless about showing its injustice towards Spain, has not hesitated, either, even at the risk of making a greater boast of that injustice, to appear in its decrees before civilized nations as the most regardless of the precepts of human rights.

This simple narrative is an uncontradictable demonstration of the unjust as blameful aggression, on the part of the government of the dictatorship that reigns in Peru, as against Spain. It is not easy to find in the annals of the international relations of the civilized world an example of equal perfidy on the part of any other government. Neither is it possible, therefore, for Spain not to make this government feel the chastisement to which it has made itself liable by its conduct toward her, at the same time that she deplores the evils it will entail—with no desire to do so—on a people, victims of the bad faith and ambition of the men who now control their destinies.

The government of her Catholic Majesty, that knew how to preserve the most dignified neutrality in the civil contest that has established in Peru a dictatorship, knows also the unavoidable obligations imposed by the honor and interests of its country; and with that view has ordered its representative in the Pacific to impose on the dictatorship the punishment which, *motu proprio*, (of its own accord,) it has sought; carrying out with the forces under his command all the hostilities that may conduce to that end.

In this virtue, the forces are going to act against Callao and its fortifications. And to enable foreign subjects residing in that city to place their interests in safety, I have decided to give them the term of four days, counted from this date, declaring, at the same time, the government of Lima responsible for any loss they may suffer; for having trampled even on the most rudimental principles of human rights, it has given to Spain a just and incontestable right of carrying them out.

On board of the frigate *Numancia*, in the harbor of Callao, April 27, 1866.

CASTO MENDEZ NUNEZ.

No. 2.

*Admiral Mendez to Mr. Hoccy.*

[Translation.]

HEADQUARTERS OF HER CATHOLIC MAJESTY'S SQUADRON IN THE PACIFIC,  
*Frigate Numancia, Harbor of Callao, April 27, 1866.*

SIR: I have the honor to inform your excellency that, in virtue of my right as a belligerent, I have resolved to blockade, as I do blockade from this date, the harbor of Callao, conceding the term of six days, counted from this date, for all neutral vessels to leave its waters, that are now anchored in it, that have loaded previous to this declaration, or may load within the time specified, providing that their cargoes contain nothing contraband of war.

After that term only vessels in ballast will be allowed to leave the harbor.

I beg to inform your excellency that the instructions given to the commanders of the ships of the squadrons under my command for effecting the blockade mentioned are the same as those circulated and published for that of the Chilian ports, adding to the articles of the class previously mentioned and enumerated in the said instructions, the article of mineral coal from Chili, to which refer my declarations of 29th of January last.

I avail myself of this opportunity to manifest to your excellency my sentiments of respect and high consideration.

CASTO MENDEZ NUNEZ.

His Excellency the MINISTER PLENIPOTENTIARY of the United States.



*Admiral Mendez to Mr. Hovey.*

[Translation.]

HEADQUARTERS OF HER CATHOLIC MAJESTY'S SQUADRON IN THE PACIFIC,  
*Frigate Numancia, Harbor of Callao, April 27, 1866.*

SIR: I have the honor of accompanying the enclosed manifest, in which are expressed the powerful motives which, unfortunately, make necessary the adoption on my part of rigorous measures in return for the unjust aggression of the government of Peru.

I have no doubt that your excellency, the worthy representative of a friendly government, will be convinced, in view of the facts, of the evident justice that assists Spain.

I avail myself of his opportunity to offer your excellency my most distinguished consideration.

CASTO MENDEZ NUNEZ.

His Excellency the MINISTER PLENIPOTENTIARY  
*of the United States of America resident in Lima.*

*Mr. Seward to Mr. Hovey.*

No. 12.]

DEPARTMENT OF STATE,  
*Washington, May 7, 1866.*

SIR: I have to acknowledge the receipt of your despatch of the 13th of April, No. 13.

I thank you for the information which you give me concerning the condition of political affairs in Peru. I should regret if I were obliged to acquiesce in your conclusion that for many years past that state has been republican only in name; that the elective franchise there is but an ideal privilege, and that nine-tenths of the people neither vote nor take any part in the affairs of the government.

I should regret still more if I were obliged to accept your further conclusion that an absolute permanent dictatorship is preferable to a government which at least has the constitution and forms of a republic.

Before accepting such conclusions in respect to any of the Spanish American states, it is thought here expedient to wait a reasonable time for a manifestation of the popular rejection of or acquiescence in the establishment of a military despotism.

The policy which the United States has pursued in regard to revolutions in South America was adopted upon due consideration. It has been adhered to with fidelity. Its domestic fruits are gathered; its foreign fruits are ripening.

Happily, however, it is unnecessary to dwell on this subject now. In a despatch which was addressed to you from this department on the 21st of April, No. 10, you were instructed to present your credentials to President Prado for special reasons therein named. It is expected that you have already executed that instruction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

*Mr. Hovey to Mr. Seward.*

No. 18.]

LEGATION OF THE UNITED STATES,  
*Lima, May 13, 1866.*

SIR: In my last despatch, No. 17, I had the honor to transmit the manifesto addressed to the diplomatic body in Peru by C. Mendez Nunez, the admiral commanding the Spanish squadron.

In this he intimated that he would bombard the city of Callao on the 1st

instant. For the purpose of viewing the combat and rendering all necessary aid to our countrymen, I went on board the *Powhatan*, flag-ship of Admiral Pearson, on the night of the 30th ultimo.

The bombardment by the Spanish fleet commenced at 12 m. on the 2d instant. Seven vessels, viz., the iron-clad *Numancia*, frigates *Resolucion*, *Almanza*, *Villa de Madrid*, *Berenguela*, *Blanca*, and the corvette *Vencedora*, advanced upon the city and directed a very rapid fire at the forts, which were then somewhat more than a mile distant. The guns of the forts instantly replied with great vigor, and the action continued with spirit for four and a half hours, and ended by the withdrawal of the entire Spanish fleet to the island of *San Lorenzo*, in sight and about seven miles distant from *Callao*.

By the kindness of Commander Thomas M. Brasher, commanding United States store-ship *Fredonia*, I have full notes of the action, with a map of the position of the respective forts and of the Spanish fleet.

These brief notes are singularly accurate. He says:

"Precisely at 12 m. the Spanish fleet got under way and steamed into action, arranged in the form of a V, the forks toward the town.

"On the right, the flag-ship *Numancia* (iron-clad,) followed by the frigates *Almanza* and *Resolucion*. The line on the left was composed of the three frigates *Berenguela*, *Villa de Madrid*, and *Blanca*. The corvette *Vencedora* formed the apex of the pyramid.

"At 12.15 the *Numancia* got within range of the fort of *Torre de Merced*, and opened fire from her starboard battery. The *Numancia's* fire was instantly returned from the fort, when the *Almanza* and *Resolucion* steamed up, and the action on the right became general. In a few minutes an explosion occurred in one of the batteries on shore, the firing from the turret was silenced, and it was thought that one of the *Blakely* guns had burst.

"Meanwhile the leading ship on the left had steamed up on the Peruvian right, and seemed searching for the batteries. A battery of small guns opened, and the *Villa de Madrid* ran in, rounded to, and was preparing to deliver her port broadside, when she was struck by a heavy shot amidships, and from the rush of steam through her hatches and ports, it was judged that she was severely injured. It was afterwards ascertained that this shot entered her steam-chest and penetrated to her furnace, killing sixteen men and wounding twenty. She at once made signals, and the *Vencedora* went alongside and towed her out of range, while the *Berenguela* ran down and received the fire from the batteries.

"In a few minutes this ship was seen backing, and shortly before one o'clock she withdrew from the action. As she passed the *Watree* on her passage out, she was seen to be severely injured, and men were over the side endeavoring to stop shot-holes. She was evidently settling, and a small steamer coming to her assistance, she was run ashore at *San Lorenzo*. The *Blanca* and *Vencedora* again came within range, but being struck with heavy shot, withdrew. During the remainder of the day no ships were within range of the guns on the Peruvian right.

"By two o'clock p. m. four ships had retired from action; but the *Resolucion* and *Blanca* returned, and with the *Numancia* and *Almanza* again engaged *Santa Rosa* (the fort) with vigor. The fort returned the fire with spirit, and in twenty minutes the ships withdrew to long range and kept up the duel until fifteen minutes before five, when they retired from action.

"It is impossible to estimate the injury done to the shipping, but from the show of ship timbers drifted on shore it is evident they suffered severely, while their position was so far from the batteries that most of their shot fell short. The Peruvian gunboats took but little part in the action; but the small iron-clads engaged the enemy at short distance, and gallantly maintained their fire during the combat."

The victory, on the part of Peru, has been signal and complete, and the result of this combat will exercise a very potent influence in South American politics.

1. It will teach Peruvians self-reliance; for, with but feeble preparation, they have repelled the grandest squadron that ever sailed the waters of the Pacific.

2. Its effect will probably be to change the current of Chilian politics—Chili with far superior forces—Valparaiso, with much greater facilities of defence, submitted to the castigation of the Spanish fleet without returning one gun. There is but little doubt that a strong opposition party will spring up in Chili from the success of Peru at Callao.

3. It will make the chance of future molestation here more remote. When the proud squadron of Spain left Valparaiso in ruins, and Chili humbled, the admiral advanced upon Callao with confidence and contempt, and with orders from his government (*vide manifesto*) to “chastise” Peru. Within five hours from the commencement of the attack, this splendid fleet recoiled from the despised foe, discomfited and disabled.

Two causes conspired to help, if they did not really procure, the victory for Peru.

1. The fear of torpedoes sunken in the channel of the bay by an American, (a late rebel,) Captain Read. The presence of these torpedoes caused the fleet to fight the batteries at long range, beyond the distance for shell, canister, and grapeshot. This gave the land guns, which were Blakelys, Parrotts, and Armstrongs, (some of the calibre of 600 pounds,) a great advantage, as the largest in the fleet did not exceed 100 pounds. The number of guns on the fleet was 275. On the shore, in turreted forts and sand batteries, and gunboats, the Peruvians had mounted 50 guns. The Spanish fleet had the power of firing over 100 guns a minute. From want of practice, and because of the unwieldy size of the shore guns, the Peruvians could only return three or four shots in the same time. With close fighting this would have proved fatal to the Peruvians.

2. The chance shot which struck and disabled the *Villa de Madrid* at a very critical point in the action, and the severe injury to the Spanish admiral, who was wounded early in the engagement, no doubt greatly contributed to the final repulse.

The Peruvians had two of their largest guns disabled by a frightful accident. One of their principal works was a battery surrounded by an iron turret. This was commanded by Galvez, the secretary of war. The dropping of a heavy shell in loading the cannon exploded a quantity of ammunition, killing Galvez and twenty others, and severely wounding many more. The guns were dismounted and that fort silenced.

The Peruvian loss may be estimated at about 300 killed and wounded, and, from rumors, the Spanish losses are still greater, probably reaching three hundred and fifty.

Since writing the above, I have received a note from C. Mendez Nunez, the commandante general of her Catholic Majesty's squadron in the Pacific. It is a peculiar production, and I enclose a translation herewith.

The truth is, his squadron was severely handled; one ship, the *Almanza*, receiving over eighty, and another, the *Berenguela*, over forty-five shots through hull and rigging. Every vessel engaged, except the *Numancia*, returned from the fight badly injured; two appeared to be in a sinking condition.

It is true that the batteries on shore were at length silenced, but that silence was produced by the remoteness of the Spanish fleet from the forts. The Peruvians fired the last shots. No single gun was dismounted by the Spanish fire, and more than forty-five were in good fighting condition when the fleet retired.

The injury to the city of Callao is trifling, caused by stray shots intended for the batteries, and the damage will not exceed two thousand dollars, as the Peruvian forts gave the fleet no time to fire upon the city.

On the 10th instant, at 11 p. m., the Spanish fleet left their moorings at San Lorenzo and sailed northward. It is believed that they now intend to attack the defenceless town of Guayaquil.

Prado is exceedingly popular, and will undoubtedly control Peru in any capacity he may think proper to assume.

I have the honor to be, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Admiral Mendez to Mr. Hovey.*

[Translation.]

FRIGATE NUMANCIA,  
*Bay of Callao, May 9, 1866.*

EXCELLENT SIR: The naval forces under my command having, by bombarding Callao and attacking its fortifications, chastised the unjust provocation of the government of Peru, and silenced all of the numerous and large cannons of the city, only three of which ultimately answered the squadron of Spain; therefore, the undersigned has the honor to inform his excellency General Hovey that, from this date, the blockade of Callao is raised, and that this squadron leaves the waters of Peru. At the same time, should the republic execute, or tolerate, any attacks on the Spanish subjects resident in it, then the naval forces of her Catholic Majesty will again return to these waters to avenge their injuries.

The undersigned has the honor to reiterate to his excellency General Hovey the assurances of his consideration and esteem.

CASTO MENDEZ NUNEZ.

General A. P. HOVEY, *Minister, &c., Lima.*

*F. W. Seward to Mr. Hovey.*

No. 15.]

DEPARTMENT OF STATE,  
*Washington, May 14, 1866.*

SIR: I have to acknowledge the receipt of your despatch No. 16, of the 21st April, 1866, enclosing a copy of your letter of the same date to Captain Paulding, of the steamer Wateree, in relation to the capture of the ship Odessa.

Your recommendation to Captain Paulding to release the Odessa is approved. Whatever might be the liability of the cargo of that vessel to seizure as contraband of war, or of the ship itself to confiscation by the authorities of Peru or of Chili, it is not the province of our navy to interfere with either.

I think that in discussing the questions whether the cargo was contraband, or the ship confiscable, you have fallen into an error in your references to our former treaties with Peru and Chili. Both of them have expired by notice given, in accordance with their provisions in that respect. The questions, therefore, stand upon the general principles of international law.

It appears from your statement that the Odessa, a registered American vessel, was cleared from Montevideo on the 21st of December last, when a Spanish fleet was hovering upon the coast of Chili, then and now in a state of war with Spain, under a charter by a merchant of Montevideo to carry 400 tons of coal, and 300 tons of wine, biscuit, beef, pork, rice, beans, sugar, coffee, &c., to the *offing of the port of Valparaiso*, and that the cargo was delivered, by direction of an agent of the ship's charterer, in the *offing of Valparaiso*, on board of a

vessel belonging to the marine of Spain. It does not appear by whom the cargo was owned, nor to what extent, if any, it was the produce of the United States.

The question raised upon these facts is not simply whether the cargo, in whole or in part, comes within the description of articles generally contraband of war. They appear to involve the right of a neutral, without liability to confiscation of ship or cargo, to carry supplies to the naval forces of one belligerent cruising with hostile aims upon the coast of another, or blockading its ports. In the case of the *Commercer*, (1 Wheaton R., 387,) which was a Swedish vessel seized for carrying provisions to an army of Great Britain (with whom we were then at war) operating in Spain, the Supreme Court of the United States observed, that by the modern law of nations, provisions were not generally contraband, but they might become so on account of the particular situation of the war, or on account of their destination; that if they were destined for the ordinary use of life in the enemy's country, they were not contraband, but that it was otherwise if destined for the army or navy of the enemy, or for his ports of military or naval equipment. In delivering the opinion of the court, Judge Story said: "Would it be contended that a neutral might lawfully transport provisions for the British fleet and army while it lay at Bordeaux preparing for an expedition to the United States? Would it be contended that he might lawfully supply a British fleet stationed on our coast? We presume that two opinions could not be entertained on such questions, and yet, though the cases put are strong, we do not know that the assistance is more material than might be supplied under cover of a neutral destination like the present."

In such a case as the present may well turn out to be, upon our imperfect information of it, we are not prepared to say that Chili or Peru (her ally against Spain) would not be warranted in forfeiting the vessel, though seized after it had accomplished its purpose in giving direct aid to the hostile armament.

If a vessel shall be seized under such circumstances as are indicated in the judgment against the *Commercer*, we may perhaps find it to be our duty to await the decision of the prize courts of the belligerent captors before we determine to offer remonstrances.

I am, sir, your obedient servant,

F. W. SEWARD,  
*Acting Secretary.*

ALVIN P. HOVEY, Esq., &c., &c., &c.

*Mr. Hovey to Mr. Seward.*

No. 21.]

LEGATION OF THE UNITED STATES,  
*Lima, May 29, 1866.*

SIR: I have the honor to acknowledge the receipt, on the 19th instant, of your despatch No. 10, dated April 21, enclosing a copy of your communication of the 19th ultimo to Señor F. S. Asta Buruaga, the chargé d'affaires of Chili at Washington.

As instructed in your No. 10, I, on the 22d instant, presented my original letters of credence to General Prado, the "supreme provisional chief" of the government of Peru.

I am gratified to inform you that my presentation was attended with all the ceremonies and courtesies due to the reception of a minister from the United States.

I enclose, herewith, a copy of my address on the occasion, together with a translation of General Prado's response.

In the President's reply you will perceive a frank avowal of those republican

and democratic principles with which our countrymen sympathize, and which it was partly the purpose of my remarks to elicit.

The same sentiments and purposes you will find more fully expressed in General Prado's fine speech, which accompanies my No. 22.

I have the honor to be your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

---

*Address of Alvin P. Hovey to the government of Peru, on presenting his credentials as envoy extraordinary and minister plenipotentiary of the United States, May 22, 1866.*

MR. PRESIDENT: In presenting myself as envoy extraordinary and minister plenipotentiary of the United States of America near the government of Peru, I take great pleasure in assuring your excellency that the President and people of the republic which I have the honor to represent feel a deep interest and solicitude in the welfare and future progress of your country.

Our continent should be the abode of freemen, and, as in the language of the great Jefferson, "eternal vigilance is the price of liberty," we should be more than watchful over our republican institutions.

The elevation of the human family should be the aim of every government, and I fondly hope and believe that it is the destiny of the North and South American republics to lead the van in the consummation of that grand result.

Nations, like men, date their greatness from acts which at the time seem trivial to the beholder, but which are potent for good or evil in the progress of human events.

Permit me to say that during your short administration, all of which it has been my pleasure and honor to witness, new life has been infused into Peru, which will be felt to its latest generations.

I now have the honor of presenting my original letter of credence, and I assure your excellency that I will do all in my power to maintain the cordial and friendly relations existing between the United States and the republic over which your excellency now has the great honor to preside.

---

*Translation of a speech made by General Prado, supreme provisional chief of the government of Peru, on accepting the credentials of General A. P. Hovey, United States minister, on May 22, 1866.*

MR. MINISTER: The great nation which you represent showed us the way to independence and liberty, and although the vicissitudes natural to the infancy of nations have been able to cause superficial minds to believe that the principles of Washington had degenerated in our country, recent events have proved the contrary.

To preserve liberty and independence, nations, guided by a mysterious instinct, sometimes employ means which appear contradictory to the ends proposed, and the most liberal government in the world, that of the United States, has been invested ere now with powers which at first sight appeared incompatible with republican principles, precisely with the object of preserving the institutions of that great country.

It is highly satisfactory to me, Mr. Minister, to hear the opinion which the representative of the United States has just emitted in such honorable terms regarding the use which my government had made of powers which, also, apparently contradictory to republican principles, have been placed in my hands for the purpose of consolidating them, and at the same time defending against an unjust aggression the independence of Peru, and the dignity of America, of which I am as jealous as of that of my own country.

I venture fully to hope, Mr. Minister, that whatever may have been the apprehensions which the establishment of a dictatorial government in Peru may have for the moment awakened, the people of the United States will see in my policy the practice of the doctrines of Washington, in the defence of which the Peruvian people are exercising the vigilance of Jefferson.

For my own part, I am much pleased that you, general, have been appointed to maintain and make closer the friendly feelings and relations which exist between your country and mine. Your residence of some months in the capital of the republic has, doubtless, made you aware that, strong as are the sentiments of fraternity which the Peruvian people entertain for the American, not less strong are those of sympathetic esteem which your eminent personal gifts have gained for you.

Impressed with the same ideas, and with an identical object in view, you may rest assured that every facility will be afforded you in your official intercourse.

*Mr. Hovey to Mr. Seward.*

No. 22.]

LEGATION OF THE UNITED STATES,  
*Lima, May 29, 1866.*

SIR: I have the honor to enclose herewith a copy of a speech delivered in Lima by General Prado, shortly after the battle of Callao.

This speech is peculiarly significant, and marks the President as no ordinary man.

He comprehends the condition of his country perfectly, and I have no doubt of his patriotism and honesty of intention.

The translation is very imperfect, and only shows gleams of the style of the original, which is also included.

General Castilla, who for many years was President of Peru, has lately arrived. His day for command has passed. He is old, infirm, and seems to be content with the position of his country, and takes pride in claiming Prado as his protégé.

I have the honor to be your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Speech delivered by the Supreme Chief of the Republic.*

GENTLEMEN: At these solemn moments, when Lima and Callao are full of enthusiasm, contemplating on their laurels the glory that our dear country reflects; at these moments, in which all the political bands disappear, and with them the emulations and petty hatred—in which from the first magistrate down to the last citizen, vying with each other, have contributed to the triumph of our arms; in these moments, I repeat, in which the sentiment is but one, and the country looks upon her children alike without making any distinction of rank or person, the President of the republic puts aside his officialship and mixes himself with the people from where he sprang. It is the citizen, gentlemen, who now addresses you; it is Colonel Prado who gives the nation an account of his acts. Perhaps you will notice the diversity of my ideas; you must not be astonished; it is not my head, it is my heart that opens my lips, impelled by many and distinct feelings.

To be able to appreciate better our fortunate actuality, we must bring to mind our past misfortunes.

Since our independence of the 6th of November, our country wept for the misdeeds of her children, and the blood shed in our civil wars; but never wept so bitterly as on the 14th of April and the 27th of January, seeing her flag outraged, and her honor and wealth lying on the steps of a corrupted throne.

The doleful cry of the nation rent from her bosom, in her agony demanding in her children help, was heard throughout the republic, and Arequipa was the first that as a thunder answered to the call and was seconded by the others.

The nation then named me their chief, and, full of faith and courage, placed under my charge her honor, children, and wealth, trusting to my loyalty her safety and her rights. After eight months of a rude campaign, on the 6th of November, I corresponded to the national confidence, tearing with my sword the shameful page of the 27th of January. And the whole of the republic decked herself with her gayest colors and rejoiced at the triumph of her army, the fall of the vilest of governments, and the hope that after those days of ignominy and crime, the beautiful sun of her future would shine bright and radiant.

On the 28th of November the army and the navy, Lima and Callao, and shortly after, the whole nation, placed in my hands her destinies and power without limits.

The responsibility was too great for a single man; but five enthusiastic young men, full of patriotism and republican faith, came to my assistance; and to the present day, we, without dismay, carry on our shoulders the heavy charge.

And what have we done? We have worked day and night, both for war and for peace; the suppression of expenses and commissions that were useless to the nation; the graces and bounties that gave rise to unjust and odious differences among individuals with equal rights; the suppression of ruinous affairs and abusive practices. We have introduced reforms in all the branches of the administration, economy in the budget, and honesty in the management of the public funds.

We have reduced to smaller proportions the payments which, for services, were made by the nation, inasmuch as she was unable to pay them, nor is there a nation able so to do.

We have established taxes and contributions in order that the country, subsisting of her own income, may have a sure, independent, and proper existence, and be not exposed to eventualities as she is at present, in order that the Ihuano revenue may be applied to pay the debt and to the defence of the territory and public works.

Gentlemen, it is not strange that, after so many years of demoralization and bad government, our reforms should hurt as they have done every class of our society, giving rise to bitter complaints, grave recriminations, and punishable projects against the government. Notwithstanding, the government will not draw back; he has made up his mind to sacrifice himself for the great interests of the country; he is undaunted and will overcome every obstacle that may come to embarrass his career.

Now, gentlemen, answer for yourselves and for all the inhabitants of Peru; tell me, now that patriotism only speaks, and evil passions are silent, which of you who, with so much abnegation, has sacrificed during these days his interests, his blood, and his life for the country, is willing to refuse her the tribute which is only a day's work in the month? Which of you, military or officials of all classes, is willing to refuse her the sacrifice of his rank or part of his rent, if that rank and rent are useless or unlawful?

With my hand on my heart, I tell you that the government has never acted wishing only to do injury to any one. If some have suffered, the country has received the benefit, and the injury suffered by an individual is nothing compared with the benefit of the country.

Thus we acted for peace; and what have we done for war? We have the offensive and defensive alliance of three of our sister republics, our navy crosses the seas obtaining triumphs, our principal ports are fortified, and our troops protect the coast; without injury or detriment we have looked for resources, and our chests, which we found empty, are now well provided with cash; the republic is all under arms, and alive that patriotism that a treacherous government would expressly allow to slumber, and the contempt of foreigners turned into warm sympathy. There is the 2d of May, a day in which you came into the field of glory prepared by the government; there are those laurels reaped by you, which will last during your life and that of your future generations; there is at last, green and strong, the tree of liberty, which you have irrigated with your blood. Please to God that this glory, these laurels, this liberty may never extinguish nor wither away. So it will be while you have strength in your arms, patriotism in your heart. It will be so while I live and keep this sword by my side.

The 2d of May, gentlemen, is the great day of the country, not only because we revenged her wrongs, raising her name and flag as high as heaven, but also because we have on her altar deposited our rivalries and party divisions. With the exception of those who signed the infamous treaty on the 27th of January, and of those accused with crimes and great fiscal responsibilities, we shall all be one, and united for the exterior defence, as well as for the interior peace of the republic.

Within my soul I hear a voice that tells me "the civil wars have forever disappeared in Peru." My government, and to his example those that may come after him, will never stain the country with the blood of her children. As for me, I assure you, in the presence of God who hears me, that as the country spontaneously placed me in the post I now hold, in the very same way I will retire, as soon as they make their will known. To let me know their supreme will, their petition before their respective municipalities will suffice. Since I recognize this right in every one of the towns, and leave them in full liberty to practice it, no individual, no town, or village will have cause for insurrection.

The nation invested me with the dictatorial power that I exercise only during the circumstances; these still subsist while we learn where the Spanish vessels have gone to. We have cause to presume that they quit the Pacific. The very day that this presumption be confirmed I will call to elections and a congress. In the mean time it would be imprudent to distract our attention.

Now, let us greet with the purest effusion our dear sisters, the allied republics. God grant that the ties that at present unite us may never be loosened, and that our destinies may forever be confounded under one nationality.

Gentlemen, I have also to show, in the name of Peru, an homage of profound gratitude to the generous and noble firemen, French, Italians, and Germans, and in general to all our foreign hosts, who so spontaneously and cordially have helped us with their persons and their resources, suffering and rejoicing with us.

Live here, worthy and laborious foreigners, if foreigners can be called those who have embraced us with so much fraternity; those who have defended our country as if it were their own; those who have taken care of our wounded, coffined our dead, and succored our widows and orphans.

Live here with us, sheltered by our love and gratitude; we shall all be brothers, citizens of Peru. To have justice done, and protect your interests, you have no need of your governments, who abandoned you both in Valparaiso and Callao.

I come to an end. Modern Spain, the dull patrimony of an impure court, has brought to our shores the most unjust war. Peru has defended the holiest cause; weak as we are, we have conquered the strongest squadron that ever floated on our seas; with fifty guns, badly



served, we have silenced three hundred, served by skilful and old gunners. How has this miracle been done? If it is beyond human possibility, it is then the divine justice that, by us, has punished the crimes and the foolish vanity of the Castilian pride. It is the great power of God that chastises the pride and abuse of the mighty, and sinks a strong power at the feet of a new nation. God has saved the country and the lives of every one of us.

Citizens, let us uncover our heads in thanksgiving to the Lord.

After God, our country—gentlemen, long live the republic!

---

*Mr. Hovey to Mr. Seward.*

No. 24.]

LEGATION OF THE UNITED STATES,

*Lima, May 31, 1866.*

SIR: I have the honor to acknowledge the receipt, on the 19th instant, of your despatch No. 10, dated April 21st, enclosing a copy of your communication to Señor F. S. Asta Buruaga, the chargé d'affaires of Chili at Washington. According to your instructions I, on the 24th ultimo, transmitted a copy of your communication to Señor Asta Buruaga to Mr. Pacheco, the minister for foreign affairs here, together with a note from myself, a copy of which is enclosed, (enclosure 1.) Desiring to ascertain the feeling of the ministers representing in Peru the republics of Chili, Bolivia, and Ecuador, I, on the 27th ultimo, invited them to an informal and confidential conference, during which I said to them:

"GENTLEMEN: I have asked you to do me the honor to meet at my house to-day that I might read to you a despatch recently received from Mr. Seward on the subject of the war which unhappily exists between your respective countries and the government of Spain.

"It is my intention to place before Mr. Seward the political aspect of the Spanish-American war as I view it from Peru, which view I will briefly state to your excellencies. It is:

"That the war thus far has been prosecuted with mutual bitterness and serious disadvantage to all concerned; that, since the commencement of hostilities, the allies are more than ever resolved to meet war with war, and aggression with retaliation; that, if the war be continued as it has been begun, *the only certain* results will be incalculable bloodshed, loss of treasure, and the engendering of national hatreds; that the temper and resources of the belligerents equally promise a protracted conflict, and that a stubborn war would entail calamity on all the combatants which nothing could justify but the preservation of national honor. I believe the present hour is opportune for the re-establishment of friendly relations; and although it is considered contrary to the policy of the government which I represent to consent to act as arbitrator in the involvements of foreign powers, it is yet compatible with my duty to offer such suggestions as seem to me prudential and fruitful of further thought or action. I have therefore asked for this informal conference, in the hope that, out of our mutual interchange of sentiment, there might be evolved some idea that would reopen negotiation between the belligerents, and possibly lead to peaceful solution of the difficulty.

"I purpose to forward to my government some report of our conclusions on this important subject, and I hope we may be able to suggest some plan of reconciliation which may be adopted or so modified as to meet the approbation of the belligerents.

"In the settlement of the question three difficulties seem to me to present themselves:

"First, a delicacy as to which party should offer negotiations for peace.

"Secondly, the etiquette to be observed in making national recognitions or salutes; and,

"Thirdly, the unsatisfied claims of the contending parties.

"Permit me, gentlemen, to offer for your consideration a crude outline of what I believe would meet the emergency :

"First. All the powers interested shall *simultaneously* issue a confidential note, addressed to the government of the United States, not as to an arbitrator, but as to a sympathizing friend.

"In this note they shall frankly deplore the evils of the war, and strongly set forth the valid reasons for a cessation of hostilities *nov*, when it can be effected with honor.

"Secondly. Should negotiation be opened, and friendly intercourse be renewed, it would then be wise and decorous for the powers involved to salute each others flag wherever they respectively have forts or war vessels.

"Thirdly. The *entente cordiale* once restored, to submit their money claims, supported by the arguments of reason and arithmetic, to disinterested arbitration.

"Lastly. Permit me to inquire whether you think it advisable to suggest an armistice pending the consideration of these questions?"

The ministers replied in vague terms, generally acquiescent, but declined to offer any suggestions on their own part, or to modify those thrown out by me, without first consulting their respective governments. The conference closed with mutual assurances of esteem, and on the next day I stated the substance of the conversation to Minister Pacheco, by whose comments and from all the surrounding circumstances I am impressed with the conviction that Peru, Bolivia, and Ecuador would willingly close with proposals similar to those hinted in my conversation, but, I believe, at the present time, Chili would be indisposed to treat for peace. That republic seems deeply mortified by the action of the Spanish fleet at Valparaiso, and would, no doubt, be pleased to have the last laurels of the war rest on her own brow.

As directed, I herewith remit to you a copy, together with the translation, of Mr. Pacheco's reply to your note to Señor Asta Buruaga, (enclosure 2.)

Hoping that my action in the premises will meet with your approval, I am, sir, very respectfully your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Pacheco.*

LEGATION OF THE UNITED STATES,  
*Lima, May 24, 1866.*

SIR: By the direction of the Secretary of State of the United States I have the honor to forward to your excellency the enclosed copy of Mr. Seward's note to Señor Asta Buruaga, the Chilian chargé d'affaires at Washington, and to request the favor of an early reply, to be transmitted to the Department of State at Washington.

Let me ask you to make known to the President my earnest desire for the accomplishment of the object indicated in the note, and in accordance therewith, namely, the re-establishment of peaceful relations between the South American republics and Spain; and further assure his excellency that he may command my best endeavor to accomplish an aim so desirable.

Be pleased to accept for yourself, sir, the assurances of my very high consideration,

ALVIN P. HOVEY.

His Excellency Señor Don F. PACHECO,  
*Minister for Foreign Affairs at Lima.*

---

*Mr. Pacheco to Mr. Hovey.*

[Translation.]

LIMA, May 29, 1866.

I have had the honor to receive your excellency's note of the 24th instant, enclosing the copy of the despatch addressed on the 19th of April by the Hon. Secretary of State for the United States to Señor Asta Buruaga, the chargé d'affaires of Chili.

The supreme chief, to whom I have made known the contents of your excellency's note, commands me to signify to your excellency his profound appreciation of the friendly overtures of your excellency, as well as for your desire to contribute towards the re-establishment of peace between the South American states and Spain.

Confining myself to the despatch of the Secretary of State, I would assure your excellency that the Peruvian government gratefully appreciates the desire which animates the President of the United States to see peace re-established between the South American republics and Spain. The Peruvian government is well aware that although war is a most painful yet inevitable recourse, as in the present case, still it might terminate in peace, provided it could be accomplished consistently with the honor, dignity, and present and future interests of the allied republics.

Without entering, then, into an examination of the different views set forth by the Secretary of State at Washington, and confining myself solely to the principal point of that despatch, I can assure your excellency that the Peruvian government will listen with the utmost deference to any suggestions offered by the President of the United States, which, while satisfactory to the President of the Union, at the same time combine the above-named conditions; and so soon as they shall be presented they shall be taken into consideration, and this government will hasten to come to an understanding with the governments of the allied republics, in order to adopt, in conjunction, a satisfactory conclusion.

Imbued with these feelings, I gratefully reiterate to your excellency the assurances of my very high consideration.

T. PACHECO.

His Excellency ALVIN P. HOVEY, &c., &c., &c.

*Mr. Seward to Mr. Hovey.*

No. 20.]

DEPARTMENT OF STATE,

*Washington, July 9, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch of the 31st of May, No. 24.

The manner in which you have executed my instructions of the 21st of April is entirely approved by the President.

The note which you addressed to Mr. Pacheco in the performance of that duty is approved. The spirit and tenor of the remarks which you made concerning the same subject to the ministers of Chili, Bolivia, and Ecuador are approved. It is proper, however, to say that, notwithstanding this approval, the President reserves to himself entire freedom in regard to the course which it may be deemed proper to pursue, if his agency shall be desired by the belligerents in South America to facilitate the restoration of peace.

Mr. Pacheco's reply to your note has been laid before the President. For the present we wait for an expression of the views of the governments of Chili, Bolivia, and Ecuador.

I have the honor to be your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

*Mr. Hovey to Mr. Seward.*

No. 27.]

LEGATION OF THE UNITED STATES,

*Lima, July 12, 1866.*

SIR: I have the honor to transmit for your consideration the enclosed translations of two documents recently received by me from Señor Don Benigno Malo, envoy extraordinary and minister plenipotentiary from the republic of Ecuador to the government of Peru.

Declining to express to Señor Malo any opinion upon the merits of the various questions raised, I have informed him that I have forwarded to the Department of State the papers herewith enclosed.

I have the honor to be your obedient servant,

ALVIN P. HOVEY.

HON. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

*Mr. Malo to Mr. Hovey.*

[Translation.]

LIMA, July 3, 1866.

DEAR SIR AND HONORABLE COLLEAGUE: Sincerely appreciating your agreeable and sympathetic self, and admiring the great nation which you so worthily represent, I have resolved to address this letter to you, in order to explain an amicable complaint which I have to discuss; and as I do not speak the English language, and you, as yet, have not acquired in perfection the Spanish, I think that my object will be better attained by the medium of this missive.

Ecuador has never, in the slightest degree, given the United States any cause for offence. On the contrary, we have always maintained with that nation the most perfect state of friendship and peace. In the full enjoyment of these cordial relations, it has taken place that the President of the United States has requested the authorization of Congress in order to put in execution coercive measures towards the collection of the first dividend of a payment to be made by Ecuador, which became due in February. I call the attention of my distinguished friend General Hovey to two particular events which are called into existence by this act:

First, no resistance or great delay in the payment had been offered by Ecuador. On the contrary, according to the copy of the order emanating from the treasury department of Ecuador, dated 25th April—that is, one month previous to the solicitation of President Johnson—the payment of the debt had been ordered in July and August, thus occasioning only four months of delay on the part of a country poor and receiving but limited revenues; this fact, I desire to observe, being taken into consideration was not sufficient to justify the imputation of fraudulent debtors cast upon us, and to necessitate the employment of coercive measures of a warlike and offensive character against us.

Secondly, a portion of the claim held by the United States is based upon an origin that demanded the studious attention of a lawyer, as is the Major General Hovey. It is the following: Should a government be responsible for the robberies committed by its citizens or subjects after these robberies have been chastised by the laws and established tribunals of the country? Some persons belonging to a garrison which Ecuador maintained in the penal colony of Gallapagos attacked and captured the North American ship George Howland, seized some of her stores, and, being apprehended by the authorities of Ecuador, were chastised and suffered the severest punishment. And now, for what reason and by virtue of what law can the government of Ecuador be responsible for the worth of the ship, for the value of the stores appropriated, or for her future or contingent gains?

I desire that my honorable friend General Hovey place his hand upon his truthful heart and say, as a gentleman, whether there be law, divine or human, that imposes such a responsibility on the Ecuadorian government? I wish that he may cite one example alone, ancient or modern, of Europe or of America, where a government has paid for the robberies committed by her subjects, and then I will be the first to condemn my country.

The government of Ecuador had the weakness or condescension to accede to the celebration of an arrangement, wanting in justice, for the payment of this claim; but should such an arrangement, wanting in justice, be perfected? Should not such an arrangement, infringing the clearest principles of justice and equity, be reconsidered? Could there be any humiliation in a great and powerful nation like the United States recognizing its fault and withdrawing its claim in the clear comprehension of the occurrence?

Finally, that which has happened to-day with Ecuador may happen to-morrow with the United States: and then, if a North American commits a piratical robbery and receives the punishment ordained by the law, should the government of the United States respond for the value of those thefts and pay their imposts? In the Trent affair, and in that of her consuls in the republic of Colombia, the United States have given a noble example of judging the merits of a deed and the justice of the same, and should not Ecuador receive her meed of equity?

The republic of Ecuador is somewhat aggrieved at the unmerited attack made on her by her elder sister, the North American republic, but General Hovey, with his great public and social qualities, has always merited and received the esteem of his invariable friend and obedient servant,

BENIGNO MALO.

General A. P. HOVEY,

*Envoy Extraordinary and Minister Plenipotentiary, &c., &c.*

P. S.—I enclose the documents which I have received by yesterday's steamer.

[Translation.]

REPUBLIC OF ECUADOR,  
Quito, April 25, 1866.

In virtue of article 30th of the convention celebrated between the republic of Ecuador and that of the United States of America, which was printed in the National of July 30, 1864, No. 163, and of the decision given by the mixed commission ordering various debts to

be recognized, Mr. L. V. Prevost should have received on the 17th February last the sum of \$10,000 89, impost of the first dividend.

The well-known paucity of the national revenues, together with the paralyzation of the custom-house duties and of the sale of the products resulting from the government salt mines, have prevented the payment of this dividend at the term agreed upon; and in order to exculpate this omission, his excellency the chief of the state has ordered that the first dividend be paid in half parts during the months of July and August. As Mr. Prevost should present the certificates which accredit the claim against Ecuador, you will order that the treasury note on the corresponding certificates to the persons whose names are mentioned below the following sums in moieties:

Seth Driggs.....	\$370 71
Joseph Gordings.....	164 14
William Gordings.....	19 27
Matthew Howland.....	5,555 55
Amos B. Convine.....	1,718 63
Cotheal & Co.....	1,301 47
Peter Bourgnuet.....	680 83
Abraham Johnson.....	369 46
	10,180 06

This sum should be applied to the amount voted in article 1st of the general estimate. All of which I communicate to your excellency for your guidance and fulfilment. May God preserve your excellency.

MANUEL BUSTAMENTE.

The GOVERNOR OF GUAYAQUIL.

*Mr. Seward to Mr. Hovey.*

No. 23.]

DEPARTMENT OF STATE,

*Washington, August 2, 1866.*

SIR: I have to acknowledge the receipt of your despatch, No. 27, of the 12th of July last, containing a copy of two documents addressed to you by the envoy extraordinary and minister plenipotentiary of Ecuador to Peru, in which the same protests against the reference of the ship "George Howland" claim for the action of Congress.

You are directed to inform Mr. Malo that on assurance received that the government of Ecuador would pay the contracted for instalments on the 17th of next September the government of the United States has agreed to suspend further action in the matter until that period. A considerable sum, however, was paid by the government of Mr. Malo, on the 7th of last month, into the hands of the representative of the government at Guayaquil on account of the claim in question, a fact of which Mr. Malo is, perhaps, ere this sufficiently informed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

*Mr. Hovey to Mr. Seward.*

[Extract.]

No. 29.]

LEGATION OF THE UNITED STATES,

*Lima, August 13, 1866.*

SIR: I have the honor to acknowledge the receipt of your despatch No. 19, together with its enclosure, your No. 32 to Mr. Hale.

Availing myself of your permission, I read portions of your 32 to General Prado and his minister for foreign affairs, during a private conversation touching the plans and purposes of the allies.

The enclosure, having been carefully interpreted, was received with many manifestations of satisfaction by General Prado and Señor Pacheco.

The secretary for foreign affairs referred to your address to the authorities of Cuba, in which address he seemed to think you were particularly favorable to the Spanish government.

I replied to him that I had not had the honor of reading that address, but that the tone and language of your No. 32 to Mr. Hale, (and particularly that portion indicated below by quotation marks,) clearly and emphatically defines the feeling of the United States toward the South American republics :

“The government of the United States has, during the continuance of hostilities, suffered no occasion to pass unimproved by the exercise of good offices to bring those unhappy conflicts to some end which would be equally advantageous and honorable to all the belligerents. The well-known sentiments of the United States in regard to the painful conflict between Spain and the South American republics remain unchanged.”

This language, I suggested, could admit of but one construction, viz : the deep regret and apprehension with which the United States beheld an attack on the governments of the South American republics by a power with whom she desired to be at peace.

This view was accepted by both General Prado and Señor Pacheco.

I deemed it important to impress, at this interview, the fact of our antecedent friendliness, because many inimical publications have reached here, (extracts from “La Cronica” of New York, and from other Spanish journals.)

Your plain expressions, confidentially made known through your instructions to our minister at Madrid, have fully satisfied the Peruvian government on these points.

I have the honor to be your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Seward to Mr. Hovey.*

No. 27.]

DEPARTMENT OF STATE,  
*Washington, October 3, 1866.*

SIR: Your despatch No. 29, of the 13th of August last, has been received. The conversation between General Prado and yourself, which it reports, was of an interesting character. Upon any future proper occasion you may say to him that the United States desire peace between the republics, formerly colonies of Spain, and their mother country. We desire to maintain neutrality, because we believe natural justice, and absence from all foreign intervention, to be an essential policy of a republic. The United States are firmly convinced of the necessity of such a course, and they cannot, therefore, agree to a violation of neutrality.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

---

*Mr. Hovey to Mr. Seward.*

No. 35.]

LEGATION OF THE UNITED STATES,  
*Lima, October 22, 1866.*

SIR: The election for president and members of congress is quietly progressing, and will continue until the 30th instant.

The dictator has no opponent, and the members elect will be decidedly in his favor.

Five several attempts to revolutionize the government have been suppressed, and the leading conspirators captured and imprisoned. The dictator is vigilant, but believed by many to be too merciful. No one yet has been punished capitally, although one of the plots aimed at his assassination.

I have the honor to be, with great respect, your obedient servant,  
ALVIN P. HOVEY.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Seward.*

No. 37.]

LEGATION OF THE UNITED STATES,  
*Lima, Peru, November 14, 1866.*

SIR: Since my last despatch another attempt at revolution has signally failed. It was headed by General Ramon Castilla, who, with fourteen officers, has been captured, and the general sent as prisoner of war to a point near Chiloe, in Chili.

Prado, with congress in his favor, has been unanimously elected.

I have the honor to be, with great respect, your obedient servant,  
ALVIN P. HOVEY.

HON. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Seward.*

No. 39.]

LEGATION OF THE UNITED STATES,  
*Lima, Peru, November 14, 1866.*

SIR: I deem it important to inform you that on the 8th instant I had a conversation with President Prado, in which he remarked that "Bolivia and Chili." He thought, "would be willing to leave the question of war between the South American republics and Spain to the arbitrament of France and England, but that he did not feel disposed to place the claims of Peru in the hands of either, but would willingly intrust her rights to the United States."

Yesterday the President requested me to visit him at the palace; the subject was renewed. He said "that the representatives of France and England in Lima had addressed to him a joint note, and had categorically requested him to answer whether Peru would accept the mediation offered by France and England." He said to me, frankly, "that he did not desire the interference in, or arbitrament of the present difficulty by a European power; that if driven to that necessity, he and his countrymen would greatly prefer the kind offices of the United States, which had been tendered to him in your despatch No. 10, enclosing your letter to Señor F. A. Asta Buruaga, dated April 19th, 1866, and my note to his excellency Señor T. Pacheco, minister of foreign affairs, bearing date of May 24th, 1866, and a copy of which was forwarded to and approved of by you. The President then had the kindness to read to me the rough draught of his reply to the joint note of the English and French representatives. He substantially says, "that an alliance, offensive and defensive, exists between the republics of Chili, Peru, Bolivia and Ecuador, and that he cannot act without their joint concurrence; that he is indefinitely informed that Chili accepts the mediation, but is ignorant of the terms or conditions accepted; that the good offices of the United States

were offered to Peru as early as the 24th of July last, and intimates that courtesy at least would dictate that our kind offices should not be rejected and others of a later date be accepted."

I sincerely doubt whether the President could stem the popular current that would oppose the mediation of England or of France. The United States might meet with popular favor.

My impression is, that peace will not take place between Spain and the South American republics until all existing claims are abandoned by the former. Peru is in a much better condition than formerly, and is actively engaged in making further preparations for defence, if not for an aggressive movement.

I have the honor to be, with great respect, your obedient servant,  
ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Seward.*

No. 40.]

LEGATION OF THE UNITED STATES,  
*Lima, Peru, November 28, 1866.*

SIR: I have been positively informed that Mr. Antonio Millan left Peru on the last steamer for New York for the purpose of bringing out a cargo of negroes from the United States to this country. I fully concur in the views expressed in your order to prevent the immigration of that race to Peru; their condition would certainly not be improved, and they would share the fate of the coolies, who are now meeting with very harsh treatment in some localities.

I have the honor to be, with great respect, your obedient servant,  
ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Hovey to Mr. Seward.*

No. 41.]

LEGATION OF THE UNITED STATES,  
*Lima, Peru, November 28, 1866.*

SIR: The coolie trade has undoubtedly been the cause of great human suffering in South America. I do not know that our government could do more than has already been done by the acts of Congress on this subject. American-built bottoms with American crews are engaged in this trade under the flags of other countries. Probably an act of Congress withdrawing from such persons their privileges as citizens of the United States might aid in suppressing the evil. I herewith transmit two original Chinese letters, with their respective translations, which will show some of the evils growing out of the coolie trade.

I have the honor to be, with great respect, your obedient servant,  
ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

[Translation.]

To the NORTH AMERICAN COMMANDER:

Being one and all of us agreed as to the necessity of ameliorating our condition, we have resolved upon presenting this memorial before the government of the United States, to enlist their sympathy and aid in alleviating our miseries and sufferings.



The Chinese are contracted in the Portuguese island of Macao, to be brought as emigrants to Peru, in South America, and to be considered as coolies, or free workmen or laborers, the following conditions being stipulated in the contract, viz: the contract to be binding for eight years; they are to be maintained and lodged and clothed, when necessary, and are also to receive proper medical attendance in case of sickness, and are generally to be well cared for. Instead of which they are the victims of a most lamentable deception. To many, on the expiration of their stipulated time, their liberty is refused them. The greater number, instead of being well fed, are left with hunger, receiving only ten ounces of rice per diem, and, when ill, instead of receiving proper treatment, are made to work as usual, from five o'clock in the morning till seven at night, without being even questioned or examined as to the truth of their complaints; but they are driven from their beds by the cruel lash; and the Chinese, who are by nature of a weakly constitution, are rendered still more delicate by this excessive hard work, and become ultimately entirely prostrated; others take refuge from their sufferings in committing suicide.

It is horrible to think of the barbarous manner in which the overseers and major-domos beat the Chinese for the most insignificant faults, often without any cause whatsoever; and it is to be remembered that there is no law which sanctions this system; nor is it licit to have on each estate a regular prison, as is the case on all the estates here.

If, as it generally happens, a fourth part or more of each lot that is shipped at Macao dies on the passage, when on shore an equal number is lost, some from suicide and others from absolute prostration and unfitness for work; these are to be found in large numbers begging in the public streets for a piece of bread on which to subsist. The authorities of this country have never attempted to remedy these evils, and it is we who suffer.

The patrons, instead of looking after and taking care of their colonists, leave them in a state of complete abandonment—some without shoes, some not sufficiently clothed, none with a proper allowance of food, some consumptive, some lame, some crippled, and others in like states of suffering and neglect.

Even those Chinese who live in the principal cities are but little better off, being constantly hooted at and subjected to all classes of insults in the streets; and we have always one great complaint, that we are not entitled to the rights of a citizen, as, for example, in the public amusements we are mobbed and hooted at, and sometimes even stoned back to our houses; and it often happens that a party of ruffians, under pretext of looking for runaway Chinamen, penetrate into our houses and avail themselves of the opportunity thus afforded to rob us, in spite of the resistance we make—and all this for want of proper rules and regulations for the guidance of the patrons and Chinese, mutually, in their respective duties towards each other. We are of opinion that a great deal of the disorder and trouble that thus arises before the local authorities is to be attributed to the want of proper and efficient interpreters on both sides.

With these motives, we are obliged to and do protest against the immigration of coolies to this republic, unless the government of Peru modify in some manner this traffic, and recognize the modifications made in the new laws of our empire with respect to this immigration, for the future.

Signed in the city of Lima, capital of the republic of Peru, this fourteenth day of September, of the year one thousand eight hundred and sixty-six.

[Translation.]

LIMA, September 12, 1866.

DEAR FRIEND AND COUNTRYMAN, ALO: Being desirous that you should interest yourself in the Asiatics who have unfortunately and by trickery been brought to Peru, and have up to this date and through this deception suffered the greatest calamities, as will be specified in this document, which will be signed by various Chinese, in their own justification and to serve as a guarantee, and in order to render the same valid for presentation before the government of the United States, for the purpose of soliciting said government to identify itself with the interests of the Chinese who have already come and are still coming to this republic, and to use its utmost endeavors to put a stop to these abuses which have been and are still committed against them, which are as follows:

We, the Asiatics, when embarking in China, compromise ourselves with the captain for our passage to Peru only, where we are to find a patron who will employ us and will pay to the captain who brought us our passage money, deducting said amount from our earnings afterwards; but, on arriving at Peru, we find ourselves fraudulently made slaves for any number of years that the captain who brought us may choose, it being supposed that we are contracted for. After being deceived in this manner by the captains of the ships, we find ourselves obliged to work indefinitely as slaves, under the pretext of the supposed contracts that are made between the patrons who take us from the ships and the consignees of said ships, which contracts are made binding on us by the signature of a Chinese who accepts it for each of us. Signing at the foot of these contracts the name of each one of the Asiatics

he has brought, which is a criminal falsehood he commits, forging in this way the signatures of each and all the Asiatics, thereby forcing us to fulfil an agreement or contract neither made nor agreed to by us in any shape or way. These false contracts are generally obligatory for eight years, during which we are subjected by our patrons to all sorts of abuses, principally flagellation (declared criminal by the law) and scarcity of necessary food, and even this of bad quality; and when a Chinese finds the time specified in the false contract has expired, he is still forcibly retained under some pretext or other. In this way there are Chinese who have served fifteen or sixteen years, and who still remain slaves; from which it results that an immense number of Asiatics, in despair, commit suicide, unless, as too often is the case, they die of their many sufferings from extreme illness.

The aliment which is commonly given is one pound of Indian corn ground and one cup of raw beans per man per day, their only drink being water, of which they can take whatever they require. The clothing generally consists of a sort of sack or shirt with holes to pass the head and arms through, and tied round the waist with a piece of rope—without shoes of any description. The bed is formed of some thin canes tied together to form a sort of mat.

When the colonists fall ill and can no longer work, in place of giving them medicine and curing them, the only remedy applied is the lash; and should this not succeed in making them do the work they are unable to do, they are at once put into the prison; and should one of their countrymen take them anything to eat or drink, he is at once beaten.

When prisoners they receive nothing but urine to drink when they are thirsty, and even when not thirsty they are constantly and forcibly made to swallow the same. Where the poor Chinese suffer the greatest abuse is most undoubtedly on the large estates, as there there is no justice to punish the owners for their horrible and criminal abuse of the Asiatic, and the Chinese is never heard by the authorities against his patron, as said patron possesses great influence from the high social position he occupies, so that the colonists are reduced to absolute slavery without remedy.

This is the truest and most exact description that can be given of events that actually occur. We, Chinese by birth, guarantee the truth of what is here set forth, and do trust that you, our countryman, will use your utmost endeavors to alleviate the sufferings and slavery at present experienced by a great number of our countrymen, and in this way we comply with an act of humanity and fulfil a task agreeable to all who take an interest in this affair, which is in our opinion one of great importance. And we are persuaded that this statement, signed by a multitude of Asiatics, will move the philanthropy, so characteristic of the United States government, in our favor, and will be the means of inciting it to do what may seem best towards alleviating the lamentable situation of our compatriots.

---

*Mr. Seward to Mr. Hovey.*

No. 32.]

DEPARTMENT OF STATE,

*Washington, December 6, 1866.*

SIR: I have to acknowledge the receipt of your despatch of the 14th of November, No. 39, which gives an interesting account of conversations which you have had with the President of Peru, on the subject of the mediatorial proposition made by France and England to the allied republics, with a view to the termination of the war between those republics and Spain. Upon that subject you will be expected to say to the President of Peru that the United States are so earnestly desirous for the establishment of peace in South America that they would look with great favor upon any measures which may be inaugurated for that purpose.

The friendly disposition still remains on our part which has been heretofore so often expressed to the belligerent parties. At the same time the United States will not intervene to embarrass the negotiations tendered by France and England. On the other hand, they will be ready to co-operate in that measure, or any other which shall be respectful to the parties, and shall at the same time seem to have a tendency towards the pacification so much desired.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. P. HOVEY, Esq., &c., &c., &c.

## PERUVIAN LEGATION.

*Mr. Garcia to Mr. Seward.*

[Translation.]

## PERUVIAN LEGATION,

*New York, December 4, 1865.*

SIR: I have received from my government the accompanying sealed package, containing the cabinet letter, in which his excellency General Don Pedro Diez Canseco, second vice-president of Peru, informs his excellency the President of the United States of America that the political question which disturbed the said republic has been brought to a close, in accordance with the wishes and rights of the people, and the before-mentioned magistrate has assumed the exercise of supreme authority, according to the laws of the country, and the will of the people.

I enclose with this despatch an authentic copy of the letter alluded to, and request your excellency to have the original conveyed to its high destination.

In fulfilling this duty I am pleased to assure your excellency, by express order of the new government of Peru, that one of his chief cares will be to maintain and strengthen the relations with all friendly governments, particularly with yours, by the justice and loyalty that will characterize his policy under all circumstances.

In repeating to your excellency the assurances of my high personal consideration, I have the honor to subscribe myself,

Your very attentive servant,

JOSÉ ANTONIO G. Y GARCIA.

Hon. WILLIAM H. SEWARD, &amp;c., &amp;c., &amp;c.

*President Canseco to President Johnson.*

[Translation.]

GENERAL PEDRO DIEZ CANSECO, VICE-PRESIDENT OF THE REPUBLIC, CHARGED WITH THE EXECUTIVE POWER.

Designated by the laws of the country and the national will, universally expressed, for the exercise of the supreme magistracy of the republic, I take much pleasure in announcing to your Excellency that the political questions disturbing Peru have been brought to an end, in accordance with the wishes and rights of the people. The state capital was permanently occupied by the national army on the 6th of the present month, and peace and public order are again restored.

In communicating this event to your Excellency I have the satisfaction of announcing that my efforts will always be to maintain and extend the cordial relations that happily exist between the two republics, and which my government considers as important and precious.

Deign, sir, to accept with this motive the assurances of my high consideration and unalterable friendship.

Given, signed by my hand, sealed with the seal of the republic, and countersigned by the minister of state, in the office of foreign relations, in the government house at Lima, on the 13th day of the month of November, of the year eighteen hundred and sixty-five.

PEDRO DIEZ CANSECO.

JOSÉ MANUEL LA PUENTE,

*Minister of Foreign Relations.*His Excellency the PRESIDENT of the *United States of America.**Mr. Pacheco to Mr. Seward.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS OF PERU,

*Lima, December 5, 1865.*

The undersigned, secretary of state for foreign affairs of Peru, has the honor to address himself to his excellency the secretary of same rank in the United

States of America, for the purpose of requesting him to please to place in the hands of his Excellency the President of that country the autograph letter addressed to him by his excellency Colonel Don Mariano Ignacio Prado, informing him of his elevation to the rule of Peru, with the title of provisional supreme chief of the republic. This event has taken place in the midst of circumstances most flattering for the future of the nation and for the supreme chief. The people and the army, convinced that the constitution was incompatible with the establishment of the reforms called for by the revolution, were anxious for the establishment of an extraordinary power, endowed with the faculties which the situation should make necessary. This full authority was offered first to the vice-president, General Canseco, and, in consequence of his refusal, to his excellency Colonel Don Mariano Ignacio Prado, who has assumed the plenitude of public authority, with the title of provisional supreme chief.

In communicating this event to you the undersigned has also the honor to send you an authentic copy of the letter mentioned, and is gratified to assure you that the same friendly sentiments which are expressed in it inspire the undersigned in regard to his excellency the secretary for foreign relations of the United States of America, and that he will address all his efforts to maintain and strengthen the good relations which bind the two countries together.

The undersigned avails of the occasion to offer the honorable secretary the assurance of the high consideration with which he has the honor to be his obedient servant,

T. PACHECO.

His Excellency the SECRETARY FOR FOREIGN AFFAIRS  
*of the United States of America.*

---

*President Prado to President Johnson.*

[Translation.]

SIR: Called by the unanimous will of the people of Peru, and of its army and navy, to exercise the supreme power of the republic, I have the honor to place in the knowledge of your Excellency that on the 28th of last month I entered into possession of the chief magistracy.

On announcing this event to your Excellency, I am gratified to assure you that all my endeavors and efforts will have for object to cultivate, maintain, and strengthen more and more the good and friendly relations which happily exist between Peru and the United States of America.

I beg your Excellency to deign accept the assurances of my inviolable friendship and the sincere wishes I offer for the personal happiness of your Excellency, and of the people whose destinies you administer.

Given, signed with my hand and countersigned by the secretary of state for foreign affairs, at the government house in Lima, on the fifth day of the month of December, in the year 1865.

MARIANO Y PRADO,

*Provisional Supreme Chief of the Republic of Peru.*

T. PACHECO, *Secretary for Foreign Relations.*

His Excellency the PRESIDENT of the United States of America.

A copy:

I. A. BARRENUHM,  
*Sub-Secretary.*

---

*Mr. Pacheco to Mr. Seward.*

[Translation.]

No. 1.]

DEPARTMENT OF FOREIGN AFFAIRS OF PERU,

*Lima, January 20, 1866.*

The idea of intimate union between the South American republics, although not reduced practically to shape, as would be desirable, in a treaty clothed with

all international solemnities, exists not only in various projects, but in the spirit and heart of all the republics, and has for its foundation their most vital necessities and their dearest interests.

In this conviction the undersigned, secretary of foreign relations of Peru, has the honor to address himself to his excellency the secretary of the like rank in the United States of America, for the purpose of soliciting the adhesion of his government to the treaty of alliance, offensive and defensive, made between Peru and Chili the twelfth of the current month.

The undersigned, for this reason, invites the attention of his excellency the Secretary of State of the United States of America to the contents of the manifesto, which contains the reasons which induced Peru to declare war against the Spanish government, and the despatch of this date, which he has the honor to send with it.

The undersigned offers to his excellency the Secretary of State of the United States of America the assurances of his high and distinguished consideration, and has the honor to subscribe himself his very respectful and obedient servant,  
T. PACHECO.

His Excellency the SECRETARY OF STATE  
of the United States of America.

[Translation.]

“*El Peruano Extraordinario.*”

DEPARTMENT OF FOREIGN RELATIONS,  
Lima, January 14, 1866.

I, Mariano Ignacio Prado, provisional supreme head of the republic, decree:

ONLY ARTICLE. The treaty of alliance, offensive and defensive, concluded in this city the 5th December, 1865, by the respective plenipotentiaries of the republics of Peru and Chili, is approved, and, in consequence, let the exchange of ratifications have place.

The secretary of state for the department of foreign relations is charged with the execution of this decree.

Given at the government house in Lima, the 12th January, 1866.

MARIANO I. PRADO.

T. PACHECO.

*Treaty of alliance, offensive and defensive, between Peru and Chili.*

I, MARIANO IGNACIO PRADO, PROVISIONAL SUPREME MAGISTRATE OF THE REPUBLIC.

Inasmuch as between the republics of Peru and Chili there has been concluded in this capital, by their respective plenipotentiaries, the 5th day of December, 1865, the following treaty of alliance, offensive and defensive—

In the name of Almighty God: The republics of Peru and Chili, in presence of the danger which threatens America, and of the violent aggression and unjust pretensions with which the Spanish government has begun to encroach on the dignity and sovereignty of both, have agreed to conclude an alliance, offensive and defensive, for which purpose they have appointed as plenipotentiaries *ad hoc*, on the part of Peru the secretary for foreign relations, D. Toribio Pacheco, and on the part of Chili Señor Don Domingo Santa Maria, who, having found their respective powers sufficient, proceeded to form the present preliminary treaty.

ARTICLE I. The republics of Peru and Chili agree upon the strictest alliance, offensive and defensive, between them, to repel the actual aggression of the Spanish government, as well as any other by the same government, which may have for its object to attack the independence, the sovereignty, or the democratic institutions of both republics, or of any other of the South American continent, or which may have its origin in unjust claims, considered as such by both nations, not embodied under the prescriptions of the law of nations, nor decided in the form which the same law determines.

ART. II. At this time and by the present treaty, the republics of Peru and Chili bind themselves to unite the naval forces which they have at disposal, or may hereafter have, to combat with them the maritime Spanish forces which are or may be found in the waters of the Pacific, whether blockading, as is actually the case, the ports of one of the republics

mentioned, or of both, as may happen, or acting hostilely in any other way against Peru or Chili.

ART. III. The naval forces of both republics, whether acting in combination or separately, shall obey—while the present war, brought on by the Spanish government, may be maintained—the government of the republic in whose waters such naval forces may be. The chief of highest grade, or, in case of there being several of the like grade, the eldest among them who shall be in command of either of the combined squadrons, shall take command of them whenever said squadrons shall be acting combinedly. Nevertheless, the governments of both republics shall confer by mutual consent the command of the squadrons on the native-born or the foreigner they may consider the most competent chief.

ART. IV. Each of the contracting republics in whose waters the combined naval forces may be, on account of the actual war with the Spanish government, shall pay the expenses of every kind which the maintenance of the squadron or of one or more of its vessels may make necessary; but, at the close of the war, both republics shall appoint commissioners, one on either part, who shall settle the definitive liquidation of the expenses incurred and duly proven, and shall charge to each one-half of the sum total to which such expenses may amount. In the liquidation they shall take into account, that they may be estimated, the partial expenses which, during the war, either republic may have made for the maintenance of the squadron or one or more of its vessels.

ART. V. The contracting parties engage to invite the other American nations to give in their adhesion to this present treaty.

ART. VI. The present treaty shall be ratified by the governments of both republics, and the ratifications shall be exchanged in Lima in the space of forty days, or before, if possible.

In faith whereof, the plenipotentiaries of both republics sign and seal this present treaty. Done at Lima the fifth of December, 1865.

[SEAL.]

[SEAL.]

T. PACHECO.  
DOMINGO SANTA MARIA.

Thereupon, and this treaty having been approved by decree of this date, I have ratified it, taking it as a law of the State, and pledging the national honor for its observance.

In testimony whereof, I sign the present ratification, sealed with the arms of the republic, and countersigned by the secretary of state for foreign relations, at Lima, on the twelfth day of the month of January, of the year of our Lord one thousand eight hundred and sixty six.

MARIANO I. PRADO.

T. PACHECO, *Secretary for Foreign Relations.*

*Act of exchange of the ratification of the treaty of alliance, offensive and defensive, between Peru and Chili.*

The undersigned, Toribio Pacheco, secretary for foreign relations of the republic of Peru, and Domingo Santa Maria, envoy extraordinary and minister plenipotentiary of the republic of Chili, assembled at the department for foreign relations in Lima, for the purpose of exchanging ratifications of the treaty of alliance, offensive and defensive, concluded at Lima the 5th of December, 1865, and after having made communication of their respective full powers, found to be in good and due form, carefully compared the two texts of the treaty mentioned, and having found them to be exact and in conformity themselves, and with the original, they completed said exchange.

In faith whereof, the undersigned have signed the present act of exchange and sealed it with their respective seals, at Lima, the fourteenth day of January, in the year one thousand eight hundred and sixty-six.

[SEAL.]

[SEAL.]

T. PACHECO.  
DOMINGO SANTA MARIA.

I, Mariano Ignacio Prado, provisional supreme magistrate of the republic, considering that, independently of the especial reasons which Peru has to require from the government of Spain reparation for the grave injuries it has inflicted on her, it has been her duty to regard, and does regard as her own, the question that government has brought up against Chili, and, in consequence, has signed, approved, and ratified a treaty of alliance, offensive and defensive, between both republics, for the purpose of mutually preserving themselves, and preserving America from the unjust and violent aggressions of Spain—

DECREE.

ARTICLE I. The republic is declared to be in a state of war with the Spanish government.

ART. II. The secretary for foreign relations will take charge of communicating this declaration to friendly nations, with a proper manifesto of the causes which have given reason for it.

The secretaries of state, each in his appropriate branch of duty, are charged with the execution of this decree, and to make it public with due solemnity.

Given at the government house in Lima, the 14th January, 1866.

MARIANO I. PRADO.

JOSÉ GALVEZ,  
*The Secretary of War and Navy.*

T. PACHECO,  
*The Secretary of Foreign Relations.*

J. M. QUIMPAR,  
*The Secretary of Government.*

J. SIEMON TEJEDA,  
*The Secretary of Justice.*

M. PARDO,  
*The Secretary of Finance and Commerce.*

CHILIAN LEGATION,  
*Lima, January 13, 1866.*

Mr. SECRETARY: The undersigned, envoy extraordinary and minister plenipotentiary of the republic of Chili, has the honor to address himself to Don Toribio Pacheco, secretary for the department of foreign relations, and to announce to him that, by the steamer from the south, which anchored at Callao the 10th of this month, the undersigned has received, ratified with the formalities which the constitution of the republic provides for, the treaty of alliance, defensive and offensive, between Peru and Chili, concluded and signed by your excellency and the undersigned on the 5th of December, of the year last past.

There now remains only that the like formality being complied with by the Peruvian government, you indicate to the undersigned on what day the exchange can be made before the expiry of the term limited for it in the treaty.

The undersigned sends you herewith an authentic copy of the full power which has been conferred on him.

He thinks, also, that it will be agreeable to the Peruvian government to know that the Chilian congress gave its approval to the treaty of alliance unanimously, and without discussion; in testimony, it may be said that it accepted the union between the two republics as a pledge of the safety of the independence of South America, and of the enduring of the democratic institutions which prevail in it.

The undersigned has the honor to salute his excellency Mr. Pacheco, and to assure him of the considerations of distinguished regard with which he subscribes himself his obedient servant,

DOMINGO SANTA MARIA.

The SECRETARY OF FOREIGN RELATIONS of Peru.

LIMA, January 13, 1866.

The undersigned has read with complacent gratification the esteemed communication that his excellency Señor Don Domingo Santa Maria has done him the honor to address to him, communicating to him that, by the steamer from the south, which anchored at Callao on the 10th instant, Señor Santa Maria had received, ratified with all the formalities prescribed by the constitution of the republic, the treaty of alliance, offensive and defensive, concluded the 5th December last.

It has been exceedingly satisfactory to the supreme magistrate and his cabinet to see in the esteemed despatch of his excellency Señor Santa Maria, the confirmation of reports which had already reached the government concerning the eminently American manner, and as fraternal as flattering for Peru, in which the congress of Chili gave approval to the treaty.

This being approved and ratified by the supreme magistrate, the undersigned will have pleasure in receiving his excellency Señor Santa Maria to-morrow, Sunday, 14th, at one o'clock, to proceed to the exchange of the ratifications, and thus place the seal to an alliance which must be fruitful in happy consequences, not only for Peru and Chili, but also for all America.

The undersigned congratulates himself that an opportunity so agreeable offers to him the occasion to renew to his excellency Señor Santa Maria the assurances of profound esteem and respect with which he has the honor to subscribe himself his obedient, humble servant,

T. PACHECO.

His Excellency Don DOMINGO SANTA MARIA,  
*Envoy Extraordinary and Minister Plenipotentiary of Chili.*

*Mr. Pacheco to Mr. Seward.*

[Translation.]

No. 2.]

LIMA, *January 20, 1866.*

The undersigned, secretary of foreign relations of Peru, has the honor to remit to the honorable Secretary of State of the United States of America the Peruvian, the official gazette of the republic, which reprints the treaty of alliance, offensive and defensive, concluded between Peru and Chili, and the decree which declares the republic to be at war with the Spanish government; he remits also to you the manifesto of the motives which have induced the government of the undersigned to make that declaration.

His excellency the chief magistrate takes the greatest interest in convincing friendly governments that Peru, prudent but honorable in her international conduct, in assuming a warlike attitude does nothing but frankly accept a situation created exclusively by the pretensions, day after day more exaggerated, of the Spanish government.

The unjustifiable occupation of the Chincha islands, disapproved by all the governments of the earth, also was by the Spanish government, because it declared it had not given instructions to do this; but running into a palpable incongruity, maintained it as a means of carrying out pretensions each day more exaggerated, under pretext of having, through her agents, thought of restoring the islands, an assertion which the Spanish government never entertained, and which is belied by the facts, by the documents which have come to light, and from the lips even of those agents. She wrenched from Peru an indemnity of three millions of dollars; at a later day she attempted to impose on Peru, by force, a treaty in virtue of which it is pretended that the republic should pay all the costs of the war which the Spanish government made in order to fight her, as well as all the obligations which, for her own advantage, the Peninsula government held in the old viceroyalty. The mode and the conditions on which the payment of those supposed obligations is claimed would create a debt which the storied wealth of Peru would not satisfy, and which would only serve to encourage Spain on the march of despotism which she ever sets up to exercise over South America. She has declared the principle of revindication to be existent; she has announced the pretension that Peru must pay the expenses of her Catholic Majesty's squadron in its hostilities against America; and has manifested at different times the purpose to interfere in the domestic questions that have lately disturbed Peru. In fine, on pretexts which Europe and America have repelled with indignation, the ports of Chili have been blockaded in violation of the well-known forms of international law.

It is true that the Spanish government has all the while protested moderation and disinterestedness, but this is belied by facts; at the foundation of that violent, disorderly, and contradictory diplomacy are only plainly seen the old colonizing tendencies of Spain, and her settled purpose to humiliate free countries which were previously her colonies; and this end she attempts to accomplish by filling the exhausted treasury of her Catholic Majesty with the proceeds got from the Chincha islands, which belong to Peru. It is therefore necessary that these purposes of Spain should vanish away, and to attain this there is no means but war. It is the only recourse the Spanish government has left us. It is necessary that the difficult but fortunate progress of the American republics, and their commercial relations with other civilized states, should not be interrupted at every moment by the violent and capricious aggressions of the Spanish government. When that becomes convinced, by events, that America knows how to maintain her rights, and that peace cannot be solid and lasting unless when voluntary and honorable; when by her conduct she may have convinced America that she does not mean to wound her dignity and interests, peace will naturally follow, and then, only then, will produce its real fruits.



The government of Peru dwells on these considerations because it is actuated by the desire to convince friendly governments of the justice which sustains it. It will observe the greatest care in ever maintaining with them the good relations which happily connect them, and hopes, at the same time, that the state of war in which she is involved with Spain will not in the least affect the friendship which happily exists between Peru and the United States.

Animated by these sentiments, the undersigned hastens to offer to the honorable Secretary of State of the United States of America the assurances of high and distinguished consideration with which he has the honor to subscribe himself his excellency's very obedient and very humble servant,

T. PACHECO.

Hon. SECRETARY OF STATE *of the United States of America.*

---

*Mr. Garcia to Mr. Seward.*

[Translation.]

LEGATION OF PERU,  
*New York, February 23, 1866.*

The just war, unhappily unavoidable, which Peru has found it necessary to declare officially against Spain, has already begun through maritime operations, which in their development may place the governments friendly to the one and the other nation under the unavoidable necessity of exercising the rights and complying with the duties which, in differences between other nations, are incumbent on neutrals.

Although the precepts of international law are clear and explicit enough as to the condition of neutrals, and as to what it is permitted to them to grant or refuse to belligerents, the supreme interest which the government of Peru has always taken in respecting the laws of other nations, and in maintaining with all the ties of peace and friendship unchanged, oblige me to ask your excellency to deign to let me know what conduct your government will observe towards vessels of the Peruvian navy, or of Spain, and towards vessels fitted out as cruisers by either of the belligerents, which in the course of war may arrive on the coasts or at the ports of the United States, and what the one or the other may lawfully do or obtain in the waters of the Union.

I have the honor to subscribe myself, with the highest personal consideration, your most obedient, humble servant,

JOSÉ ANTONIO G. Y GARCIA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

---

*Mr. Seward to Mr. Garcia.*

DEPARTMENT OF STATE,  
*Washington, February 26, 1866.*

SIR: I have the honor to acknowledge the receipt of your note of the 23d instant, inquiring as to the conduct which, during the war between Peru and Spain, which has unhappily been resumed, will be observed by the government of the United States, in respect to the vessels of the Peruvian or of the Spanish navy, and in respect to cruisers of either of the belligerents, which may arrive on the coasts or in the ports of this country.

In reply I have the honor to inform you that, during the war referred to, this government will observe the neutrality which is enjoined by its own municipal

law, and by the law of nations. No armed vessel of either party will be allowed to bring their prizes into the ports of the United States.

I avail myself of this occasion to offer to you a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Señor Don JOSÉ ANTONIO GARCIA Y GARCIA, &c., &c., &c.

---

*Mr. Garcia to Mr. Seward.*

[Translation.]

LEGATION OF PERU,

*New York, March 12, 1866.*

SIR: I have the honor to communicate to you that the government of Peru has ordered me to put an end to the diplomatic functions which, representing it, I have been exercising near your excellency, and that in consequence of the instructions I have received, I shall set out for Peru by the steamer which leaves this port on the 21st instant.

In addressing myself for the last time to your excellency, let me be allowed to express the gratitude which I owe to your government, and to yourself in particular, for the kind welcome you have given to me, and the regret I entertain that the abnormal character of the circumstances which have occurred, agitating Peru, have not permitted me to enter upon more intimate relations with your government and your excellency, and the attainment of results more advantageous to the interests of both countries.

I request your excellency to please to direct a passport to be sent to me, embracing the members of the legation and of my family.

I avail of the occasion to offer to your excellency the assurance of the high and distinguished personal consideration with which I subscribe myself, your excellency's very respectful servant,

JOSÉ ANTONIO G. Y GARCIA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

---

*Mr. Seward to Mr. Garcia.*

DEPARTMENT OF STATE,

*Washington, March 16, 1866.*

SIR: I have to acknowledge the receipt of your note of the 12th instant, in which you inform me that the government of Peru has instructed you to terminate the diplomatic functions which, as chargé d'affaires of that republic in the United States, have been hitherto fulfilled by you, and that, in compliance therewith, you will return to Peru by the steamer of the 21st instant.

I cannot permit this occasion to pass without expressing to you the satisfaction which I have at all times experienced in my official intercourse with you as the representative of Peru, and the uniform courtesy and urbanity which have marked your conduct in our social relations.

I beg to assure you, sir, of my sincere wishes for your long continued happiness and prosperity, and to express the hope that you may have a pleasant journey to your home.

I enclose a special passport for yourself and suite as solicited, and avail myself of the opportunity to tender to you the assurances of my official and personal consideration.

WILLIAM H. SEWARD.

Señor JOSÉ ANTONIO GARCIA Y GARCIA, &c., &c., &c.

*Mr. Barreda to Mr. Seward.*

[Translation.]

WASHINGTON, D. C.,  
51 Pennsylvania Avenue, May 22, 1866.

SIR: I have the honor to make known to you that the provisional supreme chief of Peru has been pleased to appoint me envoy extraordinary and minister plenipotentiary of the republic near the government of the United States of America.

I annex an official copy of the autograph letter which accredits me in that character, and request you to obtain from his Excellency the President his pleasure in designating the day and hour for delivering this to him.

Meanwhile, I should be glad if you would allow me the honor of presenting to you personally my respects, and the original of a communication from the secretary of foreign relations of Peru, of which I enclose a copy, putting an end to the mission which Don J. A. Garcia y Garcia discharged in the character of chargé d'affaires.

I avail myself of this occasion to present myself as your very respectful and very obedient servant.

F. L. BARREDA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

*Mr. Pacheco to Mr. Seward.*

[Translation.]

LIMA, May 13, 1866.

SIR: I have the honor to inform you that the supreme chief of Peru has deemed proper to put an end to the mission filled in the United States by Señor Don José Antonio Garcia y Garcia in the character of chargé d'affaires.

Señor Garcia not having been able personally to present to you his letter of withdrawal, through the change in the government which took place in Peru, I have instructed Señor Don Frederico L. Barreda that, before presenting to his Excellency the President of the United States the letter which accredits him as envoy extraordinary and minister plenipotentiary of Peru at Washington, he may present to your excellency the letter of withdrawal connected with the mission of Señor Garcia.

I am gratified in the belief that Señor Garcia will have understood how to have been the faithful interpreter of the friendly sentiments which Peru always cherishes for the United States, and will have conciliated the good will of the government of the Union.

I avail of this opportunity to offer to you the assurances of the high and distinguished consideration with which I have the honor to be your excellency's very respectful and obedient servant,

T. PACHECO.

The SECRETARY OF STATE.

A copy:

*The Secretary of Foreign Relations.*  
PACHECO.

*President Prado to President Johnson.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS OF PERU.

Mariano Ignacio Prado, provisional supreme chief of the republic of Peru, to his Excellency the President of the United States of America:

As my most constant and ardent desire is to cultivate and strengthen the relations of friendship and harmony that happily exist and are maintained inalterable between Peru and the United States of America, I hasten to inform your Excellency that I have chosen Don Frederico L. Barreda for the purpose of residing in your republic, with the title of envoy

extraordinary and minister plenipotentiary, and I accordingly grant him the full powers necessary for the perfect fulfilment of his important mission.

The particular knowledge I have of the qualities that distinguish Don Frederico L. Barreda, and his zeal for the service, leave me no doubt of the manner in which he will perform the high functions that have been intrusted to him.

I desire that the person of this minister may be agreeable to you, and that you honor him with a welcome reception, giving entire faith and credit to whatever he may say in the name of Peru, and especially when he assures your Excellency of my desire to preserve the good and friendly relations and cordial intelligence with your republic, for whose prosperity, as well as that of yourself, I express the most sincere wishes.

Be pleased to accept the expressions of my most profound respect.

Given, signed by my hand, sealed with the arms of the republic, and countersigned by the secretary of state, in the department of foreign relations in the government house at Lima, on the 20th day of February, 1866.

MARIANO F. PRADO.

T. PACHECO, *Secretary of Foreign Relations.*

A true copy:

*Secretary of Foreign Relations,*  
PACHECO.

---

*Mr. Seward to Mr. Barreda.*

DEPARTMENT OF STATE,

*Washington, May 28, 1866.*

SIR: I have received and laid before the President your note of the 22d instant, announcing your arrival as envoy extraordinary and minister plenipotentiary of Peru to this government, and asking for the appointment of a time for you to present your letter of credence.

In reply I am directed to inform you that the President will receive you for that purpose at a quarter before twelve to-morrow. If, therefore, you will call here I will accompany you to the Executive Mansion.

I avail myself of the occasion, sir, to offer to you a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Señor Don F. L. BARREDA, &c., &c., &c.

---

*Mr. Barreda and Mr. Buruaga to Mr. Seward.*

[Translation.]

LEGATION OF PERU AND CHILI,

*Washington, May 30, 1866.*

The undersigned, envoy extraordinary and minister plenipotentiary of Peru, and chargé d'affaires of Chili, have the honor to address his excellency the Secretary of State of the United States to express their regret at the difficulties which have supervened with the government of the republic of Ecuador, respecting the first annual payment due from that government in conformity with the terms of the convention of the 25th November, 1862.

In the absence of a representative from Ecuador, the undersigned, who represent friendly and allied governments of that republic, hope the honorable Secretary of State of the United States will accept with kindness their officious action in this matter, which has no other motive than the ardent wish to avert any cause for dissatisfaction between his excellency's government and that of a republic which forms part of that group of states now combined to resist Spanish aggression.

The undersigned believe that the government of Ecuador earnestly wishes

to comply strictly with the engagements she has contracted, and they have reasons to give assurance that only causes independent of her will have had power to occasion the delay which is noticed in the payment of the sum due to the government of the United States.

The government of Ecuador has taken measures to remove these causes, and it is very likely she may already have satisfied or be very nearly ready to satisfy the annual payment which has become due.

To avoid, however, any future difficulty, and induce a continuance of the confidence of the government of the United States in the justice and good faith of that of Ecuador, the undersigned, in the name of their governments, bind themselves to deliver into the treasury of the United States, on the 17th day of September next, the amount of that annual payment, with its legal interest from the 17th February last past, in case that, by the said date of 17th September, the government of Ecuador may not have satisfied it.

The undersigned hope that the honorable Secretary of State may receive this proposition with favor, and obtain from his Excellency the President the action which is desired in this matter, for the purpose of preserving the friendly and cordial relations which happily exist and which they desire may be maintained between the governments of the United States and Ecuador.

The undersigned have the honor to renew to his excellency the Secretary of State of the United States the assurances of their most distinguished consideration.

F. L. BARREDA.  
F. S. ASTA BURUAGA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

---

*Mr. Seward to Mr. Barreda and Mr. Buruaga.*

[Confidential.]

DEPARTMENT OF STATE,  
*Washington, June 2, 1866.*

The undersigned, Secretary of State of the United States, has the honor to address this note to his excellency the minister plenipotentiary of Peru and his excellency the chargé d'affaires of Chili, concerning and explanatory of the engagement which is made on behalf of the United States, in a previous note of this date, bearing upon the subject of a default of the government of Ecuador.

While the United States will consent to receive the arrear payment in question from the republic of Ecuador through the good offices of Peru and Chili, according to said engagement, yet it must be understood that in no case will the United States be willing to receive these moneys or any part of them at the hands of the friendly states of Peru and Chili or either of them. This government cannot, indeed, omit its proper duty of prosecuting just claims of its citizens against the republic of Ecuador in a reasonable and customary manner. At the same time the United States by no means indulge in a disposition to make unbecoming exactions upon the friendly republics which are allies of Ecuador, nor could they consent to accept unrequited pecuniary favor from any nation.

The undersigned avails himself of the occasion to offer to Mr. Barreda and Mr. Asta Buruaga renewed assurances of his high consideration.

WILLIAM H. SEWARD.

Señor F. L. BARREDA, &c., &c., &c., and  
Señor F. S. ASTA BURUAGA, &c., &c., &c.

*Mr. Seward to Mr. Barreda and Mr. Buruaga.*

DEPARTMENT OF STATE,  
Washington, June 2, 1866.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of joint note, which was addressed to him on the 30th May last by his excellency the minister plenipotentiary of Peru and his excellency the chargé d'affaires of Chili, on the subject of a default which the government of Ecuador has permitted in the payment of money stipulated in the convention which was made by that republic with the United States on the 25th of November, 1862.

The undersigned is directed to express acknowledgments and thanks to Mr. Barreda and Mr. Asta Buruaga for the good offices which they have tendered in that note. These good offices are cordially accepted. This government will cheerfully wait the period suggested, viz., until the 17th of September next, for the payment referred to, with a confident expectation that it will then be made in the manner specified. The proper committees of Congress will be informed of this engagement, and the representative of the United States in Ecuador will be instructed accordingly.

The undersigned avails himself of this occasion to tender to Mr. Barreda and Mr. Asta Buruaga a renewed assurance of his high consideration.

WILLIAM H. SEWARD.

Señor F. L. BARREDA, &c., &c., &c., and  
Señor F. S. ASTA BURUAGA, &c., &c., &c.

*Mr. Barreda and Mr. Buruaga to Mr. Seward.*

[Translation.—Confidential.]

LEGATIONS OF PERU AND CHILI,  
New York, June 7, 1866.

The undersigned have received the confidential note of his excellency the Secretary of State, dated 2d instant, referring to another of the same date relative to the difficulty supervened with the government of Ecuador, and explaining the engagement contracted therein.

The undersigned would extremely regret that their proffer of payment should have been misunderstood, and hasten to give explanations which can leave no doubt respecting their intention in the mind of the honorable Secretary of State. In their desire to avoid every motive for disagreement between the government of the United States and that of the republic of Ecuador, the undersigned offered payment at a stipulated period if the government of Ecuador should not make it at an earlier time. But this offer was not considered by them as a favor to the United States but to Ecuador, and it was their purpose to make the payment with the funds which the government of Ecuador should remit to them, or with those which they, acting under its authority, might raise for this object. For this it was that time sufficient was fixed to give room for any such operation, a term which would not have been necessary if the undersigned had assumed the payment in the name of their governments. They desire to give the guarantee of these in favor of Ecuador, to induce the government of the United States to grant their application without fear its indulgence might be abused, respecting at the same time the dignity of both governments.

The undersigned avail of this occasion to renew to the honorable Secretary of State the assurances of their most distinguished consideration.

F. L. BARREDA.  
F. S. ASTA BURUAGA.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

*Mr. Barreda and Mr. Buruaga to Mr. Seward.*

[Translation.]

LEGATIONS OF PERU AND CHILI,  
*New York, June 7, 1866.*

The undersigned, envoy extraordinary and minister plenipotentiary of Peru and chargé d'affaires of Chili, have had the honor to receive the communication which, under date of the 2d instant, his excellency the Secretary of State of the United States has pleased to address to them, responding to that which the undersigned transmitted to him on the 30th May last, in reference to the difficulty which had supervened with the government of Ecuador.

The undersigned, profoundly thankful to the honorable Secretary of State for his prompt and satisfactory action in this matter, request him to please to express to his Excellency the President of the United States their fullest thanks and the assurance of satisfaction with which the governments they represent will receive this fresh proof of his good will.

The undersigned avail of this occasion to renew to his excellency the Secretary of State of the United States the assurances of their most distinguished consideration.

F. L. BARREDA.

F. S. ASTA BURUAGA.

HON. WILLIAM H. SEWARD, &c., &c., &c.

*Memorandum of a conversation between Mr. Seward and Mr. Barreda.*

[Translation.—Confidential.]

WASHINGTON, *October 8, 1866.*

SIR: On the evening of the 6th instant I had a long interview with the honorable Secretary of State in relation to our questions with Spain. Placed in a position of entire frankness, we freely exchanged our ideas, and our interview being divested of all official character, we were enabled to mutually express our opinion without reserve.

His excellency believes that the time has arrived when it may be well to cause to cease a war which, in its present aspect, promises to be very prejudicial to the allied republic, because it will impose upon them enormous sacrifices to transfer it to points where it may be felt by Spain. He considers it important that those republics may obtain a substantial peace under the auspices of governments which prove their ability to consolidate their institutions and to promote the development of the great elements of prosperity which they possess, and he is of the opinion that Spain desires now to improve the means that may be offered to finish a question in which she has lost all hope of gathering any really important benefits.

In such circumstances Mr. Seward desired that we should together seek for a means of arriving at a satisfactory solution of these questions.

I replied to his excellency that the difficulties presented in the continuation of the war, under its present aspect, were not hidden from me, but that we continued increasing our resources and means of action, and hoped to be enabled very soon to transfer the war where it would be felt by our enemy; that, moreover, the war awakening the patriotism of the country, uniting all parties, and raising the feeling of national dignity, had done, and continued doing, us great good in the interior, while the alliance with the other republics of the Pacific, the extension of relations and unity of thought created by its influence, were promising to produce political and social results of the highest moment; that in the state of public opinion in America, the allied governments could not make a peace which should not be very honorable, and which should not define in some

manner the realization of an idea of continental solidarity which might forever put an end to European intervention in America.

Mr. Seward answered me, that for some time his mind had been preoccupied with the idea of reducing to practice, in given cases, that theory—hitherto impossible of realization in its absolute form—of a grand continental alliance, and that he believed to be able now to give it a practical application for the arrangement of these questions. The plan that he proposed to me was, that the President of the United States should address a note, in the same terms, both to the allies and to Spain, causing them to see the importance of concluding the war, and inviting them to send their plenipotentiaries to Washington, who, united in a congress under the impartial presidency of the State Department of the United States, would enter upon negotiations for peace; that in the matter of claims, and any other in which an agreement could not be reached, even through the good offices of the United States, the president of the union would name the arbitrator for their decision; that this idea accepted, an armistice would be signed which should involve the recognition of the nations signing, and their territorial integrity; and if the republics on the Pacific agreed to this method of arrangement, he would extend a similar invitation to Brazil and her allies and to Paraguay, to finish their war.

The Secretary of State entered into some considerations as to the transcendent importance of this plan, and spoke of the advantage of making, in this manner, the question continental, and of solving it in Washington and not in Europe. He concluded in explaining to me that, although he had not mentioned his idea to any one, because he first wished to speak with me, yet he had some reasons to believe that Spain, under possible contingencies, would not decline it.

I ought not to conceal from you that I received very favorably, and so expressed myself to Mr. Seward, a plan of settlement which, in my judgment, satisfies the demands of honor, national dignity, and the aspirations of America.

\* \* \* \* \*

I am, sir, your obedient servant,

F. L. BARREDA.

The SECRETARY OF FOREIGN AFFAIRS, *Lima*.

*Mr. Seward to Mr. Barreda.*

DEPARTMENT OF STATE,

*Washington, October 8, 1866.*

SIR: I have the honor to transmit to you, for your information, a copy of two circular letters addressed by this department, one to the attorneys of the United States and the other to the respective governors of the States of the United States formerly slave States, on the subject of attempts being made to induce freedmen to move to foreign countries, and especially to Peru.

I avail myself, &c.,

WILLIAM H. SEWARD.

Señor Don FREDERICO L. BARREDA, &c., &c., &c.

[Circular.]

DEPARTMENT OF STATE,

*Washington, October 6, 1866.*

SIR: This department is informed that schemes are on foot to induce freedmen to emigrate to foreign countries, and particularly to Peru, based upon promises of bettering their condition, which it is believed will never be carried into effect. It is consequently suggested that any legal and moral means which may be at the command of your excellency be used towards preventing the freedmen from being imposed upon.

I have the honor to be your excellency's obedient servant,

WILLIAM H. SEWARD.

His Excellency the GOVERNOR OF THE STATE OF ALABAMA.

Same to the governors of the States of Virginia, Kentucky, North Carolina, South Carolina, Georgia, Florida, Louisiana, Texas, Mississippi, Tennessee, and Arkansas.



[Circular.]

DEPARTMENT OF STATE,  
*Washington, October 6, 1866.*

SIR: This department has information that measures are in progress for the purpose of inducing freedmen to move to foreign countries, and especially to Peru, by promises of high wages and other inducements. As there is reason to believe that these promises will not be performed, and that the condition of the freedmen would not, in most instances, be improved by the change, it is deemed to be the duty of the government to prevent them, by all legal and moral means, from being thus imposed upon.

This circular is addressed to you for that purpose, with the assent of the Attorney General. You will do anything which you properly can towards causing its object to be carried into effect.

WILLIAM H. SEWARD.

The ATTORNEY OF THE UNITED STATES  
*for the Northern District of Alabama.*

Same to all the United States district attorneys for the States of Kentucky, North Carolina, South Carolina, Georgia, Florida, Texas, Louisiana, Mississippi, Arkansas, and Tennessee.

---

*Mr. Barreda to Mr. Seward.*WASHINGTON, *October 9, 1866.*

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 8th instant, transmitting copies of circular letters addressed to the attorneys of the United States, and to the governors of the States of the United States formerly slave States, on the subject of attempts being made to induce freedmen to move to foreign countries, and especially to Peru.

I can assure your excellency that, so far as my government is concerned, no inducement has been offered for the emigration of freedmen to Peru, and I must not conceal from your excellency that my government, as well as the people of my country, would deeply regret any movement that might tend to introduce, in any portion of Peruvian territory, a race that is not yet well prepared to contribute to the development of civilization and republican institutions on the South American continent.

I avail myself of the occasion to renew to your excellency the assurances of my most distinguished consideration.

F. L. BARREDA.

Hon. WILLIAM H. SEWARD, &amp;c., &amp;c., &amp;c.

---

*Mr. Seward to Mr. Barreda.*DEPARTMENT OF STATE,  
*Washington, October 11, 1866.*

SIR: I have received with satisfaction your note of the 9th instant, stating that the government of Peru had offered no inducement for the emigration of freedmen from the United States to that republic. It is to be hoped that any lawful effort which that government can make will not be omitted towards preventing such fraudulent and unlawful attempts to procure emigrants as is proposed.

I avail myself of this occasion, sir, to offer to you a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Señor Don F. L. BARREDA, &amp;c., &amp;c., &amp;c.

# APPENDIX.

---

## JAPAN.

---

*Mr. Pruyn to Mr. Seward.*

No. 58.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, October 29, 1862.*

SIR: I have received from the minister of foreign affairs a letter, of which I enclose translation, (enclosure No. 1,) requesting me to have constructed for them in the United States two steam sloops of war of twenty-four heavy guns each, and one steam gunboat with heavy guns, the number to be fixed by myself; the three vessels to be propellers, with sailing gear, mathematical and nautical instruments, and small-arms complete.

I have been induced to take this order, hoping and expecting that on its arrival home the rebellion will have been crushed, and that it will supply work for our mechanics during the interval between the suspension of work for our government and the resumption of that for our commercial marine.

I have also been verbally requested by the ministers of foreign affairs to procure for them a rifling machine and a field battery of six guns.

I hope the government will approve of the selection of the agents I have made. Being so many thousands of miles from home, I felt that I was justified in confiding the trust to personal friends. I was therefore happy that I had it in my power, when fixing on Thurlow Weed, esq., to choose an individual who had without reward rendered signal services to the government, and who has its entire confidence; and I also hope I have not erred in selecting my friend and relative, Charles B. Lansing, esq., of Albany, as his associate, as I thought it proper to choose one, and in making the selection had in view the heavy pecuniary responsibility I have assumed.

I enclose No. 2, copy of my letter to those gentlemen.

The ministers of foreign affairs have paid into my hands two hundred thousand dollars on this account.

In the personal interview preceding this commission I have been highly flattered by the proofs of confidence which have been given.

I trust that if anything were wanting to satisfy the President I have not been unmindful of his instructions, and that I have a strong position with this government, that this letter of the ministers will supply it.

I have the honor to be, sir, very respectfully, your obedient servant,

ROBERT H. PRUYN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

No. 1.

[Translation.]

To his Excellency ROBERT H. PRUYN,

*Minister Resident of the United States of America, &c., &c., &c. :*

We have to state to your excellency, as we already did on several occasions when consulting with you on the subject, that we desire to have constructed in the United States and sent here two steam sloops of twenty-four guns of heavy calibre each, propellers, with masts and rigging, nautical instruments, small-arms, &c., and what belongs thereto, with spare spars and sails, according to the regulations for the American navy; and also a steam gunboat (with heavy guns, the number of which we leave you to fix) of seven hundred tons, Netherlands measure, propeller, masts, rigging, &c., and with spare spars and sails, as above stated.

The cost of these vessels will amount, it is supposed, to eight hundred and sixty thousand dollars, of which two hundred thousand will now be paid in advance, the same amount on the 1st of January, 1863, and also on the 1st of March, and the balance, with the expenses at sea, &c., will be paid together after the said ships are finished and upon arrival here and delivery to us.

We desire that these ships be built as speedily as possible, strong and cheap, as required by your own government.

We request your excellency to take the proper measures in regard to the foregoing without delay.

Stated, with respect and esteem, the 28th day of the 8th complementary month of the 2d year of Bunkin, (the 21st October, 1862.)

MIDSUNO IDSUMI NOKAMI.  
ITAKURA SUWO NOKAMI.

No. 2.

LEGATION OF THE UNITED STATES,  
*Yedo, October 29, 1862.*

GENTLEMEN: The Japanese government hereby authorize and empower you to contract for the building of two steam sloops of war and of one steam gunboat, with machinery, rigging, tackle, and armament complete, of the size and character herein described.

The sloops to carry twenty-four cannon each, of heavy calibre, with most approved screw and adequate steam power, with masts and rigging, nautical instruments and small-arms all complete, and spare spars and sails, according to the regulations of the American navy.

The gunboat to be of seven hundred tons, Netherlands measure, to be a propeller, with masts and rigging, instruments, arms, and spare spars and sails, as above stated. The cannon to be heavy, the number left to be fixed by myself. This is the sole description given by the ministers.

To provide for the payment of the cost of construction, &c., said government has placed in my hands the sum of two hundred thousand dollars, which will be remitted by me as soon as I can purchase the requisite drafts, and have agreed to advance the further sum of two hundred thousand dollars on the first day of January next, the further sum of two hundred thousand dollars on the first day of March next, and to pay the balance of such cost, including the expenses of delivering the same, on the delivery of said ships of war in the harbor of Yedo.

As the government has done me the honor to say that it will rely entirely on me to agree upon the price and see to the character of the vessels, and will therefore send no officers to superintend their construction, I have thought it proper to intrust this commission to tried personal friends, who will see that this confidence shall be fully justified.

In making such contracts, therefore, you will employ builders on whom you can rely, whose capital will enable them to execute the contract promptly, and whose skill and intelligence will insure the delivery of vessels, &c., which shall reflect honor on our country.

As this government nearly a year since contracted for a steam sloop of war in Holland, and the present order is a small one compared with what will follow on the satisfactory completion of this one, it is highly important that these vessels should be of the very first class, and should not be excelled anywhere for economy and excellency of build, and for speed, efficiency, durability, and everything essential to constitute first-rate men-of-war.

To insure this, you are authorized to appoint a competent inspector, and it is hoped that the government of the United States will, if the rebellion shall, as I trust, have been entirely put down, assign some naval officer for that purpose, as an act of courtesy to Japan and of justice to the reputation of our own country.

Should you consider it proper you will see that suitable officers are selected to bring said vessels to Japan.

You will take particular care that payments are not made until sufficient work shall from time to time be done to insure the fulfilment of the contract, and for that purpose insurances shall

be required and policies transferred to you; and that the vessels and machinery shall, during the progress of the work, belong to you, subject to the right of the contractors to complete their work, also to guard against liens for wages of workmen and debts for materials; in short, obtain adequate security by means of the provisions of the contract, and outside also of the contract, to guard against the possibility of a failure to complete the work satisfactorily and faithfully.

You will also purchase the necessary machinery for rifling cannon, with steam engine and boilers, with the necessary connections, safety valve, &c. I have no means of judging intelligently of the cost of this, but have supposed that for six thousand dollars the necessary machine and engine, say of twenty or twenty-five horse power, could be procured. For this purpose this government has advanced the sum of three thousand dollars; the balance will be paid on the delivery of same in this harbor.

You are also authorized to purchase four bronze six-pounder rifled cannon, one twenty-pounder and one thirty-pounder rifled Parrott cannon, with the necessary caisson forges, &c., for field battery appropriate thereto, together with a fair supply of James's shot and shell for said guns, and some of our improved powder for large guns for this battery as well as for the ship's batteries.

This battery and the above machine may be shipped by the vessels of war when completed, or at an earlier day if practicable, as this government will probably enter largely into the purchase of rifled cannon, and a fair field will be opened here for the enterprise of our countrymen.

The government will make an advance on account of the guns, advice of which will probably reach you before any contract shall have been made by you. The balance will be paid on delivery at Yokohama.

I remain, gentlemen, very truly and respectfully, your obedient servant,

ROBERT H. PRUYN.

THURLOW WEED and CHAS. B. LANSING, Esq's, *Albany, N. Y.*

*Mr. Seward to Mr. Pruyn.*

No. 34 ]

DEPARTMENT OF STATE,

*Washington, January 29, 1863.*

SIR: Your despatch No. 58, dated October 29th, 1862, was duly received.

The letter of the Japanese ministers for foreign affairs, of which you enclose a translation, requesting you to have constructed for them, in the United States, two steam sloops of war and one steam gunboat, with heavy guns, small-arms, nautical instruments, &c., complete, and their verbal request that you would procure for them a rifling machine and a field battery of six guns, afford gratifying evidence of the high estimation in which the skill of our mechanics is held by the Japanese government, as well as of the confidence reposed in you by those who administer its foreign affairs.

While commending, however, the motives which induced you to accept the trust thus confided to you by their excellencies, I have deemed it proper to submit the matter, for consideration, to the Secretaries of War and of the Navy, with a view to ascertain whether, if the wishes of the Japanese government were to be carried into effect, it would occasion any injurious interference with similar work which might be in progress here for war purposes. From the reply of the Secretary of War, of which I annex a transcript, it will be seen that the necessities of our own service will, for the present, forbid a compliance with the request of the Japanese government so far as the armament of the vessels is concerned. There would appear to be no objection, however, to the building of the vessels themselves.

In making the necessary explanations to the Japanese government of your inability to have their wishes in regard to the construction of the vessels referred to fully carried out, you will be careful to impress it upon them that your services in this behalf are of an entirely unofficial character.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., &c., &c., &c.

*Mr. Seward to Mr. Pruyn.*

No. 36.]

DEPARTMENT OF STATE,  
*Washington, February 9, 1863.*

SIR : This government is most desirous to preserve and invigorate the friendship which through the discreet and generous labors of your predecessor and yourself has grown up between us and Japan. The President therefore regrets that the painful condition of political affairs prevents its allowance of the execution to the full extent of the wishes of the Japanese government in regard to the building and equipment of ships of war for its use. You will explain to the ministers for foreign affairs that, provided the trust proposed to you is understood to be one which is to be exercised in your individual capacity, not in any wise compromising the government, there is no obstacle to the execution of the wishes of the government of Japan, so far as relates to the construction and departure of the vessels without armament, if completed while the necessity for the present restrictions remains in force, or with it, after a change of circumstances shall permit them to be removed. It is constantly the policy of the government to encourage the resort of foreigners to our manufacturers and markets for all lawful material and merchandise.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., &amp;c., &amp;c., &amp;c.

*Mr. Pruyn to Mr. Seward.*

No. 19.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Yedo, May 1, 1863.*

SIR : I have the honor to acknowledge the receipt of your despatch No. 34, dated the 29th January, 1863.

I shall avail myself of the earliest opportunity to make it known to this government, and shall again assure it that my action in the premises must necessarily be unofficial.

In all my conversations and in the letters and papers I have had occasion to sign, I have studiously avoided acting in an official capacity.

I hope that before the completion of the vessels all their armament and equipment may be supplied without interfering with the wants of the United States, which I trust may by that time happily need no further supply.

I have the honor to be, sir, very respectfully, your most obedient servant,

ROBERT H. PRUYN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.**Mr. Seward to Mr. Pruyn.*

No. 81.]

DEPARTMENT OF STATE,  
*Washington, October 14, 1864.*

SIR : With reference to the despatch of Mr. John G. Walsh, United States consul at Nagasaki, No. 19, of July 20th, informing this department of the ill treatment received by the American steamer Monitor from the Japanese authorities in the bay of Fuku-Gawa, in the territory Nagato, I enclose herewith a

copy of the order of the President, suspending for the time being the departure of the steam gunboat Fusiya, built at New York for the Japanese government.

It is to be hoped, however, that you may be able to inform this department of the amicable adjustment of this and other differences existing between the Japanese and the United States governments, so as to enable the President to revoke his order for the suspension of a clearance for the Fusiya.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., &c., &c., &c.

---

EXECUTIVE ORDER.

EXECUTIVE MANSION, *Washington, October 12, 1864.*

The Japanese government having caused the construction at New York of a vessel of war called the Fusiya, and application having been made for the clearance of the same, in order that it may proceed to Japan, it is ordered, in view of the state of affairs in that country, and of its relations with the United States, that a compliance with the application be for the present suspended.

ABRAHAM LINCOLN.

---

*Mr. Seward to Mr. Pruyn.*

No. 85.]

DEPARTMENT OF STATE,

*Washington, December 6, 1864.*

SIR: Herewith I enclose for your information an executive order relative to the war steamer Fusiya Solace, built in this country for the Japanese government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., &c., &c., &c.

---

EXECUTIVE ORDER.

EXECUTIVE MANSION, *Washington, December 3, 1864.*

A war steamer called the Fusiya Solace, having been built in this country for the Japanese government, and at the instance of that government, it is deemed to comport with the public interest, in view of the unsettled condition of the relations of the United States with that empire, that the steamer should not be allowed to proceed to Japan. If, however, the Secretary of the Navy should ascertain that the steamer is adapted to our service, he is authorized to purchase her, but the purchase money will be held in trust towards satisfying any valid claims which may be presented by the Japanese on account of the construction of the steamer, and the failure to deliver the same as above set forth.

ABRAHAM LINCOLN.

---

*Mr. Pruyn to Mr. Seward.*

[Extract.]

KANAGAWA, *January 20, 1865.*

MY DEAR SIR: \* \* \* \* \*

I feel sure the President would have permitted the Fusiya to leave had it not been that it was advisable to set an example to Great Britain. Otherwise discretion might have been left me as to delivery. I should have acted, after conference, &c., with my colleagues. The Monitor case is now provided for by

the convention. I have advised the owners they must now look to our government. Their case is not a very strong one. The vessel is found wherever and whenever there is trouble in Japan. The consul at Nagasaki had a complaint preferred on them by the governor of the port that the ubiquitous steamer had put into a small port in an island not far distant—it was claimed for repairs. It is now daily expected here. When I have given the owners an opportunity for explanation, I will send a despatch.

The Japanese have purchased British steamers since the affair at Simonoseki, and the ship of the admiral is now lying beside the flag-ship of the French admiral, undergoing repairs by French engineers. There can certainly be no cause for withholding this steamer now by our government. The British officers are giving instructions also in cavalry tactics and other branches of the military art, and a brisk trade in Belgian, Prussian, and English rifles is in progress.

I regret there should have been a necessity for stopping the vessel, so long a time having elapsed since ordered. We have friends here who think ruin our only national heritage, and though the government has shown no distrust, I think our relations would not suffer by its arrival.

\* \* \* \* \*

I am, very faithfully and respectfully, your obedient servant,  
ROBERT H. PRUYN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Pruyn to Mr. Seward.*

[Telegram.]

No. 5.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Kanagawa, January 21, 1865.*

SIR: If the gunboat has not sailed, I hope immediate clearance will be granted, as no unsettled difficulties exist between Japan and any treaty power.

I have honor to be, sir, your obedient servant,

ROBERT H. PRUYN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

*Mr. Pruyn to Mr. Seward.*

No. 11.]

LEGATION OF THE UNITED STATES IN JAPAN,  
*Kanagawa, March 9, 1865.*

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 76, 79, 84, 85, and 86, dated October 7th, October 10th, November 7th, December 6th, and December 14th, respectively, all of 1864.

Your despatch No. 86 acknowledges the receipt of my despatch No. 93, of the date of October 10th, but I have written no letter of that date or number, and am therefore uncertain whether you refer to my No. 57 of September 3d, or to my No. 62 of October 12th, neither of which has been otherwise acknowledged, and both of which contain numerous enclosures.

I am highly gratified that the President has been pleased to continue his approval of my official course.

I indulge the hope that the gunboat Fusiyama was allowed to leave so soon

as the President received information of the conclusion of the convention. The other powers appear to regulate their conduct on the fact that peace now prevails. Every British mail steamer which arrives brings cases of rifles. The officers and men of the French navy have recently been engaged in thoroughly repairing the Japanese steamer Yangtse, and are now preparing to put in operation for the Japanese government a machine shop, and a lot of land in this place has been turned over to the French authorities in acknowledgment for said services. The keel of a frigate to be built for this government has been laid in Holland. British steamers have recently been sold to this government, and an agent of the same is now in Europe authorized to contract for iron-clads.

It would be impossible for me at this time to prepare a statement of the loss which this government would sustain by the non-delivery of the ship. As most of the funds are now in United States currency, all of which was taken before the present heavy depreciation took place, the loss will necessarily be heavy, unless, as I hope and believe, a speedy change for the better shall take place.

But I cannot doubt that in view of the great friendship which has prevailed between the two countries the ship will be delivered and loss thereby avoided.

Without doubting the wisdom of the President's order, I am sure he will pardon my expressing the hope and desire that he will now hasten her departure, if it has not already taken place. To this course none of the treaty powers can justly take exception, and it will greatly strengthen amicable relations with Japan.

I have the honor to be, sir, your obedient servant,

ROBERT H. PRUYN.

Hon. WILLIAM H. SEWARD,  
*Secretary of State, Washington, D. C.*

---

*Mr. Pruyn to Mr. Weed and Mr. Lansing.*

UNITED STATES LEGATION IN JAPAN,

*March 15, 1865.*

GENTLEMEN: If the Fusiyama has not left, you will please spare no effort to effect its clearance.

When the President shall learn of the amicable settlement of all difficulties with the treaty powers, it appears to me that he will not fail to authorize its departure.

Within the past few months several ships have been sold and delivered to this government or to Daimios; the keel of a frigate has been laid in Holland for this government. An agent is now in Europe with funds and authority to order iron-clads. French officers and seamen are now repairing a Japanese government steamer, and are to put up machinery on shore for a machine shop at this place. Citizens of Switzerland and subjects of all the European powers are selling rifles and guns. Every mail steamer which arrives brings numerous cases. A large market for our mechanics will be closed in this country when our war closes, by reason of the foothold others are now gaining. I am quite sure a preference will be given to our country if we are allowed to compete.

While I must believe the President's course has been wise thus far, I hope I may be allowed to say I cannot see why there should be longer delay or further hesitation.

It is impossible, as you are aware, in view of large commissions paid and depreciation of our currency, to get the funds back to this country without heavy loss. But a heavier blow will be struck by the loss of prestige we will sustain, as the Japanese government meets with no interference from or by any other government.



Should any representations you make fail of success, you will await instructions as to funds and ships, as I will fully learn the wishes of this government before I avail myself of my leave of absence.

I hope the next mail will bring intelligence that the steamer has cleared. But if not, that it will be allowed to leave without much or any further delay.

No country has any unsettled demand on this

I am very truly yours, &c., &c.,

ROBERT H. PRUYN.

Messrs. THURLOW WEED and CHAS. B. LANSING, &c., &c.

*Mr. Portman to Mr. Seward.*

No. 26.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Kanagawa, May 10, 1865.*

SIR: By this mail I presume you will receive from Mr. Pruyun translation of a letter from the ministers for foreign affairs, which I sent him for his information and for transmission to the department, in which the ministers request that the ships of war, munitions, &c., which they desired to be procured in the United States, be sent out to them without delay, being urgently required at the present time for putting down the civil commotion, which, in the case of the Prince of Nagato, appears to have assumed already the proportions of open rebellion.

This Prince, who last year, at Simonoseki, had all his forts dismantled and all his guns carried off by the allied fleet, now suddenly professes a great friendship for foreigners. The value of such friendship may be readily estimated.

By last mail I received a despatch with enclosures from our consul general at Shanghai in reference to the transfer of the steamer Lancefield, owned by the Prince of Nagato, through the agency of the owner of the American steamer Fee Pang, late the Monitor, copies of which documents were no doubt forwarded already to the department. I shall acknowledge the receipt of the same to Mr. Seward by the first opportunity and send you copies by a vessel to leave for San Francisco in a few days, together with such further information as the next inward mail may bring or I may gather from other reliable sources.

A governor for foreign affairs applied to me for information on the subject, but I stated to him that three days after the last mail left Shanghai, Mr. Pruyun must have arrived there and in person communicated with Mr. Seward; by the next inward mail I expected to receive Mr. Pruyun's clear and explicit instructions, under which I would then be able to confer with him, to which he readily assented.

The design of the Prince of Nagato is evidently by the aid of foreigners successfully to resist the Tycoon's lawful authority, and I regret to say that there appears to be a tendency, in view of large profits to be realized, to afford such aid. The policy of the Tycoon, in furtherance of the very object for which the expedition to Simonoseki last year was undertaken by the Four Powers, is to put down this rebellious Daimio of Nagato, whose resistance, if successful and protracted, may prove productive of serious complications. The ships constructed in the United States would therefore now be of great service to the Tycoon, and I beg respectfully to recommend, as Mr. Pruyun has already done before, that they may be sent out to this government with all possible despatch.

I have the honor to be, sir, very respectfully, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

## EXECUTIVE ORDER.

EXECUTIVE MANSION,

*Washington, June 6, 1865.*

Whereas circumstances of recent occurrence have made it no longer necessary to continue the prohibition of the departure for her destination of the gun-boat Fusi-yama, built at New York, for the Japanese government, it is consequently ordered that that prohibition be removed. The Secretary of the Treasury will therefore cause a clearance to be issued to the Fusi-yama, and the Secretary of the Navy will not allow any obstacle thereto.

ANDREW JOHNSON.

*Mr. Portman to Mr. Seward.*

No. 6.]

LEGATION OF THE UNITED STATES IN JAPAN,

*Yokohama, February 6, 1866.*

SIR: I have the honor to inform you that the steam corvette Fusi-yama, constructed for the Japanese government in the United States, arrived at Yokohama on the 23d ultimo, and yesterday she was formally delivered to them by Captain Franklin Hallet, her commander.

The Japanese authorities informed me that she arrived in excellent condition, and that they are very much pleased with her.

I have the honor to be, sir, your most obedient servant,

A. L. C. PORTMAN,

*Chargé d'Affaires ad interim, in Japan.*

Hon. WILLIAM H. SEWARD,

*Secretary of State, Washington, D. C.*

Vol. ii—44

