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ROLL

2

File Microcopies of Records in the National Archives: No. 167

Roll 2

DESPATCHES FROM UNITED STATES CONSULS IN SEOUL, 1886-1906

Volume 2

January 19, 1899 - July 5, 1906

THE NATIONAL ARCHIVES

Washington: 1949

INTRODUCTION

In this microcopy are reproduced two volumes that consist, for the most part, of despatches addressed to the Department of State by United States consular officials at Seoul between July 3, 1886, and July 5, 1906. These despatches, with very few exceptions, are arranged in chronological order; their contents are registered on Roll 1. The volumes, each of which has been microcopied on a separate roll, cover the following dates:

Roll	Volume	Inclusive Dates
1	1	July 3, 1886 - December 21, 1898
2	2	January 19, 1899 - July 5, 1906

Some of these despatches are covering letters for enclosures of a routine nature forwarded by the consular officials to the Department of State. Many of these enclosures were removed from their covering letters and distributed among various other records of the Department of State or, in the case of those concerned with fiscal affairs of the consulate, of the Department of the Treasury. In addition to this type of despatch there are, occasionally, fairly detailed communications covering a wide range of economic, political, and social subjects.

During the period covered by the despatches included in this microcopy Seoul was a combined diplomatic and consular post of the Department of State. The ranking United States official held the title of Minister Resident and Consul General.

In Record Group 59, General Records of the Department of State, in the National Archives, there are several series of volumes containing additional material on the relations between Korea and the United States. Complementary to the despatches from consular officials are instructions to these officials. Also related to this series, though less directly, are despatches from United States Ministers to Korea, 1883-1905 (File Microcopy 134), instructions to these Ministers, 1883-1905 (File Microcopy 77, Roll 109), notes from the Korean Legation in the United States to the Department of State, 1883-1906 (File Microcopy 166), and notes from the Department of State to the Korean Legation, 1888-1905 (File Microcopy 99, Roll 68).

In Record Group 84, Records of the Foreign Service Posts of the Department of State, there are records originally maintained at United States diplomatic and consular posts that have been transferred to the National Archives. Among these are the records of both the United States Legation and the United States consulate located at Seoul, Korea, 1883-1905.

INTRODUCTORY NOTE

The volume microcopied on this roll has the following backstrip title: "2 / Consular / Letters / Seoul / January 1, 1899, / August 14, 1906 / D[ep't of] State." It contains despatches, with their enclosures, addressed to the Department of State by United States consular officials at Seoul between January 19, 1899, and July 5, 1906. The contents of this volume are registered on Roll 1 of this microcopy.

This volume is part of a body of records in the National Archives designated as Record Group 59, General Records of the Department of State. It is volume 2 of a series generally referred to as Consular Despatches, Seoul.

Bureau of Indexes and Archives.

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— 2 —

Consular

Letters

Seoul

January 1 1899

August 14, 1906

See letter from
to Atty. Genl.
of April 25. 1900.
and May 17. 1900
Seoul to Minister of
Foreign Affairs
May 17

Ans + orig. Rec.
Mar. 10. 99.
Ans. Apr 6.

No.31. Consular.

FEB 23 1899

Consulate General of the United States.

Seoul, Korea, January 19, 1899.

See letter to Atty Genl
+ instruction to Seoul
Oct 15. 1900

Mr.Allen to the Assistant Secretary of State.

Copied in original to
Atty Genl Nov 22/02

Subject:

30

Ack rec'd

31 Jan 19. 1899

Kallen

See [illegible]

See letter from Seoul to Atty Gen'l of April 25. 1900. and May 15. 1900 and instruction of May 17 1900 also inclosure

Encl. to Atty Gen'l Mar. 10. 99.

Ans. Apr 6.

No.31. Consular.

FEB 23 1899

Consulate General of the United States.

Seoul, Korea, January 19, 1899.

See letter to Atty Gen'l + instruction to Seoul Oct 15. 1900

Mr.Allen to the Assistant Secretary of State.

Loaned in original to Atty Gen'l Nov 22/02

Subject:

Final report on the trial of John G.Flanagan f

for the murder of George Wilkins Lake at

Chemulpo.

See letter Nov 12, 02 from Atty Gen'l

No.31. Consular.

Consulate General of the United States.

Seoul, Korea, January 19, 1899.

Honorable David J.Hill,

Assistant Secretary of State.

Washington.

Sir,

I have the honour to hand you my final report on the trial of John G.Flanagan for the murder of Geo.W.Lake at Chemulpo, on the night of August 30, 1898.

See my Nos. 19, September 2; 22 Sept. 30; 23 Oct. 8; 25 Nov. 4; 26 Nov. 16; 27 Nov. 30; 29 Dec. 21; especially the first and last.

The murdered man was a native born American.

The murderer is a naturalized American of Scotch birth.

He was brought to Korea by the American Gold Mining Company operating here, and I have no doubt as to his

American

American citizenship though he lost his naturalization papers before reaching Korea. He admitted his American citizenship to the British Consul-General here before the murder. The question of jurisdiction has never been raised, though, thinking it might be, I addressed the Department on the subject in my No.23, Consular, October 8, asking that the naturalization records of Chicago be searched to ascertain surely if this man, under the name of John MacLanagan had been given papers. The reply was to the effect that no such record could be found -Consular Despatch No.II, Nov.22, from the Department.

I now learn from the man that at that time he spelled his name McLanachan or Maclanachan, which may account for the failure to find the record in question.

After an exhaustive preliminary investigation this case was called for trial on October 31, and judgement was rendered on November II. The prisoner was convicted of murder, and in accordance with the new statute enacted June I5, I897, by the Fifty Fourth Congress, 29 Stat.L. 487 Chap. 29, reducing the cases in which the penalty of death may be inflicted, he was sentenced to imprisonment for life.

for life, at hard labour.

The four Associates who sat with me on the case concurred with me in my opinion and judgement.

A petition for a new trial was made in conformity with the regulations for the Consular Courts of the United States in Korea. This petition was finally refused on January 17, and I now hand you as an enclosure the affidavits, statements and other documents upon which this petition was based, together with the argument for the petition by the Counsel for the Defence, and my reply thereto.

While this petition was pending, the prisoner escaped from the jail through the assistance of an accomplice on the outside, and the negligence of the jailer, who unintentionally allowed his keys to be secured and used.

The jailer is a German subject. I have been unable to get an American owing to the uncertainty of the permanence of the post. No suspicion of other than unintentional negligence attaches to the jailer, who was amply punished by having to pay the reward of 100 yen (50dollars) for the capture of the fugitive.

The capture took place in Chemulpo within twenty-four

hours

hours of the time of the escape.

This offense constitutes a misdemeanour, as no breach occurred.

Upon my final refusal to grant a new trial, a motion for an appeal was duly made.

I can find no provision for an appeal in such cases occurring in Korea, either to the Minister, or to the Circuit Court for the District of California, as is provided for in the case of China and Japan by R.S. Sec. 4092; 4093; 4094; 4095 and 4096.

R.S. Sec.4106 states that "If the Consul and his associates " concur in opinion, the decision shall, in all cases, ex- " cept of capital offenses and except as provided in the " preceding section, be final." No provision is made for the excepted capital cases. In U.S. vs. Ross, Kanagawa, May 1880, it was decided that: " the statutes " of the United States make no provision for an appeal to " the United States' Minister in Japan in cases of murder." In view of the absence of all provision for appeal, I shall therefore do nothing in connection with this motion for appeal unless I am informed of the existence of a pro-

vision

provision covering the case.

In conclusion I respectfully suggest that the attention of the President be called to this case, with a view to having the prisoner removed to a prison in America.

The small jail on these official premises is not adapted to the permanent lodgement of a convict.

I have the honour to be,

Sir,

Your obedient servant,

Horace N. Allen.

Enclosures:

Seventeen documents

relating to trial for murder of John G.Flanagan.

THE UNITED STATES,

vs

John G.Flanagan.

Papers
in re
New Trial.

The following papers, consisting of :-

I/ Explanation of the Motion.
2/ Petition.
3/ Extension of time by Court.
4/ Judgement.
5/ Affidavit of Alexander Kenmure.
6/ Counter-affidavit of William F.Sands.
7/ Statement of Oo Pyung Kil.
8/ Affidavit of A.A.Pieters.
9/ Affidavit of Accused.
10/ Counter-affidavit of William F.Sands.
II/ Statement.

Were settled by me this nineteenth day of December 1898.

(au) Horace N.Allen,

U.S.Consul General
Acting Judicially.

To these papers were added upon hearing on this twenty eighth day of December, the following papers:-

12. The Argument in support of Motion.
13. The Complaint and Plea.
14. The Warrant.
15. Oath of the Associates.
16. The decision requiring a new trial.
17. Notice of Appeal.

Horace N Allen

C

Dispatch No 31 Consular

from Seoul, Korea.

re. Jas. G. Flanagan

151 pages

1/

The United States

vs.

John G. Flanagan.

Judgement in the above case was rendered by the United States Consul General, Acting Judicially, at Seoul Korea Nov. 11, 1898.

The Counsel for the Defense Alexander Kenmure, at once gave notice that he would make a motion for a new trial.

On Nov. 15. within the legal limit of five days, the formal petition for a new trial was duly presented and filed, and the full limit of twenty days was allowed the Defense for preparation of his statement for a new trial.

The statement was duly presented on December 5, 1898, and it was formally settled on December ~~seventeenth~~ nineteenth 1898.

[By] Horace N Allen

Settled Dec. 19, 1898

[By] Horace N Allen

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Petition for a New Trial. 2/

In the Court of the United States Consulate-General, Korea.

United States of America
vs.
John G. Flanagan } Notice of intention to move for new trial.

Please take notice, that the defendent John G. Flanagan intends to move the Court to set aside and vacate the judgement heretofore rendered and entered herein on the 11th day of November, 1898, and to grant a new trial in this case, upon the following grounds, viz.:

1. That there was irregularity in the proceedings of the Court and in an order of the Court by which he was prevented from having a fair trial.

2. That there was accident and surprise which ordinary prudence could not have guarded against. 8

3. Newly

3. Newly discovered evidence, material for him which he could not, with reasonable diligence, have discovered and produced at the trial.

4. Insufficiency of the evidence to justify the opinion and judgement and that it is against law.

5. Error in law occurring at the trial, and excepted to by him.

(sn) Alex: Kennure.
Attorney for Defendent Flanagan.

(sn) John G. Flanagan.

To the Above-mentioned Court
and
The Honorable Horace N. Allen
Consul-General and Judge in said Court.

Filed this 15 day of November 1898.
sn Horace N. Allen
U.S. Consul General
Acting Judicially

Filed Dec. 19, 1898
(sn) Horace N Allen

In the Consular Court of the United States, Korea. 3/

The United States.

vs.

John G. Flanagan

On the application of the Defendant in the above case, and for good cause, the time for filing the Statement and Affidavits on Defendant's motion for a new trial is hereby extended twenty days.

Seoul Korea, November 15, 1898.

(s) Horace N Allen
U. S. Consul General.
Acting Judicially.

Filed Dec. 19, 1898
(s) Horace N. Allen,

Opinion & Judgement

4/

THE UNITED STATES VS. JOHN G. FLANAGAN.

The following is the statement and opinion of United States Consul-General Horace N. Allen, in the case of the United States against John G. Flanagan, who was charged with the murder of the late Geo. W. Lake, given by the Consul General as Acting Judge when he pas-ed judgment on and sentenced the prisoner:

THE CRIME.—This murder was a peculiarly revolting one. The deceased was an old man, 53 years of age. His eyesight had almost failed him; his voice was well nigh gone, and for some time prior to his death he had been rapidly failing in general health, so that on the day of the murder, he was scarcely able to return the salute of a passing friend. (See testimony of Thomas Hollingsworth), and had twice to be assisted; once after falling down stairs at about 4. p. m. the day of the murder, and again at dusk, when he was taken sick at his door.

THE MOTIVE.—The motive may have been robbery, concealment, or the hope of resultant gain.

Robbery does not not seem to have been the motive since the house, a rented one situated in the Chinese Settlement at Chemulpo, was known to be almost depleted of its goods which had been taken to stock a new place in the Korean part of Chemulpo, to which the deceased was to have removed on the day or so following the murder. It was supposed by those acquainted with the deceased, that he had little if any ready money on hand, as he is known to have sold leather at a sacrifice a few days before the murder, in order to pay a pressing debt. (See sworn statement of the accused prior to arrest.) There was no disorder in the house such as would have been occasioned by the ransacking of thieves, except that a heavy wood box was overturned and some cooking utensils were upset in an out of the way place, as though by intention.

The safe was found to be unlocked and the keys were not found in the pockets of the deceased but on the floor by the bed as though they had been used during the night. While this safe is not supposed to have contained much in the way of money or valuables that would attract an ordinary thief, it presumably did contain papers of some importance, none of which have been found after careful search. The deceased was a man of careful habits as to his property matters, and a long life of struggle and adventure and of undertakings of considerable importance, would lead him to carefully preserve in his safe any papers of value he may have possessed.

This safe was peculiarly difficult to open even with the proper key. The clumsy combination could not well be mastered by a novice. The accused was the only person in Korea aside from the deceased who was known to be able to open the safe.

CONCEALMENT.—If robbery had been the motive, even robbery of the safe, it would not have been necessary to kill the feeble and almost speechless old man in the upper room. He could not even have called out to give an alarm. It seems evident that the motive was to obtain possession of something contained in the safe and to secure the unquestioned enjoyment of this possession by the removal of the rightful owner.

What seems to have been a careful plan for concealment seems to have been carried out. Instead of using one of several American axes that stood near the bed, the crime was committed by the use of a heavy iron weight such as is used on Chinese steelyards. This weight is shown to have been introduced from the outside, though no trace was found of the place whence it was taken. That it was introduced to direct suspicion toward a Chinese as the perpetrator of the crime seems evident since it was placed in a conspicuous spot on the floor near the bed. It would have been a most simple matter to toss it through the open back window where it would have fallen down a steep bank and been lost in a tangle of underbrush and debris.

A pair of binoculars taken from the safe, were carefully placed at the bottom of this bank where they would readily be seen and thereby direct attention to some thief who might be supposed to have dropped them from an overloaded pack. The glasses were not broken or damaged as by a fall. From the testimony of the Customs House employee who found them, it seems evident that they were not there the morning after the murder but were placed there the following night, where they were found on the morning of the first of September.

A heavy woodbox, more or less filled with wood, was upset behind the stove, and a heavy kettle was overturned from the stove to the floor, without making noise enough to disturb people thirty feet away who were supposed not to have been asleep at the time of the murder.

It was shown that anyone being sufficiently acquainted with the house to be able to find the keys and open the safe, would not be apt to get so far out of the way in reaching the back door as to run against the stove and woodbox. While no light was observed in the house that night, it was a bright night at full moon and a person inside would have ample light from the spacious front windows for the purpose of committing this crime, while being unseen from the outside.

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HOPE OF CONCEALMENT.—The accused was taken up by the deceased when the former was a penniless, friendless wanderer, and kindly treated. So much so as that accused said he was called by the deceased "my boy," meaning son. He was set up in business by the deceased at a cost of yen 714., of which he stated that he had only returned yen 175., and that deceased held him responsible for the balance, and set him up in business again. (Sworn statement of accused prior to arrest.) The deceased placed the prisoner in charge of the new houses he was building in "Korean Town" to cost yen 1,000., and just prior to his death he had allowed accused to remove practically all his goods to one of these new houses which had been occupied of late by the accused, and to which the deceased was to have gone himself in a day or two.

The prisoner states that he never gave his employer an account of those goods.

The witness who saw accused first after the murder (testimony of Constable) stated that the latter had said to him that "he had worked for Lake and never got a cent, but 'maskee' have got letter." Another witness, Alfred F. A. W. Busby, deposed to the fact that the prisoner had stated to him that if Lake left a will he thought he, prisoner, would inherit the property.

The accused is known to have practised the signature of the deceased until he had it passable correct. (Court Exhibits.) Letters to Edward Lake of Nagasaki, brother of the murdered man, were evidently written by Flanagan and some of them were presumably signed by him. The brother's suspicions were aroused by these letters, which were reitterated demands for goods, and contrary to his brother's usual methods. Further, the deceased wrote to his brother to know why he was sending him these goods which he had not ordered and did not want.

If the deceased held a paper from the accused covering the shortage of goods to the extent of over yen 500., for which he was "held responsible," or if the latter had used his habit of writing the former's signature to make over to himself the stock of goods then in his complete possession at the other end of town; or if the accused had in the same way made a will, or knew of a will in his favor in the safe, all of which seems probable but has not been proved, the motive for the deed would apparently be concealment with the hope of resultant gain.

LOCATION AND SURROUNDINGS.—The house in which the murder was committed is surrounded by Chinese shops. A room next door had been used as an opium den but was not occupied at the time of the murder. Some petty Chinese traders have their stands within a a few feet of the front door of the house. The locality is a crowded one. Entrance to and exit from the back door is quite practicable for one knowing the locality well. The relations existing between the deceased and his Chinese neighbors were most excellent. He had befriended them in the past and had their good will, as is generally known. Suspicion was not directed to these Chinese after careful investigation, nor does there seem to have been any reason for suspecting them of robbing as empty house or of opening a safe which only an expert could open, and which was not supposed to contain valuables. Also the Court is of opinion that no Chinese would kill a man with one sure, steady blow, as was so neatly done in this case. A coward would have made sure of his work and caused more or less mutilation.

SUSPICIOUS CIRCUMSTANCES.—The accused was seen to enter the house where the murder was committed at about the time of lamp-lighting, and was not seen to come out. As the front door was found barred in the morning, he presumably did not come out that way. In his sworn statement, taken a few days after the murder, at a time when he knew himself to be under grave suspicion, accused solemnly swore that he was at home all the evening and night of the murder and was positive that he had not been out of his house during all that time. He was seen on the streets that night between nine and ten o'clock by three credible European and American witnesses, (testimony of Thos. Van Ess, H. R. Bostwick and E. E. Ritteuhouse). He was seen between ten o'clock and midnight by Asiatics, (Testimony of Takahashi and Brothel Keeper) very drunk, visiting brothels and dressed in Chinese garments such as the deceased is known to have possessed, which garments he was offering for sale.

Although given every opportunity to explain this discrepancy between his sworn satement and the actual facts, he has not done so.

When awakened with difficulty at eight o'clock the next morning by the constable, who informed him of the death of his acknowledged friend and benefactor, he evinced neither surprise nor sorrow, but took a glass of brandy, prepared to eat, and began to complain of the deceased and to claim that he had papers against him that would make him all right.

When he came into the presence of the body he picked up the weight and examined it but promptly placed it back upon the floor. He afterwards swore that he had not even seen the weight, though he stated that he found the safe keys on the floor at the side of and about the middle of the bed, which was so near the place where the weight lay, that if the keys were there, he could scarcely have gotten them without touching the weight. Later, when forced to notice the weight, he said, "Well! I never saw that before," and voluntarily gave as his idea of the cause of death that "he must have fallen and hurt himself." A rough miner who had presumably seen death in many forms would know a a glance, as would anyone that the body lying on the bed with a large hole in the head could no have fallen on the weight on the floor and then got into bed to die. Death was plainly instantaneous and the body had not moved after the infliction of the death blow.

The accused was as familliar with the house and its contents as the owner could be; had he been an innocent man he would have been prompt to call attention to the strange weapon lying in full view on the floor, and to connect it with the tragedy.

He avoided the house where the Coroner's Jury was sitting and where the body of his friend was being prepared for burial, and only came when he was sent for.

He carefully avoided the brother of the deceased, who arrived in Chemulpo a few days later, and with whom he had considerable correspondence.

The safe seems to have been the objective point. That it was opened during the night and was not accidentally left open by the deceased, is probable from the habits of the latter, and almost positive from the fact that the keys were not in the pockets of the dead man, but on the floor by the side of the bed.

Suspicion points with great force to the accused as the one who opened the safe, from the fact that he was the only one in Korea aside from the deceased who was known to be able to open it, and from his actions with reference to the safe on the morning of the murder. He went to open it as though he knew it to be unlocked, when the constable remarked that he could not open it without the keys, he went upstairs and came back with them as quickly as though he had taken them from his own pockets, though he states that he made a protracted search for them, looking in *coat* pockets—not trousers pockets, and finally discovered them lying on the floor by the bed. When he came to open the safe with the keys in his hand, he did not even attempt to insert the key in the keyhole, but promptly pulled the door open. He placed the keys after use under the pillow of the dead man, where they came near to being lost. He did not seem to consider this a likely place in which to find them, since he said that he looked in such unlikely places as coat pockets, but said nothing of looking under the pillow.

Prisoner was left an hour or more in the house with deceased after first entering and until the Chief of the Municipal Police arrived. The woodbox and kettle may well have been overturned at this time. All of which circumstances point so strongly to the accused, who is a naturalized citizen of the United States of America, as the real criminal in this case, as to leave in my mind no reasonable doubt of his guilt as charged in the complaint above cited

JUDGEMENT.

Wherefore, having heard and tried the foregoing complaint filed by Alfred B. Stripling on the 20th day of September, 1898, I find John G. Flanagan, alias J. G. Flanagan, alias John Flanagan, guilty of the offense of murder, wherewith he is charged, having at Chemulpo, Korea, on the night of the 30th of August, or the morning of the 31st of August, 1898, wilfully, maliciously, and of malic aforethought, feloniously killed and murdered one Geo. W. Lake, an American citizen, by striking him on his forehead with an iron weight, which blow fractured the skull of the said Geo. W. Lake, thereby causing his death. All of which is contrary to the form of the statute in such cases made and provided. And I, therefore, adjudge and sentence the said John G. Flangagan, alias J. G. Flanagan, alias John Flanagan, therefor, to imprisonment at hard labor for life from this 11th day of November, 1898, in such prison for American convicts as shall be hereafter ordered.

HORACE N. ALLEN,
U. S. Consul General Acting Judicially.

I assent to the foregoing judgement:

CLARENCE R. GREATHOUSE,
HENRY G. APPENZELLER,
DANIEL L. GIFFORD,
SAMUEL F. MOORE,
} Associates.

Settled
Dec. 19, 1898,
Horace N. Allen

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No.

March 10, 1899.

Horace N. Allen, Esquire,

Consul General of the United States,

Seoul, Korea.

Sir:

The Department has received your No. 31 of January 19th last, relative to the trial and conviction of John G. Flanagan in your Consular Court.

You state that the question of appeal has been raised, and you suggest the removal of the convict to a prison in the United States.

Under the statute, a citizen of the United States may be tried for murder either before the Minister or the Consul (and associates) in the country where the offense is committed. The law provides, however, where the trial is before a Consul, that no person shall be convicted of murder unless the Consul and his associates in the trial all concur in opinion and the Minister also approves of the conviction.

It would, of course, be a useless proceeding to submit your judgment as Judge of the Consular Court to yourself as Minister, for approval. It must be assumed that the statute contemplated such submission only in countries where the offices of Minister and Consul General are occupied by different individuals.

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Nor is there any provision for an appeal from the Consul

or

or Minister in Korea to the Circuit Court of the United States for the District of California.

The prisoner was sentenced to imprisonment for life, at hard labor. You suggest that the attention of the President be called to the case, with a view of having the prisoner removed to a prison in America, the small jail at Seoul not being adapted to the permanent lodgment of a convict.

It has been held by the Attorney General in 1825 (14 Op. 522) and in 1889 (19 Op. 377) that in the absence of a statute authorizing convicts of Consular Courts to be removed to the United States to serve out their sentences, the removal of the convict to this country for that purpose would be unlawful. To the same effect is an unreported opinion of Attorney General Miller of June 17, 1890.

In the case of Ross, who was convicted of murder by the U. S. Consular Court at Yokohama, and sentenced to death, the President pardoned the prisoner on condition that he be imprisoned at hard labor for life in Albany Penitentiary. This conditional pardon having been formally accepted by the prisoner, the courts hold that he was bound thereby.

The matter has today been submitted to the Attorney General for such direction as the President may decide to give.

I am, Sir,

Your obedient servant,

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Thos. W. Cridler,

Third Assistant Secretary.

5/

Affidavit.

The United States of America

vs.

John J. Flanagan.

I, Alexander Kenmure, Agent for the Defense, in the above trial, state my belief that there should be a new trial of this case, on the following grounds:—

1st. Irregularity in the proceedings of the Court, in an order of the Court and an abuse of discretion by which the Defendent was prevented from having a fair trial.

2nd Accident and surprise, which ordinary prudence could not have guarded against.

3rd Newly discovered evidence, material for the Defendent, which he could not, with reasonable diligence, have discovered and proved at the trial.

I. a.) This case had not been properly prepared to come before the Court. Mr A.B. Stripling, the special officer appointed to investigate the case in Chemulpo, stated in open Court, that the investigation was imperfect; that it had had no competent interpreters or detectives; that it was entirely dependent upon the kindness of the Chinese Consul, who could not come every day, and that it would take another fortnight to examine all the witnesses who should be called.

B.) The investigating officer acted throughout on the theory that the murderer was a foreigner, not a Chinaman and under the influence of this theory neglected obvious sources of information. Further, his method of working through the Chinese Consul was likely to prevent the detection of the criminal, were he a Chinese subject by giving information to some who may have been interested in defeating the ends of justice.

defeating the

X.) Considering the special circumstances of the case, a reward for information should have.

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have been offered. This was not done.

II. The defence had in waiting an important witness, Oo Piung Kil, a Korean. He attended the Court punctually day after day under summons but when called to give evidence, could not be found. On inquiry it was found that he had left home for Court as usual that morning and had not returned. At that time there was great disturbance in the city. The Government was searching for and arresting various members of the Independence Club. It is thought that the witness believed himself to be in danger of arrest and went into hiding.

There is reason to believe that he will soon be found and produced in Court. If so, he will prove that the Accused was not in the Chinese Settlement on the Evening of the 30th Aug., that he was with the Accused from 6 or 6.30 to 9.30 o'clock that night and that he went with him between those hours to various Korean houses.

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III. The

III. The defence has discovered new evidence which it believes will clear the Accused, and which could not have been discovered before.

1. The jiggy kun who assisted the pork-butcher on the 30th can be recognized and can probably be produced. It is believed that it can be proved by said jiggy kun that the help rendered to Lake by the pork-butcher and himself was subsequent and not previous to that rendered by the fruiteller.

2. A Japanese pawn-broker who will Ratify that on the 30th August, about six p.m. Accused came to his shop and asked for Japanese paper money in exchange for four yen worth of nickels. This Japanese now resides at Chemulpo and the defence did not know and had no means of knowing until after the trial that such evidence could be produced.

3. I am informed by Mr. Long the Chinese Consul

Consul at Chemulpo that the deposition of Pang the Chinese doctor with whom the Korean boy went to the country, and who is now in China, can be obtained in China. The said Pang could not be found at or before the trial although search was made for him. I believe and state on information that Pang will prove that he left Chemulpo with the Korean boy on the morning of the 30th August.

4. Since the trial it has been discovered that there is a Japanese witness who will prove that between ~~between~~ 5 and 6 p.m. on the 30th August, the Accused came into the store where she was employed and purchased a loaf of bread. This woman is now in Japan but believe her deposition can be taken. The fact that this woman could give such information was not known at the trial and was only discovered lately after diligent search.

I, the Affiant, state further that Dr. Under-

wood.

wood and I acted conjointly on this trial as Counsel for the Defence, but Dr. Underwood was not in the case until after the commencement of the trial and after some of the evidence had been taken and I did not appear until next day; that neither Dr. Underwood, nor I, is a lawyer by profession or pretends to understand much or anything about Law and both were wholly inexperienced in criminal trials, but appeared at the ministers and at the defendents request as no lawyer and no one else would help in his defence. Neither Dr. Underwood nor I, the Affiant, had any acquaintance with defendent until we entered on the trial and therefore the defence could not be properly prepared.

Dr. Underwood had to leave Seoul immediately after the close of the trial and in point of fact had to postpone his departure on account of it and has not returned since.

The prisoner in this case is entirely impecunious and cannot pay the necessary expenses connected with his defence

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much

much less compensate the defence.

(sn) Alex. Kenmure.
Counsel for the Defence.

Sworn to before me.
December 5, 1898.
(sn) Horace N. Allen.

Presented
Dec. 5. 1898.
(sn) Horace N. Allen

Filed Dec. 19. 1898
(sn) Horace N Allen

Counter Affidavit. 61

The United States of America.

vs.

John G. Flanagan.

I, Wm F. Sands, Vice & Deputy Consul General of the United States, replying to the Affidavit of Alexander Kennure, Agent for the Defense in the above case, do state as my true belief, that

1st There was no irregularity in the proceedings of the Court, in an order of the Court, and an abuse of discretion, by which the defendant was prevented from having a fair trial.

2nd There was no accident and surprise, which ordinary prudence could not have guarded against.

3rd. No proof is shown of the existence of any newly discovered evidence, material for the defense, which could not, with reasonable diligence, have been discovered and proved at the trial.

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I. A. Special officer, A. B. Stripling spoke unadvisedly. The case was not called until he had stated that he would be all ready in time. All persons suspected of possessing any knowledge that would make them useful witnesses for or against the accused were summoned to Court where there was no difficulty as to interpretation. Mr. Stripling himself was a well known detective, and he had Chinese and Korean detectives to assist him. A more perfect investigation, it was absolutely impossible to make. I, W. F. Sands, U. S. Vice and Deputy Consul-general, remained at Chemulpo, through the whole of the investigation which lasted over seventy days and rendered all the assistance possible.

I. B. The investigating officer did not act throughout on the supposition that the murderer was a foreigner. He started out with the idea that it was a Korean — one of the band of beggars who had done some robbing of houses in Chemulpo. No proof

whatever is given by the defendant or his counsel, that "obvious sources of information" were neglected. Instead of being ~~trans~~ham-pered by the assistance of the Chinese Consul, the investigation was very greatly assisted by this officer, who, in order to ascertain truly if a Chinaman might not have committed the deed, aided in securing a skillful Chinese detective from a distance to secretly live among the Chinese in Chemulpo and endeavor to learn if any of them had a guilty knowledge of the affair.

I. C. A reward of $200 was offered by the brother of the murdered man, and this was published in a local newspaper, so that a claim has since been presented for its payment.

II. The Korean boy, Go Pyung Kil, was in daily attendance at the Court until just at the last when he disappeared during a political disturbance and the best efforts of the Court were unavailing in learning

of his whereabouts. He might have been called to the stand at any time. Also before closing the case, a stay of proceedings were offered the defense in order that this man might be found or other witnesses summoned. This offer was not accepted. Further, when preliminarily investigating the case, and long before the trial, in endeavoring to ascertain what witnesses should be summoned, the Consul General examined this witness with great care. The incidents were comparatively fresh in his mind at that time, and he made an earnest attempt to remember if he had been with the Accused the night of the murder. He was absolutely unable to remember that such was the case. His sworn statement is hereto appended. It was handed to the Counsel for defense during the trial when it was found that the witness was absent. After which they declined to accept the proposal for an adjournment to get this witness and went on with the trial. The statement has been freely at the disposal of the Counsel for the defense.

The Affiant, Alexander Kenmure was asked by the Court on behalf of the prisoner to take up the defense of the case. This was on Oct. 21, ten days before the trial. He declined in writing on Oct. 22. The lack of preparation then on the part of the Counsel for the defense, is not due to any fault of the Court. H. G. Underwood, one of the Counsel for the defense, was not invited to take the case, as he had been summoned as an Associate, and got excused upon a physician's certificate of physical inability. He was accepted as Counsel for the defense on the first day of the trial, upon his own motion. Counsel for defense have had access to all the records of the case, and during the preparation of the petition for a new trial, Affiant, Alexander Kenmure has had full use of all the information obtained by the Consul General in ~~m~~ lengthy and exhaustive preliminary examination.

The Court has recognized the impecunious condition of the prisoner and has given him every possible assistance in

its power.

I further state that before the trial the Consul General notified the accused that he could testify on the trial and in fact read him the section of the regulations upon the subject, and that several times during the trial the right of the Accused to testify was mentioned by the members of the Court to the Accused and his Counsel. And also during the trial, lest there might be a misunderstanding the presiding Judge read in open Court said section to the Accused and his Counsel.

(Sgd) William Franklin Sands.
Vice & Deputy Consul General.

I certify that the above mentioned Wm F. Sands swore to the above before me as true to the best of his knowledge and belief

(sgd) Horace W. Allen
U. S. Consul General.

Dated Dec. 19. 1895

/Horace W. Allen

Sworn Statement of Witness Oo Pyung Kil.

My name is Oo Pyung Kil. I am a stu- 7/
dent in Mr. Hulbert's Normal School.
My age is 19. Yes. I have been in Chem-
ulpo. I went there for my vacation to
learn more English. Yes, I know some
foreigners in Chemulpo. Mr. Bridle of
the English Mission; Mr. Bostwick of
the S.C.R.R. and others. No, I have
not been employed with the railroad.
I went to Chemulpo 13th. of 6 moon (31st
of July 1898). Yes, I knew Mr. Flanagan.
I was advised by my friend Ye Sung
Man to study English with Mr. Bostwick
and if he could not give me time, to
go to Flanagan. Ye Uk Son, the boy
of Bostwick was to show me the way
to Flanagan's house, but Ye Uk Son
was not there when I went and I
had to wait, finally Kwak Han Sung
of the R.R. Co, showed me the house.
Yes, I used to go nearly every day to
Flanagan and nearly every evening.
Flanagan told me he had to go to bed
about half past 8 o'clock, so I never
stayed later than 8 o'clock and usually

left before. Flanagan's house is near the Japanese Cemetery. No, Flanagan did not agree to teach me. He said pupils must go to school to learn. I would simply go and Chat with him. I never had any business transaction with him. We only talked about things in general. Yes, I heard that an American had been murdered. I don't know Lake. I saw a foreigner at Flanagan's once who said he was an American. He was not quite 40 years old I think and he told me he kept a hotel. No, I don't know just when I heard of the murder. I went to see Flanagan before coming away and the American who keeps a hotel was there and would not admit me. He said an American was dead and the U.S. Consul had placed him (hotel keeper) in charge of those, his things. No. this was the second time I had heard of the murder. The first time I was told by Flanagan of it. He told me of it in his house. Same house by the

Cemetery. It was just before sunset. Sun was still shining. The hotel keeper was not there when Flanagan told me. It was several days afterwards that I saw the hotel keeper there. Yes, a Japanese was there at the time. It was a Japanese holiday and this Japanese stopped in on his way to the Cemetery to light the lanterns. I was at Flanagans over an hour this time. I had not been to his place before on that day. He told me "somebody killed Lake, this is very bad." Yes, he told me it was "night before last." The reason I did not go to see Flanagan the day before, was that it rained, I think. I don't know. I think I went two days before. I cannot remember. Yes, I saw Flanagans clothes. He wore foreign clothes. No, he never asked me to get him any Korean clothes. No I never saw him have any Korean or any Chinese clothes. I am sure I never saw Flanagan dressed in Chinese clothes or Korean clothes. Flanagan never

asked me for money. I never gave him money. I did give him 20 eggs, before I came to Seoul. Yes, I remember the day Flanagan told me Lake was dead. It was a Japanese holiday. I stayed till it got dark enough for the Japanese Cemetery man to go and light the lamps. I am sure that Flanagan said the murder was "night before last" Yes, I asked Flanagan how Lake was killed and he said he was killed with a Chinese scale weight which he (Flanagan) had seen himself in Lake's house after the murder. I cannot exactly remember whether I went to see Flanagan the day before he told me of the murder or not. I cannot remember if I went to see Flanagan the night of the murder or not. I cannot possibly be sure of it. I do remember being there in the evening about that time, because a Chinaman came. The Chinaman was building a house near to Flanagan. I do not know his name. He is a carpenter. He had ague.

He did not ask Flanagan for medicine. I cannot say if this was two nights before Flanagan told me of the murder or not; it might be. I seldom stayed with Flanagan after 8 P.M. Seldom till 8; never at the latest after 9 P.M. Perhaps 3 or 4 times I stayed till 9 o'clock. The night the Chinaman came with ague, I did not stay later than 8-30. My English being deficient we seldom talk much. No, I never went out in the evening with Flanagan but once. He went to a Korean brothel. I am sure that is the only time. We were not out late that time. This was 3 nights before the evening Flanagan told me of the murder. I am sure of this. I can not tell just how I know it. I know we did not go to the brothel the night of the Japanese holiday. I am sure it was not the night that the Chinaman came with the ague. That evening when I came to see Flanagan he looked drunk. He asked me to go with him to the brothels. I did not.

want to. He said I must; it was very good. I went, but he went into every house, not like is done in Seoul. I was afraid for if they would not attack him, they might attack me. We went to several places. A two story house was the last. I would not go in but Flanagan did. He came out soon and we returned to his house. I went in and sat down with him. I did not stay long with him. I think I left the house about 9-30. Flanagan gave the girls only cigar. No money. He had nothing with him to sell. Flanagan had two rifles that he wanted to sell. Asked me to advertige them. I did not. This was before we went to the brothel.

Taken before me. Sept 27, 1898.
(Signed) Horace N. Allen
U. S. Consul General.

Sworn Dec. 19, 1898
(Sgn) Horace N. Allen.

Affidavit 8/

United States of America

vs.

John G. Flanagan.

I, Alexander A. Pieters, being duly sworn, depose and say.

That as a result of inquiries made by me I believe the following additional witnesses and testimony may be obtained in this case, viz.:

1. The "jiggy kun" who assisted Mr. Lake on the 30th August, can be identified and probably produced.

2. The deposition of a Japanese women, formerly living with Gaillard Jeune & Co., Chemulpo, now in Japan, who will show that on the Evening in question the Accused came into Gaillard Jeune's between 5 and 6 p.m. and purchased a loaf.

3. A Japanese witness who will prove that one evening, on the 30th, Accused came into his shop and asked for paper money in exchange for four yen in nickels.

4. Oo Pung Kil.

4. Oo Pirng kil. This witness I believe to be in hiding and his hiding place known to his parents and friends. If the Korean police are set to work I believe he can easily be found.

I have assisted in this case at the request of Mr. Kenmure and without any acquaintance with the Accused.

(Sd) A. A. Pieters.

Presented.

(Sd) Horace N. Allen

Dec. 5. 1898.

Sworn to before me this 5th day of December 1898.

(Sd) W. F. Sands.

Secretary of Legation.

Sentd Dec. 19. 1898.

Horace N Allen

Affidavit

9

United States of America

vs.

John G. Flanagan.

I, John G. Flanagan, defendent in the above case, being duly sworn, depose and say.

That I was and am prepared to go upon the witness stand and state and the same is true, that the time I came into Lake's house and found the fruiteller and the Korean boy, Yim Do Chang, therewith Lake was on the 28th or 29th of August and certainly not on the 30th, the evening when Lake was killed. And the reason that I did not explain about this in my statement made before Mr. Lands, which was read in evidence, was that I was not questioned about it and did not know and had no means of knowing that the fruiteller had made any different statement or in point of fact that

any

any one had made any statement about it.
As this thing had occurred one or two days
before the murder I did not think then
and now say that it could have no con-
nection with the case.
I further state that when questioned by Mr.
Sands I felt ashamed to say and have
it put down in writing that I was out at
brothels, very drunk, on the night of the 30th,
and I therefore unfortunately and foolishly
made a false statement about it. I was
and am prepared to go upon the stand
and explain this fully and truthfully to
account for my movements during the 30th
and up to and after the discovery of the dead
body of Lake, but was advised by my Coun-
el that it was not necessary or advisable.
I now solemnly swear that I was not
near Mr. Lake's house after about four
o'clock on the afternoon of the 30th or
from that time until I went there the
next morning with the Chinese Policeman
after Lake had been found dead, and
that I had no connection directly or in-
directly with the murder of Lake and am

entirely

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entirely innocent of it.

I am an ignorant man, entirely ignorant of criminal trials, and while the American Minister was exceedingly kind in telling me that any witness I wished would be summoned and that I could be defended by any one, I was in prison at Seoul and could procure no attorney there being none in Korea, and had no friend that could help or advise me. The gentlemen, Messrs. Underwood and Kenmure, who kindly volunteered to assist me as well as they could, were total strangers to me and I never knew them until after the trial had commenced.

I am wholly without property, having only a few clothes. I have not been able to pay even the expenses which Mr. Kenmure has incurred since the trial in hunting up evidence. I humbly ask for a new trial and believe that if it be granted this terrible judgement of having murdered my best and I may say my only friend in Korea, which I in no way deserve as I am innocent, will be set aside

and

and I relieved from the sentence of imprisonment for life.

(au) John G. Flanagan

Presented

Dec. 5, 1898.

(au) Horace N. Allen

The Accused swore, before me, to the truth of this statement this 5th day of December 1898.

(au) W. J. Sands
Secretary of Legation.

Settled Dec. 19. 1898

(au) Horace N. Allen.

Affidavit:

I hereby certify that John G. Flanagan, now under sentence for the murder of George Wilkins Lake, at Chemulpo, was examined before me under oath, on Sept. 4th and again on Sept. 18th 1898.

These statements were read in Court by me at the beginning of the trial. At this time Accused did not deny that he had shown before me to having been in his house all the evening and night of the murder.

In his statement of the 5th of December, to Mr. Kenmure, Counsel for the defense, also sworn to before me on that day, Accused states that he was not in his house on the night of the murder, but in a brothel, and that he perjured himself upon his first examination, before me, "through shame".

"In the above-mentioned examinations

the

the Accused, far from showing any shame or modesty, spoke laughingly of the ease with which he obtained even the "respectable women of the neighborhood", stating that all he gave them in return was "ten cents or a glass of whisky", and saying that they were much more easily obtained than the women from the brothels further along the road, who had a fixed price. He further told me of his having caught the small-pox on one occasion, from a woman whom he called in from the street, as she was passing. All this jokingly, and in an entirely unembarrassed manner.

He spoke also, of a disease from which was suffering at that moment, in consequence of the facility with which he obtained the services of the women of that quarter of Chemulpo.

I think it, therefore, extremely ~~impossible~~ improbable that any "shame" or "modesty" prevented his telling me on that occasion the same story that he told

to

to Mr. Kenmure; and I believe his first story to be the true one.

(s) Willian Franklin Sands.

Sworn to before me this (12) twelveth day of December 1898.

(s) Horace N. Allen.

Settled Dec. 19, 1898

(s) Horace N. Allen.

Statement 11/

In connection with application for new trial in

The United States of America

vs.

John G. Flanagan.

This Application is based, inter alia, upon the insufficiency of the evidence to justify the judgement and the opinion upon which it is based.

In all, twenty-four witnesses, American, English, Chinese, Japanese and Korean were examined and an epitomy of their individual testimony is here given. Also two statements by the accused, made on Sept. 4 and Sept. 18, respectively, and prior to his arrest, which statements herewith follow:-

Chemulpo 4 Sept. 1898.

In re. "Lake".

John G. Flanagan, born Prince Edwards Island, Naturalized American. Chicago. 1884 (December) under the name of John MacLanagan of Scotland aged 21, deposes: (Present age 34.)

About 8 a.m. 31st August '98 Chinese Constable woke me that Lake was dead; I asked how he had got in - answ. "Through pork-shop"; after which accompanied constable to Lake's house; as we reached the door, we met Hollingsworth of the Customs, and told him Lake was dead. Hailed for the Constable to get into the house and open front door. Did not see how he got in, but saw him come downstairs. All went in together, looking at nothing down-stairs, but went up at once, I first. Hollingsworth waited top of stairs. I saw blood on the pillow but body lying naturally. Said, "My God, Lake must have fallen and killed himself." Advanced to side of bed where

there was a small table with glass and cup, both half full; tasted contents of glass, tea. Hollingsworth said "Would advise you to report it at once to Mr. Townsend." Did not go further than table. Did not see keys nor weight. Did not see if door was open, but noticed that light came through it. Window at back was open. Felt his arm for pulse and found it cold. Hollingsworth went out. (Constable stood between Hollingsworth and me). I followed, Constable leading. Constable wished to leave. I told him to stay. Returned upstairs to search for keys, alone. Picked up Coat from corner of stair-case nearest to rail and felt of pockets for keys. Not finding them there, threw the coat back to the same place on to the rail, and happening to see keys lying by bedside, picked them up, and went down stairs. "These were the keys." These were lying near centre of bed, near where I had been standing. Saw nothing on the floor. Saw no weight or lump of iron. It might have been there, but did not notice it. Constable was still

below. I then said I would open the safe as I know how to do it. It is a difficult safe to open. Do not believe that a stranger could open it. Had opened it several times for Mr. Lake. Saw then that the safe was unlocked, and pulled it open, without using the key. Looking into safe missed two binoculars which he knew had been there. Did not know what else had been in the safe. Used to be two thin account books lying on the glasses; they were also missing. Noticed one Rouble note and some nickel pieces. The note in an account book lying in the safe. All this in the presence of the policeman (Chinese). Before locking safe, went with Constable to back door which was open, and in the shed outside found small box on a bag of Charcoal, containing ¥.1 40 in nickels. Did not notice if outer shed opening into the back yard door was open, but think it was. Returning put box in the safe and locked it; taking keys upstairs alone, placed them under Lakes pillow, on which his head was

resting. Returned immediately, not noticing if door leading to the verandah was open. Although passing over the spot where the weight was afterwards found, I did not notice it. Though close to the door leading to the verandah. On placing the keys under pillow, I did not notice if it was shut or open. Think it must have been shut. Did not think that Lake had been murdered, thought he had fallen. Did not think of taking keys to Mr. Townsend. Having been great friend with Lake, thought it my duty to put keys in a proper place. Body was lying on left side; no covering; dressed in drawers & undershirt. His hands were in a natural position; must have been struck while lying on the bed. One eye, the right, was open. Returned downstairs; Constable had left the house. Went out; locking front door, and took money to Mr. Townsend. Noticed that in the store-room, one kettle had been knocked off of a stove, used there for cooking, that one smaller one was lying on its side on the top of the stove,

and that a box of wood beside the stove had been overturned. Think that this might have been done in the dark by some stranger going in or out. Think it more likely that it was done going out as the stove would then be more likely to be in the way. They must have been overturned that night, because on the day before, I saw them on the stove in a natural position, about 3 o'clock. There had been no fire in the stove for about two weeks.
Went to Lake's about 8-30 or 9 o'clock A.M. (W.S.) of the 30th. and took several things to the new store making Two trips; was in the store-room for some time and so had opportunity to see kettles and stove. Going to Mr. Townsend's house, I met Chief of Municipal police accompanied by a number of the force (near Townsend's), I:- "Lake is dead". Ecklandt:- "Yes, I am going to the house". I:- "There is the Key", then went on to Mr. Townsend. Told him that Lake was dead when I and Hollingsworth went to the house, with a cut in his forehead, and blood on the pillow.

Mr. Townsend replied that he had just sent Ecklandt up there and asked me to go and help as much as possible. Leaving house met Thomas, and we walked to Lake's house together. Arriving there, we were met by Ecklandt and Ferguson (?) standing at the door. No one was allowed in before doctor came. Soon afterwards doctor arrived and all were allowed to go upstairs. Ecklandt showed weight to doctor and I saw him fit it to wound in head. Supposed it to be a Chinese weight, old, with blood and hair on it. No string attached to it. If I had picked up weight myself, would not have known for what it was used; Thomas told me what it was. After examination of body, all left the house. I saw no blood on Lake's face.

When I had returned from Don San Innes, became acquainted with Mr. Lake, who set me up in a small saloon business in the Chinese Settlement, where I stayed for two weeks. The place did not pay, so I moved to a Japanese house

in the Korean Town, near the Japanese Cemetery, which I rented from "Maximoy" a Japanese butcher, on a monthly lease, ¥ 13 for month. Mr Lake told me to put place in order, and he would pay for it. This I did, making repairs costing about ¥. 80. When finished Mr. Lake supplied me at different times with goods, mostly liquors amounting, with repairs etc. to about ¥ 14 yen. Here I was three months and then went to Seoul, where I stayed with Gorschalki about a month while trying to get a position in the Korean mines. Mr. Hulbert told me that there was a good Galena mine about 600 li South of Seoul at (Kwang Ju). Hulbert offered to pay half the expenses of my getting there. I borrowed the rest from Gorschalki, Wires and Hintze. I went to the mine and stopped three days; coming back, stopped at Jik-San (?). I was about four months at Jik-San working a mine (gold) from which I took about 20 taels of gold. Striking

Water, I had to abandon it and came back to Chemulpo. Before leaving the saloon, I paid Lake 175 yen out of the 714 yen I owed him. After returning, I stayed at the Klondike Hotel for two weeks before going to see Lake. When I saw him he had a sore foot. He asked me to take off some stores to the "Narcissus" and collect the money amounting to 70 dollars, after which he suggested that I should take over the old saloon business again, but when I got to the house, I found that the Japanese who was in charge had stolen everything and disappeared. I could get no redress. Lake made me responsible, but supplied me again with ligiors amounting to perhaps 200 yen worth, of which I kept no account. Business was not very good, and I turned over very little to Lake. Since I had been back I have given him only yen 14. Lake allowed me my expenses & a boy to assist me when the chips were in. I used to see him often. Formerly he drank hard until a month ago. Since

then not at all. He took his meals at Japanese or Korean houses. He did not keep a woman. When I first came Lake had a small China boy as servant. He discharged him three or four times for trifling offences. The boy's father kept a pork-shop. The next servant was a Korean "boy" now working at Gaillard Jeune's, whom he discharged on suspicion of stealing. When I first came I used to call to see him at night. Never later than 8 o'clock or 9. Lake sold goods to "Daibutsu", Gorschalki and Krell, and also Kalitzky. Steward used to buy a good deal from him at one time. For nearly one month and a half, I have been moving Mr. Lake's property to the new store, by his orders, and have seen him every day at least once. I wrote to his brother about eight or nine days ago, after a fainting fit that he had after smoking, that he should come to see him, that he was ill. Sometimes he has entirely lost his voice and can not speak and

other times he can talk perfectly well. I have tried to make him take medicine but he would not, nor would he see a doctor. I told the brother to come up as soon as possible. Have not heard of any strange acts on his past. He seemed to be quite normal in his senses. His foot was very sore; he said he had chafed it. " He put his foot against a stove and burned it until a fish dropped out. Several sailors saw the fish, but I did not. It was sent to Nagasaki to his brother. (6 months ago). For the week before he was killed, I saw him twice a day. I would go about 9 in the morning and again about 2 or 2+30. I noticed that he has been sick for a week. He seemed to be weak from lack of food. It was then that I wrote to his brother. He owes ¥20 (?) for the house and 20 yen on the store that he is building. I made out a record of the receipts for payment on the house, but Lake kept the receipts themselves. On the last day I saw him

he was as he had been for a week past. I smoked a cigar with him, he sitting on the bed. I came down and told him to put the bar on the door, because I did not want people to troubled him. I had told him to do so every day for the last week. The door can't be locked on the inside. We parted the best of friends. (Very positive). I went home and sat in the room until I went to bed at 9 o'clock or half past. I did not go out anywhere that night, nor see nor hear any more of him until the Chinese Constable came. That was the last I saw of him until he was found dead. I am not the last foreigner who saw him, for Mr Hollingsworth spoke to him later, about 4 o'clock from the verandah. This is the truth, the whole truth, and nothing but the truth, to the best of my knowledge. So help me God.

(Sig.) J. G. Flanagan.

Sworn to before me this 4th day of Sept. 1898.

W. F. Sands.

Secretary of Legation.

18th Sept. 1898.

Flanagan deposes further :-
In regard to debts owing to Lake, Daibutsu and Steward have paid up, Goschalki, I am not sure of. Krell owes him over a hundred (100) dollars but I forget how much. I made out two lists for Lake, of the goods furnished Krell, one in pencil and one in ink, to send to the Legation in order to bring suit against Krell. Lake dictated to me, and I wrote the lists. This was about three months ago. Lake told me that when he was ill, almost a year ago, Krell used to come into the shop and take out goods, putting it down in Lakes book. I persuaded Lake not to bring suit then, because Krell's wife was in the hospital at Shanghai, and his expenses were great and his earnings small. So Lake gave him another Chance and put the list on the shelf. When I came back from the mines, Lake

must have had nearly 1000 dollars, judging from the money he spent on the two houses he was building. But I have no idea where he kept it. I said once, when he began to build the second house, and he had refused to pay the Chinese carpenter 100 dollars, "How are you going to build the new house when you can't pay 100 dollars?" "Oh, that is all right, Flanagan," he said, "I have got the money all right, I was only fooling him." The next day he came down and handed me 10 ten dollar bills to pay to the China man. I witnessed two of the payments to the Chinese carpenter, but not the others. Lake only entered his sales of goods when he did not receive cash payment. I never made any note of the things I took from the store; I wanted to, but he said it was not necessary. "I am coming down to live with you myself," he said. "We will live together, and if we don't get along, we can growl." Just a few days before Lake's death, his

Chinese landlord was in, Lake told me next day "raising the devil with me for not paying the rent. I told him I had no money," Lake said to me. I know he had none, because he sold to Took Lee, the shoe-maker, about 170 lbs. of leather at 70 ¢ when the real price was ¥. 1.05 a pound, in order to pay the Chinese carpenter. He had a bank account; I don't know where. I never saw a bank book, or a cheque-book in his house. Never saw a big account-book. I don't know his brother. I used to write Lake's letter for him, to which he would sign his name. ~~I wrote to the brother in Nagasaki, myself once, too, about a mining scheme of mine in Korea and once, too, about the old man being very ill. The last was two or three weeks before his death.~~ I signed my name to it. I got no reply to this. I think I wrote only six letters in all, to the brother, and all within the last six months. Since Mr. Edw. Lake

has been here, I have never been to see him, nor he me, nor have we communicated in any way. I don't know him. He knew that I was working for his brother. I don't know if he knew that I was indebted to his brother. I never saw a record of money sent by Lake to his brother, or to America. As far as I know he kept no accounts. He would not let me take a list of the things I took to the new house. The bedstead I took over there, the one Thomas is now using, I took from upstairs in Lake's house. He never slept on it himself, but used it often for sailors, who come times slept there, in the upper front room - not the front room that Lake died in, but the next one, beyond. He used to charge a dollar for a night's lodging. I never took over any of his personal effects. I don't know if Lake ever sold second-hand clothes; he has bought them, though, at auction, I have seen several over-coats in his trunk -

I saw them when he gave me an over-coat. He gave me the overcoat, a leopard skin rug, and some shirts; he gave me a Japanese clothes box and a valise, but that was all he ever gave me. The only time I ever looked through his things was in looking for his cartridges and shells to take to the new house; and then, I only looked in the top drawer of the bureau at the head of the stairs in his room. Lake asked me once to write for him to his brother David and to his own son in Salem but I did not write to either of them. Last winter, when the sailors were ashore, I some-times did not see Mr. Lake for two or three weeks. His boy used to dress his foot with "blue" ointment (mercury), which healed it for a time. About four months ago I dressed it and washed it with tea etc. five or six times. He told me that while he was bathing in front of the house, at Peng Yang, the fish came off the roof into the water and he felt it going into his foot. It was an insect

at that time, but it grew up into a fish. I have had about 50 coolies in all to carry the stores to the new house, and I have paid them 5 ¢ apiece - about ¥ 2.50 in all. Absolutely everything that I have taken from Lake's house, is in the new house except one cheese which I sold to Mr. Thomas for which he paid me one dollar. All the personal effects he had are still in the old house. I have often found the house locked and Mr. Lake out, when I went up there in the day-time.

Mr. Goschalki had some things from Lake, but he sent back about six packages, of things that were spoiled. I went up to Jik-San with Ye Sung man and another Ye - I forget the rest of his name. Ye Sung Man and a Government official by the name of Pak went to the Western Province. Randall, a petty officer on the "Boston" gave Ye Sung Man about Yen 250 for his out-fit; he never got it back. They brought back about ¥ 130 worth of

gold, which they gave to Randall. I have not seen Ye since.

Lake came to my house once without trousers, shirt or coat. He had on only his shoes and drawers. As far as I know, Krell is the only one who owes Lake anything. He may have paid him, however, without my knowledge. I went only once to the Customs house to clear goods for Lake. I forget what they were, but he gave me 5 yen for the duties. I could not find them so I brought back the 5 dollars, and he went back that afternoon and cleared them himself. The goods were from Nagasaki; they were taken to his store. This was about 3 months ago, and was the only time I ever tried to get anything from the Customs. I could not swear that these small green-leather covered glasses you show me are the same that I used to see in Lake's safe, and which I used to use, but I can swear that they are exactly

like them.

Sworn to before me this 19th. day of Sept. 1898.

W. F. Sands.
Secretary of Legation.

Witness. Thos. Hollingsworth, British subject, stated that the last time he saw Lake alive was on the 30th August, about 3 or 3.30 p.m. "Passing the house I saw him in the upper room on the bed, with a stump of a cigar in his mouth. He seemed to be sewing." Next day at about 8.15 a.m. he heard of Lake's death and entered the house with Chinese Constable No. 2 and Flanagan. He saw the body lying on the bed, but did not see any weight lying about. Noticed no disorder in room and no blood. He thinks he saw a mug or cup and a glass on a small table near bed. Had no conversation with Flanagan on subject - being in a hurry - except that Flanagan remarked, "He must have fallen". Nothing in Flanagan's bearing struck him as peculiar.

Witness. Mr. Van Eso, British subject, remembered meeting Flanagan in a small narrow street leading from the Japanese Cemetery to Foreign Settlement, at 9 or 9.30 p.m. on the 30th. Flanagan came out of a Chinese shop 5 or 6 yards away. He was dressed in foreign

clothes, dark brownish. Did not seem intoxicated.

Witness. Chinese fruiteller, said that on 30th, just when the railroad coolies were returning from work (i.e. 6.30 or 7 p.m.) he saw Lake standing in his door-way sick. He was spitting up water. With the aid of a Korean boy he helped him into the house and gave him first cake and then tea. "We left the tea there." While he and the Korean boy were thus engaged a foreigner, whom they identify as Flanagan came in, and sat down on a stool but did not speak to them. Shortly after they left the house. This witness states distinctly that he did not go upstairs. On cross-examination this witness could not be certain about his dates, either in English or Chinese. "I cannot remember the dates by the Chinese calendar even". Later on the same evening, at 9 o'clock or a little later-the hour fixed with precision — he heard a dull thud "as of meat falling." This came from Lake's house.

This witness further testified that he left Lake, after assisting him on the evening of

the night of the murder, in company with the "Partner" (Flanagan) and that he did not see the latter leave the house.

He further states that he did not ordinarily go into Lake's house." I remember everything I did that evening especially because some one came to me after the murder to ask me questions about it."

"When I gave Mr. Lake the tea and biscuits I thought he was quite sick. When I had gone home to chow and come back, I did not go to see how Mr. Lake was. It was dark and the shops all closed. The next morning I saw many foreigners and policeman and the Chinese Constable before the door, and heard that Lake was dead."

Witness. Son Pay Wan, Chinese, cake-maker, stated as follows:- "I got up at day break that morning (Aug. 31) I always do to make my bread. I live down stairs in my shop (next door to Lake's). I saw nothing that morning that was unusual".

"I went to the rear of my house to the

"closet, and saw a man leaving the back
"of the house next door showing it on the
"chart," [The man being quite outside of Lake's
"premises on the hill side below the enclosing
"fence and platform]." and going down hill.
"It did not surprise me, for I am a new
"man and did not know the customs of
"the place. I paid no attention to it. I
"only saw the top of the man's head. I
"thought it looked like a Korean. I did
"not hear him make any noise at all."

Associates have no question to ask. Defense asked no questions.

Witness. Ho Lao, Chinese, pork-butcher, knew Lake for a long time. On 30th August after 4 p.m. he was told that Lake had fallen down and was calling for him. He found him lying in the lower room at the foot of the stairs where he had fallen and with the help of a Korean "jiggy Kun" called off the street, carried the old man in and laid him on the carpet. This "Jiggy Kun" was merely passing by and went away after rendering the assistance. Lake was all

"hot and sweating". He then gave Lake some bread and tea and helped him upstairs. He then gave him some more tea and some small foreign biscuits, and afterwards put him to bed. The tea was given in a peculiarly shaped mug with a handle and in one without a handle and both were left upstairs on the table. "I put him to bed with his head toward the street and went out." He heard nothing that night, but next morning, when he heard of Lake's death, he went upstairs with some foreigners and saw the body. "When I came in next morning the bed was the same and the body lay "in the same way".

The witness also swears that his boy (the Korean youth Yim Do Chang who helped the Fruiteller to assist Lake the evening before the murder, and then went to the country as interpreter for Pang the medicine seller) slept in the room with him the night of the murder. Ho Lao further states that he often rendered Lake such assistance as taking him tea and hot water, but that he never helped him up before the time men-

tioned herein, Aug. 30 the afternoon before the murder. He also states that he had never heard of anyone else rendering Lake such assistance prior to this date.

witness. Takahashi, Japanese, saw Flanagan about 10 p.m. on the 30th August, in a Korean bawdy-house. It was the 2nd night of the bon matsuri. Flanagan was drunk and wore a long Chinese coat or gown of a greenish or bluish color. This he was trying to sell for $5.00.

witness. Chinese, Constable No. 2 details the events of the 31st as far as they came within his knowledge. He discoverid Lake was dead and immediately went to call Flanagan whom he regarded as Lake's "partner", and therefore the first person to be called. He woke Flanagan with difficulty and gave him the news. This was after 8 o'clock. Flanagan came to the door undressed, but manifested no surprise. He offered the Constable a drink and took a small one himself (brandy or whisky). On the way to Lake's house, he (Flanagan) re-

marked that he had worked for Lake and never got a cent," But "maskee, have got letter" Witness and Flanagan went upstairs and saw a small table near the bed. On it there was a cup or a mug and a glass containing something like tea. Flanagan picked up a weight from the floor, examined it and put it down again. Going downstairs together Flanagan started to open the safe, but on a suggestion from witness went upstairs for the key, returning immediately. He opened the safe without using the key. Going to rear of the house they found the back door not locked. Outside they found a small tin-box containing about $1.20 in nickels. The back door was often unlocked. Lake lost several things in that way and I had warned him to lock it.

itness. Chinese, Shoemaker, has a stand a few feet from Lake's door, which is shared by the Fruit-seller. One or other of them is all the while at the stand. On the evening of the murder, the shoemaker was present the whole evening except a few minutes in the

early part when he went for his food. The Defense objected to a portion of this man's testimony where he said in one place that he did not see Lake fall, and later on he said he did see the Fruiteller help Lake. Also this witness is confident of seeing a foreigner whom he was told was Lake's partner, enter Lake's house, but neither he nor Fruiteller saw the foreigner come out. His statement on these points is as follows:-

"I saw Lake's partner go into Lake's door.
"I am sure of it. It was before lamp light.
"When the partner went into the house I
"just saw him plainly enough to recognize
"him. I did not see him come out. The
"Fruiteller told me it was he. I remember
"that day distinctly. I saw Lake before his
"door between 10 and 11 Am., again in the
"evening about lamp light time. I did not
"see Lake fall down, but the Fruiteller
"told me. I am from Chefoo, so is the
"Fruiteller. I saw the partner enter the
"house just before day dark. I did see the
"Fruiteller help him (Lake). The Fruiteller
"came out shortly. He told me the partner

"was there so they could leave Lake."

Shoemaker being recalled swore that he remembers seeing the Fruiteller help Lake into his house (not that he saw Lake fall) the evening before he died (August 30). He heard next morning that Lake was dead. He was positive of this.

itness. Korean, Customs Godown keeper, on 1st Sept. found a pair of field-glasses lying on the hill-side below Lake's house, at a spot where he was accustomed to go daily to throw away his sweepings. They lay close to but not under a sampan and looked as if they had fallen. They were not there the previous day, or he must have seen them.

itness. 林道昌 Im Do Chang, a Korean boy, native of Wiju, was employed by Ho Lao, pork-butcher, Chemulpo. Remembers the fruiteller calling him to assist an old man, a foreigner, who lived two doors from Ho Lao. They helped him into the house – ground floor – and asked him if he would like to eat something. Witness brought a Chinese cake and brought tea from

Ho Lao's. The cup, he got in the foreigner's house. There was two cups, one of a peculiar shape - with a handle, one without. He took the one with the handle. This was in the inside room on the ground floor. When they helped the old man no one was there but presently a foreigner came in and sat on a stool without a back and relit his cigar. "I asked the Chinese if he was a partner". He said he thought not, that he might "be only a comrade". " " " " " "I had seen this foreigner before carrying away things from the sick foreigner's house". They then left the house.

Witness returned to Ho Lao's and told Ho Lao, who had just finished his opium, about the cake. Ho Lao said he would pay for them and took two cents from a small box. Witness went to bed at 8 and slept soundly. Next morning he finished his work as usual and went on the street where he met a Chinese cook who took him to Pang's about noon. He talked with Pang for two hours, then returned directly to Ho Lao's and prepared supper for his master at 4 o'clock.

He told Ho Lao about his new employment, but no one else, although the cake-maker heard it. He did not see the Fruitseller that day. Did not go out that day at lamp lighting time. Next day he rose at 7 o'clock, finished work and went to Pang's at 11 o'clock. They went to the country immediately after that. Did not see the Constable go through the house that morning; did not see any foreigners about Lake's house. Did not know about Lake's death until he returned from country.

In reply to Mr. Greathouse, witness said "The first day I helped Lake; the next day I made the contract with Pang; the third day I started for the country.

Witness did not know about the Japanese festival, the bon mature; could not tell the exact date, by the calendar, on which he helped Lake, but did not learn of his death until after his return.

3 Witness – fruit-dealer – recalled.

Did not see Korean boy, Im Do Chang, the day after they helped Lake into the house. Several days before Lake's death, had heard

that he was going into the country. Had never seen or heard of anyone helping Lake before that.

No. 5 Witness - Ho Lao - recalled.

Remember the date Lake was found dead, it was the 15th of the 7th moon. The Korean boy had left his house one or two days before. The Korean boy did not cook his breakfast the morning Lake was found dead, for he had left the house. He did not sleep in his house that night.

"I remember the afternoon I helped Lake "into his house. The boy was not in my house "at that time; I had already paid him off."

Witness did not hear that Lake had fallen again after he helped him upstairs.

After much cross questioning, Defense demanded of Ho Lao to tell distinctly about the time of his paying for the cakes given Lake by the Fruiteller, which the latter had testified, was on the evening of Aug. 30, and which cakes were gotten from the cakemaker who occupied a part of Ho Lao's shop, by Im Do Chang, the Korean boy of Ho Lao's, who assisted the Fruiteller with

Lake. He swore distinctly that this incident occurred after he had helped Lake himself at about 4 P.M. Aug. 30." Before I paid "the boy money for the cakes he bought for "Lake, I helped Lake upstairs."

Defense here objected to the remark of an Associate - "You've got it right at last."

Witness - cake-maker - recalled.

The boy bought a cake for a foreigner, paid for it and left Ho Lao's house just after. He never came after back buying the cake. Cannot remember accurately whether this was one or two days before Lake's death.

This witness being recalled stated:- "This boy "(Im Do Chang) was in the same shop that "I was. I remember that he came into the "shop one time and asked for a cake for a "foreigner. I asked him money for it, one "cent. It was a hard cake. The next morn-"ing about breakfast time I heard that "Lake was dead. The boy came in the even-"ing before and said he wanted a cake "for a foreigner."

At this point the Cake-maker, the Pork-butcher and the Korean boy were confronted with a view to clearing up discrepancies in their evidence. The Defendent objected to having these witnesses in the Court together in this way, but the objection was overruled by the Court, to which Defendent excepted. The various statements could not be reconciled, but an analysis shows:-

All three agree that boy bought a cake for a foreigner for which Ito Lao paid.

Witness. Kim Kui Ju, Korean, brothel-keeper. Remembers Flanagan being in his house on one of the two nights of the Japanese illumination. Flanagan was drunk and was trying to sell a Chinese coat. It was about 10 p.m.

Witness. Pok Jong, Korean boy, former servant of Lake's. Lake's house was entered by thieves on a previous occasion. On one occasion Lake gave him several Chinese coats to take to Flanagan's house.

Witness. Mr. Rittenhouse, American citizen, Chemulpo. Saw Flanagan in narrow street in Korean town on 30th August and spoke to him. It was then nearer 9 than 10 pm. He was then coming towards the foreign settlement.

Witness. B. J. Thomas, American citizen. Knew Lake and Flanagan. Remembers Lake's death. Was in Henderson's house when Ferguson came in with news. This was on 31st August. Went to China town to see Lake's house, but finding it locked, supposed news was false and went home. Was told by his wife that Flanagan had been looking for him. Went to Flanagan's house but he was not in. Met him in Japanese Settlement, near Meyers and returned to Lake's house with him.

Saw body. On chest there were finger marks, bruises and a slight scratch. Saw Dr. and others examine it. The back was red, may have been blood. Has seen several cases of men killed suddenly by a blow. They did not bleed at nose. Neither did Lake.

Lake used to call Flanagan his "boy" meaning son. Knew that Lake meant to move over to new house. Flanagan was pleased with the arrangement; thought it was a good business chance for him. Once heard Flanagan say Lake was "a pretty tough old rooster.

This witness was the intimate chum of the accused. During his examination he swore that he did not write a certain letter to Edw. Lake at Nagasaki which was signed "a friend". By comparison of this letter with many other specimens of his hand writing, the Court was convinced that he had sworn falsely, and addressed the following remarks to the witness:- (C. R. Greathouse).

"I deem it my duty as a member of "this Court to say that the similarity is so "remarkable that not one in ten thousand "could have forged it. It is the most skill- "ful imitation I ever saw." Judge. "This business is getting very serious Mr. "Thomas. The matter of letter was at first "not serious. It has now become so serious

"that you must stay here. I can't let you go."

Witness. A. J. A. W. Bushy, British subject. Statement read by Clerk. [Flanagan's house in Korean town]. This house he heard from Tommy and from the Accused himself, belonged to Mr. Lake. Asked Accused if the property - the American Bar - would come to him if Mr. Lake should die. He answered that he thought it would, if Lake left a will, but if he made no will he did not know "how things would turn out." He said he thought Lake would leave this property to him as he had been so long in his service. Witness understood that Lake was to start a rice-mill with Accused as manager. Accused once spoke of Lake's having stocked his bar for him. It seemed to Witness a reasonable proposition that Lake should leave something to Accused.

itness. Edward Lake, brother of deceased.

Said that in Japan his brother was fairly well acquainted with book-keeping, under-

Good Day-book, Cash-book and Ledger. Until his suspicions were aroused, never refused to fill his brother's orders if goods were in stock. Sent goods to value of Yen 7000, for which he never received money, estimates loss over four year at Yen 4,000.

By Court:- Some one has been writing you in imitation of your brother's hand asking for goods?

Yes; witness did not understand it at first. On close examination decided it was not his brother's. Thought Flanagan, whom he knew by reputation, was trying to get goods for his own use.

Does not remember receiving a letter from Flanagan on subject of brother's health. Received one on that subject signed "a friend." Remembers indirect statements in several letters to effect that brother was ill. Received a letter signed both by his brother and by Flanagan, but not on this subject.

Knows positively that his brother meant to move to house in Korean Town.

Mr. Lake also stated in Court that he found only one cup or mug and a Tumbler in his

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brother's house.

This witness also testified to the fact that the safe was so difficult to open that only one acquainted with it would succeed. During this examination many exhibits were shown proving that Flanagan had been practising the signature of the deceased Lake, as well as his hand writing, until he had succeeded fairly well. which papers were found in Flanagan's possession. — Among these exhibits there was one - a letter to Flanagan from the Japanese Bank, in which the amount of a cheque therein mentioned, was raised from $10 to $400.

Witness. Liu Fung Buh, Chinese Carpenter (one of twin brothers). One of his men bought a Chinese coat from Flanagan. It was a light blue silk embroidered coat. The price given was yen 3.50. Was present at the purchase. Cannot remember date. The man who bought coat has gone back to China.

Built three houses for Lake, all of which are fully paid. Last payment was six days

before Lake's death. Lake took money, as usual, from the safe. Never saw Lake write the payments in a book.

Witness. Harry R. Bostwick, American citizen, Chemulpo, met Flanagan about 9.30 on Evening of 30th August in narrow street in Korean town. Flanagan was going towards Foreign Settlement. Witness knew him not by his face but by his general appearance. He was dressed in European clothes and witness thinks wore a soft hat.

Witness. Carl J. Ecklandt, Chief of municipal Police, Chemulpo.

Details events of morning of 31st Aug. Went alone to Lake's house, opened the door and looked around. Went upstairs, saw body with blood on bed. Stepping back to see if blood had fallen on floor, saw weight. (Identifies it). Found verandah door and back window open. Does not think it would be possible to get in or out of this window without a ladder. Found a mug and a glass on stool near bed with liquid in them.

Downstairs noticed plates and crockery of some sort on table, but could not say he noticed any mugs there. Found back door open. Found keys in bed day after funeral. Flanagan told him he had put them there.

On 29th Sept. Accused said to witness "The Korean boy was with me on the 30 (Aug.) from 6 till 9.30 and again on 31st till Thomas came down to take charge."

Flanagan was the first to tell him that the binoculars had been found. Thinks this was on 1st Sept., but cannot be certain, as the remark was only recalled to his memory by a conversation some weeks later.

Had never seen weight before. Was present at inventory of Lake's effects, saw everything there, but no scale beam likely to require such a weight. Considers Flanagan is a quiet man.

This witness testifies to a great difficulty he experienced in opening the safe. Could only do it after he had watched Flanagan and the brother of the deceased open it. He states that when the brother of the deceased

took over the effects, he allowed J. H. Mörsel twenty minutes (on a wager) to open the safe, but that he had to give it up.

Witness. Jas. L. Ferguson, American subject, Chemulpo. Met Flanagan at 8 A.m. on 31st Aug. Fixes time accurately by fact that going straight from Flanagan to foreshore he was asked the time by one of the railway blacksmiths. It was then 8.15. The walk would take ten minutes or so.

Saw deceased. The wound on head was from blow not from fall. Proof was that flesh was crushed downwards.

Was at Henderson's house probably half an hour after leaving Flanagan.

Witness. Masturas, alias Jonny, alias Jonny the Greek. Knows Flanagan. Considers him a harmless man. Never spoke to him about his business relations.

Witness. Kim Kilsoh, alias Charley Kilsey. Knows Flanagan. Once sold three Chinese coats for him. Flanagan was wearing

foreign clothes at that time, but put on coats to show them off.

Flanagan is a good-tempered man. Never saw him strike a Korean or Chinese or Japanese.

Witness. Lun Yu Tong, Chinese Cook, of Chemulpo.

I know a boy who used to work for Ho Lao, (Yim Do Chang). I do not know his name. He speaks Chinese. I know that that boy went to the country with a Chinese trader because I got him his job. He came to me and told me he had left Ho Lao, and asked me to get him a job. He had already left Ho Lao. I cannot remember if the boy had left Ho Lao before Lake was killed. On the 12th of 7th moon (Aug. 28) I met the medicine-seller at an opium shop. I had not known him before. We became acquainted, and the next day (Aug. 29) I met him on the street. Two or three days after (Aug. 31 or Sept. 1) I met him again at the opium shop. He had been away to the country he told me, but had to come back because he could not speak Korean. He asked

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if I knew an interpreter for him. I said I knew a boy who had been at Ho Lao's, who speak Chinese and offered to get him. So I settled it for him, and they started off about 10 o'clock. I have forgotten the date when they started.

I know it was the 12th (Aug. 28) that I first met the medicine-seller, because some relations of mine came on that day by a steamer, and we went to the opium house together to smoke. The medicine-seller lived at this opium house over on the west shore.

When I went for the boy, I found him at Ho Lao's house, that is, I met him on the street; he had left Ho Lao's. It was two or three days after I first met the medicine seller. I cannot say more exactly. I don't know whether he started (for the country) that day or the next. All I remember is that I got the boy for the medicine seller two or three days after I first met him (the medicine seller). I used to see Lake occasionally outside the day after I first met Pang (the medi-

cine dealer (Aug 29). After I made the arrangement between Pang and the boy, I did not see Lake again. I don't know anything about Lake's death.

Cross questioned :-

After I left them (Pang and the boy) together at the opium shop, I did not see them again before they went away. Nor do I know when they left. After that, after I had left them together, I saw Mr. Lake the same day standing by his door. I do not know the hour when I saw him, but it was in the morning of the same day. It was not the same day. (It was-witness confused. Impossible to tell what he means) I remember that I met Pang on the 12th (Aug. 28) because the steamer arrived on that date with my relations. I met Pang that night at about 10 o'clock. The second time I met Pang was on the 13th (Aug. 29). next day, and the boy did not go to the country with him that time. Two or three days later, therefore about the 15th or 16th (Aug. 31st or Sept. 1) I saw Pang again. It was after this that I got him the Yato

(boy interpreter). It was the same day that Pang got back from the country. I was in the opium shop when he came in, and it was then that he asked me for a yato, and I, going out, met the Korean boy, and brought him to Pang. I don't know when they started.

Witness. Shu Yen Tee, Opium house keeper. I knew Pang (medicine seller). I saw him first on the evening of the 12th of 7th moon (Aug. 28) about 10 o'clock. He came to my place for opium at that time, and wanted to stay all night. I never knew him before. I remember the date some friends of mine came from China on that day by the steamer. Two of them were Wongo. (Mr. Sands here produced Chinese Police book, fixing date of arrival of steamers with opium seller's friends [names therein recorded]. Dates found to tally). That night (Aug. 28) Pang slept there. The next day I asked him to go away as my room was small, and I wanted the place for my friends. He went away. I don't know

where. He came back to my place in two or three days (Aug. 31 or Sept 1). When he came back he did not stay with me. I knew about Pang's arrangement with the Korean boy, because it was made at my house. I do not remember the date, but it was about 10 o'clock in the morning two or three days after Pang left my house on the 13th.

Defendant Specifies.

The following as the errors and insufficiency of evidence on which he will rely.

In this evidence that of the fruit-dealer, the shoe-maker, the pork-butcher, the cake-maker, (all Chinese) and the Korean boy, Im Do Chang, proves or disproves the Prisoner's guilt. These witnesses contradicted each other in many important points, but the following facts were clearly proved.

1. That Lake was helped by outsiders on two separate occasions. Once, by fruit-seller and the Korean boy; once by the pork-butcher and an unknown Korean coolie.

2. That on the occasion of his being helped by the fruitseller and the boy a foreigner came into the house and sat on a stool. Only one witness, the fruit-dealer, recognized him as Flanagan the deceased's partner or "comrade".

3. That the fruitseller and the boy did not take Lake upstairs and did not go upstairs themselves.

4. That the boy bought a cake or cakes for Lake and also got some tea for him,

finding two utensils (one a glass tumbler and the other a mug with a handle similar to or same as the one mentioned by the pork-butcher and which were afterwards found on the table upstairs when the murder was discovered), one with and one without a handle, on the table in the room in which they had placed Lake.

5. That the pork-butcher and the unknown coolie first helped Lake into the inner room where they gave him tea, finding the "cups" or glass and mug at hand and that afterwards the pork-butcher helped him upstairs and put him to bed, giving him more tea, again using Lake's own dishes and leaving them on the table by Lake's bed side.

6. That the fruiteller could give no further information regarding the assistance rendered to Lake by him than that it was on the evening preceding the murder. He could give no date, either English or Chinese.

7. That while the cake-maker and the pork-butcher admit the buying of the cake by the boy and place it one or two days previous

to Lake's death, the boy himself says that it occurred two full days before the death.

8. That the fruiteller, although his stall was within a very few feet of Lake's door, neither saw nor heard of any previous assistance being granted to Lake, while on the other hand the pork-butcher had heard of the help given by the boy and the fruiterer and had paid for the cakes purchased on that occation, [but did not hear of any help being given to his "old friend" after he had taken him upstairs].

From these facts it is easy to fix the order of the two occasions, Viz., that the first was that in which the fruiteller and the boy were actors and the second and later that in which the pork-butcher figured.

That this is the true order is proved by the fact that the glass and cup or mug were found upstairs with tea in them (see evidence Hollingsworth, Constable No. 2, Ecklandt and statement of prisoner). No glass or cup or mug were found downstairs. (See evidence of Ecklandt.).

It is further proved by the testimony of

the pork-butcher that on entering the house to view the body it lay in the same position as he helped the sick-man.

Onx these facts it is claimed that the evidence was insufficient to convict and that it does not justify the judgement.

It further appears that the fruiteller heard a noise in Lake's house like the sound of falling meat and which the Defendent contends was the sound of the fatal blow or the dropping of the weight upon the floor. At that time the evidence shows that the defident was in a distant part of the town. It further appeared that at day break on the morning of the 31st a Korean was seen leaving Lake's back premises where he could have no business to be. It also appeared from the evidence that the Accused did not commit the murder and was not present at the time it was committed, also that he had no motive for the commission of the murder and the defendent specifies these as the particular errors and insufficiency of the evidence upon

which he will rely.

It is also claimed that the judgement is vitiated by the following errors occurring at the trial.

1. It is founded on assumed facts which were never before the Court.

a. That the deceased possessed papers and other property of value in his safe. No proof of property of any such sort was adduced in Court.

b. That the Accused stole the property assumed to exist. It was not shown that any such assumed property was known to be or have been in his possession or that he stole it.

2. The weight supposed to be the instrument of murder was never traced to the possession of the Accused, nor was it shown that he possessed any scale or other article to which it might belong, nor was it shown that it belonged to the deceased and was therefore a likely or handy weapon to be used. Absolutely nothing of its history was proved.

3. The Court in its written Opinion used the fact of the Accused's non-appearance in the witness-box to his injury, contrary to the letter and spirit of the regulations of Court. (See p. 56. sec. 13.).

4. There was error in overruling the motions concerning the bringing together of the three witnesses in Court to give their evidence together against the objection and exception of the Accused.

5. There was error in failing to discharge the prisoner on the motion of the Defendant's Counsel at the close of the case for the prosecution.

And the defendant on the above statement and the Affidavits filed herewith humbly asks for a new trial.

(Sgd) Alexander Kinmond
Counsel for the Defence

Presented Dec. 5. 1898

(Sgd) Horace N. Allen.

Settled Dec. 19. 1898.

(Sgd) Horace N. Allen.

12/

Argument in support of the application for a New Trial in the case of.

The United States of America

vs.

John G. Flanagan.

The Defendant has complied with all the requirements of the Court Regulations and has lodged the proper Affidavits and statements.

I. In reply to the Counter-Affidavit, No. 6 Papers in re New Trial, of William Franklin Lando, it is asserted that there was

Irregularity in the proceedings of the Court &c. This is proved by a statement of Mr. A.B. Stripling, the officer in charge of the preliminary inquiry. In reply to a question of the Court, he said:-

"that the man spoken of had not been ex-
"amined yet, as the investigation had had
"no interpreter, having to rely on the kindness
"of the Chinese Consul, who could not come
"every day and usually only after three p.m.
"Moreover the investigation was entirely de-
"pendent on the Chinese detectives, who told
"investigation that these people knew nothing

"of the matter. Mr. Stripling stated that "investigation had not been given time to "work thoroughly. It would take at "least another fortnight to examine all "the witnesses that should be examined."

It is true, as stated by Mr. Sands, that Mr. Stripling is a "well known detective". He is therefore well acquainted with criminal Court procedure and knew the gravity of the statement he made in open Court. As a detective of many years experience not only in the East, but in England, it is impossible to believe that he was merely speaking "unadvisedly". It was a definite protest by a responsible officer that the case was not ready for trial. In this, the Defendant and his Counsel concur, believing that a fuller and more extended inquiry would have cleared Defendant of the charge of murder and that he has suffered materially by the case being brought up before the preliminary inquiries were completed.

B/ The investigating officer did allow himself to be dominated by a theory which prevented him from bringing an open mind to the examination of evidence. This is shown by several facts.

Under the influence of this theory he allowed himself to be persuaded by the so-called Chinese detectives that "these people knew nothing about the matter" and neglected to inquire anything at all about the opium-den next door to Lake's house, although the character of opium shop is such that Mr. Ecklandt the head of the Municipal Police of Chemulpo, said that it was the first place he would go to look for a criminal, See Evidence of Ecklandt LXXIII. One witness swore that he saw a Korean leaving the back of Lake's house early on the morning of the 31st, but this we have no reason to believe was followed up, although it was known that a band of Korean robbers had been at work in the immediate neighbor.

Y) No reflection upon the Chinese Consul or upon the nature of the assistance rendered by him personally is made by the Defendant or his Attorney. But it is asserted and claimed that one direct result of his close connection with the preliminary inquiry was to destroy all the secrecy which should attend such investigations and to give notice to any Chinese to whom such information might be of importance and so

make detection supposing that the criminal was a Chinese, simply impossible. It is a known feature in Oriental Character that they have no sense of secrecy, as the term is understood in the West and that to make even an official acquainted with matters of importance is to make them known to the world or to all who care to know.

f/ It is true that Oo Pyung kil, the Korean witness whose exact whereabouts is not known at the present moment, was present in the Court several days before he was called. But he was a witness for the defense and therefore could not be called until the defense was opened. This was done at the earliest moment, he being the first witness, but he had disappeared. As to Dr. Allen's examination of Oo Pyung Kil, it is not conclusive for defense so far as it goes, but it is obvious that its lack of definiteness arises in large part from the fact that he had no definite information regarding the events of the evening of the 30th. The Defense assert that this witness is capable of going vital information if called upon.

g/ It is true that the Defense had access to

all the information in the possession of the Court and that Mr. Kennure was asked on the 21st and refused in writing on the 22nd to act for the Defendant. But for all that the Defence is justified in pleading want of time for necessary preparation. Mr. Kennure is not an American subject and is not a lawyer. He therefore felt it his duty to refuse an office for which he felt others were better qualified. When, failing others, he afterwards consented to act the case had already commenced and no adequate preparation was possible. This plea is put in simply as matter of fact and not in any way as imputing fault to the Court.

Statement.

The defense has alleged that the evidence was insufficient to justify the Judgement. It affirms no part of the evidence was conclusive of the prisoner's guilt and that as a whole it was in the prisoner's favor and should have resulted in a verdict of not Guilty.

The defence relies specially on the evidence of the fruiteller, the shoemaker, the pork-butcher,

the cake-maker, all of whom are Chinese, and the Korean boy, Yim Do Chang. It is on the evidence of these witness that the case depends. For the prisoner it is respectfully submitted that a true analysis of the evidence shows:

a) That the prisoner was not in Lake's house after 3 or 4 p.m. on the 30th August, and therefore cannot be connected with the murder, which entitles him to a free discharge; or alternatively.

b) That the evidence is of such a contradictory nature as to be inconclusive of guilt and to entitle the prisoner to a verdict of Not Guilty.

The above-named named witnesses proved that on two separate occasions the deceased Lake was assisted by Chinese and Koreans, and that on one of these occasions the Defendant Flanagan came into the house and was left alone with the deceased. The Court has taken the view that the occasion on which Flanagan figured, viz: when Lake was helped by the fruiteller and the Korean boy, was on the evening of the 30th August and subsequent to the time when he was assisted by the pork-butcher

with the Korean "jiggy Kun", and that he then murdered Lake and afterwards secretly left the premises.

The Defence, on the contrary, maintain that the time when the fruiteller and Yim Do Chang assisted Lake was not on the 30th, but one or two evenings previous; and that consequently the incident itself and Flanagan's presence in the house had no connection with the murder, or alternatively that if on the 30th, it was previous to and not later than the assistance rendered by the pork-butcher, when Flanagan was not in the house;

or, alternatively

that the evidence is incredible and inconclusive and consequently cannot convict, and on any or all of these grounds the prisoner is entitled to an acquitted.

The evidence of Lum Yu Tong, a Chinese Cook, is of importance as throwing light on the true sequence of the two occasions above referred to. This man took the Korean boy, Yim Do Chang, to Pang, the Chinese doctor and recommended him as a servant. His evidence

was corroborated. Shin Yun Tee, a Chinese opium seller; and by the records of the Chinese Consulate. He is therefore, in the earlier part of his evidence at least before he became confused, a reliable witness. He said:

"Yim Do Chang came to me and told me that he had left Ho Lao, and asked me to get him a job. He had already left Ho Lao on the 12th of 7th moon. I met the medicine seller at an opium shop. I had not known him before. We became acquainted and the next day (Aug. 29) I met him on the street. Two or three days afterwards (Aug. 31 or Sept. 1) I met him again at the opium shop. He had been to the country, he told me, but had to come back because he could not speak Korean. He asked me if I knew an interpreter for him. I said I know a boy who had been at Ho Lao's, who spoke Chinese and offered to get him. So I settled it for him and they started for the Country."

According to this witness the boy left Ho Lao's on or before the 13th of the Chinese 7th month (Aug 29).

According to the boy, he was still in Ho Lao's employment when he assisted Lake. This would appear to fix the date of the assistance rendered by him and the fruitseller at no later than the 29th Aug. The boy bought one or two cakes from the cake-maker for Lake and afterwards told the pork-butcher who paid for them. He says that this took place two days before he left for the country. "Ho Lao said he would pay for the cakes and took two cents from a small box. Witness went to bed and slept soundly. Next morning he finished his work as usual and on the street where he met a Chinese Cook who took him to Pang's about noon. He talked with Pang for about two hours, then returned directly to Ho Lao's and prepared supper for his master at 4 o'clock x x x. Next day he rose at 7 o'clock, finished work and went to Pang's at 11 o'clock. They went to the country immediately after that."

This Korean boy was very emphatic in his assertion that at least one complete day elapsed between the two events. Under cross examination he insisted upon this point. -

"The first day I helped Lake; the next day I made the contract with Pang, the third day I started for the country."

Ho Lao also seemed to confirm this witness. He "remembers the date Lake was found dead, it was the 15th of the 7th. moon (Aug. 31). The Korean boy had left his house two or three days before. He did not sleep in his house that night." I remember the afternoon I helped Lake into his house. The boy was not in my house at that time. I had already paid him off." "The Korean boy did not cook my breakfast that morning (31) for he had already gone. He did not sleep in my house that night."

From the foregoing it appears that the boy was in Ho Lao's employment when he assisted the fruiteller with Lake, but had left him two or three days before Lake's death. If this be correct, then the order of events is definitely fixed. Lake ~~was~~ was helped for the first time on or earlier than the 29th August and consequently the incident had no connection with Lake's death.

On other and independent grounds, however, the order of the two events is definitely fixed, even if the date has to be left in question.

The date on which Lake fell down stairs and was found by the pork-butcher was after 4 pm. on the 30th. On this point there is no dispute. Calling in a passing coolie he carried the old man into the inner room, laid him on the carpet, gave him some tea and bread. Afterwards he helped him upstairs, gave him some more tea and some small foreign biscuits and put him to bed. In giving the tea he used Lake's own utencils which he found downstairs.

"The cups in which I gave Lake tea were his own. I got the two cups downstairs."

"The tea was given in a peculiarly shaped mug with a handle and in one without a handle and both were left upstairs."

These were identified by witness as a mug and a tumbler and Mr. Lake, brother of deceased, mentioned in Court that he found only one cup or mug and one tumbler in his brother's house. These were both found upstairs by the deceased's bed, just as the witness left

them, with a few drops of cold tea still in them.

This is an exceedingly important fact and one that grows in importance the more it is considered. For be it remembered that, as stated by Mr. Edw. Lake and quoted a moment ago, there was only one cup or mug and one tumbler in the house. If them, the fruiteller and the Korean boy came in later to help Lake one or other of them must have gone upstairs to fetch them down, as they used these same articles. But they did not go upstairs.

The evidence on these points is perfectly clear and distinct. They boy said :-

"They helped him (Lake) into the house - ground-floor and asked him if he would like to eat something. Witness brought a Chinese cake and brought tea from Ho Lao's. The cup he got in the foreigner's house. There were two cups, one of a peculiar shape with a handle, one without. He took the one with a handle."

Later he said :- "I went and got some tea for Lake when we helped him into the house. I got the cup from the lower room in the

foreigner's house. The fruiteller handed it to me. There was a couple of bowls in the room. It was a cup, same size top and bottom. That is what I got the tea in. There were two, one with a handle, the other without. I took the one with a handle. I remember noticing this. The two cups were on the side of the table next to me. I don't remember what was on the other side x x x. "We were in the inside room at the table near the stool."

(Witness showed on plan N/V4 the position of table).

The fruiteller swore that he did not go upstairs and that Lake was downstairs when they left the house. He also states quite distinctly that they left the tea-cups downstairs. His exact words are "We left the tea there" meaning on the table near to which Lake was sitting.

This is conclusive. The fruiteller left the tea-cups downstairs. The porkbutcher found them downstairs and took them upstairs, where they were seen by several reliable witnesses (See evidence Hollingsworth, Constable No. 2, Ecklandt,

also statement of defendant). Had the fruiteller come in later than the pork-butcher, he or some one else must have gone upstairs to bring them down. But the evidence shows they did not. And the cups should have been found below stairs, but they were not.

The same conclusion is reached in other ways. The Chinese shoemaker "has a stand a few feet from Lakes door, which is shared by the fruit-seller. One or other of them is all the while at the stand. On the evening of the murder, the shoemaker was present the whole evening, except a few minutes in the early part when he went for his food" leaving the fruiteller in possession, but neither of these men saw or heard of any help being rendered to Lake before the fruiteller helped him, neither had the Korean boy. On the other hand the pork-butcher had heard and had paid for the cakes bought for Lake two days before he himself helped him. But he did not hear that his "old friend" had fallen again after he had helped him upstairs or that any help had been rendered to him again. And next morning when he heard of the murder and went upstairs he found the dead man lying in exactly

the position he had placed him the previous evening.

The Defence contends that this is the only interpretation which can be placed upon the evidence on this point. There is no evidence whatever of any other order of events.

And if this interpretation is rejected the only alternative is to declare the witness unreliable and unworthy of credence.

If this last view be taken then the prisoner should have been dismissed from the bar.

HNA

Each of the witnesses contradicted himself and was contradicted by others on more than one point.

~~Yim Wo Chang~~ first swore that a full day elapsed between the help he rendered Lake and the time he went to the country.

Afterwards he volunteered the information that he had made a mistake that he left on the morning following the episode with Lake.

Ho Lao said: Boy slept with him in the room on the night of the murder (30th).

"The boy did not sleep in his (Ho Lao's) house

that night (30th).

Ultimately in spite of protest of the defence the fruiteller, the Korean boy and the pork-butcher were confronted in Court with the result that the Court itself remarked "I think all we can learn from these witnesses is that Ho Lao undoubtedly helped Lake upstairs the day before his death. (See Minutes of Court, x x x x). No other fact could be clearly gained from them.

On all and any of these grounds the Defence claims that the case should have been dismissed.

The evidence throughout was purely circumstantial and therefore is required by law ~~to be of the most rigorous nature~~.

"If the evidence in a case is purely circumstantial and the conclusion of guilt depends on a given number of attendant facts, each of these, still assuming it to be one without intrinsic HVP such conclusion does not arise, must be fully proved."

No single fact which it was attempted to prove was conclusive of the prisoner's guilt. Everything can be accounted for on hypothesis

perfectly consistent with the prisoner's innocence. And this is in his favor.

"It matters not how clearly the circumstances point to guilt, still, if they are reasonably explainable on a theory which excludes guilt, they can not satisfy the jury beyond a reasonable doubt that the defendant is guilty, hence they will be insufficient." Bishop on Procedure § 1076, 1077.

"The test of sufficiency of this evidence is, therefore, that the facts which the jury accept as proved can be reasonably accounted for on no hypothesis which excludes the prisoner's guilt, that with the theory of his guilt they are harmonious and consistent and that they point to it so clearly and distinctly as to satisfy the jury of it beyond a reasonable doubt." 1079.

Ersorsin Law.

The Court proceeded on assumption of facts not legally proved and on this assumption found a possible motive in Resultant Gain.

"While this safe is not supposed to have contained much in the way of money or valuables that would attract an ordinary thief, it it presumably did contain papers of some importance, none of which have been found after careful search."

"Concealment.- xxx It seems evident that the motive was to obtain possession of some thing contained in the safe and to secure the unquestioned enjoyment of this possession by the removal of the rightful owner."

No evidence was led to show that there was property of any kind in the safe, nor even that the deceased had property for which valuable papers or other representations might be fairly supposed to be in the safe.

The Court was therefore not justified in presuming the existence of property or building an argument on its supposed existence. On inference can only be founded "(1) on a fact legally proved; and (2) on such a de-

duction from that fact as is warranted by a consideration of the usual propensities or passions of men, the particular propensities or passions of the person whose act is in question, the course of business or the course of nature." Code of Civil Procedure § 1960.

Under the Head of Resultant Gain the Court said

"If the deceased held a paper from the accused covering the shortage of goods to the extent of over yen 500 for which he was "held responsible", or if the latter had used his habit of writing the former's signature to make over to himself the stock of goods then in his complete possession at the other end of the town; or if the accused had in the same way made a Will, or known of a will in his favor in the safe, all of which seem probable, but but have not been proved, the motive for the deed would apparently be concealment with the hope of resultant gain.

As pointed out by the Court itself none of these has been proved. There was not even an attempt to prove them. They should therefore not have found place in an opinion

which is reviewing the prisoner's conduct and which is the foundation for the succeeding judgement.

The Defence claim that there was no concealment on the part of the Defendant. This is proved by the fact that all or nearly all that is known of his relations with Lake comes from himself directly or indirectly, either from his own statement or from statements made by him to others (see evidence of Bushy). He never at any time denied that the property in his house was Lake's and he never claimed it as his own.

Again, the deceased did hold proof, or at any rate a list of the prisoner's indebtedness to him to the extent of Yen 500 and the paper fully detailed was found in Lake's possession and is now one of the exhibits. It was not taken away by prisoner - although he knew of its existence - as it should have been on the theory of concealment.

There is no evidence that Defendant tried to make over deceased's property to himself.

There is no evidence that a will was in

existence or that Defendant knew of one. If a will did exist or if the defendant had forged one, its proper place would have been in the safe or elsewhere in the deceased's possession. It would then have formed a presumption against the prisoner. But no will was found or alleged, which is in his favor.

Under the heading of Suspicious Circumstances the Court in its opinion says "Although given every opportunity to explain this discrepancy between his sworn statement and the actual facts he has not done so." This is contrary to the regulations of Court which state that a prisoner's refusal to go on the witness stand shall not be used against him. (See p. 56.)

The defence claims that the evidence has not shown any motive for the murder (the absence of motive is in the prisoner's favor — Bishop Crim. Proc § 1107); it has not shown that it was or could be to his profit; it has not connected him with the instrument of murder, either as having had it in his possession or knowing of its existence, and it has

not conclusively connected him with the murder in any way. It has not shown that he ever uttered threats against the deceased or showed prior malice in any form. On the contrary it was shown that the deceased and the prisoner were on friendly and intimate terms, so much so that the deceased spoke of the defendant as "my boy" meaning son.

As "The combined evidence must cover the whole case and be adequate in general and as to all the parts" (Bishop Crim Proc. ii §63) and as it has been shown that it was not adequate in general and as to all the parts" the Defence claim that the judgement was contrary to evidence and to law.

It is therefore claimed that a new trial should be ordered as petitioned. For "If one is convicted on evidence legally inadequate or not covering every element of the offence or by reason of any ruling or instruction of the judge contrary to law and objected to at the time, the Court, whether trial or appellate, must set aside the verdict and order a new trial." (Bishop. Crim Proc. § 1275).

In conclusion, the Defence urges that a new trial should be ordered in justice to all concerned. The state interests are even more injured by a false verdict than the defendants and it is impossible to believe that the Court can be satisfied with a decision if which after giving due weight to all proved facts there still remains the distinct and not unreasonable apprehension that a great wrong may have been done, alike to both parties in the case.

J.

13/

Complaint.

In the U. S. Consular Court for Korea.

Preliminary examination held before William Franklin Sands, Vice and Deputy Consul General, at Chemulpo.

The United States
vs
John Flanagan } Complaint Criminal

Personally appeared before me this 20th day of Sept. 1898. A. B. Stripling of the Police Department of the Korean Government, Special officer to investigate the case of the murder of G. W. Lake of Chemulpo, Korea, who being duly sworn, says that from information received he has reason to believe, and does believe, that one J. G. Flanagan of Chemulpo Korea, an American Citizen, did, at said Chemulpo Korea, in the part known as the Chinese Settlement thereof, between the hours of half past six in the evening of the 30th of August and 8 o'clock in the morning of the 31st August,

wilfully, maliciously, and of malice afore-thought, feloniously kill and murder said G. W. Lake, an American Citizen, by striking said G. W. Lake on his forehead with an iron weight, which blow fractured the skull of said G. W. Lake thereby causing his death.

All of which is contrary to the form of Statute in such cases made and provided.

Said complainant therefore prays that a warrant may be issued for the arrest of said J. J. Flanagan and that he may be dealt with according to the law.

(Sig.) A. B. Stripling

Subscribed and sworn to before me this 20th day of September 1898.

(Sig.) William Franklin Sands.
Vice & Deputy Consul General.

Court of the Consulate General of the
United States of America.
Seoul Korea, Sept. 21, 1898.

I hereby certify that I have reasonable grounds for believing that the contents of the foregoing complaint of A. B. Stripling, Charging John Flanagan, alias J. G. Flanagan with the crime of murder, are true.

(Sig.) Horace N. Allen
U. S. Consul General.

The above complaint, having been read at the opening of Court on October 31, 1898. Accused entered a plea of Not Guilty.

(Sig.) Horace N. Allen
Consul General,
Acting Judicially.

In the Court of the U. S. Consulate General.
Seoul. September 20, 1898.

The United States of America
versus
John Q. Flanagan. } Warrant.

To Carl J. Ecklandt, Special Officer of Said Court.

A complaint having been filed by A. B. Stripling, at this Court, accusing John Q. Flanagan with the crime of murder committed in the Empire of Korea, as follows, to wit: that said John Q. Flanagan did at Chemulpo Korea, in the part known as the Chinese Settlement thereof, between the hours of half past six in the evening of the 30th August 1898, and 8 o'clock in the morning of the 31st August 1898, wilfully, maliciously, and of malice aforethought, feloniously kill and murder one George W. Lake, an American citizen, by striking said George W. Lake on his forehead with an iron weight, which blow fractured the skull of said George W. Lake, thereby causing his death, and it appearing

that there are reasonable grounds for believing the charges made in said complaint to be true.

You are hereby commanded to bring said John G. Flanagan before the Court over which I preside.

(Sig.) Horace N. Allen
Consul General of the United States.

I have arrested the person named in the above warrant, and have placed him in the jail of the Municipal Council at Chemulpo Korea, awaiting further orders. The following is his true description.

Age 34 years; Height 5 ft 5 1/4; Face small; Forehead high; Eyes gray-blue; Nose straight; Chin large; Build slender; Weight 124 lbs. American flag in blue ink on left arm; stars on right and left hands.

(Sig.) C. T. Eklandt.
Special officer of the
U. S. Consular Court.

Chemulpo, Sept. 20, 1898.

In the Consular Court of the United States.
Seoul Korea,

You (and each of you) do solemnly swear that you will faithfully hear and duly consider the evidence to be submitted in the matter now before the Court, and a fair and impartial opinion give in the premises, to the best of your ability.
So help you God.

I do so swear.
(sig.) Clarence R. Greathouse
I do so swear.
(sig.) Henry G. Appenzeller.
I do so swear.
(sig.) Daniel L. Gifford.
I do so swear.
(sig.) S. F. Moore.

Taken before me this 31st day of October 1898.
(sig). William Franklin Sands.
Clerk of the Court.

Decision on Motion for a New Trial.

In the Court of the U. S. Consulate General, Korea.

The United States

vs.

John G. Flanagan.

The Statement, Affidavits and Argument in support of the above petition were duly read and presented in open Court on the 28th of December 1898.

The petitioner bases his petition upon five grounds as follows:-

1st That there was irregularity in the proceedings of the Court and in an order of the Court by which he was prevented from having a fair trial.

2nd That there was accident and surprise which ordinary prudence could not have guarded against.

3rd Newly discovered evidence, material for him which he could not, with reasonable diligence, have discovered and produced at

the trial.

4th Insufficiency of the evidence to justify the opinion and judgement and that it was against law.

5th Error in law occurring at the trial and expected to by him.

Excepted
H.N.A

In support of the first ground, Alexander Kenmure, Counsel for the defense, in his argument, says "Irregularity in the proceedings "of the Court &c. This is proved by a statement "of Mr. Stripling, the officer in Charge of the "preliminary inquiry," which statement is quoted at length to show that the case was called before Mr. Stripling was ready for it. The Defence dwells upon this at great length both in his Affidavit and his Argument.

The facts are that Mr. Stripling's services were secured to assist the Consular officer sent to Chemulpo to investigate this case who was properly speaking the investigating officer. Mr. Stripling swore out the complaint which caused the arrest of the accused, on Sept. 20,- forty one days before the trial began. He was sure enough of the guilt of the man at

this time to swear to the complaint. Ten days before the date of the trial he announced that he was ready. He seemed to think that he could make the evidence of guilt stronger by taking more time to the case, and, having sworn out the Complaint, he presumably desired to have the evidence more than ample. He could however give the Court no sufficient reasons for further delay, so the case was called. As to the "Opium den", which he is accused of not examining, an official document was produced in Court (Records of the trial) showing that the place was closed on Aug. 15 and not reopened until Sept. 8. It could therefore have no connection with the act committed on Aug. 30. As Consul General I was entirely satisfied with what Mr. Stripling had done, and did not think then, nor do I think now, that any benefit was to be obtained by longer depriving the accused of a trial.

The action of an investigating officer at Chemulpo, before the Court was convened, cannot be alleged as an "irregularity in the proceedings of the Court."

There was no regulation compelling me to hold a preliminary investigation, other than what might be construed as a general duty to society. I was and could be the only judge as to the proper method of investigation to be pursued, the opinion of Mr. Stripling as to the method to be pursued, would be of value to, and would be considered by me; his opinion could not however, if neglected, constitute an "irregularity in the proceedings of the Court".

Furthermore, the defence was offered an adjournment before the case was closed, for the purpose of looking up further evidence. This offer was not accepted, and it would seem to imply acceptance of the situation as it was.

Certainly it should preclude any application for a New trial on the grounds of lack of preparation.

The second ground upon which an Argument for a new trial is based is that of "Accident and surprise which ordinary prudence could not have guarded against."

This is made to refer to the order of the Court,

mentioned under the first heading, by which it was alleged, Court was convened before the completion of the preliminary investigation. This is sufficiently explained (experienced) under the first heading, and is further deprived of all weight by the fact that any such accident or surprise, had it existed, could have been remedied by an acceptance of the offer of the Court of an adjournment to look up further evidence.

In this connection it is also claimed that one witness (the Chinese Cake-baker) swore that he saw a Korean leaving the back of Lake's house early on the morning of the 31st of August," but this we have no reason to believe was followed up".

This man did testify that he got up at day break the morning the murder was discovered and went to the closet back of his place, which adjoined the house of the deceased, while there he said he saw the top of a man's head which he thought to be that of a Korean. The man was outside of Lake's premises on the hill below the enclosing fence and platform. The witness paid no attention to the

occurrence of which he seemed to have a very vague idea.

This incident when first learned had the effect of directing suspicion toward a band of Korean beggars who were said to have committed certain petty robberies in Chemulpo. Absolutely nothing came of the careful investigation that resulted, and at the trial this statement was considered as so vague that when the presiding judge had completed his questioning, none of the Associates questioned the man, while the defence paid no attention whatever to the matter at the Trial.

Under the third heading it is stated that newly discovered evidence has been secured. The principal witness being a young Korean friend of the Accused named Oo Ping Kil.

In the Affidavit of Mr. Sands, this matter is fully explained. The boy was present through the most of the trial, but disappeared at the critical time and could not be found. If he were a friend of the accused, as is maintained mentioned, and had evidence of importance for the accused, his disappearance is unaccountable. Fortunately however, his sworn

statement had been taken early during the investigation and it forms one of the documents connected with this petition. His testimony was of no value as judged by this carefully taken deposition.

Further, the defense declined an offer to adjourn Court for the purpose of finding this witness.

In support of this reason for a new trial, it is also claimed that a Korean coolie known as a "jiggy kun" who helped the pork-butcher to assist the deceased on the afternoon preceding the murder, can probably be found: That a Japanese woman employed in a baker's shop, and a Japanese pawn-broker can both be found, who will testify that they saw the accused at about 6 p.m. on the evening of the murder, and that a Chinese medicine seller can either be brought from China or his deposition can be taken there, to throw light upon the date of the assistance rendered the deceased by two of the latters Chinese neighbors.

The testimony of these witnesses can be of no value. No doubt has been thereon thrown upon

the fact that the pork-butcher helped the deceased at about 4 p.m. on the afternoon preceding the murder and the defense freely admit this. The coolie who assisted him was called off the street as he was passing.

Nothing has been brought forth that would in any way tend to show that this passing coolie could have any knowledge of events that transpired inside the house during the evening.

The testimony of the two Japanese, who, it is claimed, saw the accused in Chemulpo at about 6. p.m. on the evening of the murder, is not material. Accused might have been anywhere within the limits of Chemulpo, between the hour of 6 & 7 p.m. and still the evidence against him, would remain the same. The testimony of these Two persons would only add more proof to the overwhelming evidence that accused swore falsely when he took his solemn oath that he went home from the house of the deceased at about 3.30 or 4 p.m. August 30, and did not leave his own home till about 8 o'clock the next morning.

As to the testimony of the Chinese medicine seller, the Court used its best endeavors to secure the presence at the trial, of this man Pang, in order that he might give information if possible, as to the exact date on which he left for the country with the Korean boy who aided the fruiteller to assist Lake, and thus clear up any remaining doubt as to the fact that that assistance was rendered on the evening before the murder, namely Aug. 30. This testimony was rendered unnecessary however, by the statement of the lodging house keeper who entertained Pang, as well as the cook who hired the boy for Pang. Each of these men were summoned supposedly for the Defence after a recess of the Court taken for that purpose. They showed by the record book of the Chinese Police at Chemulpo that the arrival of a ship from Chefoo on Aug. 28, was the date of the arrival of certain Chinese from Chefoo which arrival caused the man Pang to change his abode the next morning and that it was after this that the boy was employed by the man Pang, who first went out on the 29th for a trip of a day or two and, finding he needed an

interpreter, came back and employed the boy through the witness Sun Yun Tong, known as the Cook.

There is nothing in any of the affidavits to show that the medicine-seller Pang, would, if secured, be able to offer any testimony contrary to that which is already on record. It would seem to be almost positive that his testimony, if secured, would be entirely corroboratory of that of the cook and the lodging house keeper.

It cannot therefore be considered that the deposition of the man Pang, to be taken somewhere in China, even if obtainable, would be of any material use. Certainly not enough to call for a new trial, and the contention that a new trial should be granted on the grounds of newly discovered evidence cannot be maintained by any facts presented in connection with this petition.

The fourth reason given in support of the petition for a new trial is that of insufficiency of evidence to justify the Judgement, which therefore is against law.

In support of this contention, the defence

relies especially upon the evidence of the fruiteller, the shoemaker and the pork-butcher, all Chinese neighbors of the deceased, and a Korean lad - Yim Do Chang.

The fruiteller stated that he assisted the deceased at "lamp-lighting" on the evening before the murder, and that he left the accused inside the house with the deceased. The shoemaker saw this occurrence and both declare it was the "night before the murder". They also declare that they did not see the accused leave the house.

No doubt was thrown upon the fact that this assistance was actually rendered as stated. It was attempted to prove however, that the occasion was previous to the date named. Dates are of much less in fixing such occasions definitely in the minds of witnesses, than are important occurrences at the time. Both the Fruiteller and the shoemaker were positive that the assistance was rendered the evening before the morning on which Lake was found dead.

The Accused in his Affidavit admits the above occurrence but attempts to place it as

having occurred one or two nights previous to the date fixed by the Chinese. He however offers no explanation as to the fact that he was not seen to leave the house, and as the Fruiteller and Shoemaker had their stands a few feet from Lake's door, where one of them at least, was in constant, wakeful attendance, he could not have left by the usual exit, without being seen by them.

No suspicion has been cast upon these Chinese neighbors of the deceased as having been connected with the murder. They have been shown conclusively to have lived on the most friendly terms with Lake, who had many times befriended them and was constantly receiving small attentions from them.

The Korean Youth Yim Doh Chang who assisted the Fruiteller to help Lake, left Chemulpo with the medicine seller the morning the murder was discovered or possibly the morning following. He heard nothing of the tragedy until his return some days later. He became much confused as to his dates on cross examination, but the fact that he left Chemulpo on the morn-

ing of the day on which the murder was discovered or the day following, is proved by the statement of the Chinese Cook Lun Yun Tong, who secured the boy for the Chinese medicine seller, and by the witness Shu Yen Fee, who kept the house where Pang the medicine seller first stayed.

This testimony is conclusive as to the fact that Pang left the house of Shu Yen Fee, on Aug. 29, going to the country for a trip of a day or two, and coming back for an interpreter as he found he could not speak the language. He left with the boy on Aug. 31, or Sept. 1. If it could be proved beyond a doubt that this departure took place on Sept. 1, this would leave the Korean boy in Chemulpo during the day on which the murder was discovered, and the defense made much of this fact, since the boy stoutly declared that he had not heard of the murder until his return. This does not however seem to be remarkable. The boy spoke but little Chinese; he said that he slept late the next morning as he had left the service of his employer; there was no great excitement attending the discovery; no

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particular crowd gathered before the door of Lake's house and it would not be surprising if the Korean boy had not heard of the event. It was a busy, crowded, Chinese street. The affair concerned foreigners and the busy Chinese seem to have gone about their daily affairs as usual. Even Thomas, the Chum of the accused, saw nothing remarkable about the house when he passed on the morning after the murder and had heard that the deed had been committed and was looking for corroboration of the report. He stated that the place looked so quiet and deserted that he thought the report must be false. It would be no reason for wonder then if this youth should not have heard of the murder.

The evidence of these Chinese witnesses and the Korean alone named, is certainly contradictory at times as might be expected in the cross examination of such people. But the fact remains that the assistance in question was actually rendered and the accused was left in the house of the deceased, from which he was not seen to depart. All the Chinese

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and Korean testimony, bearing on this particular occurrence, seems to connect it strongly with the departure of the Korean boy for the country with the Chinese medicine-seller.

This departure is apparently fixed as having taken place on Aug. 31 or Sept. 1, by the fact that the arrival of the steamship from Chefoo on Aug. 28. fixes the 29th as the date of the first trip of a day or two, of the medicine-seller. See evidence of the Cook, who next saw Pang two or three days later, Aug. 31 or Sept. 1.

Since the burden of this testimony tends to connect the departure of the boy with the incident of the rendering of this assistance, and since it seems to be a fact that two or possibly three days must have elapsed between the first meeting of the Cook and the medicine-seller on the 29th, and this departure, it does not seem probable that the incident of the assistance could possibly have occurred prior to Aug. 30, which seems to be the actual date of the incident, and which corresponds with the positive and non-contradictory statements of the Fruit-seller and the shoemaker. The pork-butcher's testimony has not much bearing upon this

incident of which he only had a hazy knowledge through the fact that he paid for the cakes used on that occasion. His testimony is of value however, in that he states positively that he had never heard of any one else rendering Lake such assistance prior to his having done so himself on the afternoon preceding the murder. From his intimate friendship with the deceased he would surely have heard of such assistance had it been rendered prior to the day before the murder.

Both the Pork-butcher and the Korean boy contradict themselves and each other frequently. It is scarcely necessary to quote these contradictions which are freely shown in the statement. The general result of their testimony was corroboratory of the definite statements of the Fruitseller and Shoemaker who, as has been said before, declare, without contradiction, that Lake was found murdered the morning after the former had assisted him.

The Counsel for the Defence in his argument, next dwells at length upon the apparent fact that the drinking cups found by Lake's bedside at the time of discovery of the murder,

were the same that the Pork-butcher had placed there at 4 p.m. the day before, while he tries to show that these same cups were used by the Fruiteller at about 7.30 p.m. from which he attempts to make it appear that the assistance rendered at 7.30 P.M. must have been at a date prior to the occasion of the assistance rendered at 4 P.M. and therefore not on the evening of the murder.

This point was not seen by the defence during the trial; at least nothing was made of it by them, though the prosecution did develop it at great length, but was compelled to give it up, as nothing conclusive could be proved therefrom.

The defence seem however to have missed one important fact in this connection which appears to destroy the importance that might otherwise be attached to the matter of these drinking vessels. It is taken for granted as mentioned under the heading of "Defendant Specifics", in connection with his statement, that the deceased did not leave his bed after being assisted to it at 4 p.m. Aug. 30 by the Pork-butcher. That this cannot be the case is evi-

dent from the fact that the door to the house, through which the pork-butcher must have passed, was found barred as usual in the morning. Lake lived entirely alone, not even having a servant. The door could not have been barred from the outside. Since no one was seen to leave the house that night, the door could only have been barred by Lake himself or some one who made his escape by the difficult and entirely unusual method of climbing down the bank from the back door, which door was found open in the morning.

After having been assisted to his bed at 4 p.m. the old man may have sufficiently recovered from the attack of giddiness or whatever it was that caused his fall at the foot of the stairs, and at dusk he would naturally have come downstairs to bar his door for the night. This effort would seem to have brought on a second attack since the fruit-seller saw him leaning against his door and "spitting up water". He assisted him and gave him tea in the mug with a handle, leaving him with his partner or comrade - the accused - who presumably barred the door and

assisted the sick man to his bed. As it must be granted that the door was barred, the idea that the deceased did not leave his bed that evening must be given up. If he was able to go down stairs to bar his door, he could very well have brought down his large mug with a handle to get drinking water for the night. There was no evidence of the presence of a supply of water upstairs; the weather was excessively hot; the man was ill and constantly wanting drink, as seen by the fact that the pork-butcher got it for him; what would be more natural than for him when going to bar the door to take from the table by the bed, his favorite large mug with a handle to get drink for the night. This would then be at hand for use by the fruiteller who left it partly filled with tea. In this condition it would naturally be taken upstairs for use in the night, where it was found next morning as though left by the pork-butcher. The contention that the deceased did not leave his bed after 4 p.m. and that the mug did not leave the upper room after being taken there by the Pork-butcher at 4 p.m. Aug.

30, cannot be maintained against the known facts and the conclusions to be drawn from them.

Mention is made of the fact that the before named Chinese and Korean witnesses were brought together against the objection of the defence and that the Court remarked remained that, "I think all we can learn from these wit- "nesses is that Ho Lao undoubtedly helped "Lake upstairs the day before his death".

Much time had been spent in questioning these witnesses who became quite confused toward the last. As their examination was practically finished, it was thought advisable to take them together in order to clear up if possible, some of the points upon which they had contradicted each other. The remarks of the Court referred to the result of this joint examination and had no reference to what had gone before and was already a matter of written record.

It does not seem therefore that the plea of insufficiency of evidence adduced by the defence can be sustained.

Errors in law form the last alleged

reason for the granting of a new trial.
The contention is based upon the statement that the safe was presumed by the Court to contain papers which were not proved to be there: That concealment was given as a motive for the crime, while the defence claims that no concealment was attempted by the accused: That there is no evidence that accused tried to make over deceased's property to himself: That there is no evidence of the existence of a will, and that no motive was shown for the perpetration of the deed by accused.

The deceased left no papers of value that could be found. The safe was rifled notwithstanding the fact that it was exceedingly difficult to open. The one who opened the safe must have thoroughly understood the mechanism and have known what to look for. While it was inferred by the Court that the safe did not contain much money, this belief may not have been shared by the accused, who states in his sworn statement that on one occasion when he was led by Lake to suppose that the latter had absolutely

no money, he, Lake, went up stairs and brought him $100. The deceased was evidently a very cautious man, and the accused was the only person in Korea, who knew his habits and possessions. The presence of a will was suggested by the statement of the accused himself that if a will was left he would expect to inherit the property. See deposition of Busbay, admitted by prisoner. Among the exhibits used on the trial, under the head of "writings" there are many pages in the handwriting of the accused, whereon he has imitated quite well, the penmanship of the deceased as well as his signature; whole columns of the latter having been shown. This must have been for some purpose, but whatever forgeries were intended or perpetrated were presumably not made known because of the subsequent arrest for murder.

Among the written exhibits there are two wherein Flanagan styles himself proprietor of the Naval Club, which was the property of the deceased.

Whatever forgeries had been committed; whatever papers had been taken from the safe,

or money from either the safe or the room upstairs, the death of the old man seems to have been necessary for concealment.

The defense argues that the instrument of death has not been connected with the accused. It was shown in the opinion of the Court that this was probably introduced to direct suspicion to some Chinese and could not therefore be connected with the accused.

Objection is made by the defence to the fact that the Court alluded to the prisoners failing to testify although given every opportunity to do so. This is alleged to be contrary to the Regulations for the Consular Courts in Korea. The mention of this fact was not made as an accusation against the prisoner, but as a matter of record in explaining that this remarkable omission was not due to the defendants lack of information that such was the right and privilege of the accused.

The latter has tried in his Affidavit to clear up the false swearing of his sworn statement taken prior to arrest. He has simply

succeeded in adding falsehood to falsehood.
(As seen from the Counter Affidavit of the Accused. H.N.A.

It has been proved that the safe which was robbed at the house of Geo. W. Lake the night that the latter was murdered, was an exceedingly difficult one to open: that John G. Flanagan, the intimate friend of the deceased, was the only known person in Korea who could open this safe: that he was also the only person in Korea who knew intimately the habits of the deceased and what the contents of the safe might be: that he, the accused, acted in a very suspicious manner when informed of the murder, as well as subsequently: that he was out in the streets on the evening and night of the murder, when he solemnly swore that he was in his house all the while, and that late in the night he was drunk and offering for sale garments, the like of which were known to have been possessed by the deceased.

Further, it is the opinion of the Court, beyond a reasonable doubt, founded upon the evidence herein cited, that the accused did actually visit the house of the deceased on

the evening of Aug. 30th; that he was left there at dark alone with the sick man, and that he did commit the murder of which he is charged, sometime between the hours of 8 and 9.30 p.m. during which time he is unable to account for his movements.

It must also be remembered that this opinion and Judgement of the presiding Judge was fully concurred in by the four reputable American Gentlemen who sat during the trial as Associates therein, and were under solemn oath to well and truly try the said action and a true Judgement therein to render according to their best belief.

Wherefore the Court finds it impossible to grant the prayer of the petitioner for a new trial, and the same is hereby refused.

(sig.) Horace N. Allen
U. S. Consul General,
Acting Judicially.

Seoul Korea,
January 17, 1899

47/

Notice of Appeal.

In the Court of the United States Consulate-General, Korea.

The United States
vs.
John G. Hanagan } Notice of Appeal.

You will please take notice that the defendant in the above entitled action hereby appeals to the Minister of the United States at Seoul Korea, or to the Circuit Court for the District of California, as may in either case be allowed, from the judgement therein entered, in the Consular Court of the United States in Korea, on the eleventh day of November, 1898, in favor of the plaintiff in said action, and against the said defendant; and from the whole thereof, and also from the order, or decision, denying said defendant's motion for a new trial, made and entered in the minutes of said Court, the seventeenth of January, 1899.

(Sig.) Alex: Kenmure.

Attorney for the defendant.

Dated this 17th day of January, 1899.

To

Horace N. Allen, Esquire,
U. S. Consul General,
Judge of the above Court.

Filed and entered in the Minutes of the Court, this 17th day of January 1899.

(Sig.) William Franklin Sands.
Clerk of the U. S. Consular Court,
Korea.

Mr. Cridler:

On the ground that the large influx of American laborers might make it necessary for the Consulate General to exercise its judicial functions, Mr. Allen requested on July 9, 1898, an allowance for a jail and constable. The request was then denied (No. 7, Aug. 19), but on the 22d of September, 1898, he telegraphed that an American (J. G. Flanagan) had been arrested for the murder of Geo. W. Lake, and asked for an allowance of $500. for the jail and $50. monthly for a keeper. The request was granted by cable on the following day. Flanagan was sentenced to imprisonment for life in December and there is no telling when this charge on the Emergency Fund will come to an end. There is no report from the Consulate General showing that the jail and keeper are used for any other prisoner than Flanagan, and it might be well to inquire whether he could not be transferred to some jail in China for which we have a regular appropriation. Another way of disposing of the case and for which we have a precedent cited by our Legation at Tokyo in its No. 293 of May 10, 1899, and confirmed by the Attorney General in his letter of May 9, 1899. By Executive action, a commutation of the sentence can be granted on condition that the convict shall serve the reduced term in a U. S. jail. In this manner could Flanagan be taken away from Seoul and the jail keeper there dispensed with.

J. M.

DEPARTMENT OF STATE,
WASHINGTON.

May 17, 1900.

3rd ASST. SECRETARY
MAY 17 1900

Mr. Cridler.

It appears from the records in the case of the prisoner Flanagan, at Seoul, that his sentence is imprisonment for life. He is confined in the jail at Seoul, and is to remain there, so far as I can learn, to serve out his sentence.

There being no provision for a guard or jailor in Korea, the Minister Mr. Allen, was authorized in September 1898, to employ a jailor to guard the prisoner at the rate of $600.00 per annum, payable out of the Emergency fund until Congress provided for a "Prison Keeper".

The last Congress failed to make the necessary appropriation for a "Prison Keeper" in Korea, and as the present Congress omitted to provide for him in the Diplomatic and Consular bill for the next fiscal year; I have to inquire whether the drafts of the Minister for this service during the fiscal year 1901, that is, from July 1, next, are to be paid, as heretofore, out of the Emergency fund. There is no other appropriation available.

Respectfully,

J. Morrison,

DEPARTMENT OF STATE,
WASHINGTON. May 26, 1900.

Dear Mr. Secretary:-

On the ground that the large influx of American laborers might make it necessary for the Consulate General of the United States at Seoul, Korea, to exercise its judicial functions, Mr. Horace N. Allen requested the Department on July 9, 1898, to grant him an allowance for a jail and constable.

The request was denied (instruction No. 7 of August 19, 1898) but on September 22nd of that year, he telegraphed that an American citizen named J. G. Flanagan had been arrested for the murder of George W. Lake and asked for an allowance of $500 for the jail and $50 monthly for a keeper. As an emergency the request was granted by cable on the following day.

Flanagan was sentenced to imprisonment for life in December .

The Department has made several requests of Congress for an appropriation to meet this charge so as to relieve the Emergency Fund from which it has been paid. There is no telling when the charge will cease, and it seems unreasonable to tax the Emergency Fund any further after the close of the present fiscal year with this item of expense.

It seems well, therefore, to inquire whether the prisoner could not be transferred to some jail in China for which we have a regular appropriation. Still another and better way occurs to me for disposing of the case for which the Department has a precedent cited by our Legation at Tokyo in its No. 293 of May 10, 1899, and confirmed by the Attorney General by his letter of May 9th of that year. By Executive action a commutation of the sentence can be granted on condition that the convict shall serve the reduced term in a United States jail. In this way,

Flanagan could be brought from Seoul and the jail keeper's services dispensed with.

If you agree with me, I will prepare a letter to the Attorney General setting forth the facts and see if it cannot be arranged to have Flanagan transferred to the United States to serve out his sentence.

It is hardly fair to tax the Emergency Fund $600 to guard one prisoner; yet when the allowance was made there was no way out of it and each year I was hopeful that Congress might make the necessary provision. It has not done so.

Respectfully submitted.

W. N. Bridges

Approved.

John Hay

OFFICE OF THE
NEY IN CHARGE OF PARDONS.

Department of Justice,

Washington, D. C.

CHIEF CLERK
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1907
DEPT. OF STATE

INDEX BUREAU
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November 8, 1907.

Chief Clerk,

Department of State.

Sir:-

I return herewith by special messenger, a clerk of this office, copy of "Despatch No. 31, Consular, from Seoul, Korea" in re John G. Flanagan, 151 pages, which was used by this office in connection with an application for pardon of said Flanagan.

Respectfully,

James A. Finch

Pardon Attorney.

No.32, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Feb.2, 1899.

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Mr. Horace N. Allen, to the

Assistant Secretary of State.

-Subject-

Death of an American, Anna M. Ballenger - widow.

-Synopsis-

Anna M. Ballenger, an independent missionary associated with the Southern Methodist Church, died of smallpox, at Songdo in the interior of Korea, on Jan. 19.

No.32,Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Feb.2,1899.

To the Honorable,

David J.Hill,

Assiatant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to report the death from smallpox, at Songdo in the interior of Korea, on Jan.19 lasE, of Mrs.Anna M.Ballenger - widow.

Deceased was born at Easton in the State of Missouri, August 4,1855. Her last residence in the United States was at San Francisco, where she was matron in a Methodist school for Chinese. She was in Korea as an independent missionary associated with the mission of the Methodist Church South, Nashville Tenn.

I am informed by her friends that she has relatives living at Spokane Washington, and that she has a brother- W.T.Rigby of Pendleton Oregon, who has charge of her affairs.

She left no will and no property in Korea other than a few personal belongings and a small deposit in bank. It is understood she had some property in the United States, from which she drew her support.

I have made arrangements to have her effects properly fumigated and forwarded to me, when I will dispose of and report upon them according to the regulations.

The body was properly buried on Jan.2e, by her fellow missionaries at Songdo - a piece of ground having been bought for that special purpose.

I have the honor to be, Sir:-

Your obedient servant,

Horace N. Allen,

Fil

No.33, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Feb. 16,1899.

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Mr.Horace N.Allen, to the

Asst. Secretary of State.

-Subject-

Acknowledges receipt of No.12,Jan 7.Consular Jail.

No.33, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Feb.16,1899.

To the Honorable,

David J.Hill,

Asst.Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt on yesterday of Mr.Cridler's despatch No. 12, of Jan.7, and am pleased to know that the Department is satisfied with my use of the $500 appropriated for a jail, also that an appropriation for a regular allowance of $600 for a jailer for this place, has been asked.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N. Allen.

EX. BUREAU
REC'D.
APR 11 '99
DEPT OF STATE

Jch

No. 34. Consular.

Consulate General of the United States.

Seoul, Korea, March I3, I899.

Mr.Allen to the Third Assistant Secretary of State.

Subject:

Acknowledging receipt of Department's No. I3, Consular.

No. 34. Consular.

Consulate General of the United States.

Seoul, Korea, March 13, 1899.

Thomas W. Cridler, Esquire.

Third Assistant Secretary of State.

Washington.

Sir,

I have the honour to acknowledge the receipt, today, of the Department's No.13, Consular series, in re the trial of John Flanagan for murder.

I have the honour to be,

Sir,

Your obedient servant,

Horace N. Allen.

INDEXED BUREAU
REC'D.
APR 24 9:
DEPT. OF STATE

3rd. ASST. SECRETARY.
APR 27 1899

Solicitor

No.35. Consular.

Consulate General of the United States.

Seoul, Korea, March 20, 1899.

draft
Ans. returned May 1.99.
Orig. inclosures returned May 4.99.

Mr.Allen to the Assistant Secretary of State.

Subject:

Settlement of estate of Mrs.Ballenger.

Synopsis:

Encloses accounts in duplicate covering settlement of estate, and draft for $46.85, to balance same. No will. Deceased has living relatives in Washington and Oregon. Articles of a sentimental value thoroughly disinfected and sent to State Department.

3rd ASST. SECRETARY
APR 28 1899
SOLICITOR'S OFFICE
APR 28 1899

Mr Bacon

Dear Mr. Cridler:-

Shall there be suggested Act

The statute makes it the duty of the consular officer, after paying the debts due from the estate of an American citizen dying abroad, to transmit to the Treasury at the expiration of one year from the death, the residue of the personal estate. The Consul General has faithfully followed all the other directions of the statute, but has sent draft for balance of the estate to this Department. This Department has no authority to receive this money.

Inasmuch as the decedent only died January 18th last, and the law provides that the residue shall be transmitted "at the expiration of one year" from the death, I suggest that the draft be returned to the Consul General and his attention called to the provision of the statute referred to, which is embodied in Paragraph 385 of the Consular Regulations.

The Consul General has also sent to this Department a box of articles belonging to the deceased,"of sentimental value." This the Department could turn over to the relatives, but it does not appear where the relatives, if any, may be found.

F.V.

No.35. Consular.

Consulate General of the United States.

Seoul, Korea, March 20, 1899.

Honorable David J.Hill,

Assistant Secretary of State.

Washington.

Sir,

Referring to my No.32, Consular, February 2, regarding the death of Mrs.A.M.Ballenger, I now have the honour to hand you duplicate accounts covering the settlement of the estate of the deceased, with my draft for $46.85 to balance the same.

I believe her father, mother and brother are now living in Washington and Oregon, though I could not be certain of this from the records left. I believe that W.T.Rigby of Pendleton, Oregon, is her business agent and brother. There being no will, I took charge of the effects and made the best possible disposition of

them

of them. There were no debts, and there was no reason for holding the settlement open any longer.

I have just sent you, through our Consulate General at Yokohama a box of "effects of a sentimental value" Though the lady died of small-pox, all her effects were thoroughly fumigated with the fumes of burning sulphur, and the articles are sealed in tin. There should be no danger of contagion.

I have the honour to be,

Sir,

Your obedient servant,

Horace N. Allen.

Enclosures:

1. Statements in re settlement of estate of A.M.Ballenger
2. Draft for $46.85.

DUPLICATE.

Memorandum re Estate of Mrs. A.M.Ballenger.

Mrs.A.M.Ballenger, an American citizen, died at Songdo (or Kaisung) in the interior of Korea, on January 18 1899, of smallpox. She was attended by Dr.R.A.Hardie and other missionary associates. A burial site was purchased for Yen 101 and she was buried at Songdo.

Upon my order the bedding and such infected clothing was destroyed and all other articles fumigated by burning sulphur.

At my request a travelling American, Rev.Samuel A. Moffett, called at Songdo and with Mrs.Josephine P Campbell of Seoul, made a careful inventory and apprais ment of the effects left by the deceased. These were sold on appraisement to the few missionaries present. There was no possibility of holding a regular public auction and the goods were not worth sending to Seoul for sale. Mr.Moffett did go through the forms of an auction at my request.

The articles of a sentimental value left by the deceased were sent to me and forwarded to Washington, in a tin lined case. They are fumigated. This box contains some of the money left by deceased, being a ten dollar gold piece not current or exchangeable here.

Deceased left local currency amounting to Yen		37,95
A cheque for	"	50,00
Proceeds of Songdo sale	"	56,45
Sale at Seoul of new goods received	"	23,52
Deposit in Japanese Bank at Seoul	"	164,06
		331.98

The expenditures as per receipts herewith, amounted to Yen 237.89 leaving a balance due the estate of ¥ 94.09

Balanced by draft for the equivalent in gold at 49,8

$ 46.85.

Horace N Allen,
U.S.Consul General.

-Enclosures. Account of Estate of A.M.Ballenger.

Certificate of Death.

" " destruction of infected bedding etc.

" " moneys found among effects.

" " appraisement and sale of effects.

Letter from Banker, replying to notice of death.

List of articles sent to America.

List of contents of box received after death of Mrs.B.

Auction notice of sale of contents of this box.

List of sales at said auction.

Bill and receipt. Medical expenses and burial.

" " " for tin packing case.

" " " " wood " "

" " " " publication of auction notices.

" " " " shipping charges.

" " " " telegrams.

Final statement of Consulate General with Estate.

Draft.

DUPLICATE.

Songdo, Korea, 4/2/99.

To whom it may concern:-

This is to certify that Mrs. A. Ballenger died in this city, on the morning of the 18th of January 1899, of Small pox.

(sig.) R.A. Hardie, M.B.

Translation

Fusangdo, Korea, 4/2/99.

The Honorable H. N. Allen, M.D.
American Legation,
Seoul, Korea.

Dear Sir:

This is to certify that the following articles belonging to the late Mrs. A. M. Ballenger, who died in this city on the 19th of January last, were destroyed, and that such destruction was necessary.

1 Mattress.
1 pair blankets.
2 Comforters.
1 Night dress (flannel)

Yours respectfully,
(sig.) R. A. Hardie, M. D.

Seoul, March 11, 1899.

The Hon. H. N. Allen, M.D.,
U.S.A. Minister & Consul-General,
Seoul, Corea.

Dear Sir:

This is to certify that the only money found among the effects of the late Mrs A.M. Ballenger, was as follows: —

One Ten Dollar gold piece U.S.C.
Yen Thirty-seven & Sen Ninety-five Japanese C.,
and one uncashed check on the Hongkong and Shanghai Bank for the Sum of Yen Fifty-one. —

Yours obediently,
R.A. Stardee.
Josephine P. Campbell.

DUPLICATE.

Song Do, Korea,
Feb. 14, 1899.

Hon. H. N. Allen,
U. S. Minister & Consul General,
Seoul.

Dear Sir:-

In accordance with your request Mrs. Campbell and I have made an inventory and appraisement of the property of Mrs. Ballenger, the amount of the appraisement being Yen 56.45. Two copies of this will be sent you through Dr. Hardie.

Also in accordance with your request I held an auction of the property, realizing from the auction sale of the same the sum of Yen 53.20 which amount will be sent you by Dr. Hardie.

Trusting that this is a satisfactory carrying out of your requests.

Very sincerely yours.
[sig.] Samuel A. Moffett.

Inventory and Appraisement of the Property of
Mrs A. M. Ballinger (deceased) at Song Do Korea.

		Yen
(1)	One Tea Table	1.50
(2)	One Rocking Chair	1.00
(3)	One wicker Chair	.25
(4)	One small mirror	.25
(5)	Bed Clothes (fumigated)	1.00
(6)	One lot Clothing (fumigated)	1.00
(7)	Towels	.75
(8)	One Hand mirror	.20
(9)	One small clock	.50
(10)	One pair shoes	1.00
(11)	Handkerchiefs + Case	.25
(12)	Matting	.50
(13)	One fur robe (rug)	1.00
(14)	One Mosquito Net	1.50
(15)	One hand satchel	.50
(16)	One telescope basket	.25
(17)	Old shoes	.50
(18)	One wire mattress	1.00
(19)	One Table Cloth + linen	.75
(20)	One small lot stores	1.00
		20.70

Inventory and Appraisement of the Property of Mrs. A. M. Ballinger (deceased) at Song Do, Korea.

		Yen
	Brought forward	20.70
(21)	One book shelf	1.00
(22)	One lot books (2)	1.25
(23)	One lot books (3)	1.50
(24)	One lot * books	5.00
(25)	One Screen	1.00
(26)	One small lot table ware	2.00
(27)	One small lamp	.50
(28)	Two Trunks	5.00
(29)	Lot of clothing in trunk	15.00
(30)	One lot firewood	3.00
		56.45

The above inventory and appraisement made at Song Do Korea Feby 14 1899

Samuel A. Moffett

Josephine P. Campbell

The estate property owned not pay transportation to Seoul. It was sold on the spot to the fellow missionaries of the deceased. Upon my order

Horace N. Allen,

U. S. CONSUL GENERAL.

DUPLICATE.

Seoul, Feb. 8th, 1899.

Hon. H. N. Allen.

Dear Sir:

In answer to your circular of yesterday, we hereby inform you that Mrs. A. M. Ballenger left one hundred and sixty-four yen, six sen (Yen 164 $\frac{06}{100}$) on her account with our Bank.

If you will kindly send us an official receipt for the above sum, the money will be delivered at any time.

Yours faithfully,
(Sig.) M. Harada.

-1c DUPLICATE.

1 book Koreas point
2 books plutarchs Plutarchs lives.
1 Bible
1 Silk cushion
1 Picture frame
1 Handkerchief case
1 Christmas card
1 Photograph album
1 Tidy
1 String beads
1 Photograph album
1 book of views
1 Ash tray
1 Christmas book
1 Merediths poems
1 History of France
1 Autograph book
2 Devotional books
1 Gift book
20 Pictures and photographs
1 Handkerchief box, containing
1 fan, 1 knapkin ring, sundries,
Combs, handkerchiefs, 2 letters.
1 pkg letters
1 account book
(1 Watch & Chain)
(1 Breast pin)

1 Gold piece ten dollars
1 pocket book, containing
2 gold pens, 1.5 cent-piece, postage
stamps, buttons.
} all in one box.

1 pkg by mail book ?
1 Cover, Containing Bank Book & letters.

Last made under my direction
Horace T Allen

U.S. CONSUL GENERAL.

roperty of Mrs.A.M.Ballenger, deceased. Received at the
. .Consulate General after death of the owner, and sold
at public auction.

[illegible] hair-pins; white pins; black pins; hooks & eyes;
[illegible]; buttons; knitting wool and knitting needles.
[illegible] cotton underwear.
[illegible] dresses,- tea gowns.
[illegible]. 1 fur
[illegible] knit mittens.
[illegible] velvet caps.
[illegible] hats.
[illegible]s.
[illegible] pair towels.
[illegible] pair shoes.
[illegible] pair overshoes.
[illegible] pair stockings.
[illegible] leather belt.
[illegible] shell hair-pins.
[illegible]tie.
[illegible] napkins.
[illegible]-cloth.
[illegible] rug.
[illegible] cotton-wool dress goods.
[illegible] hand school books.
[illegible] knives & forks.
[illegible] pound chocolate.
[illegible] - ten lbs. raisins.
" " " dried apples.
" " " peaches.
Arbuckles coffee.

[illegible] evaporated cream
[illegible] currant jelly.
Sold by mail.

Last three lots
by directions
Hearn Trade

U.S. CONSULATE GENERAL

AUCTION.

Under instructions from the Consul General of the United States, I will sell at Public Auction, in front of the U. S. Jail, Seoul Korea, at 2 P. M. Saturday, March 11, the following articles belonging to the estate of the late Col. Nienstead:

2 cane travelling chairs with poles.
2 large painted screens.
2 silk embroidered screens.

I will also sell at the same time, the following articles belonging to the estate of the late Mrs A. M. Ballenger.—These goods are quite new and were not received by the deceased, having arrived in Seoul after the death of the owner and having been opened at the U. S. Consulate General.

1 lot new hair-pins; white pins; black pins; hooks & eyes; thread; buttons; knitting wool and knitting needles.

2 pieces cotton underwear.
3 new dresses, tea gowns.
1 waist.
1 pair knit mittens.
2 velvet caps.
1 knit hood.
2 rugs.
2 pair towels.
1 pair shoes.
1 pair overshoes.
4 pair stockings.
1 leather belt.
4 tortoise shell hair-pins.
1 necktie.
3 table napkins.
1 table-cloth.
1 travelling rug.
1 piece cotton—wool dress goods.
2 second hand school books.
3 pair knives & forks.
1 tin ground chocolate.
1 package—ten lbs, raisins.
1 package—ten lbs. dried apples.
1 package—ten lbs dried peaches.
2 packages—Arbuckles coffee.
2 tins evaporated cream.
3 tins currant jelly.

Goods will be on view on the morning of the day of the Auction.

F. A. Kalitzky,
Auctioneer.

DUPLICATE.

Public Auction

ticles belonging to the estate of the late Mrs. A. M. Ballenger.

No.	Article	$	cts.	Purchaser's name
1	One lot hair pins; white pins; black pins; hooks & eyes; thread; buttons; knitting-wool and knitting-needles.	1	50	Master Allen
2	Two pieces cotton underwear		25	Mr. Emberly
3	One Tea-gown		25	" "
4	" "		25	" "
5	" " (no bid)			
6	" Waist		25	" "
7	" pr knit mittens & 1 lot safety pins.		50	" "
8	" Velvet cap		25	" "
9	" " " & 1 lot safety pins.		25	Master Allen
10	" knit hood		25	Mr. Kalitzky
11	Two rugs	1	00	" Mulenstein
12	" pairs Towels	1	25	" Martel
13	One pair shoes	1	00	" Kalitzky
14	" " overshoes		50	" "
15	Two pairs stockings		50	Miss Reapath
16	" " "		75	" "
17	One leather belt & 1 lot safety pins		50	Mr. Emberly
18	& tortoise shell hair pins, 1 necktie and 1 lot safety pins		75	" Martel
19	Three table napkins		75	Miss Paine
20	1 Table Cloth	1	50	" "
		12	25	

			₩	£	
		Brought forward.	12	25	
21	1	Travelling rug	3	00	Mr. Emberly
22	1	piece (10 yds) Cotton dress material	3	25	" "
23	2	Second hand School bookes		50	" Martel
24	1	New Bible	4	00	" Reid
25	3	pairs Knives & forks		50	" Reinsdorf
26	1	tin Ground Chocolate		25	" Emberly
27	1	pkt about 10 lbs rasins	1	00	" "
28	1	" " " " dried apples		50	" "
29	1	" " " " " peaches		50	Mr. Mudenstein
30	2	" Arbuckles coffee		25	Mr. Kalitzky
31	2	tins evaporated cream		25	" Emberly
32	3	" currant Jelly	1	25	" "
		total ₩	27	50	
		Less 5% Commission	1	37	to Auctioneer
		₩	26	13	

(Sig.) J. Kalitzky

Seoul, March 11, 1899

In Duplicate

Longdo. March 11, 1899.

Received from Hon H.H. Allen M.D.
the Sum of One Hundred and
Ninety-five Yen and Nine Sen
(¥195.09) in full of my account
with the estate of the Late Mrs. Alla
Ballenger, as this day rendered.

R.A. Hardie.

In Duplicate.

(Dr.) R. A. Hardie
in account with the Estate of
The Late Mrs A.M. Baldenger.

29		£	s	d	s
16	To Two Telegrams & Mrs Campbell			1	80
18	" Burial-fee			10	00
"	" Digging of grave			1	35-
"	" Coffin			6	34
"	" Shroud			3	00
"	" Pall-bearers			6	40
19	" Telegrams & Drs Allen & Reid			1	60
"	" Articles destroyed as follows-				
	1 Feather pillow owned by C.J. Colleyer			7	00
	1 bed-sheet " " "			1	70
	1 " " " "			1	00
	1 bed-counterpane " " R.A. Hardie			1	20
	1 Suit of Clothing " " "			9	00
25	To Sending 2 one basket of effects				
	to U.S.A. Legation, Seoul,			2	00
22	To Telegram & Dr. Allen			1	60
"	" Medical attendance on deceased				
	and furnishing of her effects			50	00
By	Amount dead R.A. Hardie	195	09		
		195	09	195	09

r

nplicate.

Seoul, 11th March 1899.

U. S. Legation

Dr. to LOONG CHANG,

Carpenter, Furniture Maker, and Contractor.

11th March	One wooden box	$1	—

Received payment

Received payment of $2.50 (two dollars and fifty cents) for a tin box, on this March 13th 1899, from the Legation of the United States, Seoul.

華昌號收到銀弐元五十錢

is tin box for the Estate of Mrs. Ballenger.

SEOUL, KOREA, 13/3 1899

A. M. Ballenger's Estate

Dr. to THE TRILINGUAL PRESS,

AN AND ENGLISH BOOK AND JOB PRINTING HOUSE.

By Auction Advertisement	$1	00

Received Payment
W H Comberley

CHEMULPO KOREA,

March 17,1899.

I have received of the U.S.Consul General at Seoul,
for account of the Estate of Mrs.A.H.Ballenger,
deceased.

For landing and duty on one box from America,	¥ 2,00
For coolie hire, carrying the same to Seoul,	¥ 1,20
For collie hire carrying one box personal effects, Seoul to Chemulpo,	¥ 1,50
For shipping and duty on the same,	¥ 20
Freight on the same, Chemulpo to Yokahama	¥ 2 00
	¥ 6 90

Tamura & Co.

The Consulate General of the United States, in account with the Estate of Mrs.A.M.Ballenger, deceased.

Seoul Korea, March 18,1899.

Dr.

To local currency left by deceased,		¥ 37,95
" one cheque	" " "	50,00
" receipts from sale at Songdo,		56,45
" " " " " Seoul,		23,52
" " " Bank deposits,		164,06=¥331,98

Cr.

By paid for medical attendance and burial expenses,	¥195,09	
" " " 1 tin packing case,	2,50	
" " " "wood " "	1,00	
" " " Auction notices,	1,00	
" " " Shipping charges,	6,90	
" " " Telegrams to Songdo,	14,80	
" Official fee, 5% on ¥3319,8	16,60=Y237,89	
Balance due Estate,		¥ 94,09
Equal in U.S.currency at 49,8		$ 46,85

Horace N Allen

U.S.Consul General.

(Reply paid 38 words)

RECEIPT FROM THE

IMPERIAL KOREAN TELEGRAPHS

for payment of $ 0.860 as charges for Telegram No. 730

to Kaisung containing 47/48 words at $ 0.10 each

Seoul Telegraph-Office the 18.2.99

The address as well as the other contents of a telegram *must be written plainly.*
The Telegraph Department accepts no responsibility in regard to the eventual consequence of error or delay in transmission.

Time 9.55 am

RECEIPT FROM THE

IMPERIAL KOREAN TELEGRAPHS

for payment of $ 190 as charges for Telegram No. 72

to Kaisung containing 19 words at $ 10 each

Seoul Telegraph-Office the 2.2.99

The address as well as the other contents of a telegram *must be written plainly.*
The Telegraph Department accepts no responsibility in regard to the eventual consequence of error or delay in transmission.

Time 12 30 Pm

RECEIPT FROM THE

IMPERIAL KOREAN TELEGRAPHS

for payment of $ 4.30 as charges for Telegram No. 867

to Kaisung containing 43 words at $ .10 each

Seoul Telegraph-Office the 19.1.99

The address as well as the other contents of a telegram *must be written plainly.*
The Telegraph Department accepts no responsibility in regard to the eventual consequence of error or delay in transmission.

Time 1 15 pm

Solicitor

INDEX BUREAU
REC'D.
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DEPT. OF STATE

3rd ASST. SECRETARY
APR 27 1899

Ans. May 3. 99.
(See Solicitor's draft.)

No. 36. Consular.

Consulate General of the United States,

Seoul Korea, March 20, 1899.

Mr. Allen to the Assistant Secretary of State.

Subject:

Settlement of estate of late Colonel Nienstead.

Synopsis:

Has sold, by request of widow certain property and placed Yen 1000 at interest in the local Japanese Bank pending further instructions from the Department.

No.36. Consular.

Consulate General of the United States.

Seoul, Korea, March 20, 1899.

Honorable DavidJ.Hill,

Assistant Secretary of State.

Washington.

Sir,

In January, last, Colonel F.J.H.Nienstead, an American citizen long resident in Korea, died in Japan, whither he had removed with his family. He left a widow, a Japanese woman, whom he married nearly two years ago, and an infant son. He also left an acknowledged daughter, of some twenty years of age, to whom he was greatly attached.

Deceased left as deposit in bank in this city the sum of Yen 1000, as well as sundry small articles.

At the request of the widow I have sold the latter, and I have collected the former from the Bank.

U.S.Consul

U.S.Consul Lyon, at Kobe, forwarded a request from the widow that I remit the money direct to her. I have decided not to do this, as I believe that by the instructions, any such remittance should be made through the Department of S State. Also the Banker with whom the money was left, and other friends of the deceased have stated that this money was deposited for the sole benefit of the daughter and unknown to the widow, who is claimed to have spent the most of some 10,000 Yen, with which deceased left Korea nearly a year ago. I can get no (written) proof of any such dispoaition of the money but something may be learned between now and the time it will take for a communication from the Department to reach the Consulate at Kobe. The Department, further, may decide to allow the widow only her dower right.

I have placed the balance due on the estate at fixed deposit in the Dai Ichi Ginko Ltd., at Seoul. This is a branch of the First Bank of Japan and is considered the most reliable of the Japanese Banks.

The deposit is for six months at 5 1/2% interest, and is

subject

subject to the order of this Consulate General.

I enclose duplicate statements of the settlement of the estate, together with the deposit receipt for Yen980.02 —— together with copies of my correspondence with U.S.Consul Lyon.

I have the honour to be,

Sir,

Your obedient servant,

Horace W Allen

Enclosures:

As above.

Seoul, Jan. 25th, 1899.

Dear Dr. Allen;

I beg to inform you that Col. Nienstead left with us one thousand Japanese yen (Y. 1,000 00/100);

Will you kindly receive this sum and give us an official receipt for it. The money is ready for delivery at any time.

Please take note that he also left a Sedan Chair and one case of books in our possession.

Believe me

Yours faithfully,

W. Harden.

Public Auction

...icles belonging to the estate of the late Col. Nienstead.

Article.	Amount $	Amount cts.	Purchasers Name.
One cane travelling chair with poles.	7	-	Mr. Mühlenstedt
" " " " " "	9	-	" Chinajiy
" large painted screen	6	-	" Ho
" " " "	7	50	" Chinajiy
" small embroidered "	2	-	" Clemances
" " " "	10	-	" Wakefield.
Total	$41	50	
Less 5% commission	2	07	to Auctioneer
	$39	43	

F. Kalitzky

Seoul, March 11th. 1899.

Local silver dollar @ 90. 39.43 = ¥ 35.49

AUCTION.

Under instructions from the Consul General of the United States, I will sell at Public Auction, in front of the U. S. Jail, Seoul Korea, at 2 P. M. Saturday, March 11, the following articles belonging to the estate of the late Col. Nienstead:

2 cane travelling chairs with poles.
2 large painted screens.
2 silk embroidered screens.

I will also sell at the same time, the following articles belonging to the estate of the late Mrs A. M. Ballenger.—These goods are quite new and were not received by the deceased, having arrived in Seoul after the death of the owner and having been opened at the U. S. Consulate General.

1 lot new hair-pins; white pins; black pins; hooks & eyes; thread; buttons; knitting wool and knitting needles.

2 pieces cotton underwear.	1 table-cloth.
3 new dresses, tea gowns.	1 travelling rug.
1 waist.	1 piece cotton—wool dress goods.
1 pair knit mittens.	2 second hand school books.
2 velvet caps.	3 pair knives & forks.
1 knit hood.	1 tin ground chocolate.
2 rugs.	1 package—ten lbs, raisins.
2 pair towels.	1 package—ten lbs. dried apples.
1 pair shoes.	1 package—ten lbs. dried peaches.
1 pair overshoes.	2 packages—Arbuckles coffee.
4 pair stockings.	
1 leather belt.	2 tins evaporated cream.
4 tortoise shell hair-pins.	
1 necktie.	3 tins currant jelly.
3 table napkins	

Goods will be on view on the morning of the day of the Auction.

F. A. Kalitzky,
Auctioneer.

CHEMULPO KOREA,

March 17,1899.

I have received of the U.S.Consul General at Seoul,
fo account of the Estate of Col.Nienstead, deceased.
For transporting one box of effects from Seoul
to Chemulpo, Yen 1,50
Shipping and freight on same to Kobe, " 2.20
Y. 3. 70

Townsend & Co

SEOUL, KOREA, 13/3 1899

l Nienstedts Estate

Dr. to THE TRILINGUAL PRESS,

REAN AND ENGLISH BOOK AND JOB PRINTING HOUSE.

by Auction Advertisement	$	50
Received Payment W H Embelley.		
Not Charged in bill of expenses, overlooked		

of the Estate of the late Col. F.J.H.Nienstead, subject to the order of this Consulate General.

I am, Sirs:-

Your obedient servant,

HORACE N. ALLEN.

U.S.Consul General.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 18,1899.

The Dai Ichi Ginko,

Seoul.

Dear Sirs:-

I hand you enclosed my cheque for the amount of Yen 980,02, with the request that you have the kindness to place this amount on fixed deposit for the period of six months, for the benefit of the Estate of the late Col. F.J.H.Nienstead, subject to the order of this Consulate General.

I am, Sirs:-

Your obedient servant,

HORACE. N. ALLEN.

U.S.Consul General.

The Consulate General of the United States in account with the Estate of Col.F.J.H.Nienstead, deceased.

Seoul Korea, March 18,1899.

Dr.

To receipts from Japanese Bank, ¥1000,00
" " " sale of effects 35,49= Y-1035,49

Cr.

By shipping charges on one box of
"widows paraphernalia". ¥ 3,70
" official fee 5% on ¥1035,49 51,77= Y- 55,47
Balance due the Estate ¥ 980,02

Which amount is this day deposited in the Japanese Bank, Dai Ichi Ginko Ltd.SEOUL KOREA. on fixed deposit for six months @ 1/2 % interest subject to the order of this Consulate General, as per Deposit Receipt No.4/22.

Horace N Allen

U.S.Consul General.

Dai-Ichi Ginko Limited.

No. 4/22

Due Sept. 18th. 1899.

Depasit Receipt.

¥ 980.02/100

Seoul, March. 18th. 1899.

Received from Hon. H. N. Allen,
U. S. Consul General,
Yen nine hundred & eighty, & cts
two only

to be placed on deposit for 6 Months bearing
Interest at the rate of 5 1/2 Pr. Cent Pr. Annum,
repayable here on production of this receipt.

Entd

For Dai-Ichi Ginko Ltd.

Accountant

M. Harada Sub-Manager

FO 7.

NOT TRANSFERABLE

INTEREST ON THIS RECEIPT WILL CEASE AT DUE DATE, UNLESS RENEWED

1/

DUPLICATE.

Copy.

Seoul, Jan. 25, 1899.

Dear Dr. Allen.

I beg to inform you that Col. Nienstead left with us one thousand Japanese yen (Y. 1000,$\frac{00}{100}$).

Will you kindly receive this sum and give us an official receipt for it? The money is ready for delibery at any time.

Please take note that he also left a sedan chair and one case of books in our possession.

Believe me,

Yours faithfully,

(sig.) M. Harada.

Public Auction

ticles belonging to the estate of the late Col. Nienstead.

No	Articles	$	cts.	Purchaser's name.
1	One cane travelling chair with poles	7	00	Mr. Mülensteth
2	" " " " " "	9	00	" Chinojoy
3	" large painted screen	6	00	" Ito
4	" " " "	7	50	" Chinojoy
5	" small embroidered "	2	00	" Clemencet
6	" " " "	10	00	" Wakefield
	total	41	50	
	Less 5 % commission	2	07	to Auctioneer
		$ 39	43	

(Sig.) J. Kalitzky

Seoul, March 11, 1899.

Local Bills Dollars 39.43 @ 90 = Y 35 49

CHEMULPO KOREA,

March 17,1899.

I have received of the U.S.Consul General at Seoul,
fo account of the Estate of Col.Nienstead, deceased.

For transporting one box of effects from Seoul
to Chemulpo, Yen 1,50

Shipping and freight on same to Kobe, " 2.20

Y. 3.70

Townsend & Co

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 18,1899.

The Dai Ichi Ginko,

Seoul.

Dear Sirs:-

I hand you enclosed my cheque for the amount of Yen 080,02, with the request that you have the kindness to place this amount on fixed deposit for the period of six months, for the benefit of the Estate of the late Col. F.J.H.Nionstead, subject to the order of this Consulate General.

I am, Sirs:-

Your obedient servant,

HORACE N. ALLEN.

U.S.Consul General.

SEOUL, KOREA, 18/3 1899

Weinsteds Estate

Dr. to THE TRILINGUAL PRESS,

AN AND ENGLISH BOOK AND JOB PRINTING HOUSE.

By Auction Advertisement	$	50
Received Payment W H Kimberley		

Not Charged in bill of Expenses. one Looked

The Consulate General of the United States in account with the Estate of Col.F.J.H.Nienstead, deceased.

Seoul Korea, March 18,1899.

Dr.

To receipts from Japanese Bank, ¥1000,00
" " " sale of effects 35,40= Y-1035,40

Cr.

By shipping charges on one box of
"widows paraphernalia". ¥ 3,70
" official fee 5% on ¥1035,40 51,77= Y- 55,47
Balance due the Estate ¥ 980,02

Which amount is this day deposited in the Japanese Bank, Dai Ichi Ginko Ltd. SEOUL KOREA on fixed deposit for six months @5 1/2 % interest subject to the order of this Consulate General, as per Deposit Receipt No.4/22.

/Horace N Allen
U.S.Consul General.

AUCTION.

Under instructions from the Consul General of the United States, I will sell at Public Auction, in front of the U. S. Jail, Seoul Korea, at 2 P. M. Saturday, March 11, the following articles belonging to the estate of the late Col. Nienstead:

2 cane travelling chairs with poles.
2 large painted screens.
2 silk embroidered screens.

I will also sell at the same time, the following articles belonging to the estate of the late Mrs A. M. Ballenger.—These goods are quite new and were not received by the deceased, having arrived in Seoul after the death of the owner and having been opened at the U. S. Consulate General.

1 lot new hair-pins; white pins; black pins; hooks & eyes; thread; buttons; knitting wool and knitting needles.

2 pieces cotton underwear.
3 new dresses, tea gowns.
1 waist.
1 pair knit mittens.
2 velvet caps.
1 knit hood.
2 rugs.
2 pair towels.
1 pair shoes.
1 pair overshoes.
4 pair stockings.
1 leather belt.
4 tortoise shell hair-pins.
1 necktie.
3 table napkins
1 table-cloth.
1 travelling rug.
1 piece cotton—wool dress goods.
2 second hand school books.
3 pair knives & forks.
1 tin ground chocolate.
1 package—ten lbs, raisins.
1 package—ten lbs. dried apples.
1 package—ten lbs dried peaches.
2 packages—Arbuckles coffee.
2 tins evaporated cream.
3 tins currant jelly.

Goods will be on view on the morning of the day of the Auction.

F. A. Kaljtzky,
Auctioneer.

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A. E. Horace N. Allen,
Minister Resident of the United States,
Seoul, Korea.

No. 528.

Consulate of the United States
Hiogo, Feb, 18, 1899.

Sir:-

Having reference to information lately from you, concerning the sum of Yen 1,000.00 left on deposit in the Dai Ichi Ginko at Seoul by the late Colonel F. J. H. Nienstead, I have the honor to state that his widow, who is his legal representative and heir-at-law, has requested me to ask you to be so good as to cause the value of the said deposit transferred to her credit at the branch of the Bank named in Kobe.

In addition, Mrs. Nienstead would also thank you to have shipped to her in this place the book case and picture left in Seoul by her late husband.

I have the honor to be,
Sir,
Your obedient servant,
(Sig.) Samuel S. Lyon
Consul of the United States.

H. E. Horace N. Allen,
Minister Resident of the United States,
Seoul, Korea.

L&C.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 18,1899.

Samuel S.Lyon, Esq.,

U.S.Consul,

Kobe.

Sir:-

Referring to your letter of Feb.18, regarding a deposit of ¥1000.00 left in the Dai Ichi Ginko at Seoul, by the late Col.F.J.H.Nienstead, which you inform me the widow, who is his legal representative, has requested me to transfer to her credit in the branch of that bank at Kobe, I now have to say that I have decided not to make this transfer, but to send the report of the settlement of the estate direct to the Department of State, in accordance with the published instructions, for them to make the final disposition of the funds in hand.

I could not send this money direct to the widow, were she in the United States, and I think the same would be true in case of residence in another country.

It is currently reported here that this money was intended by the deceased for the use of his daughter, and, while I cannot get conclusive proof of this, I do not care to assume the responsibility of disposing of it.

In accordance with the written request of the widow, I have sold the effects left here, with the exception of a box of "widows paraphernalia" which I forwarded to you. I do not know of the "book case and picture" mentioned in your letter, nor can I learn of any such.

I enclose a copy of the auction notice and of the statement I am sending to Washington.

I am, Sir:-

Your obedient servant,

HORACE N. ALLEN.

HORACE N. ALLEN.

INDEX BUREAU
REC'D.
MAY 27 '99
DEPT. OF STATE

Ans. Bureau
Solicitor

No.37. Consular.

Consulate General of the United States.

Seoul, Korea, April 12, 1899.

ASST. SECRETARY
MAY 31 1899

Ans. June 2. 99.

Mr.Sands to the Assistant Secretary of State.

Subject:

Enclosing copy of letter from the U.S.Consul at Kobe, Mr.Lyon, in re property left by the late Colonel Nienstead at Seoul.

Synopsis:

Mr.Lyon protests against the action of this office with regard to this property.

No.37. Consular.

Consulate General of the United States.

Seoul, Korea, April 12, 1899.

Honorable David J.Hill,

Assistant Secretary of State.

Washington.

Sir,

Referring to Mr.Allen's No.36, Consular, of March 29, last, I have the honour to enclose a copy of a letter from Mr.Lyon, the United States' Consul at Kobe, protesting against the action taken by this office with regard to the estate of the late Colonel Nienstead.

Mr.Allen explained fully in this despatch, (No.36, C.) - his reasons for not sending direct to the widow the sum of money left in Seoul by the deceased.

As the matter has thus been referred to you for decision, I shall await further instructions from the Department.

I have

No.37. Consular.

the Department.

I have the honour to be,

Sir,

Your obedient servant,

William Tonkin Vance.

1- Enclosure 1, with No. 32 C.

No. 591.

Consulate of the United States of America

Osaga & Hiogo, Japan.

Hiogo, March 28. 1899.

Horace N. Allen, Esquire,

Consul General of the United States

Seoul, Korea.

Sir:-

I beg to acknowledge the receipt of your communication dated the 18th instant, in which you refuse to accede to the request of Mrs Nicustead, forwarded by me on February 18., that you transfer to her the value of the deposit of

you

Yen 1,000. made by her late husband in the Dai Ichi Ginko at Seoul, and also state that the same will be ultimately forwarded to the State Department at Washington for final disposition.

Having communicated the contents of your reply to Mrs. Newstead, she desires me to answer you in substance as follows, viz:-

That she does not object to the legal fees charged by you for administering upon so much of her late husbands' estate as found within your jurisdiction, having requested the transfer

transfer to her of only the
net value of said deposit,
but, that she does respectfully
protest against the same being
finally sent by you to the
State Department, and that
she bases her claim to
receive it from you direct,
either in Japan or Korea,
upon what she considers to
be her rights in the matter,
as contained in par. 402 of
the Consular Regulations which
require delivery to the legal
representative of the effects
of a deceased American Citizen,
provided he comply with the
provisions of par. 403, necessitating

a

a claimant to prove the validity of his claim, and this Mrs. Nevitead denies me to inform you she stands ready to do, either in Japan or before you in Korea.

I have therefore to request that you kindly take into consideration the point involved, and should you find reason to deviate in the matter from your proposed final action, I shall take pleasure in communicating to her the substance of your reply.

I am, Sir,

Your obedient servant

(Sig.), James S. Lyon

Consul

Cons Bureau
& Sec Manager
ACK with Approval

BUR. ACCOUNTS
FEB
1
DEP. OF STATE

RECEIVED.
SEP 6 1899
BUR. ACCOUNTS. DEP. OF STATE

3rd ASST. SECRETARY
AUG 16 1899

Ans. Sept. 5.

No.38. Consular.

Consulate General of the United States.

Seoul, Korea, July 5, 1899.

Mr.Sands to the Assistant Secretary of State.

Subject:

Acknowledging Department's No.16, Consular.

Announces appointment of new jailer.

No.38. Consular.

Consulate General of the United States.

Seoul, Korea, July 5, 1899.

Honorable David J.Hill,

Assistant Secretary of State.

Washington.

Sir,

I have the honour to acknowledge the receipt of the Department's No.16, C., concerning the removal of a prisoner, John G.Flanagan, now undergoing a life sentence in this consular jail, and informing me that an application will be made to Congress at its next session for an amendment of the law in this regard.

In this connection I beg to inform the Department that I have discharged the former jailer, a German subject, for misconduct and engaged in his place an American who has been for nearly twelve years a petty officer in the Navy.

This man,

This man, Carl Eklundh, by name is an excellent jailer, and a most useful person in the Consulate.

I have the honour to be,

Sir,

Your obedient servant,

William Franklin Jones

DIVISION OF RECORDS
RECD
AUG 14 '99
DEPT. OF STATE

FILE

No.39. Consular.

Consulate General of the United States.

Seoul, Korea, July I5, I899.

Mr.Sands to the Assistant Secretary of State.

Subject:

Acknowledging Department's No.20, of June 2, I899.

No.39. Consular.

Consulate General of the United States.

Seoul, Korea, July 15, 1899.

Honorable David J.Hill,

Assiatant Secretary of State.

Washington.

Sir,I

I have the honour to acknowledge the receipt of the Department's No.20, of June 2, 1899, in answer to my No.37, of April 12, last.

I have the honour to be

Sir,

Your obedient servant,

William Franklin Sands.

DIPL. BUREAU
RECD.
NOV 7 '99
DEPT. OF STATE

5

No.39. Consular.

Consulate General of the United States.

Seoul, Korea, September 15, 1899.

Ack by form & copies sent to Mr. De Sendre, Nov. 9-1899.

Honorable David J.Hill,

Assistant Secretary of State.

Washington.

Sir,

I have the honour to report to you the death, on the Ist., instant, of General Charles W.Legendre, an American citizen, who for some years has held the position of Adviser to the Household Department of the Emperor of Korea.

General Legendre served with distinction in the late civil war, and was after ward in the United States Consular service in China. He was also for some years in the service of the Japanese Government, and held one of the highest decorations for his services.

He left property in Korea which should be worth about Yen 30,000. I have taken charge of it for his son, Mr.Will-

Mr.William Legendre, of Brown Brothers' Bank in New York.

General Legendre left no will .

I have the honour to be,

Sir,

Your obedient servant,

William Franklin Sands.

BUREAU
NOV 21 '99
DEPT. OF STATE

No.40 Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Oct. 20,1899.

Mr.Horace N.Allen, to the
Assistant Secretary of State.

Subject.

Settlement of Estate of Mrs. A.M.Ballenger.

Synopsis.

Announces that he has settled with the heirs of the above estate by sending the balance due on the same to Mrs.W.T.Rigby, of Pendleton Oregon, the sister and presumed heir of the deceased. Suggests that the box containing articles of a sentimental value belonging to above estate and now in the possession of the State Department, be sent to the same address.

Rigby

19- May 4 to Seoul
To Rigby
mch 25 Your Right
Sent any thing from

Consular

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, October 20,1899

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

Referring to Mr.Cridlers despatch, No.17, May 1, relative to the estate of Mrs.A.M.Ballenger, deceased, in which I am instructed to settle directly with the legal representative of the deceased, I have the honor to inform you that I have sent the accounts in the case as well as my draft for the balance due the estate, $46,85, to Mrs.W.T.Rigby, Pendleton Oregon. who Is, to the best of my belief, the sister and heir of the deceased, and I suggest that you send her the box of "Articles of a Sentimental Value" now in your possession.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N. Allen.

RECEIVED
NOV 21 1899
DEPT. OF STATE

No.41, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Oct. 21,1899.

Rec'd Nov 24/99

Mr.Horace N.Allen, to the

Assistant Secretary of State.

Subject.

Death of an American Citizen - C.R.Greathouse.

Synopsis.

Clarence Ridgley Greathouse, an American citizen, born Woodford County Kentucky, died in Seoul this day. Deceased was at one time a prominent lawyer in San Francisco and was appointed Consul General to Japan by President Cleveland. For nine years he has been Adviser to the Korean Government.

See letter D. Nov 18 from John G. Kent.

Consular

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Oct.21,1899.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to inform you of the death, today, in this City, of Clarence Ridgley Greathouse, who was born in Woodford County Kentucky, and practised law in San Francisco, as well as before the Supreme Court of the United States. He was appointed U.S.Consul General to Japan by President Cleveland in 1886, and came to Korea as Legal Adviser to the Korean Government in 1890.

Death resulted from hemorrhage of the stomach following a protracted illness.

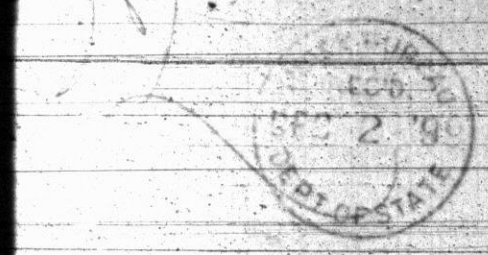
Deceased left a will in favor of his aged mother who survives him and is at present in this City.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen



No.44. Consular.

Consulate General of the United States.

Seoul, Korea, October 26, 1899.

Mr.Allen to the Assistant Secretary of State.

Subject:

Acknowledging receipt of Department's No.21, C.

No. 44. Consular.

Consulate General of the United States.

Seoul, Korea, October 26, 1899.

Honorable David J.Hill.

Assistant Secretary of State.

Sir,

I have the honour to acknowledge the receipt of the Department's No.2I, of September 5, last regarding the appointment of carl Eklundh as jailer.

I have the honour to be,

Sir,

Your obedient servant,

Horace N. Allen.

Cons Bureau
Notaer

CONSULAR BUREAU.
NO. 5 D

RECD. DEC 16 99 DEPT. OF STATE

3rd. ASST. SECRETARY DEC 19 1899

No.45. Consular.

Consulate General of the United States

Seoul, Korea, November II, 1899.

Ack'g from DEC 22 1899

Mr.Allen to the Assistant Secretary of State.

Subject:

Forwarding two marriage certificates.

CONSULATE-GENERAL
NOTED

No.45. Consular.

Consulate General of the United States.

Seoul, Korea, November 11, 1899.

Honorable David J.Hill.

Assistant Secretary of State.

Washington.

Sir,

I have the honour to forward two marriage certificates, one of David W.Deshler to Hide Honda, and the second Samuel Austin Moffett to Mary Alice Fish.

I have the honour to be,

Sir,

Your obedient servant,

Horace N Allen

Enclosures:

Marriage certificates,

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,
SEOUL KOREA, November 8, 1899.

I, HORACE N. ALLEN, CONSUL GENERAL of the United States at SEOUL KOREA, do hereby certify that, on this 8th day of November, A. D. 189, at the residence of D. W. Deble in the city of Chemulpo Korea, David Wagner Deble, aged 27 years, born in Columbus Ohio, and now residing in Chemulpo Korea, and Hide Honda, aged 27 years, born in Mikawa Japan, and now residing in Chemulpo Korea, were united in marriage before me, and in my presence, by Rev. Geo. Heber Jones, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA, this 8th day of November, A. D. 1899; and of the Independence of the United States the One hundred and twenty third

Horace N Allen

CONSUL GENERAL of the United States of America.

Fee one dollar. To be issued in duplicate.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

Seoul, Korea June 1, 1897.

I, Lillian Franklin Pands Chargé d'Affaires of the United States at Seoul, Korea, do hereby certify that, on this First day of June, A. D. 189, at the Home of Miss Susan Jay in the city of Seoul, Samuel Austin Moffett, aged 35 years, born in Indiana, U.S.A. and now residing in Pang Yang Korea, and Mary Alice Fish, aged 29 years, born in California, and now residing in Pang Yang, Korea, were united in marriage before me, and in my presence, by Rev. Graham Lee, who is authorized by the laws of Illinois to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at Seoul, Korea, this First day of June, A. D. 1897, and of the Independence of the United States the One Hundred and Twenty-Third.

Lillian Franklin Pands

Chargé d'Affaires of the United States of America.

Vice & Deputy Consul-General.

Fee one dollar. To be issued in duplicate.

Solicitor

No.46, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Nov.16,1899.

Mr.Horace N.Allen, to the

Assistant Secretary of State.

RECEIVED ASST. SECRETARY
DEC 19 1899

-Subject-

Settlement of Estates.

-Synopsis-

Reports the settlement by himself, of the estates of A.M.Ballenger; F.J.H.Nienstead and Clarence R. Greathouse, deceased.

Also reports that he has had nothing to do with the settlement of the estate of Charles W.Legendre, which matter was concluded by the retiring Vice and Deputy Consul General, Wm.F.Sands.

No.46, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Nov.16,1899.

To the Honorable,

David B.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

Referring to your despatches No's.17,May 1; 18, May 3, and 19, May 4, regarding the settlement of estates of deceased Americans, I have the honor to inform you that I have settled with the heirs of the estate of A.M.Ballenger, deceased, as per my No.42,Oct.20.

I have in accordance with your No.20,June 2, handed over to U.S.Consul Lyon of Kobe, for the widow of F.J.H.Nienstead, the amount due the estate of the deceased, Yen 980,02 plus interest Yen 26,95, together with the amount of the fee $27,77 (Yen 55,48) which I was instructed to remit.

I have had nothing whatever to do with the settlement of the estate of Chas.W.Legendre, who died in this city intestate, on Sept I, leaving property estimated to be worth some Yen 25,000. Deceased left a son, Wm.Legendre of Brown Brothers, Bankers, New York. On my return from leave of absence, Oct 8, I found that Mr.Sands, Vice and Deputy Consul General, had almost finished the settlement of this estate, and he has since taken the papers and proceeds of the same with him to Japan, to hand them over to the accredited agents of the son and heir, The American Trading Co. of Yokahama.

I mention this as I believe the satisfactory settlement of such matters has something to do with the release of the bond of a retiring official. Mr.Sands has forwarded his resignation to the Department.

In the matter of the estate of Clarence R.Greathouse who died in this city on Oct.21, as noted in my letter No.43,Oct.21, leaving an estate estimated to be worth some $40,000 gold, deceased left a will making his mother his sole legatee. Mrs.Greathouse being present in Seoul, I assisted her in everything and have settled the estate. I took her receipts for everything prior to her departure for America. I have further, accepted a Power of Attorney for the sale of property and the collection of outstanding mortgage loans, but the matter of the estate is officially settled.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N. Allen.

No. 47, Consular,

CONSULATE GENERAL OF THE UNITED STATES,
Seoul Korea, Nov.25,1899.

Mr.Horace N.Allen, to the
Assistant Secretary of State.

-Subject-

Settlement of Estate - Soh Kwan Pom.

-Synopsis-

Soh Kwan Pom, a naturalized American citizen, at one time Korean Minister at Washington, died in that City leaving encumbered estate of which his widow in Korea was the rightful heir. The estate was settled by the Korean Consul General at New York, with certain difficulties from the Korean Minister. He hands copy of the receipt for the balance of the estate, forwarded to the widow in his care.

No. 47, Consular,

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Nov.25,1899.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to inform you of the settlement of the estate of Soh Kwan Pom (Pom K.Soh), naturalized at one time Korean Minister at Washington, who died in that city leaving certain property of which his widow in Korea was the rightful heir.

The present Korean Minister - Ye Pom Chin, in his attempt to get control of this estate, caused some trouble until he was instructed by the Korean Foreign Office to desist.

The matter was in the hands of the Korean Consul General at New York, Everett Frazar, Esq., who has brought the matter to a satisfactory settlement and has sent me the papers relating to the estate, together with a draft for the balance, Yen 2,653.26, which I have handed to the widow with the papers, and have taken her receipt in full, a duplicate of which I now have the honor to hand you enclosed.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N. Allen,

Enclosure,

Receipt of Mrs. Soh Kwan Pom.

Copy of letter to Foreign Office.

Seoul Korea, November 25, 1899.

I have received of Horace N.Allen, U.S.Minister Resident and Consul General, the sum of Yen 2658,26, being the balance in full, due to me on the estate of my late husband, Soh Kwan Pom, who died, a naturalized American citizen, in the city of Washington, leaving real estate in that city, of which I am the lawful heir and executrix. The above amount represents the total balance due to me after deduction of all charges connected with the settlement of the estate.

Yen 2658.26.

Witness. [illegible]

Kwon Yu Sup
U. S. Interpreter

Mrs. Soh Kwan Pom,
Horace N Allen

Despatch No. 47,
Nov. 25, 1879

U. S. CONSULATE GENERAL

SEOUL KOREA

No. 201, F.O.

LEGATION OF THE UNITED STATES,

Seoul Korea, Nov.25,1899.

Your Excellency:-

I have the honor to hand you enclosed, a letter from the Korean Consul General at New York, Everett Frazar Esq., relating to the estate of the late Soh Kwan Pom, at one time Korean Minister in the United States, who died, a naturalized American citizen, in the city of Washington, leaving certain encumbered real estate of which his widow, a resident of Seoul, was the rightful heir.

Mr.Frazar has, with the expenditure of much time and labor, brought this estate to a satisfactory settlemt and has forwarded to the heir, the sum of Yen 2,656.26, which I have duly handed over to her upon her receipt, a copy of which I now enclose.

I have the honor to be,

Your Excellency's

Obedient servant,

HORACE. N. ALLEN.

His Excellency,

Pak Chai Soon,

Minister for Foreign Affairs,

Seoul.

Despatch No. 47,
Nov 25, 1949.

U. S. CONSULATE GENERAL

SEOUL, KOREA.

Ans. Bureau
Copy to Mr. W. C. Legendre upon
which letter of Dec. 16. 1899.
So ded R. Adkins

No.48, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Dec.4,1899



Mr.Horace N.Allen, to the
Assistant Secretary of State,

Copy to
W C LeGendre
Acted upon favorably
Jan 15
1900

-Subject-
Estate of Chas.W.Legendre.

-Synopsis-

This estate having been practically settled upon his return from leave of absence in the United States, he has had nothing to do with it. The son and heir sent a Power of Attorney to the American Trading Co. of Yokahama to represent him in the matter, and Mr. Sands, is now in Yokahama making a final settlement of the estate.

No.48, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Dec.4,1899.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of Mr.Adee's despatch No.22, Oct.20, enclosing copy of a letter from Wm.C.Legendre regarding the estate of his deceased father, and instructing me to report upon the same.

In my No.46,Nov.16, I took occasion to explain the fact that I had had nothing to do with the settlement of this estate. It was practically completed by Mr. Sands, upon my return from leave of absence in the United States.

The son sent telegraphic instructions to the American Trading Company of Yokahama to represent him in the matter, announcing that he had mailed them a Power of Attorney for that purpose. Mr.Sands has since been in frequent communication with that Company.

I know that all articles of an especial or peculiar value were sent to the American Trading Co. and Mr. Sands, having resigned from this Consulate, is now in Japan, where he took the papers relating to the estate in order to make a final settlement with the agents of the heir. I received a telegram from him asking me to send to the American Trading Co. all monys then in bank in Seoul to the credit of the Legendre Estate. This I did on the 28'th. of November, sending a sum of Yen 14,480,99, the balance of the estate as left

by Mr.Sands, plus a sum of Yen 3,000 paid into the bank upon a mortgage loan.

I send you enclosed a transcript of the portion of the record of the settlement of this estate, of most importance, from the books of this office. Mr.Sands will deliver the orginal documents to the agents of ~~the heir and take~~ proper receipts for the settlement.

I also send you a copy of the bank statement made to me.

I believe there is one outstanding mortgage loan amounting to Yen 4,000. There is also the dwelling house ~~of the deceased~~, worth Yen 2,500 to 3,000. I ~~expect~~ that Mr.Sands will bring back a Power of Attorney empowering him to sell this house and collect this debt. I shall of course hold myself in readiness to render any assistance necessary in the matter.

I have the honor to be,

Sir:-

Your obedient servant,

Horace Allen

Enclosure.

Transcript of Record.

Bank Statement.

Enclosure 1/
Dispatch No. 48, C.
Dec 4. 1899

SEOUL KOREA

Memorandum re Estate of C. W. Legendre

Charles W. Legendre, Brevet Brigadier General of the United States Army, Adviser to the Imperial Household Department of Korea, died at his home in Seoul on September 1st 1899 of apoplexy, aged 69 years. He was attended by E. T. Baldock, Medical Officer of the English Mission at Seoul, who made out the certificate of death.

He was buried from the French Cathedral at Seoul, in the foreign Cemetery at Yang Wha Chin.

He left no will.

An inventory of his property was made by the constable of this Legation and Consulate General, in my presence. List appended.

An auction was held on Sept. 12th. at which everything was sold except curios and objects of value. List with prices appended.

These curios and objects of value were packed and sent to the American Trading Company in Yokohama to be forwarded to the son and heir, W. Legendre, of Brown Bros

Fros Bank. New York. List appended.

Library of deceased was, in accordance with telegraphic instructions from the son and heir not sold. List appended

Deceased had lent on real property Yen 14000 ⁰⁰, holding title-deeds as security. I have collected Yen 7000 ⁰⁰ of this loan together with interest due at the time of General Legendre's death, amounting to Yen 225 in silver and have deposited it in the Dai Ichi Ginko of this city

Deceased left in Bank	Yen 4021.63	
in Paper and in Silver	289.97	
The auction brought	1143.88	Paper
I collected of loan	7000.00	
in Paper and in Silver	225.00	
His Majesty added in silver	3000.00	
for funeral expenses		
Total paper	Yen 12165.51	
" Silver	3514.97	
a 6% discount	3336.22	
Total	Yen 15504.73	
Necessary expenses. Settlement of Estate as per list appended	Yen 3936.09	
Balance	Yen 11568.64	

There remains due to the estate Yen
1000 from Yun Teh Yong and Yen 3000 from Kim Chin Yop, for which this Office holds as security title deeds to property.

There also remains the privat dwelling of deceased in Sal Ji Kol

The privale papers of deceased are stored with library. Papers and documents connected with his service in the Korean government have been returned to the Imperial Household Department

Awaiting further instructions from W. Legendre, I have stored books and such articles as were neither sold nor sent home

(sig) William Franklin Sands
Vice and Deputy Consul General

Nov 15, 1899.

N°5. List of necessary expenses connected with settlement of estate

A.	Servant wages, watchmen, washing bill, cooks &c etc. Yau	169.55
B.	Funeral expenses	279.77
C.	Necessary telegrams	149.49
D	Portrait frame for His Majesty	76.00
E	Newspaper subscriptions etc	35.55
F	Medical attendance	107.00
G	Rev Geo H. Jones. work on "Ancient Japan"	125.00
H	Yuen Tai, tailer	5.70
I	Lai King. carpenter	213.18
J	On Cheong. general stores	106.42
K	Steward &c°	96.57
L	Packing, carrying etc	17.10
	General coolie hire	27.26
M	Donations, hospital & church	380.00
N	Explained in private letters to W. Legendre Esq	2147.50
		3936.09

Bank Statement

Bal. on pass account		14,678.09
Debit on sales account	14.78	
Telegraphic expense of Bank	3.00	
" " " Seoul	5.50	
" Transfer fee	173.77	197.55
Amount transfered		14,480.99

SEOUL KOREA

2/. No. 48. Cash. Dec 4, 1899

Mrs. Bureau
Cpy to Mr. Legendre -
with copy of No 48 Cons. to Loach

No.49 Consular.

CONSULATE GENERAL OF THE UNITED STATES,
Seoul Korea, Dec. 12,1899.

Mr.Horace N.Allen to the
Assistant Secretary of State.

3rd ASST. SECRETARY
JAN 15 1900

-Subject-

Estate of Chas.W.Legendre.

Copy to W C Legendre Acts as my from Jan. 15 1900

-Synopsis-

Replys to Departments No.23, Nov. 1, and gives such information as to above estate as is required by the letter handed him in above cited despatch.

He believes that everything was done as it should have been done, and that the wishes of the son of the deceased have been carried out.

He had nothing to do with the settlement of this estate personally as it had been completed by Mr.Sands acting as Consul General during his own absence in the United States.

No.49, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Dec.12,1899.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U1 S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr.Adee's despatch No.23, Nov.1, continuing the subject of the Legendre Estate, referred to in his No.22, Oct. 20, and handing me a copy of a second letter from the son of the deceased.

In this letter, Mr.Legendre states that Mr.Sands did not send him an inventory or a copy of the will; that he wants nothing sacrificed; that he has sent a Power of Attorney to J.R.Morse, President of the American Trading Co. to whom he wishes to have all moneys turned over; he especially mentions his fathers watch, swords, library and decorations, which he wishes to have sent to him through the American Trading Co. He mentions a sum of money presented by the Emperor for funeral expenses, the amount of which Mr.Sands did not inform him. He also mentions a manuscript upon which his father had been working for some time.

In my No.48, Dec.4, I gave such information as Mr. Legendre seemed to require. I may add to this in explanation of the especial points referred to in this second letter, that the father left no will. I suggested to him just prior to my departure from Korea last Spring, that he make a will and arrange his matters in such shape as to facilitate a settlement, but he seemed indignant at the suggestion and no will was made. The inventory Mr.Legendre complains of not receiving, has been handed to his agents The American

Trading Co. by Mr.Sands. I believe nothing has been sacrifed. As was nedessary, Mr.Sands sold at public auction the ordinary-house keeping articles of no especial value, and brought to this Legation the library, papers, curios, swords and other articles of personal value, where he had them packed and shipped to The American Trading Co. as ordered by cable from Mr.Legendre. The Korean Government being asked to grant them export free of customs duties. As to the money presented by the Emperor for funeral and other expenses, this sum amounted, I believe, to Yen 3,000, Mr.Sands informed me that after paying the medical and funeral expenses, at the desire of the donor, he used the balance of this sum in settling some disagreeable private obligations left by the deceased, of which he has sent a full account to the son. Regarding the manuscript, I happen to know that it was intrusted to two men to copy. It is now in the hands of a Portuguese residing in Chemulpo,-H.A.dos Remedios, who will give it up upon receipt of the amount due him. This can be arranged through the American Trading Co, whom I shall be glad to assist.

I know nothing of any Chinese bonds, and never heard Gen'l Legendre mention them. As to property left in Japan, that comes under the supervision of our Consular authorities there, to whom the American Trading Co. will doubtless apply.

I enclose copy of a letter I have received from the American Trading Co, regarding the funds in bank here, due the estate, which I transferred to them ¥14,480,99.

As I said in my former letter on this subject, Mr. Sands, Acting as Consul General had this estate practically settled when I returned from the United States. It was not necessary for me to take it up.

closure,
T.Co.Letter.

I have the honor to be, Sir:-
Your obedient servant,

Horace N Allen

The American Trading Company,
Yokohama, Dec. 2, 1899.

Hon. H. N. Allen,
U. S. Minister to Korea,
Seoul, Korea.

Sir:-

We beg to acknowledge receipt of your telegram of the 28th. of November to the effect that you had transferred through the Dai Ichiginko the sum of 14,480 yen 99 sen on account of the Legendre Estate.

This information was conveyed to Mr. Lands who was with us at the time, and we in turn wired same to New York in reply to their message asking for what amount they could draw upon us against this Estate.

We have gone over the account with Mr. Lands, and he states that on his return he will endeavor to close up the Estate and render final account sales, which we will in turn send forward to the heir.

Thanking you for your reply to our wire, we remain, dear Sir,

Respectfully yours,
(Sig). George M. Woolsey.
The American Trading Co.

Asst. Bureau

No. D. Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Jan.10,1900.

Mr.Horace N.Allen, to the
Assistant Secretary of State.

SIDNEY HUNT
RECD
FEB 20 00
DEPT OF STATE
FEB 21 1900

-Subject-

Settlement of Estate of Chas.W.Legendre.

-Synopsis-

Ask by form + to Auditor with original enclosures Feby 28/1900 Made & due advised Feby 28.

Hands final papers covering settlement of above named estate. Mr.Sands has fully settled with the accredited agents of the heir, and has given them the papers and documents relating to same; the articles reserved from sale and the money collected to date. He also entered into an agreement to finish up the remaining business of the estate in Korea.

No.50, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Jan.10,1900.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed, the final papers in the settlement of the estate of Chas.W.Legendre, deceased.

Mr.Legendre of New York, the son and heir of the deceased, sent a Power of Attorney to the American Trading Co. of Yokahama for the settlement of this business and Mr.Sands, on a recent visit to Japan, made full settlement with these agents, handing them the papers relating to the estate; the articles reserved from sale, and the money collected to date. He also entered into an agreement with them to dispose of the remaining property and to collect an outstanding claim, the proceeds of which he will forward to that Company after deducting the 5% fee due the U.S. Government.

I believe that everything has been well attended to in this case and that the wishes of Mr.Legendre have been as fully carried out as they could have been had he been present in person.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N. Allen.

Enclosure.

1/ Papers of the Legendre Estate.

CONSULATE GENERAL OF THE UNITED STATES. SEOUL. KOREA.

December 28,1899.

Honorable H. N. Allen,

Minister Resident and Consul General

of the United States,

Seoul.

Sir:

I have the honour to enclose herewith for transmission to the Department of State at Washington a memorandum in re the estate of late General Legendre.

I have been greatly delayed in this matter by the difficulties connected with collecting the outstanding loans which only one who is familiar with Korean affairs can appreciate. It took a long time also to examine thoroughly the mass of papers left by deceases, in search of a possible will. Some dissatisfaction with this delay has I believe been expressed by the son and heir, Mr. Legendre of New York who has also express his disappointment that the sum forwarded him should be short of my first estimate of his father's estate (Y.30,000.00)

Mr. Legendre will no doubt remember that through the American Trading Company in Yokohama, he expressly forbade me to sell the more valuable part of the estate namely the collection of oriental curios and the library. The present estate without deducting the official fee and the necessary expenses incurred in settling is yen 24263.99 The curios and library if sold would certainly bring more than the

difference between this sum and yen 30000.00 my first estimate, which I still think was conservative.

Mr. Legendre also complains that he does not know what was done with a certain sum presented by His Majesty to the (wife) estate. With this I have settled certain private matters which I do not care to explain in an official letter.

Of the Legendre estate there still remains unsold a house valued at about Y.2000.00 and a small piece of land which deceased bought for Y.130.00, also several small ~~obje~~ objects which could not be packed and sent with the others. I have been directed to auction these by Mr. Wolesey of the American Trading Company to whom I have made over the estate under instructions from Mr. Legendre.

There also remains to be collected Y. 4000.00 from Mr. Yun Tah Yong, who has promised to pay me by the 15th of next month.

I have the honour to be, Sir,

Yours respectfully,

Sig. William Franklin Sands.
Vice and Deputy Consul General.

Note: Mr.Sands informs me that he has explained this matter in a private letter to Mr. Legendre.

Horace N. Allen.

MEMORANDUM OF ESTATE OF C. W. LEGENDRE.

Charles W. Lwgendre, Brevet Brigadier General of the United States Army, Adviser to the Imperial Household Department of Korea, died at his home in Seoul on September 1, 1899, of apoplexy and Uraemia, at the age of 69 years. He was attended by Dr. E. D.Baldock,medical officer of the English mission at Seoul who made out the certificate of death.

He was buried from the French Cathedral at Seoul in the foreign cemetary at Yang Wha Chin.

He left no will.

An inventory of his property was made by the constable of this legation and consulate general in my presence.

List appended No. 1.

An auction was held on Sept. 12th at which everything was sold except curios and objects of value.

List with prices appended No. 2.

These curios and objects of value were packed and sent to the American Trading Company in Yokohama to be forwarded to the son and heir, William LeGendre of Brown BrosLBank,New York.

List Appended No. 3.

Deceased had lent on real propertymYen 14,000.00 holding title deeds as security. I have collecte Y en 10,000.00 of this sum together with interest due at the time of Genl. Le Gendre's death, amounting to Yen 225.00 in silver.

Deceased had lent.	Yen.	14,000.00
" " in bank	"	4,300.12
Auction brought	"	1,143.88
His Majesty gave	"	2,820.00
Unsold house will bring	"	2,000.00
Total property.	"	24,263.99

Sent to American Tra.Co.	Yen.	14678.04
Official fee, 5%	"	1156.00
Expenses, to date	"	3936.09
Balance due	"	4493.86
Total Yen		24,263.99

There still remains due to the estate from Yun Teh Yong Yen 4000.00 for which this office holds title deeds to property.

There also remains the private dwelling of deseased at Sa Ji Kol, and one small piece of land at Cha Kol, which are valued at Yen 2000.00

Out of this money when collected will be taken the official fee due the Government (mentioned above) and whatever expenses may be incurred in this final settlement.

The private papers of the deceased are forwarded to A.T.Co

Papers and documents connected with his service in the Korean Government have been returned to the Imperial Household Department/

Under instructions from the American trading Company, I have stored, to be sold at the first opportunity, such articles as could not be sent home. List No. 6.

28 Dec.1899. William Franklin Sands.

Vice & Deputy Consul General

Cons. Bureau
Ofr to direct ref upon
ing to her letter.

No.51, Consular.

CONSULATE GENERAL OF THE UNITED STATES, Auth
Seoul Korea, Jan.13,1900.

Mr.Horace N.Allen, to the
Assistant Secretary of State.

DEPT. OF STATE
FEB 21 1900

-Subject-

Health and Whereabouts of the Mother of C.R.Greathouse.

-Synopsis-

Replying to despatch No.24, Nov.24, making inquiries upon the above subject, he states that at last accounts Mrs.Greathouse had arrived safely and well at San Francisco on her way to her old Kentucky home. He did all he could to make her journey comfortable, as did our consuls at Nagasaki and Yokahama.

No.51, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, Jan.13,1900.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Carried to Mr Nut. answ by Comm

Sir:-

I have the honor to acknowledge the receipt on yesterday, of Mr.Adee's despatch, No.24, of Nov.24, handing me a letter from Mr.John D.Neet, Versailles, Kentucky, of Nov.18, asking after the health and present whereabouts of the mother of C.R.Greathouse, deceased.

I believe Mrs.Greathouse is now at Versailles Ky. she arrived safely in San Francisco en route to her Kentucky home, attended by a Korean officer sent by His Majesty the Emperor of Korea, and a personal servant. I communicated promptly by mail, with her relatives and have done everything possible to make her journey pleasant. She was met by our consuls at Nagasaki and Yokahama who showed her every attention.

The estate has been duly settled and receipts taken.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen

CONSULAR BUREAU.
NOTED.

Cons Bureau
Hoke Pace

Legation and Consulate General of the

United States,

Asked by
Dr Moore

SEOUL, KOREA, Jan.29,1900.

RECEIVED
MAR 20 1900
DEPT. ASST. SECRETARY

To the Honorable

~~John Hay,~~
Lawrence J. Hice

(?)t. Secretary of State,

Washington U. S. A.

Sir:-

I have the honor to hand you herewith, the marriage certificate of Benjamin W.Thomas, who was united in marriage before me on yesterday, to a Japanese woman, Higuchi Ostai.

I have the honor to be

Sir:-

Your obedient servant,

Horace N Allen

Enclosures,

Marriage certificate.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

SEOUL KOREA. , Jan. 28 , 1900

I, HORACE. N. ALLEN. , CONSUL GENERAL. of the United States at SEOUL KOREA , do hereby certify that, on this 28 th day of January, A. D. 1900, at the residence of Rev Geo. H. Jones in the city of Chemulpo Korea, Benjamin W. Thomas , aged forty years, born in San Francisco Cal. and now residing in Chemulpo Korea , and Higuchi Astai aged twenty two years, born in Iwamura. Eze. Japan , and now residing in Chemulpo Korea , were united in marriage before me, and in my presence, by Rev. Geo. H. Jones , who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA , this twenty eighth day of January , A. D. 1900, and of the Independence of the United States the One hundred twenty fourth

Horace N Allen

CONSUL GENERAL. of the United States of America.

Fee one dollar. To be issued in duplicate.

Cn Bureau
Withheld wait further detailed reply

CONSULAR BUREAU
NOTED AND PUBLISHED.

No.56, Consular. See No. 54, Feb. 10. 1900. Chinkiang, China

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, February 26,1900. (?)

Mr.Horace N.Allen, to the
Secretary of State.

3rd ASST. SECRETARY
APR 14 1900

-Subject-

Death of Eugene Peugnet.

Ack'd by Comm June 6 1900

-Synopsis-

Eugene Peugnet, born New York, Feb.4,1863, a resident of Korea, Commissioner of Customs at Chenampo, and Acting Consul for Russia and England at that port, died of cerebral appoplexy at Chingkiang China Feb. 7,1900. Hands copies of correspondence with Consul Martin of Chingkiang on the subject.

No.52,Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, February 26,1900.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to report the death on Feb.7, of an American citizen, Eugene Peugnet, born in New York Feb.4,1863. Death resulted from cerebral appoplexy in Chingkiang, China, where deceased had gone for a short vacation.

Deceased was a resident of Korea and an official in the Korean service. He held the position of Acting Commissioner of Customs at the port of Chenampo. He was also Acting Consul at Chenampo for Russia and for England. He had much to do with the purchase of land at Chenampo for the Russian Government, and his papers will naturally be of value.

As I cannot go to Chenampo myself and have no assistant to send, I have named as my deputy, David W. Deshler, of Chemulpo, step-son of Gov.Nash of Ohio. Mr.Deshler will attend to making the necessary inventory and will bring the papers and moveable effects to me. I believe deceased left some real estate in his own name at Chenampo.

I send you enclosed copies of my correspondence on this subject with the U.S.Consul at Chingkiang.

I have the honor to be,

Sir:-

Your obedient servant,

/Horace N Allen

Enclosure.

File of Correspondence, Death of Eugene Peugnet.

86. L & C.

CONSULATE-GENERAL OF THE UNITED STATES
OF AMERICA. Seoul Korea,

February 26,1900.

William Martin, Esq.,
United States Consul,
Chingkiang.

Sir:-

On the 17'th.instant I telegraphed you as per reading enclosed, asking for confirmation or denial of the report of the death of Eugene Peugnet. On the 19'th. instant I received your confirmatory telegram asking me to see your letter. On the 22'nd.instant I received your letter No.391 of the 8'th.instant citing a former letter you had sent me through the Consulate General at Shanghai. This letter, No.390, Feb.8, came yesterday, and I thank you for the promptness of your communications.

I have made arrangements to take charge of the estate of the deceased in Korea, in the usual manner.

You say you will communicate with the relations of the deceased in New York. I will be glad to be informed when you learn who these people are. You say nothing of a will or other legal papers and I presume if any such are left they will be with the effects of the deceased at Chemulpo, which place is still frozen up.

I have the honor to be, Sir:-
Your obedient servant,
HORACE. N. ALLEN.

1/ No.86, L & C. Feb.26,1900.

Reading of Telegrams.

Seoul Korea, Feb 17, 1900.

Martin

Chingkiang

American Peugnet death reported Chingkiang. Please confirm or deny.

Allen.

Chingkiang Feb.19,1900.

American Minister

Seoul.

Yes see letter,

Martin.

United States Consulate,
Chinkiang, China, 8-2-1900.

Hon. H. N. Allen.
Consul General.
Korea

Sir:-

In sending a despatch to you through the Consul General, Shanghai, I forget to put in it a copy of the doctor's certificate of death under seal; please find it enclosed herewith and oblige.

I am, Sir:-
Your obedient servant,
(Sig.) Wm Martin
U.S. Consul.

"This is to certify that I attended during his last illness Eugene Pernaet who died at Chinkiang, China on the 7th February 1900, aged 37 years.
The cause of death as verified by autopsy was Cerebral Hemorrhage.
(Apoplexy)

Seal

(Signed)
J. A. Lynch, M.D.

Chinkiang China,
7th February 1900"

Verified as a true copy this 8th day of February 1900 by
Wm Martin
United States Consul,
Chinkiang
China.

No. 390.

Consulate of the United States.
ChinKiang, China, 8-2-1900.

Hon. H. N. Allen.
U.S. Consul General.
Seoul, Korea.

Sir:-

I have to inform you that Mr. Eugene Peugnet, a citizen of the United States connected with the Customs service of Korea at Chinampo died at this port on February 7 instant after two or three days illness, cause of death Cerebral Hemorrhage. He was at one time resident here, and employed in the Imperial Chinese Customs. During his stay here he was visiting an old friend who came to China with him, and died in his house.

I am informed he has no relatives in China or Korea but has property in Chemulpo, a bank account in Chemulpo of several thousands deposited in the Hong Kong and Shanghai Banking Corporation of Chemulpo. Also a wheel in Chemulpo, he left at the house of some friend.

His remains have been buried here according to the rites of the Roman Catholic Church of which he was a member.

I have his bank book and shall see to collect his things in China. Please do so in Korea as soon as possible. I shall communicate with his relations in New York City by first mail and hold his things

subject to their orders. I return his Korean boy who will call upon you, please forward him to Chinampo.

I have the honor to be,
Sir:-
Your obedient servant,
(Sig.) Wm Martin.
U.S. Consul.

Despatch No 52.
Dated 6.26.1900

U.S. CONSULATE GENERAL
SEOUL, KOREA.

Ck Bureau

No.53, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, February 28, 1900.

2ND. ASST. SECRETARY
APR 14 1900

Mr.Horace N.Allen, to the
Ass't Secretary of State.

-Subject-

Certificate of Purchase of Korean Vessel.

from Office Jan 27 Feb 4 Mar 1 1900

-Synopsis-

American Gold Mining Co. have purchased a small Korean schooner. Calls attention to the fact that he had to add to the regualr certificate covering record of bill of sale, authorization to fly the American flag. Suggests that such note of authorization be added to the usual form No.35.

Colum to Treas Apr 23 1900

No.53, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, February 28,1900.

To the Honorable,

David J.H ill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed, copies of papers relating to the purchase of a small Korean schooner, by the American Gold Mining Co. operating in Korea. Other similar purchases are to follow very shortly I believe.

You will note that I have added to the certificate covering the record of the bill of sale, a note to the effect that this vessel is authorized to fly the American flag. This was desired by the Customs Authorities. The vessel is to run to non-open ports in Korea according to the provisions of the mining concession, and the simply certificate of the record of the bill of sale seemed unsatisfactory.

Upon a carefyl perusal of the paragraphs in the Consular Regulations for 1896, covering this subject, namely those under Article XX, especially P.347, I decided that I was warranted in making this addition, and I would suggest that a similar note of authorization to fly the American flag, be added regularly at the end of form 35.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N. Allen

Enclosure.

1/ Certificate of Schooner "Janice".

~~CERTIFICATE OF AMERICAN OWNERSHIP OF SCHOONER "JANICE".~~

I, Horace N.Allen, Consul General of the United States for the ports of Korea, do hereby certify that the within bill of sale, bearing date the twenty second day of February 1900, of the Korean schooner known as the Kyong Il, which is of foreign build; propelled by sail; of twenty nine tons gross and twenty four tons net; being forty eight feet long; six feet deep and fourteen and one half feet broad, sold and transferred by Cho Kyung Pok, a Korean subject, to Walter D.Townsend for the Oriental Consolidated Mining Company of New York, has been proved satisfactorily to me to have been duly executed by the subscribing parties; and I further certify that Walter D.Townsend and the Oriental Consolidated Mining Company, therin mentioned as purchasers of said vessel are citizens of the United States.

As witness my hand and seal of the Consulate General this 28'th.day of February in the year of our Lord 1900.

HORACE. N. ALLEN,

U.S.Consul General.

The American owned Schooner "Janice" is hereby authorized to fly the flag of the United States of America.

Horace N. Allen

U.S.Consul General.

Recorded Feb. 28. 1900.

Liber No.6. Pages 8 & 9.

Horace N. Allen

SEOUL, COREA.

No. 1

FOLIO AND AMOUNT. 2.50

Feb 28, 1900

Horace N. Allen

U. S. C. G., Corea.

Chemulpo, Korea, Feb. 22, 1900.

I, Che Myung Poh, (池明甫), a subject of the Emperor of Korea, for the sum of Yen 770.00 received by me from the Oriental Consolidated Mining Company, the receipt of which is hereby acknowledged, do hereby sell and deliver to said Mining Company all my right and title to the schooner known as Kyeng Il, which is of foreign build; propelled by sale; and of 29 tons gross and 24 tons net; having the following measurement:- Length 48 feet; Depth 6 feet; Breadth 14½ feet.

(Sig.) Che Myung Poh 池明甫 (seal)

I, Walter D. Townsend, agent for the Oriental Consolidated Mining Company, of New York, have purchased the above described vessel for the above mentioned Company and wish to have the Bill of sale recorded in the U. S. Consulate General and a certificate of such record issued to me. The vessel will hereafter be known as the "Janice".

(Sig.) Walter D. Townsend.
Agent Oriental Consolidated
Mining Co.

Enclosure 1/
Dispatch No. 53.
Feb 28. 1900.

U.S. CONSULATE GENERAL.

SEOUL KOREA.

Cons Bureau

No. 54, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 7,1900.

Mr.Horace N.Allen, to the

Assistant Secretary of State.

RECD ASST. SECRETARY
APR 14 1900

-Subject-

Deposit in Seoul Bank to credit of estate of WM.McE.Dye.

-Synopsis-

Replying to Mr.Gridler's enquiry regarding a deposit in a Seoul Bank in favor of the Estate of the late Wm.McE.Dye. He states that this is in the First Bank of Japan at this place, covered by a certificate. The deposit amounts to Yen 2000 and interest. If Mrs.Dye will send him this certificate, he will draw out the principal and interest and forward same to her. He will require a certificate from the Probate Court to the effect that Mrs.Dye is the administratrix of the estate.

Ack'd May 9. 1900

Copy to Ellen A Dye Apr 17 1900

Dec 64 June 16. 1900 from Deorie

No.54, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 7,1900.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr.Cridler's despatch, No. 26, of January 19, regarding a deposit which is in bank in Seoul to the credit of the late Wm.McE.Dye, which Mrs.Ellen A Dye wishes to recover.

I have seen the manager of the Dai Ichi Ginko, (First Bank of Japan), who informs me that the deposit in question is a fixed deposit in his bank of Yen 2000, which is due, with interest, on May 5,1900.

The certificate covering this deposit seems to be in the possession of Mrs.Dye, and if she will forward it to me I can and will draw out the principal and interest and send it to her in the form of a New York draft.

As a matter of form and for my own protection, I will require a certificate from the Probate Court of Mrs.Dye's county, to the effect that she is the legal administratrix of the late General Wm.McE.Dye's estate, and as such entitled to receive this money.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen

Desp. C.

Cir Bureau
To Mansery
ack —

No.55, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 14,1900.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U. S. A.

3rd ASST. SECRETARY
APR 24 1900

Sir:-

I have the honor to hand you enclosed Bill of Sale and certificate covering the same, for the steam launch "Helen", built in Japan and purchased by the American gold mining company, for use in Korea.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N. Allen.

Enclosures,

Papers, Steam Launch "Helen".

RECD.
APR 23 '00
DEPT. OF STATE

No.55, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 14,1900.

Enclosure in dispatch to Treasury Dept from Asst 26

Mr.Horace N.Allen, to the
Secretary of State.

-Subject-

Steam Launch "Helen".

-Synopsis-

Enclosed certificate of record of bill of sale for the above named craft, built in Japan and purchased by the American gold mining company for use in Korea.

W.C

No.56, bis Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 15, 1900.

Mr. Bureau
Mr Emory -
ACR as he may have
read with interest
So ordered
April 26 1900

Mr.Horace N.Allen, to the
Assistant Secretary of State.

3rd ASS'T SECRETARY
APR 24 1900

-Subject-

American Firm Collbran & Bostwick,Successful Enterprise.

-Synopsis-

Above firm have just received advance payment of Yen 242,360 on contract for erection and operation of an electric lighting plant for Seoul.

Same firm have built and now successfully operate an electric street railway in Seoul, which has just been extended and further extensions are contemplated.

This firm also hold concession for erection of complete system of water works for Seoul.

No.56, bis Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, March 15,1900.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to inform you that an American firm, Messrs. Collbran & Bostwick, have taken a contract from a Korean Company connected with the Korean Government, covering the erection and operation of an electric lighting plant for the city of Seoul. And a first payment in connection therewith has just been made of Yen 242,360,($121,180).

Messrs Collbran & Bostwick were engaged as contractors, in the construction of the Seoul Chemulpo steam railway until it was sold by the American concessionaire to a Japanese company, and they have since built an electric street railway in and about Seoul, which is now in successful operation by them for the same Korean company above named, under a mortgage. This road which was at first of six miles in length has just been enlarged by a three miles extension to a very important suburb on the river, connecting it with steam and water lines to the port. A further important extension is contemplated in addition to certain short lines in the interior.

This American company also hold a concession for the erection of a complete water works plant for the city of Seoul.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen.

CONSULAR BUREAU.
NOTED.

Cat Bureau
Note
ack by form
6/8/1900.

No. 57, Consular.

Consulate General of the United States.

Seoul, Korea. April 17, 1900.

RECD JULY 25 1900 DEPT OF STATE

3rd. ASST. SECRETARY
MAY 28 1900

Mr. Allen to the Assistant Secretary of State.

Subject:

Death of the Reverend Daniel Lyman Gifford,

Synopsis.

Report of the death of Mr. Gifford. His wife and mother are residents of Seoul. An executor named by the deceased. Some property is said to be in the United States.

No. 57, Consular.

Consulate General of the
United States,
Seoul, Korea, April 17, 1900.

The Honorable
David S. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to report to you the death of an American citizen resident in Korea, the Reverend Daniel Lyman Gifford, a missionary of the Presbyterian Church, formerly a resident of Mendota, Illinois. Death occurred on the morning of April 10, at a small hamlet sixty miles south of Seoul where the deceased had gone in connection with his work. The cause of death was dysentery. The interment took place yesterday at the Foreign Cemetery of this city.

Deceased left a wife and mother both residents of Seoul. He also left a will devising his property to his widow, and naming a brother missionary, the Rev. Samuel A. Moffett, as the executor of his will, without bonds.

Besides personal effects left here in Seoul, I understand there is some property belonging to the estate in the United States.

I have the honor to be,
Sir:-
Yours very obediently,

Horace N. Allen

Encl. Bureau
Substance to Mr. Le Gendre
reference to his letter of
March 1, 1900.

DEPT. OF STATE
RECD
JULY 26 1900

No. 58, Consular.

Consulate General of the United States.
Seoul, Korea. April 17, 1900.

3rd. ASST. SECRETARY
MAY 28 1900

Mr. Allen to the Assistant Secretary of State.

Am'n form to
Mr. Le Gendre
May 29, 1900.

Subject:

The estate of the late General Charles W. Le Gendre.

Synopsis:

Acknowledges No. 27 of March 10 last. Has handed the copy of Mr. Le Gendre's letter to Mr. Sands. The American Trading Co. of Yokohama, are Mr. Le Gendre's appointed agents.

No. 58, Consular.

Consulate General of the United States,
Seoul, Korea, April 17, 1900.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of your dispatch No. 27, of March 10 last, handing me a copy of a letter from Mr. W. C. Le Gendre regarding the estate of his father the late General Charles W. Le Gendre. According to your instructions I have handed a copy of Mr. Le Gendre's letter to Mr. Sands, lately Charge d'Affaires at this Legation.

Mr. Sands wishes me to say that as Mr. Le Gendre appointed the American Trading CO. of Yokohama, his agents, all communications have been made with them, and if Mr. Le Gendre has not received information from his duly appointed agents it is no fault of Mr. Sands.

I have the honor to be,
Sir:-
Your very obedient,

Horace N Allen

Ge Bureau of
Mr Moore

ACR by subject

No. 59, Consular.

INDEX BUREAU
RECD
MAY 26 1900
DEPT OF STATE

Consulate General of the United States,
Seoul, Korea, April 20, 1900.

Div. of Appts.
DEPT OF APPOINTMENTS
MAY 29 1900
Department of State.

Mr. Bond to Inspr Gen May 17. 1900

Mr. Allen to the Assistant Secretary of State.

3rd ASST. SECRE
MAY 28 1900

Subject:

Appointment of Edwin V. Morgan as Vice and Deputy Consul General at Seoul.

Synopsis:

Mr. Morgan's oath of office returned. His representatives in the United States will forward his official bond to the Department.

No. 59, Consular.

Consulate General of the
United States,
Seoul, Korea, April 20, 1900.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of your unnumbered despatch of March 15 ultimo, informing me that the certificate of the appointment of Edwin V. Morgan Esq. as Vice and Deputy Consul General at Seoul has been signed and awaits the return of the oath of office and the official bond which you enclose. With this despatch I return the oath of office, signed by Mr. Morgan and attested by myself. See Enclosure No.1. The official bond goes by this mail to Mr. Morgan's representatives in the United States who will return it promptly to you after satisfying the requirements.

I have the honor to be,
Sir:-
Yours very obediently,

Horace N. Allen,

Enclosure.

No. 1. Oath of office of Edwin V. Morgan Esq. as Vice and Deputy Consul General at Seoul, Korea.

Cn Bureau
Nov, pubsh, Pack

CONSULAR BUREAU.
NOTED AND PUBLISHED.

No. 60, Consular.

Consulate General of the United States,
Seoul, Korea, May 7, 1900.

3rd. ASST. SECRETARY
JUN 13 1900

Mr. Allen to the Assistant Secretary of State.

Ans. prtm. July 10, 1900

Subject:

Death of Mrs. Mary Hayden Gifford.

Synopsis:

Announces death of Mrs. Mary Hayden Gifford, an American citizen. Deceased left a will. Property chiefly in the United States.

No. 60, Consular.

Consulate General of the United States,

Seoul, Korea, May 7, 1900.

The Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have to inform you of the death in this city on the 5th instant, from nervous prostation, of Mrs. Mary Hayden, of Ironton, Missouri, widow of Rev. Daniel L. Gifford of Mindota, Illinois, who died on April 10 last. Mrs. Gifford, like her late husband, had resided in Korea for the past twelve years as a missionary of the Presbytarian Church.

Deceased left a will and considerable property, which is chiefly in the United States.

Enclosed is the certificate of death duly attested.

I have the honor to be,

Sir:-

Yours very obediently,

Horace N Allen

Enclosure as stated above.

Enclosure with No. 60 Consular.

FORM FOR REGISTER OF DEATH.

Name of deceased Mary Hayden Gifford

Date of death May 5. 1900.

Place of death Seoul Korea

Date of birth, or age Aug 21. 1857

Place of birth Fenton Mich.

Last residence in the United States Fenton Mich.

Sex Female

Color or race White

Occupation Missionary

Cause of death Nervous Prostration

Name of Physician attending Eva N. Field.

(Signature of attending physician is desirable. If no convenient, have him certify as below.)

KOREA, May 7 1900

I hereby certify that Mary Hayden Gifford died at Seoul Korea of Nervous Prostration on the 5 day of May 1900

Eva N. Field, M. D.

Cons Bureau
Copy of dispatch with
press copy herewith &
Mr. W.M. Legendre Ref
Ltr to previous Correst-
pondence by Cons
Seoul

No. 61, Consular.

Consulate General of the United States,

Seoul, Korea, May 8, 1900.

Ans. by Com. W.C. Le Gendre, June 14, 1900.
See letter from Mr. Loomis March 19, 1901.

Mr. Allen to the Assistant Secretary of State.

3rd. ASST. SECRETARY
JUN 13 1900

Subject:

Final settlement of the estate of Genl. Charles W. Legendre, deceased.

Synopsis:

Encloses complete transcript, with press copy, of the records in the office of the Consulate concerning the final settlement of the estate. As far as possible the wishes of the son and heir have been followed. Explains certain complaints against the late Chargé d'Affaires, Mr. W. F. Sands.

Consular Bureau.
JUN 13 1900

No. 61, Consular.

Consulate General of the
United States,
Seoul, Korea, May 8, 1900.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to hand you enclosed a complete transcript of the records in this office concerning the final settlement of the estate of Charles W. Legendre, amounting to a total of Yen 24.487.68, upon which I have collected the official fee of 5 % on Yen 24.428.25, equal to Yen 1.224.41 or $609.75, as explained on page 40 of enclosures.

I send you a press copy of this transcript in case you may wish to hand the same to the son and heir, Mr. Wm. C. Legendre of New York.

The Department has handed me copies of correspondence with Mr. Wm. C. Legendre from time to time, which would indicate that the latter was not altogether pleased with what Mr. Wm. F. Sands, late Secretary of this Legation, had done in the matter of the settlement of this estate. I wish to say that I think Mr. Legendre's instructions have been carried out and if he has not had the direct communications with Mr. Sands that he seems to think he deserves, it is due to the fact that he at once and by telegraph, named the American Trading Co. of Yokohama, as his agents to represent him in the matter of his father's estate.

estate. This resulted in correspondence with the agents rather than with the principaal.

Mr. Sands was acting as Chargé d'Affaires ad int. at the time of the death of Genl. Charles W. Legendre. On my return I found that he had made the enclosed inventory, had sold the perishable property, and had been appointed to represent the American Trading Co. in the further settlement of the estate. I therefore had only to receive his reports ; see by his letters and shipping documents that he had forwarded the goods and money to the American Trading Co., and assist him in the collection of mortgage loans to Koreans. The account is now closed,except for the expenditure of a small balance in connection with the erection of a tombstone, which is purely a matter between Mr. Sands and the American Trading Co., as representing the heir.

I believe that the wishes of the son and heir have been followed so far as they were or could be known.

I have the honor to be,

Sir:-

Yours very obediently,

Horace N Allen

Enclosure.

Memorandum re The Estate of C. W. Legendre,with press copy.

Memorandum re The Estate of C. W. Legendre.

Charles W. Legendre, Brevet Brigadier General
of the United States Army, Adviser to the Imperial
Household of Korea, died at his home in Seoul
on September 1, 1899, of Apoplexy and Uraemia, at
the age of 69 years. He was attended by Dr. E. D.
Baldock, medical officer of the English Mission
at Seoul, who made out the certificate of death.
He was buried from the French Cathedral at Seoul,
in the foreign cemetery at Yang Wha Chin.

He left no will.

An inventory of his property was made by the constable
of this Legation and Consulate General, in my presence.

List appended. N° 1

An auction was held on September 12, at which
everything was sold except curios and objects of value.

List with prices appended. N° 2.

These curios and objects of value were packed and sent
by the American Trading Company in Yokohama to
be forwarded to the son and heir, William Legendre,
at Brown Brothers' Bank, New York.

List appended N° 3.

Deceased had lent on real property Yen 14.000.00
holding title deeds as security. I have collected Yen
10.000.00 of this sum, together with interest due at the
time of General Legendre's death, amounting to
Yen 225.00 in silver.

Deceased had lent		Yen 14000.00
" " in Bank		4300.11
Auction brought		1143.88
His Majesty gave estate		2820.00
Unsold will bring		2000.00
	Total property Yen	24263.99

Total property		Yen 24263.99
Sent to American T. C. Yen	14678.04	
Official fee	1056.00	
Necessary expenses to date	3936.09	
Balance due A. T. C.	4493.86	
Yen	24263.99	Yen 24263.99

There still remains due to the estate from Yun Tok
long, Yen 4000.00 for which this office holds title deeds
to property.

There also remains the private dwelling of deceased
at Sa Ji Kol, and one small piece of land in Cha Kol
valued at Yen 2000.00.

Out of this money, when collected, will be taken the
official fee due the Government (mentioned above) and
whatever expenses may be incurred in this final settle-
ment.

The private papers of deceased are stored with his
library N. T. B. Have been sent forwarded to A. T. C.
Papers and documents connected with his service
to the Korean Government have been returned to
the

the Imperial Household Department.

Under instructions from the American Trading
: I have stored, - to be sold at the first opportunity -
uch articles as could not be sent home. List № 6.

Dec 28. 1899. (sig) William Franklin Sands.
Vice + Deputy Consul General.

Fº 1 Inventory of Property

Parlor set old gold Japanese brocade (1 Sofa + 9 Chairs)
White porcelain stove
Ordinary tables
Small brass inlaid table
Bronzes (Kwannon and Osgai priest)
Bronze lamp
Porcelain God pich
Bronze hebachi
Porcelain jar
Ordinary rugs
Korean letter screens
Red lacquer etagere
Framed Korean picture
. (serenade photograph)
Wood carven
Swords (1 Old + 1 Sabre presentative)
Bronze plate
Clois onne
Small bronze incuse burner
Satsuma vases
Korean set Kingfisher feather (3 pieces) enamel.
Small Buddha
Inlaid flintlock pistol
Small Japanese daggers
Satsuma incuse burner
. bowl.

Enamel scentpots
" vase (small blue)
Bureau plate (Cracker)
Imari ware red and green bowl
Blue porcelain tiles
Small bronze hibachi
" Marble bough
Wicker Chair
" settee (red and green cushions
Hats, stick (black) umbrella
Black cane seat chairs
Parlor set (2 Crimson silk sofas, 2 large + 4 small Chairs)
Clothes onne tables
Brass five armed candelabras
Large watt clock
Common candle sticks
Flower pot (2 and 12 with tray
Framed photograph
Bronze vase
Ash trays
Small vases
Large red and gold bowl
Wooden bedstead, with spring and one hair mattress.
Pillows (1 feather + 3 hair)
Small side board
Pr gold spectacles
Towel
Chairs

Cane chair
Table
Washstand
Trunks
Wardrobe
Carpets
Swordrack
Pr slippers
Nightpot
Lamps
Small looking glasses
Razors, 1 shaving brush & 1 strop
Silver spoon
Soap cups
Brush
Candle sticks
Moreau brass cups
Brazier
Alcohol stove with kettle
Comb & 3 brushes
Candle globes
Hair brush
Commode
Pr Shoes
Water pitcher
" decanter
" bucket
" pan

Dining table
Large mirror
Small tables
Large screens
Small "
Candle sticks
" globes
Mat
Small empty boxes
Chairs
Side boards
Accounters
Toaster
Tea box
Wine glass
Knives
Fork
Silver forks
Tea spoon
Pitcher
Bronze statue
Side board with curios & crockery
Wooden bowl
Tin wash basin
" bath tub
Clock
Mug
Carpet

Plates
Soup plates
Soup and potato bowls
Roast plates
Table cloth
Napkin
Forks
Tea spoon
Oil cooking stove
Alcohol stoves with kettles
Bronze candlesticks
Small saucepan
Alcohol eggboiler
Table
Pd door curtain
Candlestick
Toothpick holders
Plates
Soupe plates
Tea and coffee cups
" " " saucers
Small plates
Egg cups
Dinner plates
Fruit plates
Water pitcher
Soup bowls
Table "

Roast and fish bowls
Sauce cups
" and milk pitchers
Celery trays
Small castor
Bundle sticks
Ice hot
Safe
Lamp chimneys
Lamp wicks
Leather trunks
Oil stoves
Hat box
Kettle
Pot old windows for chairs
Net iron for mosquitor net
Old picture frams
Wine glasses
Small tumblers
Large "
Chairs
Finger bowls
Shoes
Dinner plates
Water pitcher
Sugar bowl
Ladle soup
Japanese tray

Small trays
Large dessert plates
boy
Sauce cups
Small plates
Writing table
Small round table
Folding chairs
Chair
Pictures
Small bat
rug
iting desk
hair
Poles
stationary bath
Book shelves
andle stick
visiting cards
electric bell
assaying outfit
mpas
collars
satchel
Jesus God
ralled rulers
awing
Japanese saddle, bet and stirrups

Large table
Small "
Table cloth
Clock
Barometer
Smoking tray
Ocean screen (window
Flower stand -
Chart of the World
Picture
Carpet
Inkstand
Cigar holder
Ocean brass cups.

No. 2. Auction

1 -	1 Small table marble top	Yen	3.00
2 -	1 Dressing table	—	2.70
3 -	1 Table		75
4 -	1 Round table		3.00
5 -	1 Book case		3.25
6 -	1 Revolveu book case		5.25
7 -	1 Small square table		4.25
8 -	1 " round "		1.25
9 -	1 Large " "		15.00
10 -	1 Ice chest		13.00
11 -	1 Cane chair		4.25
12 -	1 " "		2.75
13 -	1 " "		4.75
14 -	1 " sofa		5.75
15 -	4 Vuina chairs		6.50
16 -	4 " "		6.25
17 -	1 Washstaud marble top		5.00
18 -	1 Card table		4.75
19 -	1 Commode		3.00
20 -	1 Cabinet		3.25
21 -	1 Washing set		2.25
22 -	1 Tin jug		1.50
23 -	1 Stove		1.50
24 -	2 folding chairs		2.00
25 -	1 " "		3.00
26.	1 " "	(3.25)	2.75

2.	Chairs	Yes 2.75
1	Carpet cleaner	2.00
1	Large arm chair	8.00
1	" "	8.25
4	Parlor chairs	13.00
1	Sofa (parlor)	16.00
1	" "	24.00
1	Table	1.50
1	Small table	1.25
1	Large arm chair (with springs)	21.25
1	" " " "	20.00
1	" " " "	20.00
1	" " " "	20.00
1	Dining table (extension)	9.00
1	Large mirror	94.00
1	" "	15.50
1	Large wooden bedstead, spring and hair mattress 3 pieces	40.00
1	Large table	14.00
1	Dressing table marble top	16.50
1	Wardrobe with mirror	36.00
1	Oil stove	21.00
1	" "	20.00
1	" "	22.25
1	8 day clock	22.00
6	Dining chairs	48.00
6	" "	43.00
4	" "	20.00
1	Large round table	8.00

1 Stand	Jan 18.00
1 Side board marble top	22.00
1 Table	7.00
1 "	7.25
1 Set crockeryware (dinning set)	28.00
12 Fruit dishes	4.75
10 " "	2.50
2 Milk jugs	1.75
52 pieces crockeryware	13.00
2 Beer jugs	2.50
3 Dishes & cover	1.25
1 Jug	25
3 Cups & Saucers	1.00
1 Small crokstand	2.25
2 Cups & saucers & plates	1.25
10 Finger bowls	5.00
13 Fruit glasses	3.25
1 pair decanters	1.25
1 Decanter & 1 stone tray	4.25
Old crockery ware	2.25
Bread basket	2.00
Brush and tray	3.75
1 Crokstand	4.50
3 fruit dishes glass	2.75
9 Silverplated forks	1.75
4 " "	75
11 " "	4.00

3 Teaspoons and 1 large spoon	You 2.00
4 Knifes & 1 fork	2.75
1 Rubber bag	.50
14 Liquor glasses	2.00
10 Sherry "	2.00
12 Champaign "	3.00
2 Glasses	.25
12 Champaign tumblers	2.25
10 " "	1.75
14 " "	1.50
12 Portwine glasses	2.00
12 " "	1.50
5 " "	1.00
1 Iron Safe	43.00
1 Spirit stove & kettle	1.75
1 " " "	2.00
1 " " "	1.50
1 Bronze brazier	3.50
1 Spirit stove & kettle	1.50
1 " " "	2.00
1 Oil stove	3.00
1 Saucepan 1 tray & 1 ladle	1.00
1 Pair bronze candle sticks	4.25
3 Stereau brass cups	1.25
1 Razor, looking glass & strop	1.25
1 Tray as 2 bottles	1.00
2 Candlesticks 1 brass lamp	2.50
1 Kettle	2.50

1	Bucket	Yen 1.25
1	" 3 pieces	.75
1	Rug	3.75
1	"	1.00
1	"	1.00
1	"	2.75
1	"	1.75
1	piece carpet	4.00
1	" "	3.75
1	Large "	19.00
1	" "	13.00
1	piece "	6.75
1	Carpet	8.00
1	"	8.50
1	"	10.00
1	"	25.00
2	Lamps	.50
1	"	3.75
1	"	3.25
1	"	2.75
1	"	3.75
2	"	1.25
1	Valice leather	3.00
1	Hat box	.75
1	Pot scraps	1.00
1	Valice leather	.25
5	Hats	.25
10	Lampwicks (1.00)	.75

2 -	5 Blt Wine	Yen 4.00
6 -	6 " mineral water	2.50
-	5 " wine	1.75
-	12 " Claret	2.25
-	12 " "	2.25
-	4 Lamp chimneys	.50
"	6 " "	.50
-	1 Table	6.00
-	1 Chart	1.25
"	3 Pictures	1.25
"	1 Kitchen table	1.00
-	1 Bath tube	3.50
-	1 Case mineral water	5.75
-	1 Cooking stove	1.00
-	1 Kettle, saucepan etc	2.00
-	1 Cloths basket	2.00
"	2 Frying pans etc	1.50
"	1 Ice cream machine & 1 saucepan	1.50
"	1 Fish pan etc.	.50
"	1 Kitchen stand	1.25
"	1 Oil stove etc	1.00
-	1 Stove and piping	2.00
	Stove piping	.25
"	2 Trays	1.00
"	3 "	3.25
"	13 Sherry glasses	2.00
"	16 " "	2.00

13 Water tumblers	Yen 3.00
10 Large champaing tumblers	2.00
3 Tons coal	27.00
1 Sedan chairs	13.00
1 " "	6.25
1 Steam "	7.00
	Yen 1184.20
Balance	.50
"	.25
Total Paper Yen	1184.95
Commission % 7½	88.87
Balance Yen	1096.08
Printing	5.00
Total Balance Yen	1091.08.

2d Auction

28 -	4 White shirts	Yan	0.35
29 -	12 " collars		10
30 -	12 " "		10
31 -	2 Coats		10
32 -	1 Dress suit		1.70
33 -	1 Suit of clothing		1.00
34 -	1 " "		1.25
35 -	1 " " & 1 pair pants.		3.00
36 -	1 White vestcoat		10
-	1 Bathing rug		75
-	6 White shirts		50
-	6 " "		90
-	6 " "		90
-	6 " "		60
-	1 pair trousers and 1 vestcoat		50
-	1 Suit clothing		1.85
-	2 pair trousers & vestcoat		30
-	1 Suit of clothing		20
-	1 " "		1.00
-	3 pair trousers		1.20
-	1 Suit clothing		1.00
-	12 R stockings		25
-	12 " "		25
-	6 " "		25
-	1 Muffler and cuffs		20
-	1 Ovn coat		1.50

1	Skin coat	Yen 5.25
1	" "	14.50
1	" "	6.50
1	Doll of neckties	10
1	pair boots	40
1	" "	1.60
1	" "	80
1	Coat & trousers	15
1	pair boots	80
1	" shoes	20
1	" overshoes	40
3	Suits woollen underclothing	1.25
2	Drawers & 1 shirt "	80
3	pair woollen drawers	1.00
2	Suits woollen underclothing	1.25
4	night caps	10
3	Suits cotton underclothing	80
3	" " "	30
5	Undershirts & 3 drawers	85
5	pair white trousers	30
	Paper Yen	57.40
	Coolie hire & Commission 7% Yen	4.60
	Total balance	52.80

B. Curios and objects of value, sent to Yokohama to be forwarded.

Bronzes (Kwannon and Onga priest)
Porcelain God of riches
Bronze hibashi
Porcelain jar
Korean letter screens
Large screens
Picture Serenade photograph
Framed Wood carving
Bronze plate
Cloisonné plate
Small bronze incense burner
Satsuma vases
Pr Korean kingfisher feathers (3 pieces) enamel
Small Buddha
Inlaid flintlock pistol
Satsuma incense burner
" bowl
Enamel scent pots
" vase (small blue
Korean plate (crackle)
Mare ware red and green bowls
Blue porcelain tiles
Small bronze hibachi
" Marble bough
Cloisonné tables (tops)
Photographs

1 Bronze vase
Small vases
Large red and gold bowl
Pair gold spectacles
Koreau brass cup
1 Bronze statue
Chinese God
Old Japanese saddle, bet and stirrups
Pieces small Ivory carvings
Shell box
Small bronze box
Jade cup
Bronze deer
Koreau old pottery
Pieces Imari
Boxes silverware
Old coat
Hat
Epaulets
Japanese Medal
" writing box
Large bronze vase.

4 Library

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35. Legal & necessary expenses connected with settlement of Estate.

	Yen
Servants wages with Chinaman washing bill, cooks & etc	169.55
Funeral expenses	279.77
Necessary telegrams	149.49
Portrait frame for His Majesty	76.00
Newspaper subscriptions etc	35.55
Medical attendances	107.00
Rev Geo A. Jones, work on "Ancient Japan"	125.00
Yuen Tai, tailor	5.70
Lai Hing, carpenter	213.18
Ah Chung. Funeral chairs	106.42
Steward &c.	96.57
Packing, consignals (groundlenta hire)	17.40 27.26
Donations, hospitals church	380.00
Explained in private letter L. M. Augusta Esq	2147.30
	3936.09

N° 6.

Brass candlesticks (5 arm) 2
Silver " (3 ")
" "
Clock
Barometer
Alcohol stove with Kettle
Liqueur set (2 and 12 with tray
Smoking tray
Flower stand
Ash trays
Candlesticks
Pitcher
Teapot

settlement of the Estate of Chas W. Legendre deceased,
Sands, Agent in the matter for the American Trading
Yokohama who were given Power of Attorney by Mr Legendre
son and heir of the deceased to represent him in the matter,
made the following final statement to said American
ding, Co. and to me

Amt received in above estate from loans	Yen	14,000.00
" " " " " Bank Deposit	"	4,300.00
" " " " " Emperor of Korea	"	2820.00
" " " " " Auction	"	1179.00
" " " " " Sale of real Estate	"	2160.00
" " " " " Interest	"	28.68
less 5% official fee on Yen 24428.28	Yen	24487.68
Amt less interest and error of Mr Sands		1224.41
I have given Mr Sands duplicate receipts, Misc No 4		
April 28 1900 for this fee	Yen	1224.41
	Equal to U.S. $	609.75

Mr Sands has shewn me shipping papers covering cases
has sent to the American Trading Co Yokohama, containing
effects of the Estate not disposed of by Auction, as per
ceding documents.

(sig) Horace N. Allen
U. S. Consul General

oul Korea
April 28. 1900.

Cons. Bureau

Copy to Treasury.

Ack.

No. 62, Consular.

Ack. by form June 27/1900 & copy, with encls, to Treasy.

RECD JUN 25 1900 DEPT OF STATE

Consulate General of the United States,

Seoul, Korea, May 9, 1900.

3rd. ASST. SECRETARY JUN 26 1900

Mr. Allen to the Assistant Secretary of State.

Subject:

The schooner "Dorothy".

Synopsis:

Encloses papers relating to sale of schooner "Dorothy" to an American corporation.

Consular Bureau JUN 26 1900

No. 62, Consular.

Consulate General of the United States,
Seoul, Korea, May 9, 1900.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to hand you enclosed a Bill of Sale and Certificate covering the same, for the schooner "Dorothy", built in Japan and purchased by the Oriental Consolidated Mining Co., an American corporation, for use in Korea.

I have the honor to be,
Sir:-
Your very obedient,

Horace N. Allen

Enclosure.
Papers relating to schooner "Dorothy".

Cons Bureau
file

No. 65, Consular.

file

3rd. ASST. SECRETARY
JUL 23 1900

Consulate General of the United States,
Seoul, Korea, June 12, 1900.

Mr. Allen to the Third Assistant Secretary of State.

Subject:

Acknowledgment of despatch.

Synopsis:

Acknowledges despatch No. 28 Consular, of May 1, 1900. Will observe instruction in regard to ships placed under the American flag, according to suggestion of the Secretary of the Treasury quoted.

Consular Bureau,
JUL 24 1900

No. 65, Consular.

Consulate General of the United States,

Seoul, Korea, June 12, 1900.

The Honorable

Tho. W. Cridler,

Third Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge your instruction of May 1, despatch No. 29, Consular, in regard to an additional statement to the certificate, form No. 55, which I gave the owners of the schooner "Janice". In accordance with your directions I shall be guided in future by the suggestion of the Secretary of the Treasury, quoted by you.

I have the honor to be,

Sir:-

Your very obedient,

Horace N Allen

Cons Bureau
Jo Miss. Dye reply
May Fr Ker Cullen of
April 24 1900.

JUL 23 1900
DEPARTMENT OF STATE

No. 64, Consular.

3rd. ASST. SECRETARY
JUL 23 1900

Consulate General of the United States,
Seoul, Korea, June 16, 1900.

Mr. Allen to the Assistant Secretary of State.

Ans. by pcm
to Ellen A Dye ack'ts
orig. rec. July 26. 1900

Subject:

Acknowledges Departments No. 30 of May 9, 1900 and replies to instruction.

Synopsis:

Acknowledges Departments No. 30, of May 9, 1900, and encloses draft for $1.043.70 on the Yokohama Specie Bank, of New York City, endorsed to the order of Ellen A. Dye, Administratrix, for that amount.

Consular Bureau.
JUL 24 1900

No. 64, Consular.

Consulate General of the United States,
Seoul, Korea, June 16, 1900.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Cridler's despatch, No. 30 of May 9 last, replying to my No. 54 of March 7, 1900, regarding a deposit in a bank at Seoul to the credit of the estate of Wm. Mc E. Dye, deceased, and handing me a copy of a letter from Mrs. Dye accompanied by a deposit receipt for Yen 2.000, endorsed to me by Ellen A. Dye, administratrix of said estate, which money it is desired that I should collect and forward to Mrs. Dye.

This money was on fixed deposit for one year and was due on May 5, last. It amounted with interest to Yen 2.130.00, as per enclosed copy of note to me from the Bank. I have purchased exchange in New York amounting to $1.043.70 and I now hand you draft on the Yokohama Specie Bank, 63 and 65 Wall Street, New York City, endorsed to Ellen A. Dye, Administratrix, for that amount, which should be forwarded to Mrs. Ellen A. Dye, 191, West Clay Avenue, Muskegon, Michigan.

I have the honor to be,

Enclosures Your very obedient,
as above cited. Horace N Allen

64

Seoul Korea

Copy of Note from Dai-Ichi Ginko, Limited

Seoul, to the Honorable Horace N. Allen,

Principle	Yen	2,000.00
Interest	"	130.00
Total	"	2,130.00 at 8.49.
	=	$1.043.70

Seoul, Korea, June 16, 1900

Dai-Ichi Ginko, Limited.

(SEAL)

Office of the
Third Assistant Secretary.

Lucien Morrison about
disposing of Utes. He may
May not want to
keep a record but should
not Cridler

Cons Russell

INDEX BUREAU RECD. SEP 5 '00 DEPT. OF STATE

No. 65, Consular.

Consulate General of the United States,
Seoul, Korea, July 20, 1900.

Mr. Allen to the Assistant Secretary of State.

ASST. SECRETARY SEP 7 1900

Subject:

Change in person of Jailer.

Letter to Atty General Apr. 23. 1901.

Synopsis:

Resignation of Carl F. Eklundh and appointment of Daniel Coleman as Jailer at the Consulate General reported.

Office of the

Third Assistant Secretary.

Sept. 22, 1898, Mr. Allen telegraphed to the Department that an American had been arrested for murder; that it was necessary to prepare the jail immediately, costing $500; and a keeper costing $50 monthly, and asking whether the Department authorized.

On the 23rd Sept. Mr. Allen was telegraphed to expend $500 for repairs and to emply a keeper at salary stated.

These telegrams were confirmed Sept 23, No. 8, and he was instructed as to submitting vouchers for both items. In regard to the allowance for a keeper or jailer, Mr. Allen was told that it must be understood that this not an annual or continuing allowance but that it is made for the purpose of meeting the present emergency and that it will cease when there is no longer any necessity for such officer. He was also told that on the reassembling of Congress in Dec. 1898 the Department would endeavor to have an appropriation for a jailer provided for.

Mr. Allen in his No. 27 of November 30, 1898, accounted for the sum of $500 allowed for repairs.

No. 12, January 7, 1899, he was told that an appropriation of $600 as a salary for the jailer has been asked for in the estimates recently submitted to Congress.

No. 65, Consular.

Consulate General of the United States,

Seoul, Korea, July 20, 1900.

The Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I regret to have to inform you that I have been compelled to accept the resignation of Carl F. Eklundh, the Jailer at this Consulate General, as he has received and accepted an offer of a better salary than I am able to pay from the Standard Oil Company. He is a good office man and there is a demand for his services.

I secured in his stead an honorably discharged United States naval seaman, Daniel Coleman by name, who entered upon the discharge of his duties on July 1 last, relieving his predecessor on that day.

I enclose a copy of the oath of the present Jailer.

I have the honor to be,

Sir:-

Your very obedient,

Horace N Allen

Enclosure.

As above cited.

Enclosure with No. 65, Consular, of July 20, 1900.

(Copy)

Legation and Consulate General of the

United States, Seoul, Korea,

June 26, 1900.

I, Daniel Coleman, having this day been appointed Jailer for the Legation and Consulate General of the United States at Seoul, and being about to enter upon the duties of that office, do solemly sware that I will obey all orders and instructions of the officer in charge of this Legation and Consular office.

(signed) Daniel Coleman.

Subscribed and sworn to before me, this 26th, day of June, 1900.

(signed) Edwin V. Morgan.

Secretary of Legation.

Vice and Deputy Consul General.

Seoul, Korea.

Seal.

INDEX BUREAU
RECD
SEP
DEPT OF STATE.

Consul Rosedale

No. 66, Consular.

3rd ASST. SECRETARY
SEP 24 1900

Consulate-General of the United States,
Seoul, Korea, August 15, 1900.

Ans. by prm
to auditor, with
orig. enclosures.
Sept. 26, 1900.

Mr. Allen to the Assistant Secretary of State.

Subject:

Estate of Clarence R. Greathouse, deceased.

Synopsis:

Reports final settlement of the estate.

Consular Bureau.
SEP 25 1900

No. 66, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, August 15,1900.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

In the matter of the estate of Clarence R.Greathouse, who died in this city on Oct 21, 1899,- see my announcement of Oct.21,No. 45 , I now have the honor to inform you that this estate has been finally settled and to hand you enclosed duplicate statements of my account in the matter, supported by proper vouchers.

Mr.Greathouse left a will making his aged mother his heir and executrix, and leaving the whole matter in my hands. The mother left Korea for America immediately after the funeral, having given me a power of attorney for the full execution of everything pertaining to the business of the estate. Being in some doubt as to whether I would be expected to collect the usual official fee where there was an executrix appointed by will, I referred the matter to Mr.Scidmore, Deputy Consul General at Yokahama - the acknowledged legal authority of our service in Asia, and was advised by him that it would certainly be expected that I charge the fee.

The estate has been a difficult and very troublesome one as the deceased had loaned much money to Koreans at exhorbitant rates of interest. I had to threaten foreclosure in almost every instance and finally did sell some properties at public auction.

I have the honor to be, Sir:-

Your obedient servant,

Horace N. Allen.

Enclosure.

1/ Accounts and vouchers,

Estate of Clarence R.Greathouse, deceased.

Consular Bureau.

MEMORANDUM.

Consular Bureau
SEP 25 1900

Mr. Snider reports the
enclosures, with copy
of despatch, and go
to the Auditor.
P.S.

Office of the
Third Assistant Secretary.

Mr Chellon
Please examine.
There seems to be duplicates & send for over
information - Such
that may be included
for other Greenhouses
Adler

Cons Bureau

No. 67. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, September 13, 1900.

Mr. Horace N. Allen to the Assistant Secretary of State.

Subject:

Transfer of life-prisoner to the United States.

Ans. Nov. 2, 1900.
Letter to Atty General
Apr. 23, 1901

3RD ASST. SECRETARY
OCT 29 1900

Synopsis:

No proper accommodations at the Consulate-General for the maintenance of John G. Flanagan under life-sentence for murder. Enquiry whether the law has been altered so as to permit that he be transferred to the United States. Though he be removed, a jailer should still be continued at the Consulate.

Consular Bureau.
NOV 1 1900

No. 67. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, September 13, 1900.

The Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

Referring to my No. 31 Consular, of January 19, 1899, relative to the trial of John G. Flanagan and my request at the close of that despatch, that some arrangement should be made for the transfer of this prisoner to a prison in the United States, and the reply of the Department No. 16, Consular, of April 6, 1899, to the effect that an application would be made to Congress for an ammendment of the laws so as to allow of such transfer ; I now have the honor to ask if any such action was taken, and to suggest that it would be quite a simple matter to send this convict home now that we have transports calling at Nagasaki.

I have done the best I could under the circumstances to fit up a little jail in an old out-building in these grounds. It is hardly suitable for the confinement of a life prisoner, and it is entirely impossible for me to have the part of the sentence relating to hard labor carried out. In fact lack of exercise and constant solitary confinement have broken the man's health, and he has fits of apparent insanity. Furthermore the jail is liable to be needed at any moment for transient cases, now that we have so many American miners and workmen of a similar class in Korea,

If it is possible I trust that this prisoner may be

be sent to a prison in the United States.

At the same time I must add that it would be very unwise to discontinue the employment of the Jailer (constable) as it is impossible to obtain a suitable man for such service on short notice, and the services of such an officer are certain to be demanded from time to time while the demand will constantly increase.

I have the honor to be,

Sir:-

Your very obedient,

Horace R Allen

Office of the
Third Assistant Secretary

3RD ASST. SECRETARY
OCT 31 1900

Mr Chellon
Dear Sir

You will have received from the Dept instructions N 32 & 33 of Oct. 13 & 15, 1900, how the Rates have been fixed. In addition Regulations allowing it, it is not possible to bring the Consuls to the U.S. The Attorney General will make suitable recommendations to Congress on the subject in his annual message to December for next & the Estimates to

Office of the

Third Assistant Secretary.

Executive Mansion
Washington, D.C.
January 15, 1889

Sir:

I have the honor to transmit herewith a communication from the Secretary of War, with accompanying papers, relative to the claim of Mrs. Sarah Jane Lincoln, widow of Abraham Lincoln, late President of the United States, for the franking privilege.

Respectfully,

Your obedient servant,

[illegible]

Office of the

Third Assistant Secretary.

be submitted then will
contain provision for
Jailer Meek at Lofed
Congress may see fit to
frank Davis

CONSULAR BUREAU
NOTED AND PUBLISHED

No. 68, Consular.

Consulate-General of the United States

Seoul, Korea, September 25, 1900.

Mr. Horace N. Allen to the Secretary of State.

Subject:

Death of C. A. Alm, an American citizen, within the Consular District.

Synopsis:

Reports the death of C. A. Alm, of Enterprise, California, at the American Gold Mines in Northern Korea. In the absence of a Consular officer at the Mines, the Manager of the Mines will take temporary charge of the papers and effects of the deceased.

Consular Bureau.
OCT 29 1900

CONSULAR BUREAU,
NOTED
LISHED,

No. 68, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, September 25, 1900.

To the Honorable,

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to inform you of the death of an American citizen, C.A.Alm, of Enterprise, California. Mr.Alm was employed as a mill man at the American gold mines in North Korea. Death occurred on the morning of the 20'th. instant from typhoid fever and complications.

In the absence of a Consular Officer at the mines, I have asked the Manager of the mines to designate two reputable American citizens to make the usual inventory and forward the same to me, duly signed, together with the papers of the deceased as well as money and any articles of a sentimental value, selling other goods at duly advertised public auction.

When I receive these papers and effects I will make further communication on the subject.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen

Cor Bureau
Report
Cirlr

Consular, No. 69.

Cus. Nov. 26, 1900

Consulate General of the United States,

Seoul, Korea, October 5, 1900.

3rd. ASST. SECRETARY
NOV 21 1900

Mr. Horace N. Allen to the Assistant Secretary of State.

Subject:

Intent of Circular of August 30, 1900, and Form No. 192.

Synopsis:

Inquiry as to whether the instruction by circular of August 30 last, is intended to supersede that of November 22, 1895, requiring an immediate notification to the Department of the death of an American citizen. Were Circular of August 30 put strictly into effect, as far as it relates to Korea, an injustice might result to the relatives of Americans dying in Korea away from Seoul.

Consular No. 69.

Consulate General of the United States,
Seoul, Korea, October 5, 1900.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Cridler's circular of August 30 last, upon the subject of " Reporting Deaths of Americans " and handing me several copies of Form No. 192.

I desire to inquire if I am to understand this instruction as superseding that of November 22, 1895, calling for the immediate notification of the death of an American citizen to the Department.

You must realize that, as in the case of C. A. Alm, whose death at the distant gold mines I reported in my despatch No. 68 of September 25th, as well as of other Americans dying at

a distance from Seoul, it may be necessary to wait a month or more before I can secure the necessary inventory accounts and report upon the disposition of their effects, as called for in this form No. 192.

It would seem unfair to the relatives and friends of the deceased that they should receive no notice of the death until all this preliminary business shall have been attended to. From the " Register of American Citizens " kept at the Consulate General, the full name and last residence of the deceased can always be had for the usual immediate notification to the Department.

I have the honor to be,

Sir:-

Your very obedient,

Horace N Allen

Seoul.

Form No. 2

RECEIVED DEC 22 1900 DEPT. OF STATE

Ans. & to Auditor Dec. 22, 1900.

(Form No. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

To U. S. CONSUL GENERAL.

SEOUL KOREA

Consular Service, U. S. A.,

November 14 1900

Name: C. A. Alm.

Native or naturalized: Presumably native.

Date of death: September 20, 1900

Place of death: American Gold Mines, Wonsan Korea.

Cause of death: Typhoid fever with Complications

Disposition of remains: Buried at place of death.

Local law as to disinterring remains in case it is desired to bring them home:

No law on the subject.

Disposition of effects: Bulky articles sold at regular public auction

Address of family: Enterprise, Butte Co. California

Family notified: Yes.

Accompanied by relatives: No.

This information, inventory, accounts, etc., recorded in Miscellaneous Record No. 3, Book, pages 120 to 130 inclusive

Remarks: Copy of letter to Mrs. C. Alm, heirs of deceased - handing papers covering final settlement of estate (Inventory) with a box of objects of sentimental value sent to the Legation through the Department of State, are herewith attached.

[SEAL.]

Horace N. Allen

Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

Report of the Death of an American Citizen.

Enclosure No. ____ in despatch

No. ____, 190

Consular Bureau.

MEMORANDUM. Nov. 24, 1900.

Mr Bridges. To the Consuls

Form 192, sent with circular of Aug. 30, is of course to be sent as an immediate notice of death — such details as to the effects as are known shd. be included in it & the final disposition reported later. When the effects are taken possession of by the Consul for final settlement that fact shd. be stated the sending of the notice of death shd. not be delayed a day. R.S.L.

Cons Bureau

1

No. 70, Consular.

JAN 1[illegible]

Consulate General of the United States,

Seoul, Korea, November 30, 1900.

Ans. Jan. 19, 1901.

Mr. Horace N. Allen to the Assistant Secretary of State.

3rd. ASST. JAN 16 [illegible]

Subject:

The appointment of a Notary Public for the American mining district in North Korea.

Consular Bureau. JAN18 1901

Synopsis:

Some sixty American citizens, in the employ of the American Mining Company in North Korea are obliged to make a long and expensive journey to the Consulate when they have occasion to employ the services of a Notary Public. Consul General Allen asks for instructions as to whether he may appoint a Notary Public for the mining district. If he may he suggests Mr. H.F. Meserve as a proper person to nominate and appoint. Treaty regulations concerning such an appointment.

No. 70, Consular.

Consulate General of the United States,

Seoul, Korea, November 30, 1900.

The Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to ask for information as to my power to appoint an officer of the nature of a Notary Public.

Travel in this country is very slow and very costly, a chair usually requiring eight men at Yen 1.00 each per day for a journey of twenty five miles.

We have at the American gold mines in North Korea some sixty Americans : these mines are ten days distant by land and five days distant by sea, providing there is a ship available, and at best a trip from them to Seoul cannot be made under a cost of Yen 150.00 ($75.00 gold), even by sea, and the expenditure of much time. These Americans, who are continually having to come to me to make affidavits and to sign papers in connection with the transaction of importance business in America, ask for some relief in the manner of the appointment of someone who shall be empowered to perform the duties of a Notary Public.

I cannot find that I have any authority to make such an

appointment,

though Sections 166, 167, 168 and 169 of the Regulations for the Consular Courts of the United States in Korea, a marked copy of which I enclose, seem to give me the power to appoint a representative to take depositions for use in my Consular Court.

It is not practicable to appoint a Consular Agent at the mines, as they are far removed from an open port, at which only the Treaty provides for the appointment of Consular Offices. The Treaty says also, "No merchant shall be permitted to exercise the duties of the office, nor shall Consular Officers be allowed to engage in trade." There are American missionaries residing at open ports nearer to the mines than Seoul, but I could not advise the appointment of missionaries as consular officers, at least at present, since they always have on hand some contention with the Korean Covernment.

Would it be allowable for me to appoint, say, H.F.Meserve, the manager of the mines, my deputy for the purpose of taking depositions, certifying to oaths and affirmations, the acknowledgment of deeds and powers of attorney, such documents to be sent to me for my certificate as to the character and qualifications of such deputy ?

If this arrangement is decided to be allowable I should like to make such appointment and would in that event ask that I be furnished with the necessary seals for the execution of such work.

I have the honor to be, Sir:-

Your very obedient,

Horace N. Allen,

Enclosure.

Marked copy of the Regulations of the United States Consular Court in Korea.

Office of the

Third Assistant Secretary.

Mr Chilton

Ack'r say.

You have no power to appoint a Notary Public under the circumstances recited for it. The Department — Reconsidered — Reference of power to take depositions in a pardon case pending before Consular Court on Different proposition

Chilton

REGULATIONS

FOR THE

CONSULAR COURTS OF THE UNITED STATES

IN

KOREA.

DECREE OF MARCH 31, 1892.

REGULATIONS

FOR THE

CONSULAR COURTS OF THE UNITED STATES

IN

KOREA.

DECREE OF MARCH 31, 1892.

LEGATION OF THE UNITED STATES OF AMERICA
IN KOREA.

Notice is hereby given that the within Regulations are in force from this date.

AUGUSTINE HEARD,
Minister Resident.

Seoul, March 31, 1892.

REGULATIONS FOR THE CONSULAR COURTS OF THE UNITED STATES OF AMERICA IN KOREA.

In pursuance of the "Revised statutes of the United States," I, Augustine Heard, minister resident of the United States to the kingdom of Korea, do hereby decree the following rules and regulations, which shall have the force of law in the consular courts of Korea.

CIVIL PROCEEDINGS.

1. All civil actions in courts of the United States in Korea must be commenced by a complaint or petition in writing, verified by the oath of the party, his agent or attorney, before the judge of such court.

2. There shall be but one form of civil action for the enforcement or protection of private rights, and the redress or prevention of private wrongs. In such action, the party complaining shall be known as the plaintiff, and the adverse party as the defendant.

3. Every action shall be prosecuted in the name of the real party in interest, except as otherwise provided in this decree.

4. In case of an assignment of a thing in action the action by the assignee shall be without prejudice to any set-off or other defense existing at the time of or before notice of the assignment; but this section shall not apply to a negotiable promissory note or bill of exchange transferred in good faith, and upon good consideration before due.

5. When a married woman is a party, her husband shall be joined with her, except when the action concerns her separate property, or when the action is between herself and her husband, when she may sue or be sued alone.

6. When an infant is a party, he shall appear by guardian, who may be appointed by the court, if none has already been appointed at the time.

7. All persons having an interest in the subject of the action may be joined as plaintiffs; and any person who has or claims to have an interest in the controversy adverse to the plaintiff, or who is a necessary party to a complete determination or settlement of the question involved therein, may be made a defendant.

8. Persons severally liable upon the same obligation or instrument, including the parties to bills of exchange and promissory notes, and sureties on the same or separate instruments may all or any of them be included in the same action, at the option of the plaintiff.

9. An action shall not abate, by the death or other disability of a party, or by a transfer of any interest therein, if the cause of action survive or continue; but, in case of the death or disability of a party, the action may be continued by or against his representative or successor in interest, or the court may allow the person to whom the transfer is made to be substituted in the action.

10. Actions shall be brought and may be tried in the port or city wherein one or more of the parties to the action resides, or wherein the cause of controversy accrued, subject to the power of the court to change the place of trial, when the convenience of witnesses and the ends of justice would be promoted thereby, or when, from any cause, the judge is disqualified from acting in the action.

11. The complaint shall be at once filed by the court, with a specification of the day, month, and year when the same was received for filing; and at any time within one year thereafter summons may be issued thereon as desired by the plaintiff.

The summons shall be signed by the Judge of the court. It shall state the parties to the action, the court in which it is brought, the general nature of the action, and require the defendant to appear and answer the complaint, within the time mentioned in the next section, after the service of summons, exclusive of the day of service; or that a judgement by default will be taken against him according to the prayer of the complaint, stating the sum of money or other relief demanded in the complaint; but the court, in all cases when the default of one or all of the defendants is entered, shall require proof to be made in support of the plaintiff's cause of action, and shall only allow a judgment for such relief as the evidence offered shows the plaintiff to be entitled to.

12. The time in which the summons shall require the defendant to answer the complaint shall be as follows:

1st. If served on the defendant in the port or city wherein the action is brought, or within 10 miles thereof, within five days.

2d. If within 30 miles thereof, within ten days.

3d. If elsewhere within the kingdom of Korea, within 25 days.

4th. If without said kingdom, fifty days.

13. The summons shall be served by the marshal to whom it is directed, or by some person specially deputed by him, or by the court; and it shall be returned, with the written certificate of such person, showing where, when, and upon whom it was served. If the defendant can be found, service shall be made by delivering to him a copy thereof. If the suit be against a corporation, by delivery of a copy to the president, secretary, or other managing agent thereof. If against a minor, by delivery of a copy to such minor, and also to his father, mother, or other guardian, if he have such, residing in the empire. And if against a person judicially declared to be of unsound mind, and for whom a guardian has been appointed, by delivery of a copy to such guardian; provided, that, when the person on whom service is to be made resides out of the kingdom of Korea, or has departed therefrom, or cannot after due diligence be found therein, or conceals himself to avoid the service of summons, and such facts be made to appear to the satisfaction of the court, service may be made by publication of the summons in some newspaper, if there be one, published at the port or the city wherein the action is brought; but if there be none, in a newspaper published the nearest to said

port, for such length of time, and in such manner as the court may direct; not less, however, than once a week for the period of three weeks. Proof of service of summons so made shall be by the affidavit of the printer or publisher of such newspaper, or service may be made by posting of the summons in a conspicuous place in the office of the Consul General for not less than three weeks. The voluntary appearance of the defendant shall in all cases be deemed equivalent to a personal service upon him of the summons, and a person shall be deemed to appear when he answers or demurs to the complaint in writing, or files a written and verified statement in the action confessing plaintiff's right of action, or some portion thereof, and consenting that judgment for such amount be entered.

14. The pleadings on the part of the plaintiff shall be limited to a complaint or petition, and a demurrer to the defendant's answer; and on the part of the defendant, to a demurrer and answer to plaintiff's complaint; provided, however, that the defendant may in his answer claim affirmative relief against the plaintiff, and all matters contained in the defendant's answer shall be deemed to be denied by the plaintiff unless specially admitted by him. The pleadings shall concisely state the cause of action or defense, with a prayer for the relief asked for, and all answers, except demurrers raising issues of law alone, shall be verified as the complaint and petition are required to be. All pleadings shall be filed by the court, with a note of the day, month, and year, and if a defendant in his answer prefer a cross demand, or other affirmative relief against the plaintiff, the plaintiff shall be allowed, if he require it, the same length of time in which to prepare for the trial of the cause as that which the defendant was allowed for answering in the case after service of the summons upon him.

15. A pleading may be demurred to if upon its face it shows that the court has no jurisdiction over either of the parties, or the cause of action; or that the plaintiff has not the legal capacity to sue, or that there is a defect of parties, or an improper joinder of several causes of action, or that no cause of action or defence is stated in the pleading. The demurrer must distinctly state the grounds upon which it is based, and in case a demurrer to a pleading is sustained, the court shall in all cases allow the party against whom the judgment on demurrer is rendered a reasonable length of time in which to amend, serve, and file his amended pleadings. All material allegations contained

in the complaint, and not denied specifically in the answer thereto, shall be considered as admitted.

16. The cross-demand mentioned in section fourteen shall be one existing in favor of the defendant or plaintiff, and against a plaintiff or defendant between whom a several judgment might be had in the action, and arising out of one of the following causes of action:

1st. A cause of action arising out of the transaction set forth in the complaint or answer as the foundation of the plaintiff's claim, or defendant's defense, or connected with the subject of the action.

2d. In an action arising upon a contract, any other cause of action arising also upon contract and existing at the time of the commencement of the action.

17. It shall not be necessary for a party to set forth in a pleading the items of the account therein alleged, but he shall deliver to the adverse party, within three days after demand thereof, in writing, a copy of the account, or he may be precluded from giving evidence thereof.

18. The plaintiff may unite several causes of action in the same complaint, when they all arise out of—

1st. Contracts express or implied.

2d. Claims to cover specific real property, with or without damages for waste or detention thereof, and the rents and profits of the same.

3d. Claims to cover specific personal property, with or without damages for the detention thereof.

4th. Injuries to character, person, or to property; but the causes of action so united shall all belong to one only of these causes of action, and shall affect all of the parties to the action, and not require different places of trial, and be distinctly and separately stated.

19. The court may in furtherance of justice allow amendments to pleadings by adding or striking out the name of a party, or by correcting a mistake in the name of a party, or any other mistake; it may also enlarge the time for filing an answer or demurrer, or a demurrer to an answer, or relieve a party from a judgment obtained against him by fraud, or through his mistake, inadvertence, surprise, or excusable neglect.

20. If the defendant appears and answers, the court having both parties before it, shall, before proceeding further, encourage a settlement by mutual agreement or by submission of the

case to referees agreed on by the parties; a finding by a majority of whom shall decide the case, and be entered as a judgment by the court, subject to appeal or motion for a new trial, as in cases of other judgments, and upon similar grounds.

21. On application of either party and on advance of the fees, any American citizen residing in the kingdom of Korea may be compelled to attend as a witness upon any court in the kingdom, and may be compelled to bring with him, and produce in such court, all necessary books, papers, &c., in his possession or under his control.

22. An order to arrest the defendant in a civil action may be made by the court in which the action is brought, or is pending, whenever it shall be made to appear to the satisfaction of the court, by an affidavit in writing, that the defendant is about to depart from the empire with the intent to defraud his creditors; or that the defendant has, while acting in either an official, fiduciary, or professional character, embezzled or fraudulently misapplied, or converted to his own use, moneys or property of his principal; or when the action is to recover the possession of personal property, when the property or any portion thereof has been concealed, removed, or disposed of so that it cannot be found, or taken possession of by the marshal; or when the defendant has been guilty of a fraud, in contracting the debt or incurring the obligation for which the action is brought; or in concealing or in disposing of the property, for the taking, detention, or conversion of which the action is brought; or when the defendant has removed or disposed of his property or is about to do so, with intent to defraud his creditors. Before making the order, the court shall require the plaintiff to enter into an undertaking, with two sureties, approved by the court and residents of the kingdom of Korea, in a sum of not less than five hundred dollars, conditioned to pay the defendant such cost and damage as he may sustain by reason of the arrest if judgment be in his favor, not exceeding the amount mentioned in the bond. The sureties shall justify on the bond, by affidavit showing that they are residents of the kingdom of Korea and worth the sum mentioned in the undertaking, which bond shall be at once filed by the court.

23. The order may be made at any time after the summons is issued; it shall be directed to the marshal, and shall direct him to arrest the defendant, and to hold him to bail in a specified sum, and return the order within a time specified to the court that issued it. A copy of the affidavit and order of arrest

shall be delivered to the marshal, who, upon arresting the defendant, shall deliver unto him a copy of each; and shall execute the order by arresting the defendant, and holding him in custody until he shall be discharged according to law.

24. The defendant at any time before execution shall be discharged from arrest, either upon giving bail in the amount stated in the order of arrest, with two sureties, approved by the Court who shall justify as such on said bond, and to the further effect that they are residents of the kingdom of Korea, and worth respectively the amount stated in the order; conditioned that the defendant will at all times render himself amenable to the process of the court, during the pendency of the action, and to the execution of the judgment therein; or that he will pay the plaintiff any judgment that may be recovered in said action; or the defendant may be discharged from arrest by depositing with the court the amount of money mentioned in the order of arrest.

25. In an action brought to recover specific personal property, if the plaintiff make and file with the court, at any time before the defendant appears and answers in the action, an affidavit showing that he, the plaintiff, is the owner or entitled to the possession of the property (particularly describing it), that the property is unlawfully detained by the defendant, the value thereof, the cause of the detention to the best of his knowledge, and that the same has not been taken or seized by process issued out of any court, he shall be entitled to claim the delivery to himself of such property as hereinafter provided.

26. The plaintiff or his attorney may, by indorsement in writing on such affidavit, require the marshal to deliver the property therein mentioned to him, and it shall be the duty of the marshal to whom the same is directed, upon receipt of the affidavit and notice, with a sufficient undertaking executed by the plaintiff with two or more sufficient sureties, to be approved by the marshal, to the effect that they are bound to the defendant in double the value of the property as stated in the affidavit, for the prosecution of the action, for the return of the property to the defendant, if return thereof be adjudged, and for the payment to him of such sum as may for any cause be recovered against the plaintiff, the marshal shall forthwith take the property into his possession, if he find it in the possession of the defendant, or his agent, and he shall also without delay serve on the defendant a copy of the affidavit, notice, and undertaking, by delivering the same to him personally if he can be found, but

if he cannot be found, by leaving the same at his usual or last place of residence.

27. At any time before the delivery of the property to the plaintiff, the defendant may require the return thereof, upon giving to the marshal a written undertaking executed by two or more sufficient sureties, to be approved by the marshal, to the effect that they are bound in double the value of the property as stated in the affidavit of the plaintiff, for the delivery thereof to the plaintiff, if such delivery be adjudged; and for the payment to him of such sum as may for any cause be recovered against the defendant. If a return of the property be not so required within three days after the service of the notice on the defendant and the taking of the property, it shall be delivered to the plaintiff, unless it be claimed by some third person, in which case the marshal must at once notify the plaintiff of such claim; and unless the plaintiff, within two days thereafter, give to the marshal an undertaking, with two sufficient sureties in double the value of the property so claimed as stated in the affidavit, conditioned to save him, the marshal, harmless against any cost or damages he may be put to by said claimant, if he holds the same or delivers it to the plaintiff, he, the marshal, may surrender such property to the said claimant.

28. In all cases, sureties, to be sufficient on any undertaking, must, by affidavit attached to such undertaking, affirm on oath that they are residents of the kingdom of Korea, and worth respectively the sum for which they therein bind themselves in property situated in said empire, not exempt from execution, and over and above all of their just debts and legal liabilities.

INJUNCTION.

29. An injunction is a writ or order, requiring a person to refrain from a particular act. This order or writ may be granted by the court in which an action is brought, when it shall appear that the plaintiff is entitled to the relief demanded, and such relief, or any part thereof, consists in restraining the commission or continuance of the act complained of, or when it shall appear that the commission or continuance of some act during the litigation would produce great or irreparable injury to the plaintiff, or when it shall appear that the defendant is doing, or threatens, or is about to do, or is procuring or suffering to be done some act in violation of the plaintiff's rights, respecting the

subject of the action, and tending to render the judgment ineffectual.

30. The injunction may be granted at the time of issuing the summons, or at any time afterward, before judgment is rendered in the action; before issuing which, however, the court shall require (except when the people of the United States are a party plaintiff) a written undertaking on the part of the plaintiff, with two or more sufficient securities, to the effect that the plaintiff will pay to the party enjoined such damages, not exceeding an amount to be specified, as such party may sustain by reason of the injunction, if the court shall finally decide that the plaintiff was not entitled thereto.

31. The party against whom an injunction is granted may, upon notice to the opposite party, move the court that it be dissolved or modified, and upon the hearing the court may consider the application solely upon the pleadings on file, or may allow the parties respectively to file affidavits; and if it satisfactorily appears that there is not sufficient ground for the injunction it shall be dissolved, or it may be modified if it appears that the extent of the writ granted is too great.

ATTACHMENT.

32. The plaintiff at the time of the issuance of summons, or at any time afterward, may have the property of the defendant attached as security for the satisfaction of any judgment that may be recovered, unless the defendant give security to pay such judgment as hereinafter provided, in the following cases:

1st. In an action upon a contract, express or implied, for the direct payment of money, which contract is not secured by a mortgage, lien, or pledge upon real or personal property, or, if so secured, that such security has been rendered nugatory by the act of the defendant.

2d. In an action upon a contract, express or implied, against a defendant not residing in this kingdom.

33. The court shall issue the writ of attachment upon receiving an affidavit, by or on behalf of the plaintiff, which shall be filed, showing—

1st. That the defendant is indebted to the plaintiff (specifying the amount of such indebtedness over and above all legal set-offs as counter-claims) upon a contract, expressed or implied, for the direct payment of money, and that the payment of the

same has not been secured by any mortgage, lien, or pledge upon real or personal property; or,

2d. That the defendant is indebted to the plaintiff (specifying the amount) over and above all legal set-offs or counter-claims, and that the defendant is a non-resident of this kingdom; and,

3d. That the sum for which the attachment is asked is an actual, *bona fide*, existing debt, due and owing from the defendant to the plaintiff.

34. Before issuing the writ the court shall require a written undertaking on the part of the plaintiff, in a sum not less than one-half of nor exceeding the amount claimed by the plaintiff, with sufficient sureties, to the effect that the defendant recover judgment, the plaintiff will pay all costs that may be awarded to the defendant, and all damages which he may sustain by reason of the attachment, not exceeding the sum specified in said undertaking.

35. The writ shall be directed to the marshal of the consulate within the jurisdiction of which the property of such defendant may be, and shall require him to attach and safely keep all the property of such defendant within said consular jurisdiction, not exempt from execution, or so much thereof as may be sufficient to satisfy the plaintiff's demand (the amount of which shall be stated as in the complaint in the action), unless the defendant give him security by the undertaking of at least two sufficient sureties, in an amount sufficient to satisfy such demand, besides costs, or in an amount equal to the value of the property which has been or is about to be attached, in which case, to take such undertaking, several writs may be issued at the same time, to different marshals of different consulates.

36. The rights or shares which the defendant may have in the stock of any corporation or company, together with the interest and profit thereon, and all debts due such defendant, and all other property in this kingdom of such defendant, not exempt from execution, may be attached, and, if judgment be recovered, be sold to satisfy the judgment and execution.

37. The marshal to whom the writ is directed and delivered shall execute the same without delay, and if the undertaking mentioned in section 35 be not given, as follows:

1st. Real property, or any interest in or right of possession thereto, of which the defendant may be the owner and in the possession, shall be attached by leaving a copy of the writ with the occupant thereof, or, if there be no occupant, by posting a copy of the writ in a conspicuous place thereon, and filing a copy, together with a description of the property attached, with the United States consul at that port. If the same shall not be in the possession of the defendant, but in that of some other person, the same shall be attached by leaving with such person, or his agent, a copy of the writ, and a notice that such real property (giving a description thereof), and any interest therein, belonging to the defendant is attached pursuant to such writ, and posting a copy of said writ and notice in a conspicuous place on said property, and filing a copy of such notice and writ with the United States consul for that jurisdiction.

2d. Personal property capable of manual delivery shall be attached by taking it into custody.

3d. Stock or shares, or interest in stock or shares of any corporation or company, shall be attached by leaving with the president, secretary, cashier, or other managing agent thereof, a copy of the writ, and a notice stating that the stock or interest of the defendant is attached in pursuance of such writ.

4th. Debts and credits, and other personal property not capable of manual delivery, shall be attached by leaving with the person owing such debts, or having in his possession, or under his control, such credits, or other personal property, or with his agent, a copy of the writ, and a notice that the debts owing by him to the defendant, or the credits and other personal property in his possession or under his control, belonging to the defendant, are attached in pursuance of such writ.

38. Upon receiving information in writing from the plaintiff, or his attorney, that any person has in his possession or under his control any credits or other personal property belonging to the defendant, or is owing any debt to the defendant, the marshal shall serve upon such person a copy of the writ, and a notice that such credits or other property or debts, as the case may be, are attached in pursuance of such writ.

39. All persons having in their possession or under their control any credits or other personal property belonging to the defendant, or owing any debts to the defendant at the time of service upon them of a copy of the writ and notice, as provided in the last two sections, shall be, unless such property be delivered up or transferred, or such debts be paid to the marshal, liable to the plaintiff for the amount of such credits, property, or debts until the attachment be discharged, or any jugdment recovered by him be satisfied.

40. Any person (a citizen of the United States) owing debts to the defendant, or having in his possession or under his control any credits or other personal property belonging to the defendant, may be required to attend before the court, and be examined on oath respecting the same. The defendant may also be required to attend, for the purpose of giving information respecting his property, and may be examined on oath. The court may, after such examination, order personal property capable of manual delivery to be delivered to the marshal on such terms as may be just, having reference to any liens thereon or claims against the same; and a memorandum to be given of all other personal property containing the amount and the description thereof.

41. The marshal shall make a full inventory of the property attached and return the same with the writ. To enable him to make such return as to debts and credits attached, he shall request, at the time of service, the party owing the debt or having the credit to give him a memorandum stating the amount and description of each, and if such memorandum be refused, he shall return the fact of the refusal with the writ. The party refusing to give the memorandum (if a citizen of the United States) may be required to pay the costs of any proceedings taken for the purpose of obtaining information respecting the amounts and description of such debt or credit.

42. If any property attached be perishable the marshal may sell the same in the manner in which such property is sold on execution. The proceeds and other property attached by him shall be retained by him to answer another judgment that may be recovered in the action unless sooner subjected to execution upon another judgment recovered previous to the issuing of the attachment. Debts and credits attached may be collected by him if the same can be done without suit. The marshal's receipt shall be a sufficient discharge for the amount paid.

43. If any personal property attached be claimed by a third person as his property, the marshal shall notify the plaintiff, or his attorney, of the amount, value, and nature thereof, and by whom claimed, and if within two days after such notice is given the plaintiff fail to indemnify the marshal by giving him a good and sufficient bond in double the value thereof, with two sufficient securities, securing him against any cost or loss that he may be put to by holding the same as the property of the defendant, he may release the same to the said claimant, reciting what

he has done relative thereto in his return upon the original writ.

44. If the plaintiff recovers a judgment, the marshal shall satisfy the same out of the property attached by him which has not been delivered to the defendant or a claimant, as hereinbefore provided, or subjected to execution on another judgment recovered previous to the issuing of the attachment, if it be sufficient for that purpose—

1st. By paying to the plaintiff the proceeds of all sales of perishable property sold by him, or of any debts or credits collected by him, or so much as shall be necessary to satisfy the judgment.

2d. If any balance remain due and an execution shall have been issued on the judgment, he shall sell, under the execution, so much of the property, real or personal, as may be necessary to satisfy the balance, if enough for that purpose remains in his hands. Notices of the sale shall be given, and the sale conducted as in other cases of sales on execution.

45. If, after selling all the property attached by him remaining in his hands, and applying the proceeds, together with the proceeds of any debts or credits collected by him, and deducting his fees, to the payment of the judgment, any balance shall remain due, the marshal shall proceed to collect such balance as upon an execution in other cases. Whenever the judgment shall have been paid, the marshal, upon reasonable demand, shall deliver over to the defendant the attached property remaining in his hands, and any proceeds of the property attached unapplied on the judgment.

46. If the execution remain unsatisfied, in whole or in part, the plaintiff may prosecute any undertaking given by the defendant pursuant to this chapter of this decree; or he may proceed as in other cases upon the return of an execution.

47. If the defendant recover judgment against the plaintiff, any undertaking received in the action, all of the proceeds of sales, and money collected by the marshal, and all of the property attached remaining in the marshal's hands, shall be delivered to the defendant, or his agent, the order of attachment shall be discharged and the property released therefrom.

48. Whenever the defendant shall have appeared in the action, he may, upon reasonable notice to the plaintiff, apply to the court in which the action is pending for an order to discharge the attachment, wholly or in part, and upon the execution of

the undertaking mentioned in the next section such order may be granted, releasing from the operation of the attachment any or all of the property attached; and all of the property so released, and all of the proceeds of the sales thereof, shall be delivered to the defendant, upon the justification of the sureties on the undertaking, if required by the plaintiff.

49. Before granting such order the court shall require an undertaking on behalf of the defendant, by at least two sureties, residents of Korea, to the effect, that in case the plaintiff recover a judgment in the action, defendant will, on demand, redeliver such property attached, so released to the proper officer, to be applied to the payment of the judgment, and that in default thereof, the defendant and sureties will on demand pay to the plaintiff the full value of the property so released. The court granting such release shall fix the sum for which the undertaking shall be given, and if necessary, in fixing the sum, to know the value of the property released, the same may be appraised by three disinterested persons appointed for the purpose. The sureties may be required to justify before the court, and the property attached shall not be released from the attachment without their justification, if the same be required.

50. The defendant may also at any time before the time for answering expires, apply, on motion, upon reasonable notice to the plaintiff, to the court in which the action is brought that the attachment be discharged, on the ground that the writ was improperly or irregularly issued.

51. When the motion is made upon affidavits on the part of the defendant, but not otherwise, the plaintiff may oppose the same by affidavits, or other evidence, in addition to those on which the attachment was made. If upon such application it shall satisfactorily appear that the writ of attachment was improperly or irregularly issued, it shall be discharged.

52. The marshal shall return the writ of attachment with the summons, if issued at the same time, unless the court otherwise direct; in all other cases within twenty days of its issuance, and receipt by him, with a certificate of his proceedings indorsed thereon.

DEPOSIT IN COURT.

53. When it is admitted by the pleading or examination of a party, that he has in his possession or under his control any money or other thing capable of delivery, which, being the subject of the litigation, is held by him as trustee for another party, or which belongs or is due to another party, the court may order the same, upon motion, to be deposited in court or delivered to such party upon such conditions as may be just, subject to the further direction of the court.

54. A receiver may be appointed by the court in which an action is pending:

1st. Before judgment, provisionally, on the application of either party, when he establishes a *prima facie* right to the property, or to an interest in the property, which is the subject of the action, and which is in the possession of an adverse party, and the property or its rents and profits are in danger of being lost or materially injured or impaired.

2d. After judgment, to dispose of the property according to the judgment, or to preserve it during the pendency of an appeal; and,

3d. In such other cases as are in accordance with the practice of courts of equity jurisdiction.

OF TRIAL AND JUDGMENT.

55. A judgment is the final determination of the rights of the parties in the action or proceeding.

56. Judgment may be given for or against one or more of several plaintiffs or defendants, and it may, when the justice of the case requires it, determine the ultimate rights of the parties, on each side, as between themselves.

57. In an action against several defendants, the court may, in its discretion, render judgment against one or more of them, leaving the action to proceed against the others whenever a several judgment is proper.

58. The relief granted to the plaintiff, if there be no answer, shall not exceed that which he shall have demanded in his complaint; but in any other case the court may grant him any relief consistent with the case made by the complaint, and embraced within the issue.

59 An action may be dismissed, or a judgment of non-suit entered, in the following cases:

1st. By the plaintiff himself at any time before trial upon the payment of costs, if a counter-claim has not been made; if a provisional remedy has been allowed, the undertaking shall there-

upon be delivered by the clerk to the defendant who may have his action thereon.

2d. By either party, upon the written consent of the other.

3d. By the court when the plaintiff fails to appear on the trial, and the defendant appears and asks for the dismissal.

4th. By the court when upon the trial, and before the final submission of the case, the plaintiff abandons it.

5th. By the court, upon motion of the defendant, when upon the trial the plaintiff fails to prove a sufficient case. A judgment of dismissal shall in all cases be entered in the court's docket and judgment book.

60. In all other cases judgment shall be rendered upon the merits.

61. Judgment may be had if the defendant fail to answer the complaint, as follows:

1st. The court in any action, if no answer has been filed with it within the time specified in the summons, or within such further time as may have been granted upon application of the plaintiff, or his attorney, shall enter the default of the defendant, and immediately thereafter enter judgment; but before entering judgment in the case, the court shall require proof to be made by the plaintiff, and shall enter such judgment only as he evidence under the pleadings will justify; and when the amount demanded in such a case exceeds the sum of five hundred dollars, associates shall be selected and participate in the judgment as in other cases.

2d. In actions where the service of the summons was by publication, the plaintiff, upon the expiration of the time designated in the order of publication, may, upon proof of the publication, and that no answer has been filed, apply for judgment; and the court shall thereupon require proof to be made of the demand mentioned in the complaint; and if the defendant be not a resident of the kingdom, shall require the plaintiff, or his agent, to be examined on oath, respecting any payments that have been made to the plaintiff, or to any one for his use, on account of such demand, and may render judgment for the amount which he is entitled to recover.

OF ISSUES AND THE MANNER OF THEIR DISPOSITION.

62. An issue arises when a fact, or conclusion of law, is maintained by the one party and is controverted by the other,

and are of two kinds, to wit, of law and of fact. An issue of law arises upon a demurrer to the complaint or answer, or to some part thereof. An issue of fact arises when a material allegation in either the complaint or answer is controverted.

63. Issues of law shall be tried and disposed of by the court, constituted in the same manner as by law it should be constituted, to try and dispose of the issuable facts in the same case, and when there are issues of law and fact in the same case, the issues of law shall be first disposed of.

64. All causes shall be entered by the court upon its trial calendar, according to the date of issue and trial, and disposed of according to their respective order of precedence; unless, for good cause, such disposition shall be postponed by order of the court, in writing, entered in its journals, assigning the reason for delay.

65. A motion to postpone a trial, on the grounds of the absence of evidence, shall only be made upon affidavit, showing the materiality of the evidence expected to be obtained, and that due diligence has been used to procure it, setting forth specifically what acts such diligence consists of. The court may also require the moving party to state upon affidavit the evidence which he expects to obtain, and if the adverse party thereupon admits that such evidence would be given, and that it be considered as actually given on the trial, or offered, and overruled as improper, the trial shall not be postponed.

TRIAL WITH ASSOCIATES.

66. When the action is called for trial by the court, assisted by associates, the consul or his clerk shall prepare separate ballots containing the names of all the persons who have been nominated by such consul to serve as associates, and whose nomination has been approved by the minister, and deposit them in a box. He shall then in the presence of the parties present draw from the box the number of tickets that the law enjoins that there shall be associates to aid him upon the trial, and the persons whose names are thereon shall, by the marshal, be summoned forthwith to appear and act as such associates. If the persons whose names are so drawn are temporarily absent from the port when the court is sitting, or if any such persons be too unwell to serve, to be proven by a physician's certificate to that effect, or if the marshal returns upon the summons that such persons after diligent search cannot be found, or if such

person be challenged, as hereinafter provided, and such challenge be allowed, the consul shall proceed in a similar manner to draw other names from the box, which persons whose names are so drawn the marshal shall proceed to summon in the same manner, until the court shall be organized as by law directed.

67. When the persons thus summoned shall appear they shall be sworn by the court to truthfully answer such questions as may be put to them in relation to their eligibility to serve as associates in that action, after which they may be examined relative thereto by the respective parties or their counsel, and when the formation of the board of associates is completed, they shall be sworn by the consul to well and truly try the said action then pending, wherein ——— is plaintiff and ——— is defendant, and a true judgment therein to render according to their best belief.

68. Either party to the action may challenge any person so called to act as an associate, when it appears from his examination or otherwise

1st. That he is related to any of the parties in the action by either the ties of consanguinity or affinity within the third degree.

2d. That he holds the relation of guardian or ward, master or servant, employer or clerk, or principal, or agent, to either party, or that he is a member of the family of either party, or a partner in business with either party, or that he is a surety on any undertaking in the action for either party.

3d. That he has served as an associate, or been a witness on a previous trial between the same parties for the same cause of action, or that he has formed or expressed an unqualified opinion or belief as to the merits of the same; or,

4th. That he entertains such an enmity against, or bias to, either of the parties to the action as would influence his mind in forming his judgment in the action

And when the challenge is sustained by sufficient evidence, the consul shall allow the same, discharge the person, and proceed to select another.

69. If, after the organization of the court with associates, one of the associates become sick, he shall be discharged, a new selection made, as hereinbefore provided, and the trial of the case shall commence anew.

70. A consular court sitting with associates shall in all cases render a judgment in writing, signed by the consul and the associates, if they agree with him in his judgment, but if either of them dissent, he shall express such dissent with his reasons therefor in writing, duly signed, and such dissenting opinion of said associate shall, by the consul or his clerk, be filed and entered in the judgment book with the judgment in the case.

71. A minute book shall be kept by the consular court, in which shall be entered the opinions and judgment in each case immediately after being received, and placed on file; also in said book shall be entered the names of the persons called as associates, with a note of the action of the consul relative thereto, on any challenge made by either party, the names of all witnesses called and sworn on the trial, and the date of the rendition of the judgment.

EXCEPTIONS.

72. An exception is an objection taken at the trial to a decision upon a matter of law, at any time from the time of the calling of the action for trial until the time of rendition of the judgment therein, and may be made in writing at the time, or entered by the consul or the clerk of his court in the minute book thereof, but no exception shall be regarded on a motion for a new trial, or on an appeal, unless the exception be material and affect the substantial rights of the parties.

73. If the court or the counsel in any case refuse to allow an exception to be filed, or fail or refuse to enter the same in the minute book of the court in accordance with the facts, any party aggrieved thereby may petition the ministerial court, or other appellate court having jurisdiction, on notice to the opposite party, for leave to prove the same, and shall have the right so to do, in such manner as said court may by rule direct.

74. No particular form of exception shall be required. The objection shall be stated with so much of the evidence or other matter as is necessary to explain it, but no more, and as briefly as possible.

75. The final judgment of the court in an action shall be deemed in all cases to be excepted to by the party against whom the same is rendered, without any especial notice that an exception is taken thereto.

NEW TRIALS.

76. The judgment rendered in an action may be vacated and a new trial granted on the application of the party aggrieved, for

any of the following causes materially affecting the substantial rights of said party:

1st. Irregularity in the proceedings of the court, or any order of the court, or abuse of discretion, by which either party was prevented from having a fair trial.

2d. Accident or surprise which ordinary prudence could not have guarded against.

3d. Newly discovered evidence, material for the party making the application, which he could not, with reasonable diligence, have discovered and produced at the trial.

4th. Excessive damages, appearing to have been given under the influence of passion or prejudice.

5th. Insufficiency of the evidence to justify the judgment or other decision, or that it is against law.

6th. Error in law occurring at the trial, and excepted to by the party making the application.

77. When the application is made for a cause mentioned in the first, second, and third subdivisions of the last section, it shall be made upon affidavit; for any other cause it shall be made upon a statement, prepared as provided in the next section.

78. The party intending to move for a new trial shall file written notice of the same as follows: When the action has been tried by a consul, sitting with associates, within five days after the rendition of the judgment; and within two days after judgment when tried by the consul alone. The notice shall designate generally the grounds upon which the motion will be made. Within five days after giving such notice, or within such further time, not exceeding twenty days, as the court may by order grant, the said party shall file with the court the affidavit or statement required by the last section. If no affidavit or statement be filed within five days after the notice, or within such further time as the parties may agree upon, or the court may by order grant, the right to move for a new trial shall be deemed waived. When the notice designates as the ground upon which the motion will be made, the insufficiency of the evidence to justify the judgment, or other decision, the statement shall specify the particular errors upon which the party will rely. When the notice designates as the ground of the motion errors in law, occurring at the trial, and excepted to by the moving party, the statement shall specify the particular errors upon which the party will rely. If no such specifications be made, the statement may be disregarded. The statement shall contain so much of the

evidence, or reference thereto, as may be necessary to explain the particular points thus specified, and no more. Such statement, when not agreed to by the parties, shall be settled by the judge of the court upon notice. When agreed to, it shall be accompanied by the certificate of parties, or their attorneys, that the same has been agreed upon, and is correct. When settled by the judge, the same shall be accompanied with his certificate that the same has been allowed by him, and is correct. On the argument, reference may also be made to the pleadings, depositions, and documentary evidence on file and the minutes of the court. If the application be made upon affidavits filed, the adverse party may use counter affidavits on the hearing. Any counter affidavits shall be filed with the court, one day at least before the hearing. The affidavits, and counter affidavits, or the statement thus used in connection with such pleadings, depositions, and minutes of the court as are read or referred to on the hearing, shall constitute, without further statement, the papers to be used on any appeal that may properly be made from the order granting or refusing the new trial. Such affidavits, depositions, and such portion of the minutes of the court as are referred to, may, to be designated, be indorsed by the judge of the court, as having been read on the hearing of the motion, and referred to in his certificate. The application for a new trial shall be heard by the court at the earliest practicable period after the filing of the affidavits or statement; and the decision of the court thereon shall be in writing, stating the grounds upon which the same is granted or refused.

JUDGMENT.

79. The judgment of the court shall be entered within twenty four hours after the trial is concluded, unless the court order the case to be reserved for argument or further consideration, or grant a stay of proceedings.

80. If a counter claim established at the trial exceeds the plaintiff's demand so established, judgment for the defendant shall be given for the excess; or if it appears that the defendant is entitled to any other affirmative relief, judgment shall be given accordingly.

81. In an action to recover the possession of personal property, judgment for the plaintiff may be for the possession, or the value thereof, in case a delivery cannot be had; and damages for

the detention. If the property has been delivered to the plaintiff, and the defendant claim a return thereof, judgment for the defendant may be for the return of the property or the value thereof, in case a return cannot be had, and damages for taking and withholding the same.

82. The court shall keep among its records a book for the entry of judgments, to be called the judgment book, in which such judgment shall be entered, and shall specify clearly the relief granted, or other determination of the action.

83. If a party die after a verdict or decision upon any issue of fact, and before judgment, the court may nevertheless render judgment thereon.

84. Immediately after entering the judgment, the court shall have the following papers attached together and filed, which shall constitute the judgment roll:

1st. In case the complaint be not answered by any defendant, the summons, with the affidavit or proof of service, and the complaint, with a memorandum indorsed thereon that the default of the defendant in not answering was entered, and a copy of the judgment.

2d. In all other cases the summons, pleadings, findings, or opinion of the courts or any of its associates; all bills of exception taken and filed in said action; copies of orders sustaining or overruling demurrers; a copy of the judgment, and copies of any orders relating to a change of parties.

85. The court shall keep a book to be called the docket book, with each page divided into eight columns, and headed as follows: judgment debtors, judgment creditors, judgment, time of entry, when entered in judgment book, appeals when taken, judgment of appellate court, satisfaction of judgment when entered. The names of the defendants shall be entered in the book in alphabetical order.

86. The docket book shall be open at all times during office hour for the inspection of the public, without charge.

87. Satisfaction of a judgment may be entered in the docket book upon an execution returned satisfied, or upon an acknowledgment of satisfaction filed with the court by the judgment creditor, or within one year after the judgment was rendered by the attorney of record of the party, unless a revocation of his authority be previously filed. Whenever a judgment shall be satisfied in fact, otherwise than upon an execution, it shall be the duty of the party, or his attorney, to give such acknowledgment,

and upon motion the court may compel it; or may order the entry of satisfaction to be made without it.

THE EXECUTION.

88. The party in whose favor judgment is given may, at any time within five years after the entry thereof, have issued for its enforcement a writ of execution, as hereinafter provided.

89. The writ shall be issued in the name of the people of the United States of America, sealed with the seal of the court, and shall be directed to the marshal, and shall intelligibly refer to the judgment, stating the court where the judgment-roll is filed; and if it be for money, the amount thereof, and the amount actually due thereon, and shall require the marshal substantially as follows:

1st. If it be against the property of the judgment debtor, it shall require the marshal to satisfy the judgment, with interest, out of the personal property of such debtor; and if sufficient personal property cannot be found, then out of his real property.

2d. If it be against real or personal property in the hands of the personal representatives, heirs, devisees, legatees, or tenants of real property, or trustees, it shall require the marshal to satisfy the judgment, with interest, out of such property.

3d. If it be against the person of the judgment debtor, it shall require the marshal to arrest such debtor, and commit him to jail until he pay the judgment, with interest, or be discharged according to law.

4th. If it be for the delivery of real or personal property, it shall require the marshal to deliver the possession of the same, particularly describing it, to the party entitled thereto; and may, at the same time, require the marshal to satisfy any costs, damages, rents, or profits recovered by the same judgment out of the personal property of the person against whom it was rendered; and the value of the property to be specified therein, if a delivery thereof cannot be had; and if sufficient personal property cannot be found, then out of the real property, as provided in the first subdivision of this section.

90. When a writ of execution is issued on a judgment recovered against two or more persons in an action upon a joint contract, in which all of the defendants were not served with summons, it shall direct the marshal to satisfy the judgment out of the joint property of all of the defendants, and the individual property only of the defendants who were served.

91. The execution may be made returnable at any time not less than ten nor more than sixty days after its receipt by the marshal, to the court where the judgmant-roll is filed.

92. When the judgment requires the payment of money, or the delivery of real or personal property, the same may be enforced by a writ of execution; when it requires the performance of any other act, a certified copy of the judgment may be served on the party against whom the same is rendered, or upon the person or officer required thereby or by law to obey the same. Obedience thereto may be enforced by the court; and, after a final judgment of partition, the court shall have power to enforce a severance of the possession.

93. In all cases, other than for the recovery of money, the judgment may be enforced after five years from the date of its entry by an order of the court upon application therefor.

94. Notwithstanding the death of a party, after the judgment, execution thereon may be issued; in case of the death of the plaintiff, the same as if he were living, upon the application of his executor, or administrator, or successor in interest, by the court in which the judgment was rendered or exists; and in case of the decease of the defendant, if the judgment be for the recovery of real or personal property, execution may be issued and executed against the property recovered in the same manner, and with the same effect, as if he were still living.

95. When the execution is against the property of the judgment debtor, it may be issued to the marshal of any consulate in the kingdom; when it requires the delivery of real or personal property, it shall be issued to the marshal of the consulate where the property or some part thereof is situated. Execution may be issued at the same time to different consulates.

96. All goods, chattels, moneys, and other property, both real and personal, or any interest therein of the judgment debtor, not exempt by decree or law from execution, and all property and rights of property seized and held under attachment in the same action, shall be liable to execution. Shares and interests in any corporation or company, and debts and credits on all other property, both real and personal, or any interest in either real or personal property, and all other property not capable of manual delivery, may be attached, on execution, in like manner as upon writs of attachments. Until a levy, property shall not be affected by execution or attachment.

97. If the property levied on be claimed by a third person as his property, the marshal shall notify the person in whose favor the execution is issued of such claim, by whom it was preferred, and what the value of the same is; and, as a condition precedent to holding the same under execution, he may require the execution creditor to execute to him a good and sufficient bond of indemnity, in double the value of the said property, conditioned to save him (the marshal) harmless if he shall hold and sell the said property under the execution. And if said indemnity bond shall not be given within two days after service of such notice, the marshal may release the said property to the claimant, making return of the notice of claim, and his proceedings thereunder, to the court that issued the execution.

98. The following property shall be exempt from execution, to wit: First, chairs, tables, desks, and books, to the value of one hundred dollars, belonging to the judgment debtor; second, necessary household, kitchen, and table furniture belonging to the judgment debtor, including stove, stove-pipe, and stove furniture; wearing apparel, beds, bedding, and bedsteads; and provisions actually provided for individual or family use, sufficient for one month, not exceeding in value the sum of six hundred dollars; and third, tools or implements of a mechanic or artisan necessary to carry on his trade; the instruments or chests of a surgeon, physician, surveyor, and dentist, necessary to the exercise of their profession, with their scientific and professional libraries; the law libraries of attorneys and counselors; and the libraries of ministers of the Gospel.

99. The marshal shall execute the writ against the property of the judgment debtor by levying on a sufficient amount of property, if there be sufficient, collecting or selling the things in action, and selling the other property, and paying to the plaintiff, or his attorney, so much of the proceeds as will satisfy the judgment, or depositing the amount with the court; any excess in the proceeds over the judgment and the marshal's fees shall be returned to the judgment debtor. Where there is more property of the judgment debtor than is sufficient to satisfy the judgment and the marshal's fees, within view of the marshal, he shall levy on such part only of the property as the judgment debtor may indicate; provided that the judgment debtor be present at and indicate at the time of the levy such part.

100. Before the sale of property on execution, notice thereof shall be given as follows:

1st. In case of perishable property, by posting written or printed notices of the time and place of sale in public places of the port or city where the sale is to take place, for such a time as may be deemed reasonable, considering the character and condition of the property.

2d. In case of other personal property, by posting a similar notice in public places in the port or city when the same is to take place, and publishing a copy of the same in some newspaper published in the place (if there be one published there) not less than five nor more than ten days successively.

3d. In case of real property, by posting a similar notice (particularly describing the property), for twenty days successively, in public places of the port or city where the property is situated, and publishing a copy thereof once a week, for the same period, in some newspaper published at the port or city, if there be one.

101. All sales of property under execution shall be made at auction to the highest bidder, and shall be made between the hours of ten in the morning and five in the afternoon; and, after sufficient property has been sold to satisfy the execution, no more shall be sold. Neither the officer holding the execution nor his deputy shall become a purchaser, or be interested in any purchase at such sale. When the sale is of personal property, capable of manual delivery, it shall be within view of those who attend the sale, and be sold in such parcels as are likely to bring the highest price; and when the sale is of real property, and consisting of several known lots or parcels, they shall be sold separately; or, when a portion of such real property is claimed by a third person, and he requires it to be sold separately, such portion shall thus be sold. The judgment debtor, if present at the sale, may also direct the order in which property, real or personal, shall be sold, where such property consists of several known lots or parcels, or of articles which can be sold to advantage separately; and the marshal shall be bound to follow such direction.

102. If a purchaser refuses to pay the amount bid by him for property struck off to him at a sale under execution, the officer may again sell the property, at any time, to the highest bidder; and if any loss be occasioned thereby, the officers may sue such person (if a citizen of the United States) and recover the amount of such loss, with costs, in the consular court of the port or city where such sale was held; and the same proceeding may be had

against any American citizen who, being a subsequent purchaser, shall refuse to pay the price bidden by him for an article struck off to him; and the officer may, in his discretion, thereafter reject the bid of any person so refusing.

103. The two preceding sections shall not be construed to make the officer liable for any more than the amount bid by the second or subsequent purchaser, and the amount collected from the purchaser refusing to pay.

104. When the purchaser of any personal property capable of manual delivery shall pay the purchase money, the officer making the sale shall deliver to the purchaser the property, and, if desired, shall execute and deliver to him a certificate of the sale and payment. Such certificate shall convey to the purchaser all the right, title, and interest which the debtor had in and to such property on the day the execution was levied.

105. When the purchaser of any personal property not capable of manual delivery shall pay the purchase money, the officer making the sale shall execute and deliver to the purchaser a certificate of sale and payment. Such certificate shall convey to the purchaser all right, title, and interest which the debtor had in and to such property on the day the execution was levied.

106. Upon a sale of real property, the purchaser shall be substituted to and acquire all the right, title, interest, and claim of the judgment debtor thereto; and, when the estate is less than a leasehold of two years, the sale shall be absolute. In all other cases the property shall be subject to redemption, as provided in this chapter. The officer shall give to the purchaser a certificate of sale, containing—

1st. A particular description of the real property sold;

2d. The price bid for each distinct lot or parcel;

3d. The whole price paid; and

4th. When subject to redemption, it shall be so stated.

107. Property sold subject to redemption, as provided in the last section, or any part sold separately, may be redeemed, in the manner hereinafter provided, by the following persons, or their successors in interest:

1st. The judgment debtor, or his successor in interest, in the whole or any part of the property.

2d. A creditor having a lien, by judgment, or mortgage on the property sold, or on some share or part thereof, subsequent to that on which the property was sold. The persons men-

tioned in the second subdivision of this section are termed redemptioners.

108. The judgment debtor or redemptioner may redeem the property from the purchaser, within six months after the sale, on paying the purchaser the amount of his purchase, with twelve per cent. thereon in addition, together with the amount of any land rental which the purchaser may have paid thereon to the Korean government after the purchase, and interest on such amount; and if the purchaser be also a creditor having a prior lien to that of the redemption, other than the judgment under which such purchase was made, the amount of such lien, and interest thereon.

109. If the property be so redeemed by a redemptioner, either the judgment debtor or other redemptioner may, within sixty days after the last redemption, again redeem it from the last redemptioner, on paying the sum paid on such last redemption with four per cent. thereon in addition, and the amount of any land rental which the said last redemptioner may have paid thereon to the Korean government, with interest on such amount; as also the amount of any liens held by the last said redemptioner, prior to his own, with interest, provided that the judgment under which the property was sold need not be so paid as a lien. The property may again, and as often as the debtor or a redemptioner is so disposed, be redeemed from any previous redemptioner within sixty days after the last redemption, with four per cent. thereon in addition; and the amount of any government land rent which the last previous redemptioner paid after the redemption by him, with interest thereon; and the amount of any liens other than the judgment, under which the property was sold, held by the last said redemptioner previous to his own, with interest. Notice of redemption shall be given to the marshal. If no redemption be made within six months after the sale, the purchaser or his assignee shall be entitled to a conveyance; or if so redeemed, whenever sixty days have elapsed, and no redemption has been made, and notice thereof given, the time for redemption shall have expired, and the last redemptioner or his assignee shall be entitled to a marshal's deed. If the debtor redeem at any time before the time for redemption expires, the effect of the sale shall be terminated, and he be restored to his estate. The payments mentioned in this and the last preceding sections may be made to the purchaser or to the redemptioner, as the case may be, or for him to the officer who made the sale.

110. A redemptioner shall produce to the officer or person from whom he seeks to redeem, and served with his notice to the marshal—

1st. A copy of the mortgage, or other lien, upon which he claims the right to redeem;

2d. A copy of any assignment necessary to establish his claim, verified by his own or a subscribing witness's affidavit; and

3d. His or his agent's affidavit, showing the amount then actually due on the lien.

111. Until the expiration of the time allowed for redemption, the court may restrain the commission of waste, by an order to that effect, upon notice. But it shall not be deemed waste for the person in possession of the property at the time of the sale, or entitled to possession afterward, during the period allowed for redemption, to continue to use it in the same manner in which it was previously used, or in any other reasonable manner.

112. The purchaser from the time of the sale until a redemption, and a redemptioner from the time of his redemption until another redemption, shall be entitled to receive from the tenant in possession the rents of the property sold, or the value of the use and occupation thereof.

113 If the purchaser of real property sold on execution, or his successor in interest, be evicted therefrom, in consequence of irregularities in the proceedings concerning the sale, or of the reversal or discharge of the judgment, he may recover the price paid, with interest, from the judgment creditor. If the purchaser of property at a marshal's sale or his successor in interest fail to recover possession, in consequence of irregularity in the proceedings concerning the sale, or because the property sold was not subject to execution and sale, the court having jurisdiction thereof shall, on petition of such party in interest, or his attorney, revive the original judgment for the amount paid by such purchaser at the sale, with interest thereon, from the time of payment, at the same rate that the original judgment bore. When so revived, the said judgment shall have the same effect as an original judgment of the said court of that date, and bearing interest as aforesaid, and any other or after acquired property, rents, issues, or profits of the said debtor shall be liable to levy and sale under execution in satisfaction of such debt; provided that no property of such debtor sold *bona fide* before the filing of such petition shall be subject to the lien of said

judgment. The said judgment shall be revived in the name of the original party plaintiff, for the use of said petitioner, the party in interest.

PROCEEDINGS SUPPLEMENTARY TO EXECUTION.

114. When an execution against property of the judgment debtor, or any one of several debtors in the same judgment, issued to the marshal of the port or city at which he resides, or if he does not reside in this kingdom, to the marshal of the consulate where the judgment-roll is filed, is returned unsatisfied, in whole or in part, the judgment creditor, at any time after such return is made, shall be entitled to an order from the consular court requiring such debtor to appear and answer concerning his property before such court, at a time and place specified in the order; but no judgment debtor shall be required to attend before a court out of the port or city in which he resides when proceedings are taken under the provisions of this chapter.

115. After the issuing of an execution against the property, and by proof by affidavit, to the satisfaction of the court, that any judgment debtor has property which he unjustly refuses to apply toward the satisfaction of the judgment, such court may, by an order, require said debtor to appear at a specified time and place before such court, to answer concerning the same; and such proceedings may thereupon be had for the application of the property of the judgment debtor toward the satisfaction of the judgment as are provided upon the return of an execution. If it be made to appear to the court by affidavit that there is danger of the judgment debtor absconding, the court may order the marshal to arrest the debtor, and bring him before the court; and upon his appearance, he may be ordered to enter into an undertaking, with sufficient security, that he will attend from time to time before the court, as shall be directed, during the pendency of the proceeding, and until final determination thereof will not dispose of any portion of his property not exempt from execution. In default of such undertaking, he may be committed to prison.

116. After the issuing of an execution against property, any person indebted to the judgment debtor may pay to the marshal the amount of his debt, or so much thereof as may be necessary to satisfy the execution; and the marshal's receipt shall be a sufficient discharge for the amount so paid.

117. After the issuing or return of an execution against property of a judgment debtor, or one of several debtors in the same judgment, upon proof by affidavit to the satisfaction of the court that any person or corporation has property of such judgment debtor, or is indebted to him in an amount exceeding fifty dollars, the court may by order require such person, or a proper officer of such corporation (American citizens), to appear at a specified time before the court to answer concerning the same.

118. Witnesses may be required to appear and testify before the court in any proceeding under this chapter in the same manner as upon the trial of an issue.

119. The court may order any property of the judgment debtor not exempt from execution, in the hands of such debtor or other person, or due to the judgment debtor, to be applied to the satisfaction of the judgment.

120. If any person, party, or witness disobey an order of the court, properly made in the proceedings before him under this chapter, he may be punished by the court for a contempt.

FORECLOSING MORTGAGES.

121. There shall be but one action for the recovery of any debt or the enforcement of any right secured by mortgage upon real or personal property; which action shall be in accordance with the provisions of this chapter. In actions for the foreclosure of mortgages, the court shall have power by its judgment to direct a sale of the encumbered property (or so much thereof as may be necessary), and the application of the proceeds of the sale to the payment of the costs of the court and the expenses of the sale, and the amount due to the plaintiff; and if it appear from the marshal's return that the proceeds are insufficient, and a balance still remains due, judgment shall then be docketed for such balance against the defendant or defendants personally liable for the debt, and shall then become a lien on the real estate of such judgment debtor, as in other cases on which execution may issue. All persons having liens or mortgages registered in the consulate of the port or city where the property is situated, shall be joined in the action, and their respective rights thereto shall all be determined and settled in one action.

122. If there be surplus money remaining after the amount due has been paid on the mortgage, lien, or incumbrance, with

costs, the court may secure the same to be paid to the person entitled to it, and in the mean time may direct it to be deposited in court.

123. If the debt for which the mortgage, lien, or incumbrance is held be not all due, so soon as sufficient property has been sold to pay the amount due, with costs, the sale shall cease; and afterward as often as more becomes due, for principal or interest, the court may, on motion, order more to be sold. But if the property cannot be sold in portions without injury to the parties, the whole may be ordered to be sold in the first instance, and the entire debt and costs paid, there being a rebate of interest when such rebate is proper.

APPEALS.

124. A judgment or order in a civil action, except when expressly made final by a statute of the United States, may be waived, as prescribed in this chapter, and not otherwise. The party appealing shall be known as the appellant, and the adverse party as the respondent.

125. An appeal may be taken from a final judgment in an action or special proceeding commenced in the court in which the same is rendered (when the same is not made final by law) within one year after the rendition of judgment.

2d. From an order granting or refusing a new trial; from an order granting or dissolving, or modifying an injunction; from an order dissolving or refusing to dissolve an attachment; from any special order made after final judgment, within sixty days after such order is made and entered in the minutes of the court.

126. The appeal shall be made by filing with the court by whom the judgment or order appealed from was rendered, a notice stating the appeal from the same or some specific part thereof, and serving a copy of the notice upon the adverse party or his attorney.

127 When the party who has the right to appeal wishes a statement of the case to be annexed to the record of the judgment or order, he shall, within twenty days after the entry of such judgment or order, prepare such statement, which shall state specifically the particular errors or grounds upon which he intends to rely on the appeal, and shall contain so much of the evidence as may be necessary to explain the particular errors or grounds specified, and no more; and shall serve a copy thereof upon the adverse party. The respondent may, within five days thereafter, prepare amendments to the statement and serve a copy on the appellant. The statement and amendments which may be served shall be presented to the judge who tried or heard the case, upon notice of two days to the respondent; and a true statement shall thereupon be settled by the judge. If no amendments are served, the statement may be presented to the judge for settlement without notice to the respondent.

128. If the party shall omit to make a statement within the time above limited, he shall be deemed to have waived his right thereto; and when a statement is made, and the parties shall omit within the several times above limited, the one party to propose amendments, the other to notify an appearance before the judge, they shall, respectively, be deemed, the former to have agreed to the statement as prepared, and the latter to have agreed to the amendments as proposed; but the judge who heard the case shall, notwithstanding such admission or implied argument, have power to correct any misstatement of fact or of his rulings which such statement may contain.

129. The several periods of time above limited for preparing or filing a statement or amendments thereto may be enlarged, upon good cause shown by the judge before whom the case was tried.

130. The statement, when settled by the judge, shall be signed by him, with his certificate that the same has been allowed and is correct; when the statement is agreed upon by the parties, they or their attorneys shall sign the same, with their certificate that it has been agreed upon by them and is correct. In either case, when settled or agreed upon, it shall be filed with the court.

131. A copy of the statement shall be annexed to a copy of so much of the judgment-roll as shall be included in the transcript on appeal, if the appeal be from a judgment; if the appeal be from an order, to a copy of such order.

132. The provisions of the last five preceding sections shall not apply to appeals taken from an order made upon affidavit filed, but such affidavit shall be annexed to the order in place of the statement mentioned in those sections.

133. Upon an appeal from a judgment the court may review any immediate order involving the merits and necessarily affecting the judgment.

134. Upon an appeal from a judgment or order the appellate

court may revise, affirm, or modify the judgment or order appealed from, in the respect mentioned in the notice of appeal, and as to any or all of the parties, and may set aside or confirm or modify any or all of the proceedings subsequent to or dependent upon such judgment or order; and may, if necessary or proper, order a new trial. When the judgment or order is reversed or modified, the appellate court may make complete restitution of all property and rights lost by the erroneous judgment or order; and when it appears to the appellate court that the appeal was made for delay, it may add to the costs such damages as may be just.

135. On an appeal from a final judgment, the appellant shall furnish the court with a transcript of the notice of appeal, the pleadings, or amended pleading, as the case may be, which form the issues tried in the case, the judgment, and such other parts of the judgment-roll, and no more, as are necessary to present or explain the points relied on, and the statement (if there be one) certified by the attorneys of the parties to the appeal, or by the court below, to be correct. On an appeal from an order, the appellant shall furnish the court with a copy of notice of appeal, the judgment or order appealed from, and a copy of the papers used in the hearing of the court below, such copies to be certified in like manner to be correct. If any written opinion be placed on file in rendering the judgment or making the order in the court below, a copy shall be furnished. If the appellant fail to furnish the requisite papers, the appeal may be dismissed.

136. To render an appeal effectual for any purpose in any case, a written undertaking shall be executed, on the part of the appellant, by at least two sureties, to the effect that the appellant will pay all damages and costs which may be awarded against him on the appeal, not exceeding three hundred dollars; or that sum shall be deposited with the court where the judgment or order was entered, to abide the event of the appeal. Such undertaking shall be filed or such deposit made within five days after the notice of appeal is filed.

137. If the appeal be from a judgment or order directing the payment of money, it shall not stay the execution of the judgment or order, unless a written undertaking be executed, on the part of the appellant, by two or more sureties, residents of this kingdom, to the effect that they are bound in double the amount named in the judgment or order, that if the judgment or order appealed from, or any part thereof, be affirmed, the appellant

shall pay the amount directed to be paid by the judgment or order, or the part of such amount as to which the judgment or order shall be affirmed (if affirmed only in part), and all damages and costs which shall be awarded against the appellant upon the appeal.

138. If the judgment or order appealed from direct the assignment or delivery of documents or personal property, the execution of the judgment or order shall not be stayed by appeal, unless the things required to be assigned or delivered be placed in the custody of such officer or receiver as the court may appoint, or unless an undertaking be entered into on the part of the appellant, with at least two sureties, and in such amount as the court may direct, to the effect that the appellant will obey the order of the appellate court upon the appeal.

139. If the judgment or order appealed from direct the execution of a conveyance or other instrument, the execution of the judgment or order shall not be stayed by the appeal until the instrument is executed and deposited with the court in which the judgment or order is entered, to abide the judgment of the appellate court.

140. If the judgment or order appealed from direct the sale or delivery of the possession of real property, the excution of the same shall not be stayed unless a written undertaking be executed on the part of the appellant, with two or more sureties, to the effect that during the possession of such property by the appellant, he will not commit or suffer to be committed any waste thereon, and that if the judgment be affirmed, he will pay the value of the use and occupation of the property, from the time of the appeal until the delivery of the possession thereof pursuant to the judgment or order, not exceeding a sum to be fixed by the court from which the appeal is to be taken, and which shall be specified in said undertaking. When the judgment is for the sale of mortgaged premises and the payment of a deficiency arising upon the sale, the undertaking shall also provide for the payment of such deficiency.

141. Whenever an appeal is perfected, as provided in the preceding sections of this chapter relative to appeals, it shall stay all further proceedings in the court below, upon the judgment or order appealed from or upon the matters embraced therein; and on appeal and filing an appeal bond on appeal from an order discharging an attachment, said attachment shall not be dissolved, but shall remain in full force until the cause be dis-

court may revise, affirm, or modify the judgment or order appealed from, in the respect mentioned in the notice of appeal, and as to any or all of the parties, and may set aside or confirm or modify any or all of the proceedings subsequent to or dependent upon such judgment or order; and may, if necessary or proper, order a new trial. When the judgment or order is reversed or modified, the appellate court may make complete restitution of all property and rights lost by the erroneous judgment or order; and when it appears to the appellate court that the appeal was made for delay, it may add to the costs such damages as may be just.

135. On an appeal from a final judgment, the appellant shall furnish the court with a transcript of the notice of appeal, the pleadings, or amended pleading, as the case may be, which form the issues tried in the case, the judgment, and such other parts of the judgment-roll, and no more, as are necessary to present or explain the points relied on, and the statement (if there be one) certified by the attorneys of the parties to the appeal, or by the court below, to be correct. On an appeal from an order, the appellant shall furnish the court with a copy of notice of appeal, the judgment or order appealed from, and a copy of the papers used in the hearing of the court below, such copies to be certified in like manner to be correct. If any written opinion be placed on file in rendering the judgment or making the order in the court below, a copy shall be furnished. If the appellant fail to furnish the requisite papers, the appeal may be dismissed.

136. To render an appeal effectual for any purpose in any case, a written undertaking shall be executed, on the part of the appellant, by at least two sureties, to the effect that the appellant will pay all damages and costs which may be awarded against him on the appeal, not exceeding three hundred dollars; or that sum shall be deposited with the court where the judgment or order was entered, to abide the event of the appeal. Such undertaking shall be filed or such deposit made within five days after the notice of appeal is filed.

137. If the appeal be from a judgment or order directing the payment of money, it shall not stay the execution of the judgment or order, unless a written undertaking be executed, on the part of the appellant, by two or more sureties, residents of this kingdom, to the effect that they are bound in double the amount named in the judgment or order, that if the judgment or order appealed from, or any part thereof, be affirmed, the appellant

shall pay the amount directed to be paid by the judgment or order, or the part of such amount as to which the judgment or order shall be affirmed (if affirmed only in part), and all damages and costs which shall be awarded against the appellant upon the appeal.

138. If the judgment or order appealed from direct the assignment or delivery of documents or personal property, the execution of the judgment or order shall not be stayed by appeal, unless the things required to be assigned or delivered be placed in the custody of such officer or receiver as the court may appoint, or unless an undertaking be entered into on the part of the appellant, with at least two sureties, and in such amount as the court may direct, to the effect that the appellant will obey the order of the appellate court upon the appeal.

139. If the judgment or order appealed from direct the execution of a conveyance or other instrument, the execution of the judgment or order shall not be stayed by the appeal until the instrument is executed and deposited with the court in which the judgment or order is entered, to abide the judgment of the appellate court.

140. If the judgment or order appealed from direct the sale or delivery of the possession of real property, the exution of the same shall not be stayed unless a written undertaking be executed on the part of the appellant, with two or more sureties, to the effect that during the possession of such property by the appellant, he will not commit or suffer to be committed any waste thereon, and that if the judgment be affirmed, he will pay the value of the use and occupation of the property, from the time of the appeal until the delivery of the possession thereof pursuant to the judgment or order, not exceeding a sum to be fixed by the court from which the appeal is to be taken, and which shall be specified in said undertaking. When the judgment is for the sale of mortgaged premises and the payment of a deficiency arising upon the sale, the undertaking shall also provide for the payment of such deficiency.

141. Whenever an appeal is perfected, as provided in the preceding sections of this chapter relative to appeals, it shall stay all further proceedings in the court below, upon the judgment or order appealed from or upon the matters embraced therein; and on appeal and filing an appeal bond on appeal from an order discharging an attachment, said attachment shall not be dissolved, but shall remain in full force until the cause be dis-

posed of on appeal; but the court below may proceed upon any other matter embraced in the action and not affected by the order appealed from, provided that an appeal shall not continue in force an attachment, unless an undertaking be executed and filed on the part of the appellant, by at least two sufficient sureties, in double the amount of the debt claimed by him, that the appellant will pay all costs and damages which the respondent may sustain by reason of the attachment, in case the order of the court below be sustained, and unless also notice of the appeal be given within five days after service of the notice of the entry of the order appealed from, and such appeal be perfected and the undertaking mentioned in this section be filed within five days thereafter. The undertakings mentioned in this and the preceding section of this chapter relative to appeals may be in one instrument or several, at the option of the appellant.

142. An undertaking upon an appeal shall be of no effect, unless it be accompanied by the affidavit of the sureties that they are each worth the amount specified therein, in property situated in the kingdom of Korea, over and above all of their just debts and legal liabilities, exclusive of property exempt from execution, except when the judgment exceeds the sum of three thousand dollars, and the undertaking is executed by more than two sureties, in which case they may state in their affidavits that they are severally worth amounts less than that expressed in the undertaking, if the whole amount be equivalent to that of two sufficient sureties. In all cases when an undertaking is required on appeal by the decree, a deposit in the court below of the amount of the judgment appealed from, and three hundred dollars in addition, shall be equivalent to filing the undertaking, and in all cases the undertaking or deposit may be waived by the written consent of the respondent.

143. When the judgment is rendered upon the appeal, it shall be certified by the court or clerk of the court to which the appeal has been taken, to the court with whom the judgment roll is filed, or the order appealed from is entered. In cases of appeal from the judgment, the court or clerk of the court with whom the roll is filed shall attach the certificate to the judgment roll and enter a minute of the judgment of the appellate court on the docket against the original entry. In cases of an appeal from an order, the court or its clerk shall enter at length in the records of the court the certificate received, and minute against the entry of the order appealed from a reference to the certificate, with a brief statement that such order has been affirmed, revised, or modified, as the case may be, by the appellate court upon appeal.

MISCELLANEOUS PROCEEDINGS.

144. When a judgment is recovered against one or more of several persons jointly indebted upon an obligation as hereinbefore provided, those who were not originally served with summons and did not appear in the action, may be summoned to show cause why they sh uld not be bound by the judgment in the same manner as though they had been originally served with summons.

145. The summons, as provided in the last section, shall describe the judgment and require the person summoned to show cause why he should not be bound by it, and shall be served in the same manner and made returnable within the same time as the original summons. It shall not be necessary to file a new complaint.

146. The summons shall be accompanied by an affidavit of the plaintiff, his agent, representative or attorney, that the judgment or some part thereof remains unsatisfied, and shall specify the amount due thereon.

147. Upon such summons the defendant may answer within the time specified therein, denying the judgment or setting up any defense which may have arisen subsequently, or he may deny his liability on the obligation upon which the judgment was recovered, except a discharge from such liability by the statute of limitations.

148. If the defendant in his answer deny the judgment, or set up any defense which may have arisen subsequently, the summons, with the affidavit annexed, and the answer, shall constitute the written allegations in the case. If he denies his liability on the obligation upon which the judgment was recovered, a copy of the original complaint and judgment, the summons, with the affidavit annexed, and the answer, shall constitute the written allegations.

149. The issues may be tried as in other cases, but when the defendant denies in his answer any liability on the obligation upon which the judgment was rendered, if a judgment be rendered against him, it shall be for the amount remaining unsatisfied on such original judgment, with interest thereon.

OFFER TO COMPROMISE.

150. The defendant may, at any time before the trial or judgment, serve upon the plaintiff an offer to allow judgment to be taken against him for the sum or property or to the effect therein specified. If the plaintiff accept the offer and give notice thereof within five days, he may file the summons, complaint, and offer with an affidavit of notice of acceptance, and the court shall thereupon enter judgment accordingly. If the notice of acceptance be not given, the offer shall be deemed withdrawn, and shall not be given in evidence, and if the plaintiff fail to obtain a more favorable judgment, he shall not recover costs, but shall pay the defendant's costs from the time of the offer.

WITNESSES.

151. A subpœna may require not only the attendance of the person to whom it is directed at a particular time and place to testify as a witness, but may also require him to bring any books, documents, or other things under his control, to be used as evidence. No person shall be required to attend as a witness before any court or officer out of the city or treaty port in which he resides, unless the distance be less than thirty miles from the city or port of his residence to the place of trial.

152. To require attendance before a court, it shall be issued under the seal of the court before which the attendance is required. To require attendance out of court before an officer authorized to administer oaths, or take testimony in any matter, it shall be issued by such person or officer, or by the judge of any United States court. To require attendance before a commissioner appointed to take testimony, or before any officer or officers empowered by the laws of the United States, or of other countries to take testimony, it may be issued by any United States Consul in places within their respective jurisdiction, with like power to enforce attendance, and, upon certificate of contumacy to said consular court, to punish contempt of their process, as such consular court could exercise, if the subpœna directed the attendance of the witness before their courts, in a matter pending therein.

153. The service of a subpœna shall be made by showing the original, and delivering a copy to the witness personally, giving or offering to him at the same time, if demanded by him, the fees to which he is entitled for travel to and from the place designated, and one day's attendance there. Such service may be made by any person, proof thereof to be made by the affidavit of the person serving it, or the written admission of the person served, except in cases when served by the marshal, who shall return in writing on the original his certificate of his proceedings.

154. If a witness be concealed in a building or vessel of, or belonging to, or in the possession of, an American citizen, so as to prevent the service of a subpœna upon him, the court issuing the subpœna, on proof of the concealment and of the materiality of the witness, may order the marshal of the port to serve the subpœna, and he shall serve it accordingly, and for that purpose may break into such vessel or building wherein such witness is concealed. A person present in court may be required to testify in the same manner as if he were in attendance upon a subpœna issued by the court and served upon him.

155. It shall be the duty of a witness, duly served with a subpœna, to attend at the time appointed with any papers under his control required by the subpœna, to answer all pertinent and legal questions, and, unless sooner discharged, to remain until the testimony is closed.

156. A witness shall answer questions legal and pertinent to the matter in issue, though his answer may establish a claim against himself, but he need not give an answer which will have a tendency to subject him to punishment for a felony, nor need he give an answer which will have a direct tendency to degrade his character, unless it be to the very fact in issue, or to a fact from which the fact in issue would be presumed. But the witness shall answer as to the fact of his previous conviction for felony.

157. Disobedience to a subpœna, or a refusal to be sworn, or to answer as a witness, or to subscribe an affidavit or deposition when required, may be punished as a contempt by the court or officer issuing the subpœna, or requiring the witness to be sworn, and if the witness be a party, his complaint may be dismissed, or his answer may be stricken out.

158. In case of failure of a witness to attend, the court or officer issuing the subpœna, upon proof of the service thereof, and of the failure of the witness, may issue a warrant to the marshal of the port or city to arrest the witness and bring him before the court or officer when required.

159. If a witness whose evidence is desired is in confinement in any prison of the United States of America in Korea, the

court or officer by whose judgment or order he is so confined, upon proof of his materiality as a witness, may, by order, direct him to be taken before the officer or court when his evidence is required to therein testify, or may direct that the evidence of the witness may be taken in the prison.

160. Every person who has in good faith been served with a subpœna to attend as a witness before a court or other person in a case, when the disobedience of a witness might be punished as a contempt, shall be exonerated from arrest in a civil action while going to the place of attendance, necessarily remaining therein, and returning therefrom.

161. A party to an action may take the evidence of an adverse party, or call such party as a witness, but shall not be concluded or estopped from disproving the statements given in evidence by him, but may rebut the same by other testimony. If an adverse party refuse to attend and testify at the trial, or to give his deposition before a trial, or upon a commission when required, his complaint or answer may be stricken out, and judgment be taken against him, and he may also be punished by the court as another witness for contempt.

162. An affidavit to be used before any court, judge, or officer of this kingdom shall be taken before a United States consular officer if there be one then in the port or city where the same is desired to be made; but if there be no such officer present it may be taken before a consular officer of any other Treaty Power. An affidavit taken in the United States may be taken before any judge or clerk of any court of record having a seal. An affidavit taken in a foreign country to be used in this kingdom, shall be taken before a minister, commissioner, secretary of legation, or consul of the United States in such foreign country. When an affidavit is taken before a judge of a court in the United States, the genuineness of the signature of the judge, the existence of the court, and the fact that such judge is a member thereof, shall be certified by the clerk of the court under the seal thereof.

OF DEPOSITIONS TAKEN IN THIS KINGDOM.

163. The testimony of a witness in this kingdom may be taken by deposition in an action, at any time after the service of a summons, or the appearance of the defendant, and in a special proceeding after a question of fact has arisen therein, in the following cases:

1st. When the witness is a party to the action or proceeding, or a person for whose immediate benefit the action or proceeding is prosecuted or defended.

2d. When the witness does not reside in the treaty port or city in which his testimony is to be used, or within thirty miles thereof.

3d. When the witness is about to leave the treaty port or city where the action is to be tried, and will probably continue absent when the testimony is required.

4th. When the witness, otherwise liable to attend the trial, is nevertheless too infirm to attend.

164. Either party may have the deposition taken of a witness in this kingdom before any United States consul or officer in said kingdom if there be one then in the port or city where the same is desired to be made, but if there be no such officer present, it may be taken before a consular officer of any other Treaty Power, on serving on the adverse party previous notice of the time and place of examination, together with a copy of an affidavit showing that the case is one mentioned in the last section. At any time within the forty days immediately after the service of summons by publication has been completed, and at any time thereafter, when the defendant has not appeared, the notice required by this section may be served on the judge of the court where the action is pending. Such notice shall be at least five days, and in addition, one day for every twenty-five miles of the distance of the place of examination from the residence of the person to whom the notice is given.

165. Either party may attend such examination and put such questions, direct or cross, as may be proper. The deposition, when completed, shall be carefully read to the witness and corrected by him in any particular, if desired; it shall then be subscribed by the witness, certified by the officer taking the deposition, inclosed in an envelope, sealed, and directed to the court in which the action is pending, or to such person as the parties in writing may agree upon, and delivered to such court or person, or transmitted through the mail, or by some safe private opportunity; and, thereupon, such deposition may be used by either party upon the trial or other proceeding against any party giving or receiving the notice, subject to all legal exceptions. But if the parties attend at the examination, no objection to the form of an interrogatory shall be made at the trial, unless the same was stated at the time of the examination. If the deposi-

tion be taken by reason of the absence or intended absence from the port or city, of the witness, or because he is too infirm to attend, proof shall be made at the trial that the witness continues absent, or infirm, to the best of deponent's knowledge or belief.

The deposition thus taken may also be read in the case of the death of the witness. A deposition thus taken may be read in any stage of the same action or proceeding, by either party, and shall then be deemed the evidence of the party reading it.

DEPOSITIONS TAKEN OUT OF THE KINGDOM.

166. The testimony of a witness out of this kingdom may be taken by deposition in an action at any time after service of the summons or the appearance of the defendant, and in a special proceeding, at any time after a question of fact has arisen therein. The deposition shall be taken upon a commission issued from the court under the seal thereof, upon an order of the court or judge thereof, on the application of either party, upon five days' previous notice to the other. It shall be issued to a person agreed upon between the parties, or if they do not agree, to some officer selected by the officer granting the commission.

167. Such proper interrogatories, direct and cross, as the respective parties may prepare, to be settled, if the parties disagree as to their form, by the court or officer granting the order for the commission, or a day fixed in the order may be annexed to the commission, or when the parties agree to that mode, the examination may be without written interrogatories.

168. The commission shall authorize the commissioner to administer an oath to the witness, and to take his deposition in answer to the interrogatories; or when the examination is to be without interrogatories, in respect to the question in dispute; and to certify and dispatch the deposition to the court sealed in an envelope, directed to the court or other person designated, or agreed upon. A trial or other proceeding shall not be postponed by reason of a commission not having been returned, except upon evidence satisfactory to the court that the testimony of the witness is necessary, and that proper diligence has been used to obtain it.

ADMINISTRATION OF OATHS AND AFFIRMATIONS.

169. Every court of the United States in the kingdom of Korea, and every clerk thereof and every officer authorized to take testimony or to decide upon evidence, in any proceeding, shall have power to administer oaths or affirmations.

170. When a person is sworn who believes in any other than the Christian religion, he may be sworn according to the peculiar ceremonies of his religion, if there be any such: *Provided*, That any witness who desires it may, at his option, instead of taking an oath, make his solemn affirmation or declaration, by assenting when addressed in the following form: "You do solemnly affirm that the evidence you shall give in this issue (or matter) pending between ——— and ——— shall be the truth, the whole truth, and nothing but the truth." Assent to this affirmation shall be made by the answer, "I do." A false affirmation or declaration shall be deemed perjury, equally with a false oath.

INSPECTION OF DOCUMENTS AND WRITINGS.

171. Any court in which an action is pending, or a judge thereof, may upon notice order either party to give to the other, within a specified time, an inspection and copy or permission to take a copy of any book, document, or paper in his possession or under his control, containing evidence relating to the events of the action. If compliance with the order be refused, the court may exclude the book, document, or other paper from being given in evidence; or if wanted as evidence by the party applying, may presume it to be such as he alleges it to be, and the court may also punish the party refusing for a contempt. This section shall not be construed to prevent a party from compelling another to produce books, papers, or documents, when he is examined as a witness.

172. There shall be no evidence allowed of the contents of a writing, other than the writing itself, except in the following cases:

1st. When the original has been lost or destroyed, in which case proof of the loss or destruction shall first be made.

2d. When the original is in the possession of the party against whom the evidence is offered, and he fails to produce it after reasonable notice.

3d. When the original is a record or other document in the custody of a public officer of the United States.

4th. When the original is recorded, and a certified copy is made evidence by a law of the United States.

173. The party producing a writing as genuine which has been altered, or appears to have been altered after its execution, in

a part material to the question in dispute, and such alteration is not noted on the writing, shall account for the appearance or alteration. He may show that the alteration was made by another, without his concurrence, or was made with the consent of the parties affected by it, or otherwise properly or innocently made. If he do that, he may give the writing in evidence, but not otherwise.

174. The records and judicial proceedings of any court of the United States in this kingdom may be proved by the production of the original, or a copy thereof, certified by the court, under the seal of the court, to be a true copy of such record.

175. The records and judicial proceedings of the courts of the United States, or of any State or Territory thereof, may be proved or admitted in the courts in this kingdom by the attestation of the clerk, and the seal of the court annexed, if there be a seal, together with a certificate of the judge, chief justice, or presiding magistrate, as the case may be, that the said attestation is in due form.

176. A judicial record of a foreign country may be proved by the production of a copy thereof, certified by the clerk, with the seal of the court annexed, if there be a clerk and seal, or by the legal keeper of the record, with the seal of his office annexed, if there be a seal, to be a true copy of such record, together with a certificate of a judge of the court that the person making the certificate is the clerk of the court, or the legal keeper of the record, and, in either case, that the signature is genuine and the certificate in due form; and also together with the certificate of the minister or commissioner of the United States, or of a consul of the United States, in such foreign country, that there is such a court, specifying generally the nature of its jurisdiction and verifying the signature of the judge and clerk, or other legal keeper of the record.

177. A copy of the judicial record of a foreign country shall also be admissible in evidence upon proof—

1st. That the copy offered has been compared by the witness with the original and is an exact transcript of the whole of it;

2d. That such original was in the custody of the clerk of the court or other legal keeper of the same; and

3d. That the copy is duly attested by a seal—which is proved to be the seal of the court where the record remains, if it be the record of a court—or if there be no such seal, or if it be not a record of a court, by the signature of the legal keeper of the original.

178. Printed copies in volumes of statutes, codes, or other written laws enacted by the United States, or any State or Territory thereof, or foreign governments, purporting or proved to have been published by the authority thereof, or proved to be commonly admitted as evidence of the existing law in the courts and judicial tribunals of such State, Territory, or government, shall be admitted by the courts and officers of this kingdom on all occasions as presumptive evidence of such laws.

179. A seal of a court or a public office, when required to any writ, or process, or proceeding, or to authenticate a copy of any record or document, may be impressed with wax, wafer or any other substance, and then attached to the writ, process, or other proceeding, or to the copy of the record or document, or it may be impressed on the paper alone.

CONTEMPTS.

180. No court shall punish for contempt, not committed in its presence, without an affidavit or other evidence, nor until the person charged has been brought before the court, and had an opportunity to answer and be heard in his defence.

MISCELLANEOUS PROVISIONS.

181. Every direction of a court or judge, made or entered in writing, and not included in a judgment, is denominated an order. An application for an order is a motion.

182. When a written notice of a motion is necessary it shall be given if the court be held in the same port or city with both parties, five days before the time appointed for the hearing; otherwise, ten days; but the court or judge may prescribe a longer or a shorter time.

183. When a notice of a motion is given, or an order to show cause is made, returnable before a judge or court, and at the time fixed for the motion, or on the return day of the order, the judge or court is unable then to hear the parties, the matter may be deferred for a reasonable length of time.

184. Written notices and other papers, when required to be served on the party or attorney, shall be served in the manner prescribed in the next three sections, where not otherwise provided; but nothing in this title shall be applicable to original or final process, or any proceedings, to bring a party into contempt.

185. The service may be personal, by delivery to the party or attorney on whom the service is required to be made, or it may be as follows:

1st. If upon an attorney, it may be made during his absence from his office by leaving the notice or other papers with his clerk therein, or with a person having charge thereof, or, when there is no person in the office, by leaving them, between the hours of eight in the morning and six in the afternoon, in a conspicuous place in the office; or if it be not open so as to admit of such service, then by leaving them at the attorney's residence with some person of suitable age and discretion; and if his residence be not known, then by putting the same, inclosed in an envelope, into the post-office, directed to such attorney.

2d. If upon a party, it may be made by leaving the notice or other paper at his residence, between the hours of eight in the morning and six in the the evening, with some person of suitable age and discretion, and if his residence be not known, by putting the same, inclosed in an envelope, into the post-office, directed to the party.

186. Service by mail may be made when the person making the service and the person on whom it is to be made reside in different places, between which there is a regular communication by mail.

187. In case of service by mail, the notice or other paper shall be deposited in the post-office, addressed to the person on whom it is to be served at his place of residence, and the postage paid; and in such case the term of service shall be increased one day for every twenty-five mile's distance between the place of deposit and the place of address.

188. After appearance, a defendant or his attorney shall be entitled to a notice of all subsequent proceedings of which notice is required to be given. But when a defendant has not appeared, service of notice or papers need not be made upon him unless he be imprisoned for want of bail.

189. When a plaintiff or a defendant who has appeared resides out of this kingdom, and has no attorney in the action or proceeding, the service may be made on the clerk of the court in which the action is brought for him, if the court have a clerk, and if it has not, by leaving the same with the judge of the court. But in all cases when a party has an attorney in the action or proceeding, the service of papers, when required, shall be upon the attorney instead of the party, except of subpœnas,

writs and other process issued in the suit, and of papers to bring him into contempt.

190. Successive actions may be maintained upon the same contract or transaction whenever, after the former action, a new cause of action arises therefrom.

191. Whenever two or more actions are pending at one time, between the same parties and in the same court, upon causes of action which might have been joined, the court may order the actions to be consolidated into one.

192. An action may be brought by one person against another for the purpose of determining an adverse claim which the latter makes against the former for money or property upon an alleged obligation; and also, two or more persons for the purpose of compelling one to satisfy a debt due to the other, for which the plaintiff is bound as security.

193. The court shall keep among its records a register of action; it shall enter therein the title of the action, with brief notes under it from time to time of all papers filed and proceedings had therein.

194. The time within which an act is to be done, as provided in these regulations, shall be computed by excluding the first day and including the last; if the last be Sunday it shall be excluded. When the act to be done relates to the pleadings in the action; or the undertakings to be filed, or the justification of sureties, or the service of notices other than of appeal, or the preparation of statements, or of bills of exceptions, or of amendment thereto, the time allowed in these regulations may be extended, for good cause shown, by the court in which the action is pending or a judge thereof; but such extension shall not exceed thirty days beyond the time herein prescribed, without the consent of the adverse party.

195. An affidavit, notice, or other paper without the title of the action or proceeding in which it is made, or with a defective title, shall be as valid and effectual for any purpose as if duly entitled, if it intelligibly refute such action or proceeding

196. When a cause of action has arisen in the United States of America, or in some foreign country, and by the laws thereof an action thereon cannot be maintained there against a person by reason of lapse of time, an action thereon shall not be maintained against him here.

STEAMERS, VESSELS, AND BOATS.

197. All steamers, vessels, and boats, shall be liable—

1st. For services rendered on board, at the request of or on contract with their respective owners, masters, agents, or consignees.

2d. For supplies furnished for their use, at the request of their respective owners, masters, agents, or consignees.

3d. For materials furnished for their construction, repair or equipment.

4th. For such wharfage, anchorage, and light dues, as may by subsequent convention or treaty between Korea and the United States be allowed to be charged against them in this kingdom.

5th. For non-performance or mal-performance of any contract for the transportation of persons or property, made by their respective owners, masters, agents, or consignees.

6th. For injuries committed by them to person or property.

The said several causes of action shall constitute liens upon all steamers, vessels, or boats, and have priority in their order herein enumerated, and shall have preference over all other demands: *Provided*, Such liens shall only continue in force for the period of one year from the time the cause of action occurred.

198. Actions for demands arising upon any of the grounds specified in the preceding section may be brought directly against such steamers, vessels, or boats.

199. The complaint shall designate the steamer, vessel, or boat by name, and shall be verified by the oath of the plaintiff, or some one on his behalf.

200. The summons attached to a certified copy of the complaint may be served on the master, mate, or any other person having charge of steamer, vessel, or boat, or the owner thereof.

201. The plaintiff, at the time of issuing summons, or at any time afterward, may have the steamer, vessel, or boat, against which the action is brought, attached, as security for the satisfaction of any judgment that may be recovered therein, as provided for attachments in other cases by this decree, and upon similar conditions.

202. The marshal to whom the writ is directed and delivered shall execute the same without delay, and shall, unless an undertaking to release the attachment be given, attach and keep

in his custody the steamer, vessel, or boat named therein, with its tackles, apparel, and furniture, until discharged by due course of law; but the marshal shall not be authorized by any such writ to interfere with the discharge of any merchandise on board of such steamer, vessel, or boat, nor with the removal of any trunks or other property of passengers, or of the captain, mate, seamen, steward, cook, or other person employed on board.

203. The owner, master, agent, or consignee of the steamer, vessel, or boat against which the action is brought may appear and answer or plead to the action, and may except to the sufficiency of the sureties, on the undertaking filed on the behalf of the plaintiff, and may require sureties to justify, as in actions against individuals, upon bail or arrest.

204. All proceedings in action under the provisions of this chapter shall be conducted in the same manner as in actions against individuals, except as otherwise herein provided, and in all proceedings subsequent to the complaint, the steamer, vessel, or boat may be designated as defendant.

205. After the appearance to the action of the owner, master, agent, or consignee, the attachment may, on motion, be discharged in the same manner and on like terms and conditions as attachments in other cases, subject to the provisions of the second section following this.

206. If the attachment be not discharged, and a judgment be recovered in the action in favor of the plaintiff, and an execution be issued thereon, the marshal shall sell at public auction, after publication of notice of such sale for ten days, the steamer, vessel, or boat, with its tackle, apparel, and furniture, or such interest therein as may be necessary, and shall apply the proceeds of the sale as follows:

1st. When the action is brought for demands, other than the wages of mariners, boatmen, and others employed in the service of the steamer, vessel, or boat sold, to the payment of the amount of such wages, as specified in the execution.

2d. To the payment of the judgment and costs, including his fees; and,

3d. He shall pay any balance remaining to the owner, master, agent, or consignee who may have appeared in the action; or if there [be] no appearance, then into court, subject to the claim of any party or parties legally entitled thereto.

207. Any mariner, boatman, or other person employed in the service of the steamer, vessel, or boat attached, who may wish to

assert his claim for wages against the same (the attachments being issued for other demands than such wages), shall file an affidavit of his claim, setting forth the amount and the particular service rendered, with the clerk of the court, and thereafter no attachment shall be discharged upon filing an undertaking, unless the amount of such claim, or the amount determined as provided in the next section, be covered thereby, in addition to the other requirements. And any execution issued against such steamer, vessel, or boat, upon judgment recovered thereafter, shall direct the application of the proceeds of any sale, first, to the payment of the amount of such claims filed, or the amount determined as provided in the next section, which the clerk shall insert in the writ; and, second, to the payment of the judgment and costs, and marshal's fees, and shall direct the payment of any balance to the owner, master or consignee who may have appeared in the action; but if no appearance be made by them therein it shall direct the deposit of the balance in court.

208. If the claim of the mariner, boatman, or other person filed with the court, or its clerk, as provided in the last section, be not contested within five days after notice of the filing thereof by the owner, master, agent, or consignee of the steamer, vessel, or boat against which the claim is filed, it shall be deemed to be admitted; but if contested, the court, or its clerk, shall indorse upon the affidavit thereof a statement that it is contested and the grounds of the contest, and the court shall, as soon as convenient thereafter, summarily hear and determine the same.

209. The notice of the sale published by the marshal shall contain a statement of the measurement and tonnage of the steamer, vessel, or boat, and a general description of her condition.

210. From orders and judgments under this chapter an appeal may be taken by the owner, master, agent, or consignee on the same terms and conditions as appeals in actions against individuals.

COSTS.

211. The costs of the whole suit and of each particular proceeding therein are in the discretion of the court; but the court shall not order the successful party in a suit to pay to the unsuccessful party the costs of the suit generally, although the court

may order him notwithstanding his success in the whole suit to pay the costs occasioned by any particular proceeding therein.

212. The party in whose favor judgment is rendered in any action or proceeding, who claims his costs, shall deliver to the court or its clerk within two days after the decision is rendered (unless the court otherwise specially direct) a memorandum of the items of his costs and necessary disbursements in the action or proceeding, which memorandum shall be verified by the oath of the party or his attorney, stating that the items are correct and that the disbursements have been actually made or necessarily incurred and are to be paid in the action or proceeding. No costs for attorney or counsel fees shall be allowed.

213. The Court may, if in any case it seems fit require any party to any suit or proceeding, either at the commencement or at any time during the progress thereof to give security for costs to the satisfaction of the court by deposit or otherwise.

FEES.

214. In consular courts:

In all cases when the amount in question is not more than $500.	$5 00
In all cases where it is over $500	15 00
In personal actions and special proceedings, not brought for the recovery of money or damages; if the action or proceeding be not defended, and be determined without a trial	5 00
In such actions if a defense is made and a trial had	15 00

215. Clerk's fees:

For issuing all writs, warrants, attachments, or other compulsory process, including the seal	1 50
For docketing every suit commenced	1 00
For issuing writs of execution, including seal	1 00
For summonses and subpœnas, including seal	50
For recording the testimony in the case, for each hundred words	20
For copying the same for transcript upon an appeal, or for any other purpose at the request of the party; or for making copies of any other documents or papers, when requested, on appeal or otherwise, for each one hundred words	20
For drawing notices, orders or judgments, for each hundred words or fraction thereof	20
For every seal to process issued, other than upon attachments, writs, warrants, summonses, subpœnas, or other compulsory process	1 00
For filing each paper upon the return of the same by the marshal, and for all papers filed in court in any action or proceeding for each	10
For administering each oath or affirmation	25

216. Marshal's fees:

For apprehending a deserter and delivering him on board the vessel he deserted from, to be paid by the vessel before leaving port	$5 00
For searching for the same on request of the captain or owner, and if not found, his services to be certified by the consul, and on his order to be paid by the said ship	2 00
For serving any writ, warrant, attachment, or other compulsory process, for each person served	2 00
For serving summons, each person	1 00
For returning all writs, attachments, warrants, and summonses	50
For each bail bond made out and received by him, and approved	1 00
For receiving a prisoner under a commitment or discharging him from arrest by order of the court	2 00
For subpœnaing a witness	50
For copy of subpœna and return on the original	20
For each day's attendance upon court during a trial or an investigation	3 00
For levying an execution, or executing a writ of restitution	1 50
For advertising property for sale	2 00
For releasing property from seizure under execution when ordered so to do by the court or the plaintiff	3 00
For traveling fees in serving all processes, each mile actually traveled in going and returning	15
For serving every notice not heretofore provided for, upon order of the court or one of the parties in action, in addition to the usual traveling fees	50

For selling property under execution, or personal property held under an attachment, when the amount collected does not exceed one thousand dollars, 5 per cent.
If over one, and not exceeding five thousand dollars, 3 per cent.
If over five thousand dollars, 2 per cent.

217. Interpreter's fees:

For each day's attendance upon court during the progress of a trial or examination, upon order of the court	3 00
For making any required translations of any document or paper containing not over one hundred words	1 00
For each additional hundred words	1 00

218. Witness's fees:

For every day's attendance at court under a subpœna	1 50
For each mile of travel in going to or returning from court	15

219. Associates:

For each day's attendance upon court, when sworn and serving as such, including traveling fees	3 60

220. Ministerial court:

The fees of the court and its officers shall be the same as hereinbefore prescribed for the consular courts, except in cases brought before said court, upon appeal, in all of which cases a court fee shall be charged of	15 00

In addition to which, the same fees as consuls are allowed to charge shall be allowed for the issuance, filing, &c., of all papers and process, and also administering oaths, &c.
The fees of clerk, marshal, interpreters, &c., in a ministerial court, shall be the same in appellate as in other cases.

Provided, That no other or greater charges shall in any action or proceeding be made for any service or services above specified by any court or any officer thereof: *And provided further*, That after the determination of every action and proceeding the court or its clerk shall enter in the judgment-book, in which the judgment in the case is entered, a full and particular statement of all fees of the court, marshal, interpreter, witnesses, and associates allowed and paid in the action; and shall, upon the demand of any party to any action, or his attorney, furnish such statement in detail, or a copy thereof, as a condition to the right to enforce the collection of the same.

ASSOCIATES.

221. Persons to be qualified to be chosen, and to act as such, must be male citizens of the United States of America, over the age of twenty one years, resident in this kingdom, nominated by the consul of the port or city where they reside to the minister of the United States of America in the kingdom, and their nomination approved by him within twelve months next preceding the time when they are called upon to act as associates. And it is hereby made the duty of all consuls of the United States in the kingdom of Korea to nominate a list of persons in the month of January of each year to the minister as associates, certifying upon the list sent up by him to the minister that all of the persons thereon named are known to him, the consul, to be citizens of the United States of America, and residents of said kingdom, and to be of good moral character, and to possess the proper qualifications to act as such; which list, when approved by the minister, shall be filed. A certified copy of the same shall be posted up and kept posted in some conspicuous place in the consulate.

CRIMINAL PROCEEDINGS.

1. Proceedings in criminal cases can only be commenced by a written complaint, sworn to by the complaining party, and before process under it shall issue against the person complained

of, the judge of the court with whom the same is filed shall certify thereon in writing that he has reasonable grounds for believing that the contents of the same are true.

2. The party charged shall immediately after his arrest be provided with a certified copy of the complaint made against him, and in all cases shall be entitled to a speedy and a public trial.

3. When the offense charged is such that the party charged is entitled by law to the associates sitting in the case with the judge, such associates shall be selected in the manner provided in civil cases; they shall be similarly sworn, and may be similarly examined, and shall be liable to challenge, either by the defendant or the people, upon any of the following grounds, to wit:

(1.) That such person has formed or expressed an unqualified opinion as to the guilt or innocence of the defendant of the crime with which he stands charged;

(2.) That such person is a material or necessary witness on behalf of one or both of the parties to the proceeding;

(3.) That such person is related by the ties of consanguinity or affinity to the complaining witness, or the defendant within the third degree;

(4.) Having served as an associate or been a witness on a previous trial of the same person for the same offense; or

(5.) That the person is not a citizen of the United States of America; or, if such, that his name does not appear on a list of persons selected by the consul to serve as associates, which was submitted to and approved by the minister, as required by law and these regulations.

4. The personal presence of the accused shall in all cases be required throughout the trial of a criminal case. Before the trial commences, the complaint against him shall be read over to him by the the court, or its clerk, and he shall be required to plead thereto, which plea shall be guilty or not guilty; or he may demur to the complaint on any of the following grounds, to wit: That the court has no jurisdiction over the person or the offences charged, or that more than one offense is charged in the complaint, or that the complaint is so ambiguous and uncertain that a person of common understanding cannot understand what offense is charged, with particulars of time, place, and person. In all cases the plea of the defendant must be personal, and in all cases of felony the defendant shall be allowed at least twenty-four hours in which to plead if he requires it, and in misdemeanors

the court shall grant such time to plead as may be deemed reasonable. Immediately after pleading, the court shall enter the substance of the defendant's plea in its docket, and the trial shall proceed, unless for good cause shown the court shall grant an adjournment.

5. The accused shall in all cases be allowed to have the benefit of counsel in all stages of the case, if provided by himself; and in prosecutions for felony, if he have no counsel, the court may appoint some person to act for and assist him, if he requests it. Reasonable delay shall also be granted to either party, as in civil cases, to procure material testimony.

6. The testimony of an absent person may be taken and used in criminal, as in civil cases, when the attendance of such witness cannot be procured, or when from the nature of the application it does not appear that the application is made solely for delay; or when, if granted, it will not postpone the trial for an unreasonable length of time.

7. Persons subpœnaed as witnesses shall not be entitled, in a criminal proceeding, to demand any fees prior to attending as such; nor shall they be allowed fees in any criminal case, except so ordered by the court.

8. In all criminal trials the defendant shall be given the benefit of every reasonable doubt, and is to be considered innocent until he is proven to be guilty.

9. In all criminal proceedings the complaint shall not charge but one offense, but the defendant may be convicted of any lesser offense necessarily included within the greater one charged (as that of manslaughter when the charge is murder). The offense shall be stated with a reasonable degree of certainty as to the time, place, and manner of its commission; and the evidence admitted in the action shall be confined to the allegations of the complaint, and the judgment shall be guilty or not guilty of the offense as charged.

10. In cases when an appeal is allowed by law, the mode of proceeding to perfect the appeal shall be the same in criminal as in civil cases.

11. Applications for a new trial in criminal cases shall in the first instance be addressed to the court in which the case was tried; and when an appeal is taken from the judgment, the appellate court shall have power to review the proceedings had in relation to the application made for a new trial; as also all interlocutory orders made in the case.

12. Applications for new trials in criminal cases may be made on either or all of the grounds stated in the provision in the regulations relative to applications for new trials in civil cases, except the fourth; and in the practice governing the making and disposition of the motion, the courts shall be governed by the said regulations relative to similar motions in civil cases.

13. A person charged with crime shall have permission to testify on his own behalf, and shall be informed of this right by the court before his trial is proceeded with; but the refusal of a person so charged to testify shall not be construed into being a confession of guilt, or be allowed to militate against him.

14. When a punishment is by a fine, costs may be included or remitted, at the court's discretion.

15. Any prisoner, before conviction, may be admitted to bail by the court which issued the process for his arrest, except in capital cases, when the proof is evident, or the presumption of his guilt is great. After conviction and an appeal is perfected, the minister only can admit a person to bail.

16. A court applied to release a person upon bail shall at once fix the amouht of bail required (if the case be a bailable one), and the defendant may then give security in double that sum by an undertaking conditioned for his appearance at the trial, and that he will render himself amenable to the judgment of the court in the action as soon as rendered, and may be given by an undertaking, executed by one or more sureties, as is provided in cases of arrest and bail in civil cases, with like justification of the sureties.

17. Any security on any bail bond may, at any time before the trial of the defendant, surrender him to the court, and be released from his undertaking upon payment of all costs and charges of the prosecution to that date. The court, when a defendant is thus surrendered, shall at once remand him to custody for trial, but may accept new bail.

18. Excessive bail shall in no case be required or exacted.

19. Any complainant may be required to give security for costs of the prosecution, including those of the accused, and every complainant not a citizen of the United States of America, or a subject to the kingdom of Korea, shall be required to give such security, unless in the opinion of the court justice will be better promoted otherwise. When such security is required by the court and refused, the proceeding may be dismissed.

20. In any criminal proceeding if the defendant be acquitted, and the court in its judgment entered in the case include a finding that the prosecution was without probable cause, it shall direct the party making the complaint to pay the whole costs of the proceeding, and may by execution and in a summary manner compel the payment of the same.

21. Consuls will ordinarily encourage the settlement of all prosecutions other than those for felonies. Compounding a felony shall not be allowed; and any person guilty thereof may be tried and punished, with a similar degree of punishment as by law is provided for the punishment of the felony itself.

22. A person convicted of felony, or twice convicted of misdemeanor, may be sentenced to deportation, and perpetual banishment from the kingdom.

23. All crimes shall be known as felonies or misdemeanors, as thus classified by the rules of the common law.

24. Costs shall be the same in criminal as in civil cases, except that of witnesses; but shall in no case be charged against the Government of the United States of America.

GENERAL PROVISION APPLICABLE TO BOTH CIVIL AND CRIMINAL PROCEEDINGS.

The court shall have power to issue all writs and processes and make all orders necessary to carry out and enforce the powers conferred on it by law. Wherever the word "marshal" is used in these Regulations it shall be taken to include any person or persons designated to serve any writ or process and named in such writ or process. The word "consul" shall be held to include Consul General and Deputy Consul General.

Where undertakings or bonds are to be given, if citizens of the United States cannot be procured as sureties, citizens or subjects of other nations may be accepted as such sureties. Deposit of money in court may be made instead of bonds or undertakings.

AUGUSTINE HEARD.

Legation of the United States,
Seoul, March 31, 1892.

Gen. Records

To Atty Gene. upon his request has this Paper been taken by Express upon his recommendation — Cutler

No. 71, Consular.

Consulate General of the United States,

Seoul, Korea, November 30, 1900.

3rd. ASST. SECRETARY
JAN 16 1901

Mr. Horace N. Allen to the Assistant Secretary of State.

Sec'l Sec'l 18, 1901

To Attorney Gen'l. Jan.

Letter to Atty Genl. Apr. 23. 1901.

Subject:

Acknowledgment of despatches.

Synopsis:

Acknowledgment of despatches ~~No. 32 of October 13th~~ and No. 33 of October 15th, 1900.

Consular Bureau.
JAN17 1901

No. 71, Consular.

Consulate General of the United States,

Seoul, Korea, November 30, 1900.

The Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt upon the 24 th instant of Mr. Cridler's despatches No. 32 of October 13th and No. 33 of October 15th, 1900. and to express my thanks for the steps which are being taken to make it possible to remove the life-prisoner, John G. Flanagan, confined in the jail of this Consulate, to the United States.

I have the honor to be,

Sir:-

Your very obedient,

Horace N. Allen.

Int Bureau
file

No. 72, Consular.

file

Consulate General of the United States,
Seoul, Korea, December 18, 1900.

3rd. ASST. SECRETARY
JAN 24 1901

Mr. Horace N. Allen to the Assistant Secretary of State.

Subject:

Acknowledgment of despatches.

Synopsis:

Acknowledgment of despatch No. 34 of Nov. 2 and No. 35 of Nov. 5, relating to the removal of John G. Flanagan to a prison in the United States.

Int. Bureau
JAN26 1901

No. 72, Consular.

Consulate General of the United States,
Seoul, Korea, December 18, 1900.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Cridler's despatches No. 34 of Nov. 2 and No. 35 of Nov. 5 both of which have reference to the removal of John C. Flanagan, a life-prisoney in the jail of this Consulate to the United States.

I beg to express my thanks for the steps you are taking in regard to this matter.

I have the honor to be,
Sir:-
Your very obedient,

Horace N. Allen,

ACKNOWLEDGED
FEB 13 1901
Bureau of Foreign Commerce

Cir Bureau
Mr Emory
AER

3rd. ASST. SECRETARY
FEB 7 1901

No. 73, Consular.

Consulate General of the United States,
Seoul, Korea, January 3, 1901.

Mr. Horace N. Allen to the Assistant Secretary of State.

Subject:

Korean Ginseng.

Synopsis:

Encloses a letter from a firm in Cincinnati which refers to a former Consular Report upon the subject of Korean Ginseng.

Encloses a pamphlet for the information of the Department which treats further of ginseng.

Consular Bureau.
FEB 8 1901

No. 73, Consular.

Consulate General of the United States,

Seoul, Korea, January 5, 1901.

The Honorable David S. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to hand you enclosed a letter I have received from the firm of Sam'l Wells & Co. of Cincinnati, Ohio, who have for many years carried on an extensive trade in exporting American ginseng. The letter refers to a Consular Report I sent you on January 24, 1898, and which was published in Consular Reports, Vol. 56, No. 211, April, 1898.

As you omitted to republish the excellent article upon the subject of ginseng by Mr. Foulk, I had the whole published in a magazine in Seoul from which the accompanying pamphlet was compiled for distribution in response to the many enquiries made to this office concerning ginseng. You will observe that the firm of Sam'l Wells & Co. speak highly of this report.

I have the honor to be, Sir:-

Your very obedient,

Horace N. Allen

Enclosures.

2/ One pamphlet upon "Korean Ginseng".

1/ Letter from Messrs Sam'l Wells & Co. of Cincinnati to Mr. Allen.

Enclosure 1 with Despatch No. 73, Consular, of Jan. 3, 1901.

Cincinnati, O., U.S.A., Nov. 14th, 1900.

LEGATION OF THE UNITED STATES
No.
DEC 31 1900
Ans'd
SEOUL

on. H. N. Allen,

Seoul, Korea.

ear Sir:-

We beg to acknowledge receipt of your valued favor regarding Ginseng in Korea, for which please accept our thanks. We are lways interested in this matter and have read, with great pleasure and rofit, your pamphlet. We have also on hand and have read your article in the Consular Report of April, 1898. Permit us to state that lthough there has been a great deal written regarding Ginseng by those ho should be in a position to know something about the article, your wo articles are nearer the truth and more to the point than any official business we have yet seen. All the published articles we have een in the newspapers and official documents seem to be conspicuous or their inaccuracy. We shall treasure up this pamphlet and if n the future you should ever have published any more information on his subject, we desire to possess a copy.

If at any time when you are in this country you should reach this ity, we should take great pleasure in meeting you.

Thanking you again for your pamphlet, we remain,

Very respectfully yours,

Saml. Wells & Co.

Cons Bureau
folder

RECEIVED
DEPT. OF STATE
ASST. SECRETARY.
FEB 7 1901

No. 74, Consular.

FILE

Consulate General of the United States,
Seoul, Korea, January 3, 1900.

Mr. Horace N. Allen to the Secretary of State.

Subject:

Acknowledgment of instruction 36 of Nov. 26, 1900.

Sunopsis:

Instruction of November 26, 1900, regarding the Department's Circular of August 30, 1900, acknowledged.

Consular Bureau
FEB 8 1901

No. 74, Consular.

Consulate General of the United States,
Seoul, Korea, January 3, 1901.

The Honorable
David S. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of your instruction No. 36, of November 26, in reply to my despatch of October 5 last, No. 69, and to thank you for the information it contains upon the subject of the Department's Circular of August 30, 1900.

I have the honor to be, Sir:-
Your very obedient,
Horace N Allen

Consular

Cons Bureau
file

No 75, Consular.

Consulate General of the United States,
Seoul, Korea, January 25, 1901.

3rd. ASST. SECRETARY
MAR 9 1901

Mr. Horace N. Allen to the Secretary of State.

Subject:

Acknowledgment of receipt of an Instruction on the form of reporting the death of an American citizen.

Synopsis:

Instruction No. 38 of December 22, 1900, has been received and the death of American citizens will in future be reported to the Department as instructed.

Consular Bureau
MAR 11 1901

No. 76, Consular.

Consulate General of the United States,
Seoul, Korea, January 25, 1901.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, D.C.

Sir:-

I have to acknowledge the receipt of your acknowledgment and instruction No. 38 of December 22, 1900, in regard to the transmission of the reports of the deaths of American citizens upon Form No. 192 with an accompanying despatch.

I have the honor to be,
Sir:-
Your very obedient,

Horace N Allen

Cst Bureau
To Secretary
Sodep

No. 76, Consular.

Consulate General of the United States,
Seoul, Korea, February 6, 1901.

Acknowledged by Secretary March 16. 1901
Further to State March 30. 1901

Mr. Horace N. Allen to the Assistant Secretary of State.

3rd. ASST. SECRETARY. MAR 23 1901

Subject:

Sale of the Japanese schooner "Minnie" to the Oriental Consolidated Mining Company.

Synopsis:

Papers enclosed covering sale and transfer of the schooner "Minnie" ("Hyotan Maru") to the Oriental Consolidated Mining Company of New Jersey, for use in Korean waters.

Consular Bureau MAR 26 1901

No. 76, Consular.

Consulate General of the United States,
Seoul, Korea, February 6, 1901.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to hand you enclosed a Bill of Sale and Certificate covering the same for the schooner "Minnie", built in Japan, and purchased by the Oriental Consolidated Mining Company, an American corporation, for use in Korea.

I have the honor to be,
Your very obedient,

Horace N Allen

Enclosures.

1. Papers relating to schooner "Minnie".

(Form No. 35.)

Certificate to be Issued to Citizens of the United States Being Purchasers of American or Foreign Built Vessels in a Foreign Port.

I, Horace N. Allen, Consul of the United States for the ports of Korea, do hereby certify that the within bill of sale, bearing date the 24th day of January, 1901, of the schooner "Hyotan Maru", ("Minnie"), built at Nishisonoko, Nagasaki, Japan, of 200 koku burden (29½ tons), having 2 masts, schooner rigged, sold and transferred by Tomokichi Kimura to the Oriental Consolidated Mining Co., has been proved satisfactorily to me to have been duly executed by the subscribing party, and I further certify that the above named Company and D.W. Deshler, its agent, therein mentioned as purchaser of said vessel are citizens of the United States.

Witness my hand and seal of office at Seoul, Korea, this 6th day of February, 1901.

[SEAL.]

(signed) Horace N. Allen

U. S. Consul. General.

(FORM No. 78.)

CERTIFICATE OF OWNERSHIP OF A VESSEL.

Consulate of the United States of America,

Seoul, Korea, February 6, , 1901.

I, the undersigned, Consul of the United States of America, do hereby certify that the schooner "Minnie" , late "Hyofan Maru", of Chemulpo, Korea, of the burden of 29 tons, master, was built at Nagasaki, Japan, in the year 18 , and is owned by The Oriental Consolidated Miningo Company organized under the Laws State of West Viginia.

Given under my hand and the seal of this Consulate the day and year above written.

[SEAL.]

(signed) Horace.N . Allen
U. S. Consul. General.

Dep 77. Consular.

Cir Russell
Forward—
To Auditor
ACR Taden

CONSULAR BUREAU.
NOTED AND PUBLISHED.
Cir No. 54, Feb. 10, 1908

Consulate General of the United States,
Seoul, Korea, February 28, 1901.

3rd. ASST. SECY. APR 16

Mr. Horace N. Allen to the Assistant Secretary of State.

Enclose forwarded to Ramsay Peugnet. To Auditor. Circ. by Com. Apr. 18.

Subject:- Settlement of the estate of Eugene Peugnet, Esq., an American citizen.

Synopsis:

Encloses a copy of Form 192, "Report of the Death of an American Citizen", accompanied by a complete statement of the steps taken in the settlement of the estate with documents and letters. Requests that these be forwarded by the Department to the principal heir, whose address is given. Statement in regard to the amount of the fee collected for settling the estate.

Consular Bureau.
APR 17 1901

77, Consular.

Consulate General of the United States,
Seoul, Korea, February 28, 1901.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to hand you enclosed an example of Form No. 192, "Report of the Death of an American Citizen", with information concerning the settlement of the estate of Eugene Peugnet, Esq., whose death I reported in a despatch numbered 52, Consular, of February 26, 1900. I enclose to you also, with the request that you forward to the address written upon the envelope, a complete statement of the steps taken by this Consulate General in the settlement of the estate, with documents and letters accompanying, for Mr. Ramsay Peugnet of 487, Broadway, New York City, the principal heir of Mr. Peugney. I have left open the envelope containing my communication for Mr Ramsay Peugnet that you may examine its contents before sending it to him, if you so desire.

The fee for settling the estate, the personality of which amounts to Yen 3897.86 after all debts have been paid, is Yen 194.89, equivalent to $97.06 (gold) at the Government rate of .498. This fee I have collected.

I have the honor to be, Sir:-
Your very obedient,

Enclosures as stated above.

Horace N Allen

CONSULAR BUREAU.
NOTED AND PUBLISHED,

(FORM NO. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

Seoul, Korea, Feb. 28, 1901.

Name: Eugene Peugnet.

Native or naturalized: Native.

Date of death: February 7, 1900.

Place of death: Chinkiang, China.

Cause of death: Cerebral hemorrhage (apoplexy)

Disposition of remains: Buried at Chinkiang, China.

Local law as to disinterring remains in case it is desired to bring them home:

Disposition of effects: Estate settled under direction of United States Consulate General, Seoul, Korea. Proceeds of estate after settlement sent to the brother of deceased, Ramsay Peugnet Esq., in New York City

Address of family: 487, Broadway, New York City.

Family notified: Yes.

Accompanied by relatives: No.

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, ~~pages~~ No. 5, pp. 132 to 161, inclusive.

Remarks: In addition to the accompanying draft upon New York for $1.814.45, covering the personality, two (2) lots, one within and one without the foreign settlement at the port of Chinampo, Korea, belong to the estate. The deeds for these lots are recorded upon the books of the U.S. Consulate General, Seoul, Libre 2, p. 161. and the originals have been handed Mr. D.W. Deshler of Chemulpo, Korea, to hold subject to the instructions of the heirs.

[SEAL.]

Horace N. Allen

Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA.

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No. 77, Consular.

Feb. 28, , 1901.

CONSULAR BUREAU
NOTED

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Mr Hackr

No. 78,

Consulate General of the United States,

Seoul, Korea, March 4, 1901.

3rd. ASST. SECRETARY.
APR 16 1901

Mr. Horace N. Allen to the Assistant Secretary of State.

Rec'd by mail from
Apr 24 1901

Subject:

Marriage certificate

Synopsis:

Marriage certificate of Ebenezer S. Barstow and Miwa Tamura enclosed, who were united in marriage March 3, 1901.

Consular Bureau.
APR17 1901

No. 76, Consular.

Consulate General of the United States,
Seoul, Korea, March 4, 1901.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to hand you enclosed the marriage certificate of Ebenezer S. Barstow and Miwa Tamura , who were united in marriage before me yesterday by the Reverend George Heber Jones at Chemulpo.

I have the honor to be, Sir:-

Your very obedient,

Horace N Allen

Enclosure.

Marriage certificate above described.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

SEOUL, KOREA. March 3, , 1901.

I, HORACE N. ALLEN, CONSUL GENERAL of the United States at SEOUL, KOREA, do hereby certify that, on this third day of March A. D. 1901, at the residence of Rev. Geo. H. Jones in the city of Chemulpo, Korea, Ebenezer S. Barstow, aged 43 years, born in Brooklyn, New York, and now residing in Chemulpo, Korea, and Miss Tamura, aged 33 years, born in Tokio, Japan, and now residing in Chemulpo Korea, were united in marriage before me, and in my presence, by Rev. George Heber Jones, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL, KOREA, this third day of March, A. D. 1901, and of the Independence of the United States the one hundred and twenty-fifth.

Horace N Allen

CONSUL GENERAL of the United States of America.

Fee one dollar. To be issued in duplicate.

CONSULAR BUREAU. NOTED

Cx Bureau
file

No. 79, Consular.

Consulate General of the United States,

Seoul, Korea, March 4, 1901.

Sec'd. ASST. SECRETARY.
APR 16 1901

Letter to Tierney
April 23/1901.

Mr. Horace N. Allen to the Assistant Secretary of State.

__Subject:_

Acknowledgment of despatch No. 40 of January 25.

Synopsis:

Despatch No. 40 of January 25th acknowledged with thanks for the introduction into Congress of a Bill to enable prisoners convicted in U.S. Consular Courts to be removed to the United States.

Consular Bureau.
APR17 1901

No. 79, Consular.

Consulate General of the United States,
Seoul, Korea, March 4, 1901.

The Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of your No. 40, despatch of the 25th of January, with which you enclose a copy of bill H.R. No. 13.396, and to thank you for your courtesy in bringing to the attention of Congress the matter of the removal to the United States of persons convicted of crime in the United States Consular Courts.

I have the honor to be,
Sir:-
Your very obedient,

Horace N Allen

[PUBLIC—No. 178.]

An Act To amend section fifty-five hundred and forty-six of the Revised Statutes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section fifty-five hundred and forty-six of the Revised Statutes be amended by adding after the words "any court of the United States" the words "including consular courts," and after the words "District or Territory" by adding the words "or country," and after the words "where the conviction has occurred" by adding the words "and in case of convictions by a consular court the transportation shall be by some properly qualified agent or agents designated by the Department of State, the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and agent or agents to be defrayed from the appropriation for bringing home criminals;" so as to read:

"SEC. 5546. All persons who have been, or who may hereafter be, convicted of crime by any court of the United States, including consular courts, whose punishment is imprisonment in a District or Territory or country where, at the time of conviction or at any time during the term of imprisonment, there may be no penitentiary or jail suitable for the confinement of convicts, or available therefor, shall be confined during the term for which they have been or may be sentenced, or during the residue of said term, in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the District or Territory where the conviction has occurred; and in case of convictions by a consular court the transportation shall be by some properly qualified agent or agents designated by the Department of State, the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and agent or agents to be defrayed from the appropriation for bringing home criminals; and if the conviction be had in the District of Columbia, the transportation and delivery shall be by the warden of the jail of that District, the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and the marshal, or the warden of the jail in the District of Columbia only, to be paid by the Attorney-General out of the judiciary fund. But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory, or the District of Columbia in which there is no penitentiary will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective sentences. And the place of imprisonment may be changed in any case when, in the opinion of the Attorney-General, it is necessary for the preservation of the health of the prisoner, or when, in his opinion, the place of confinement is not sufficient to secure the custody of the prisoner, or because of cruel and improper treatment: *Provided, however*, That no change shall be made in the case of any prisoner on the ground of the unhealthiness of the prisoner or because of his treatment, after his conviction and during his term of imprisonment, unless such change shall be applied for by such prisoner, or some one in his behalf."

Approved, March 3, 1901.

Office of the

Third Assistant Secretary.

Mr Chilton

Have we told Mr Allen of this person Kuper allowance from July 1st next?

Cudlin

Consular Bureau.

MEMORANDUM

3rd. ASST. SECRETARY,
APR 18 1901

Mr. Cridler:

Mr. Allen has not been told of the prison keeper allowance. That information will be sent to him with other allowances.

The matter of immediate importance is the removal of the prisoner now there to a prison in the United States in pursuance of the amendment to Section 5546, Revised Statutes, a copy of which is attached hereto. The matter will have to be taken up with the Attorney General to have a prison designated; then someone will have to be authorized to bring the man to the United States from Seoul. Possibly transportation might be had on an Army or Navy transport.

Do you wish the matter taken up now?

P.S.

Office of the
Third Assistant Secretary.

Have some one examine
the recent correspondence
with the Attorney General
& draft some thing on
the necessary line needed
of the amended law.
and let me see it.
If we take away the
bird what becomes of
the prison keeper. We
are now paying him
to Emergency Laudly

Ck Bureau
File

No. 8C, Consular.

Consulate General of the United States,
Seoul, Korea, March 7, 1901.

SECRETARY
APR 16 1901

Mr. Horace N. Allen to the Assistant Secretary of State.

Subject:-

Acknowledgment of Despatch No. 89 of January 19, 1901.

Despatch No. 88, of January 19, 1901 acknowledged with thangs.

Consular Bureau.
APR17 1901

No. 8C, Consular.

Consulate General of the United States,

Seoul, Korea, March 7, 1901.

The Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of your despatch No. 39 of January 19, 1901, in reply to mine of November 30, 1900, No. 70, and to thank you for the same.

I have the honor to be,

Sir:-

Your very obedient,

Horace N Allen

Consular Bureau
File

No. 81, Consular.

File

3rd ASST. SECRETARY.
APR 27 1901

Consulate General of the United States,
Seoul, Korea, Marcd 19, 1901.

Mr. Horace N. Allen to the Assistant Secretary of State.

Subject:

Acknowledgment of Despatch No. 41 of February 5, 1901.

Synopsis:

Despatch No. 41 of February 5, 1901, acknowledged with its enclosure of a copy of House Report No. 2639, 56th Congress, 2d Session.

Consular Bur.
APR 29 1901

No. 81, Consular.

United States Consulate General,

Seoul, Korea, March 19, 1901.

The Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt today of your despatch No. 41, Consular, with which you enclose for my information a copy of House Report No. 2639, 56th Congress, 2d Session, recommending the enactment into law of the bill for the amendment of Section 5546, Revised Statutes, so as to provide for the removal of persons convicted in Consular Courts to prisons within the United States.

I have the honor to be, Sir:-

Your very obedient,

Horace N Allen

Cons. Bureau
10th ack

No. 82.

Consulate-General of the United States,

April 26, 1901, Seoul Korea., , 189

CONSULAR BUREAU. RECEIVED.

Mr. Horace N. Allen,

To the Department of State

Acknowledged by form June 6, 1901

3rd. ASST. SECRETARY. JUN 5 1901

Subject:

Report of Death of Mrs. Lottie Witherspoon Bell.

Abstract of Contents.

Deceased was the wife of a missionary Rev. Eugene Bell. She died at their home in Mokpo Korea, of "Heart Failure" on April 12'th. She was buried in the Foreign Cemetery at Seoul Korea. She left no property. Her husband was present. Her former home was at Loisville Kentucky.

Consular Bureau. JUN 6 1901

No. 82.

Consulate-General of the United States,

Seoul Korea, April 26,1901. , 189 .

Honorable David J.Hill,

Assistant Secretary of State,

Washington, D. C.

Sir: I

I have the honor to hand you enclosed, a report of the deatn of an American citizen in Korea, Mrs.Lottie Witherspoon Bell, wife of Rev.Eugene Bell, a clerical missionary of the Southern Presbyterian Church, residents of the port of Mokpo, Korea. The former home of the deceased was Loisville Kentucky. The husband was present and deceased left no property.

Death occurred on April 12'th., of"heart failure". Clement C.Owen M.D.was in charge of the case. The interment was made in the Foreign Cemetery at Seoul, on the 19'th., instant.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen

Enclosure,

Desth Cerificate.

(Form No. 192.)

CONSULAR BUREAU.
NOTED.

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

APR 26 1901

SEOUL KOREA. 190 .

Name: Lottie Witherspoon Bell, wife of Rev. Eugene Bell.

Native or naturalized: Native

Date of death: ~~"Heart Failure"~~ April 12,1901

Place of death: Mokpo, Korea.

Cause of death: "Heart Failure".

Disposition of remains: Burried in Foreign Cemetery, Seoul Korea.

Local law as to disinterring remains in case it is desired to bring them home:

There is no law on the subject in Korea.

Disposition of effects: She left no effects. Her husband has taken clothing and personal objects of sentimental value to the United States with the young children.

Address of family: Louisville Kentucky. (former home)

Family notified: Family present at time of death.

Accompanied by relatives: Yes.

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages Recorded in Register of Deaths, Page 205.

Remarks: No inventory was made as the effects were all the property of the surviving husband, who was present.

[SEAL.]

Horace N Allen

M.R.&.C.G. *of the United States.*

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA.

(Form No. 192.)

Report of the Death of an American Citizen.

Enclosure No. 1 in despatch

No. 81

Dec 26 1907.

No. 83, Consular.

Consulate-General of the United States,

Seoul Korea, May 15,1901. , 189

CONSULAR BUREAU. RECEIVED

Mr. Horace N.Allen,

To the Department of State

Acknowledged by from

Rec'd. ASST. SECRETARY. JUN 26 1901

Subject:

Marriage Certificate of W.Ford Bull and Elizabeth A Alby.

Abstract of Contents.

Consular Bureau JUN26 1901

No. 83, Consular.

Consulate-General of the United States,

Seoul Korea, May 15, 1901., 189 .

Honorable David J.Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to hand you enclosed a copy of the marriage certificate issued to Wm.Ford Bull, and Elizabeth A.Alby, both of Virginia, who were married in my presence on yesterday, in the city of Seoul, by Rev.Clement C.Owen.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen

Enclosure,

1/ Marriage Certificate.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

SEOUL KOREA., May 14, 1901.

I, HORACE N. ALLEN., CONSUL GENERAL of the United States at SEOUL KOREA., do hereby certify that, on this Fourteenth day of May, A. D. 1901, at the residence of Rev. J. S. Miller in the city of SEOUL KOREA., William Ford Bull, aged 25 years, born in Norfolk Virginia, and now residing in Kunsan Korea, and Elizabeth A Alby, aged 32 years, born in Staunton Virginia, and now residing in Kunsan Korea, were united in marriage before me, and in my presence, by Rev. Clement C. Owen, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA., this Fourteenth day of May, A. D. 1901, and of the Independence of the United States the One hundred twenty fifth

Horace N Allen

CONSUL GENERAL of the United States of America.

Fee one dollar. To be issued in duplicate.

"Seoul"
May 17th. 1901.

Union Club,
Fifth Avenue & 21st Street

Hon. Thos. W. Cridler
Third Assistant Secretary.

Dear Sir:

In response to your letter of May 9th I return enclosed - bond executed by myself & the American Surety Co. of New York - as surety: also forms of application filled out as requested. The oath of Office I executed when in Washington.

Your obdt servant.

Gordon Paddock

Appln. Appl. Acknd May 25 1901

3rd. ASST. SECRETARY. MAY 23 1901

Consul. Bureau MAY 24 1901

Dispatch No. 83.
May 10, 1901

U.S. CONSULATE GENERAL
SEOUL KOREA.

"Seoul"

No. 34 Consular.

Consulate-General of the United States,

June 3." 1901. ~~189~~.

Mr. Horace N. Allen,

To the Department of State.

Subject:

Hands a report on
Opportunities for an Import and Export Business in Korea.
For F.M.Gillett, 150 Nasau Street, New York City.

Abstract of Contents.

Consular Bureau
JUL 20 1901

forwarded 7/26/1901

No. 84.

Consulate-General of the United States,

Seoul Korea, June 3, 1901. , 189 .

Honorable David J.Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

In reply to enquiries received by me from F.M.Gillett, of 150 Nassau St. New York City, I enclose a short report on trade possibilities or "Opportunities for an Import and Export Business in Korea". To be forwarded to that gentleman when printed.

I have the honor to be,

Sir:-

Your obedient servant

Horace N Allen

Enclosure,

1/ Report on Trade opportunities.

[illegible] IN ADVANCE SHEETS NO. 1112

No.85, Consular.

CONSULATE GENERAL OF THE UNITED STATES,
Seoul Korea, June 17,1901.

RECD. JUL 23 '01

Mr.Horace N.Allen, to the
Assistant Secretary of State.

Pr.

-Subject-
Gold Mines in Korea.

-Synopsis-
Makes a public report on gold mining operations in Korea in connection with the announcement of the recent grant of a mining concession to a French subject.

Consular Bureau
JUL 30 1901

CONTENTS.

Economic Conditions in Japan.
Gold Mines in Korea.
German Exports to the United States.

No. 1112.

Issued daily, except Sundays and legal holidays, by the Bureau of Foreign Commerce, Department of State, to which applications for copies should be addressed.

ADVANCE SHEETS

OF

CONSULAR REPORTS.

AUGUST 13, 1901.

ECONOMIC CONDITIONS IN JAPAN.

Minister Buck sends from Tokyo, July 8, 1901, copy of a report on trade in Japan, prepared at the British legation, printed in the Weekly Mail. It reads in part:

FOREIGN TRADE OF JAPAN FOR 1900.

[By Mr. Arthur Hyde Lay.]

The lamentable occurrences in China and the continuation of an unsettled state of affairs have acted as a check upon the rapidly expanding export trade of Japan, and her manufacturing industries have suffered in consequence. Moreover, the silk crop, upon which this country in the main relies to adjust the balance of its commerce with foreign countries, was a disappointment. With regard to the import trade, the indications in the autumn of 1899 were that the ensuing year would offer splendid opportunities for business. The result was that large quantities of goods were ordered from abroad, which appeared in the returns for 1900, and the year opened with a feeling of overconfidence in commercial circles. It soon became apparent, however, that the outflow of specie, which had already begun, was likely to increase, and that the large arrivals of commodities expected would find an increasingly stringent money market. These are some of the factors which have operated unfavorably upon the trade of Japan.

The scarcity of money available for mercantile purposes, with the high rate of interest, was much felt during the year under review. It may be pointed out here that unproductive expenditure, or expenditure on works only remotely productive, continues to bear an abnormally large ratio to the wealth and resources of Japan. It is true that a large part of such expenditure takes the form of wages paid within the Empire's own borders. The Japanese wage-earner, however, probably saves at present very much less, even in proportion to the amount of his income, than the European and American worker, and but little of the large wage expenditure in connection with defense works, armaments, railways, etc., goes to form capital

in aid of production. Under these circumstances, the tendency to an excess of imports over exports and consequent drain of specie must continue to exist, and an adequate cash reserve can be maintained only at a sacrifice of ease in the money market by prudent limitation of the Government bank-note circulation and of credit facilities. The flotation of foreign loans can only afford temporary relief in this respect, and bearing in mind the improbability under the most favorable circumstances of any but a quite gradual increase in wealth derived from resources at present undeveloped, it is evident that the palliative of borrowing is one which should be resorted to with the greatest circumspection.

For the whole year, the excess of imports amounted to the large sum of £8,455,751. But everything points to a considerable diminution in imports in 1901. Of the goods which are accounted for in the customs returns, however, no small proportion, though sold on contract, have not been paid for, or else, having been brought out on speculation, have, in view of unfavorable markets, remained without purchasers. A considerable accumulation of goods at the open ports has resulted.

Iron foundry.

The Government iron foundry at Yuwata Village, Onga District, Fukuoka Prefecture, in Kiushu, did not commence operations at the contemplated time, namely, July, 1900. Nor has work yet been begun, though the undertaking is well on its way to completion. A trial working of the smelting furnace was made in February with satisfactory results. One reason given for the postponement of initial operations is the scarcity of workmen available in consequence of the great demand for Japanese labor in connection with the Chinese crisis. So it seems likely that it will be well on in 1901 before the foundry will be actually in working order and engaged in the manufacture of rails and sheet iron. It naturally takes a long time to set in motion the machinery of an establishment of so extensive a nature, and the training of workmen will involve a considerable period. But once it is rightly started, experts consider that there is no reason why it should not prove a great success. Twelve Germans are employed on the works, and all the machinery for use there came from Germany. When completed, it is expected to give employment to 1,500 or 1,600 workmen. Provision is made in the budget for the financial year, commencing on April 1, 1901, for the establishment of works intended to be supplementary to those just referred to for the manufacture of iron and steel plates in connection with the naval arsenal at Kure. The object is, of course, of a military and not of a commercial nature, and the establishment is not necessarily expected to be a financial success.

Provisions.

Foreign food stuffs are more and more becoming a necessity for Japan. The yield of agricultural produce, while it fluctuates, does not undergo much permanent change, and the requirements of the people are growing. In 1900, the land under cultivation for wheat and barley was less than in the preceding year, but the harvest was a good one, owing to favorable weather conditions. Flour, meal, and starch, fresh eggs, condensed milk were all imported in much larger quantities in 1900 than during the preceding year.

Interesting as an illustration of the pronounced demand for luxuries which nowadays exists in Japan is the very large increase in the importation of articles which are classified as such by the customs. The wide-spread consumption of sugar is a case in point. The importation of sugar in 1900 was much greater than in the preceding year, but somewhat short of the returns for 1898. Most notable was the large quantity imported from Austria.

Industries.

Industries in Japan languished in 1900. Practically no new undertakings were set on foot, and from those interested in already existing ones, the complaint of lack of cheap capital was heard. When, as frequently happens, a company has to pay as much as 14 per cent for money to carry on affairs, it is small wonder that difficulty in continuing in existence is experienced. The great desideratum is the investment of moderately cheap foreign capital in Japanese enterprises, and many attempts have been made to secure or to offer foreign financial cooperation. So far, however, with one or two exceptions, nothing on a large scale has been done in the matter. As individuals, many foreigners are naturally holders of shares in Japanese companies, but concerted foreign investment has been rare. But schemes for the introduction of capital from abroad for various purposes are on foot and may lead to the success of many Japanese industries.

Customs duties.

Certain classes of goods are now exempt from import duty when imported for the purpose of improvement, provided that they are reexported within one full year from the date of their importation. The idea is said to be to import, for example, plates from France and have them decorated so as to resemble Kutani ware, and watches from the United States to be enameled at Nagoya and reexported.

Abolition of conventional tariffs.

A suggestion that the treaty powers interested should be approached with a view to the immediate abolition of the conventional tariffs in spite of their comparatively recent conclusion was made by a journal of much weight in Tokyo. In exchange, it was proposed to grant to aliens the right to own real estate in Japan. Until these tariffs were done away with, it was felt that Japan had not in reality received tariff autonomy, nor could an increase of revenue be obtained at will from customs dues. From what has transpired, it can be gathered that the attitude of public opinion in Japan is favorable to a higher customs tariff than is now in force.

Exports.

The export trade of Japan for the year 1900 was larger than that of all preceding years, with the single exception of 1899. Considering the abnormal conditions it had to face, this result can not, therefore, be deemed altogether unsatisfactory. The chief reasons for the decrease in exportation as compared with the year before are the inactivity in the raw-silk trade, the setback to the cotton spinning and manufacturing industries, for which the Chinese crisis was largely responsible—bringing down as it did the returns of manufactured products—and the indifferent rice crop of 1899–1900, which left a comparatively small surplus for foreign consumption. Silk, tissues, camphor, copper, sulphur, and timber contributed to swell the volume of exportation.

Cotton spinning.

The cotton-spinning industry in Japan has been in an embarrassed condition for the past three and a half years. The evil results of the tendency to overexpansion after the China-Japan war, above all lack of sufficiently large capital funds, are acutely felt. The year 1900 was in particular a very bad year for cotton spinning in a country which finds the principal outlet for its yarns in China. It must not be forgotten, too, that the Japanese mills have been running for some time, and that their machinery is becoming worn out. A German company is rumored to have been formed, with a capital of 5,000,000 yen, to engage in cotton spinning in Japan.

Coal.

While the dullness in the manufacturing industry caused stagnation in the coal market at home, the great demand for coal for the numerous men-of-war and transports assembled in the Far East by reason of the expedition to China stimulated the exportation of the mineral from Japan. Indeed, the coal industry alone may be said to have profited by the situation in China. About the end of the year the stocks at Moji were estimated at not more than 250,000 tons. Hongkong, British India, China, and the Philippine Islands were the chief consumers of Japanese coal in 1900.

Trade with the United States.

The United States continues to encroach on spheres of trade which were formerly considered under the exclusive control of the United Kingdom or other nations. American competition is now a permanent feature of the import trade of Japan, and is worthy of the careful attention of British manufacturers. The geographical situation of the United States with regard to Japan and the eagerness with which American manufacturers are seeking a market in this country will make her a competitor more and more formidable as time goes on. In 1900, Americans again secured a number of valuable contracts for the delivery of goods in 1901, including one for rails, which was estimated at £72,000. Among the reasons for the very large figures to which the import trade from the United States into Japan rose in 1900 was the fact that the extensive orders, the execution of which was undertaken there in the preceding year, included 20,000 tons of rails, which at the high price then prevailing would account for, say, £160,000. A large quantity of electrical machinery for tram lines and electric lighting and bridge work and wire, as well as flour, are also included in the returns. Telephone cable was at one time a United States monopoly, but now German makers are fulfilling large orders for it. British manufacturers, owing to the high prices asked for, have so far been unsuccessful in obtaining any contracts for this material.

Trade with China.

During the past few years there has been a remarkable growth in the trade between Japan and China, occasioned for the most part by the opening up of markets for Japanese manufactures in the neighboring Empire. Cotton yarns, cotton tissues, matches, European umbrellas—in particular the first named—are the manufactures of Japan which most readily find purchasers in China. The crisis in China, which almost put a stop for a time to the commercial intercourse of the two countries, was a blow felt in an especial manner by those industries. Imports from China, too, naturally diminished in some cases, though the sum of them was greater than in 1899. The labor market in Japan was also affected by the withdrawal of numbers of coolies for service, not only with the Japanese troops, but also with the forces of more than one foreign nation.

Shimonoseki and Moji.

Shimonoseki and Moji exhibit signs of growing commercial activity. The Government iron foundry is only 6 miles from Moji. Wakamatsu Harbor, close by, is being dredged, and it is likely to become a busy place in three or four years' time, and may affect the prosperity of Moji. At present, vessels of only 12 feet can go alongside the wharf, but by means of dredging it is expected that vessels of 20 feet or so will suffer no inconvenience there before long. Wakamatsu has now one steam crane handling 1,000 tons a day, a hydraulic crane handling 1,500 tons, and a coal-loading machine (hydraulic) loading 2,500 tons a day. Two Brown's patent coal-handling machines obtained from the United States are being erected; these will deal with 6,000 tons of coal in ten hours.

Trusts in Japan.

There was some talk in 1900 of the formation of "trusts" in Japan to control some of the more important fields of industry, such as cotton spinning, clock and watch making, coal production, etc., but in most cases the proposed combination was not found to be feasible. A Tokyo journalist, commenting on the subject, has given it as his opinion that trusts are a failure in Japan for three reasons. In the first place, they are not founded on a strong basis; in the second, they suffer from lack of capital; and lastly, the credit of their promoters is unsound. In the case of coal, however, an exception is furnished to the rule, for the colliery owners signed in November a provisional agreement binding them to fixed rates for the sale of their coal.

Foreign capital.

One of the schemes whereby the Japanese are seeking to attract foreign capital is the granting to aliens of permission to hold shares in Japanese railway companies. It has been decided that there is no objection to the purchase by foreigners of such shares, provided that there exist no proviso to the contrary in the by-laws of a railway company, and the Department of Communications on June 5, 1900, informed eight of the private railway companies, by whom it had been approached on the subject, that they might if necessary alter their by-laws so as to open the door to foreign cooperation. Many of the Japanese railways have been built in sparsely populated districts more apparently with a view to military contingencies than with the prospect of adequate return for the outlay. In such of the railways, however, as traverse populous areas and connect towns of commercial importance, the investment of foreign capital would be mutually beneficial, more especially if the foreign shareholders were able to exercise their influence in the direction of greater efficiency of service and the reduction of useless expenditure.

GOLD MINES IN KOREA.

A concession covering a gold-mining district has been granted by the Korean Government to a French subject, Mr. P. M. Saltarel, in fulfillment of a promise made last December. The concession is similar to those already granted to Americans, Russians, Germans, British, and Japanese. It is for a period of twenty-five years from the date of commencement of operations, which must be made within two years. A royalty of 25 per cent net will be paid to the Korean Government after the expense of development has been recovered. No import tax on necessary materials will be levied, and the products of the mine will be exported free of duty. Other minerals besides gold may be mined within the district. The district has not yet been located, but it can not include any of the forty-three districts reserved for the Crown and known as the Household mines. The district must not exceed in extent 40 by 60 li (13⅓ by 20 miles). The concession is said to have no connection with a recently discussed project of a French subject to make a loan to the European Government.

Gold mining in Korea is now assuming considerable importance, since it has been successfully prosecuted by the Oriental Consolidated Mining Company, an American concern which operates the Woonsan mines of Korea. This company has a district some 25 by 30 miles in extent in the richest known gold region in Korea. The company disposed of the 25 per cent royalty by paying a large sum in cash and agreeing to pay a fixed annual amount. It is now successfully operating two mills of 20 stamps each and one of 40 stamps, while another 40-stamp mill is in process of erection. The managers have their own cyanide plant as well. The operations at present are confined to quartz work, but the extensive placer deposits will soon be worked. Some seventy foreigners are employed at these mines, with over 3,000 natives on the pay roll or indirectly in the pay of the company. The natives are said to be satisfactory as miners, and they are content on a wage of 20 cents gold per day. The output and prospects are pronounced to be entirely satisfactory.

The British mines are at present the next in importance to the American mines. They lie not very far from the district occupied by the Americans and have long enjoyed a good reputation. Much money is being expended in exploitation, but they are too new to be out of the development period.

The Germans are actively engaged in working their district, which lies to the east of Seoul. The Japanese are opening up their mining district to the south of this city. The Russians seem not to have begun work upon their mining concessions as yet.

HORACE N. ALLEN,
Consul-General.

SEOUL, *June 17, 1901.*

GERMAN EXPORTS TO THE UNITED STATES.

Statement showing the declared values of exports to the United States from Germany during the fiscal years ended June 30, 1900 and 1901, respectively.

Whence exported.	1900.	1901.	Increase.	Decrease.
Aix la Chapelle	$1,241,550.69	$1,153,456.08	.....	$88,094.61
Annaberg	1,866,785.29	1,835,128.52	.....	31,656.77
Bamberg	642,856.89	748,518.51	$105,661.62	.....
Barmen	5,075,624.59	4,595,758.50	.....	478,866.09
Berlin	6,977,324.62	6,615,592.34	.....	361,732.28
Bremen	1,907,106.33	3,071,399.35	1,164,293.02	.....
Breslau	1,247,837.91	1,215,195.04	.....	32,642.87
Brunswick	1,366,295.55	1,788,801.32	422,505.77	.....
Chemnitz	5,076,078.93	5,676,485.21	600,406.28	.....
Coburg	2,916,200.67	3,449,105.91	532,905.24	.....
Cologne	2,067,461.20	2,054,560.89	.....	12,900.31
Crefeld	2,346,165.17	2,684,638.10	338,472.93	.....
Dresden	1,130,101.29	1,135,493.79	5,392.50	.....
Düsseldorf	1,137,791.33	1,095,981.55	.....	41,809.78

Statement showing the declared values of exports to the United States, etc.—Continued.

Whence exported.	1900.	1901.	Increase.	Decrease.
Frankfort	$6,931,408.87	$6,787,660.36	.....	$143,748.51
Freiburg	1,272,040.55	1,296,337.97	$24,297.42	.....
Glauchau	1,017,481.10	792,318.86	.....	225,162.24
Hamburg	16,388,437.96	12,278,500.89	.....	4,109,937.07
Hanover	1,204,859.92	830,293.61	.....	374,566.31
Kehl	2,012,983.13	1,745,045.61	.....	267,937.52
Leipzig	5,530,889.96	5,183,922.69	.....	346,967.27
Magdeburg	6,990,471.96	10,415,082.00	3,424,610.04	.....
Mainz	1,872,749.48	2,002,204.76	129,455.28	.....
Mannheim	4,736,621.49	4,536,151.94	.....	200,469.55
Munich	744,777.80	684,051.04	.....	60,726.76
Nuremberg	3,751,261.55	3,860,933.43	109,671.88	.....
Plauen	2,188,494.72	2,700,049.08	511,554.36	.....
Solingen	1,416,751.34	1,333,530.98	.....	83,220.36
Stettin	4,483,339.94	5,288,844.28	805,504.34	.....
Stuttgart	905,418.60	1,087,833.25	182,414.65	.....
Weimar	925,831.42	1,007,410.06	81,578.64	.....
Zittau	939,158.89	936,727.76	.....	2,431.13
Total	98,312,159.24	99,887,013.68	8,438,723.87	6,863,869.43
Increase	.....	1,574,854.44	.....	.....

BERLIN, *July 20, 1901.*

FRANK H. MASON,
Consul-General.

TELEGRAM RECEIVED.

DEPARTMENT OF STA

JUN 18 2 28 PM 190

INDEX BUREAU REC'D AUG 14 '01 DEPT. OF STATE

From Seoul

June 18, 1901.

Received 2:30 P. M.

To Wife

June 18/01.

ORDER CLERK'S OFFICE

RECEIVED

ASST. SECRETARY. JUN 18 1901

Ashin

Ack'd June 18/01

Arty arrived inform wife - Allen

No.86, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, June 29, 1901.

Mr.Horace N.Allen, to the

Assistant Secretary of State.

Ack Aug 24

-Subject-

Prisoner John G.Flanagan.

-Synopsis-

Special Agent of the Department of State, Thomas T. Keller, having delivered the instructions contained in despatch No. 42, of May 17, in regard to the transfer of the prisoner John G.Flanagan, at present confined in the Consular Jail at this place under committment for murder, to the State Prison at San Quentin, Cal., the writer has delivered the prisoner together with the original committment papers to Mr.Keller who has duly receipted for both. He encloses a copy of Mr. Keller's receipt. The party is leaving for the United States immediately.

Consular Bureau.
AUG15 1901

No.86,Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, June 29, 1901.

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of Mr.Cridler's despatch, No.42,of May 17, which was handed to me on the 18'th. instant by Mr.Thomas T. Keller in person.

In this despatch I am furnished with a certified copy of a law approved on March 3,1901, entitled "An Act to amend Section fifty-five hundred and forty-six of the Revised Statutes", in accordance with which law, the Attorney General, on April 25,1901 - in a letter of which a copy is furnished me - designated the State Prison at San Quentin, California, as the place for the future confinement of John G.Flanagan, convicted of murder in the Consular Court of the United States at Seoul Korea, and at present confined in the Consular Jail at this place.

I am instructed to deliver this prisoner to the accredited Agent of the Department of State, Mr.Thos. T.Keller, together with the original papers of commitment, inorder that he may take him with these papers and deliver him and them to the Warden of the State Prison at San Quentin, California,

Mr.Keller has shown me his instructions and I have delivered to him the prisoner together with the Judgement Roll covering the case and the committment.

Mr.Keller has duly receipted for both the prisoner and the papers, and I herewith enclose a copy of his receipt. 1/

In accordance with the instructions contained in the above cited despatch, I have endeavored to render to Mr.Keller all possible assistance in the matter. He starts for the United States with the prisoner immediately.

I have the honor to be,

Sir:-

Your obedient servant,

Hiram W Allen

Enclosure.

1/ Receipt of Mr.Keller.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, June 28 1901

In conformity with instructions received from the Department of State in despatch No.42, of May 17,1901, handing me a certified copy of a law approved March 3 1901, entitled "An Act to amend Section fifty-five hundred and forty-six of the Revised Statutes," under which law the Attorney General, on April 25,1901, designated the State Prison at San Quentin, California, as the place for the future confinement of John G. Flanagan committed for murder in the Consular Court of the United States at Seoul Korea, and at present confined in the Consular Jail at that place; I have this day handed over said prisoner to the accredited Agent of the Department of State, Mr.Thomas T.Keller, who is directed by the Department of State to deliver him to the Warden of the State Prison at San Quentin California.

I have at the same time delivered to said Thomas T. Keller, the original committment papers in the case, being the complete Judgement Roll in the case of John G.Flanagan convicted of murder in the Consular Court of the United States at Seoul Korea on the eleventh day of November 1898.

(sgd) Horace N Allen

Consul General of the United States, Seoul.

I have received from Horace N.Allen, Consul General of the United States at Seoul Korea, the above named prisoner, John G.Flanagan, together with the original papers of committment above named, for delivery to the Warden of the State Prison at San Quentin, California.

Special Agent of the Department of State.

Seoul Korea,

June 29 1901

(sgd) Thos. T. Keller.

File
Desp. from
U.S.C. 9-5-1901

No.87, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, July 22,1901.

Mr.Horace N.Allen, to the
Assistant Secretary of State.

-Subject-

Mistake in Trade and Kerosene Reports.

-Synopsis-

Owing to the absence of published returns of Korean Trade, he had to accept figures given him without a proper chance for verification. A mistake was made in handing him figures covering the Kerosene inport. This mistake was not noticed by the Agent of the Standard Oil Company, to whom he submitted the figures. He wishes to have the report sent April 8, and the one of July 11, suppressed if possible.

No.87, Consular.

Consulate General of the United States,
Seoul Korea, July 22,1901.

To the Honorable,
David B.Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

I regret to have to inform you that in my Annual Trade Report, sent you on April 8, last, I made a mistake in my figures for the import of American Kerosene. As the same mistake entered into my report on Kerosene sent you on July 11, I would be glad if the latter is withheld from publication, and the trade report might be omitted from the Monthly Consular Reports if this letter reaches you in time.

It seems that I was given the amount of kerosene in gallons instead of yen, and the Agent of the Standard Oil Company passed the reports without noting the mistake.

The Customs Administration do not publish the returns of trade, and I was obliged to take the few figures I could get without any means of verification.

I regret this mistake exceedingly, as I think it is the first that has occured in my reports.

I have the honor to be,
Sir:-
Your obedient servant,

Harold V Allen

No.88, Consular.

CONSULATE GENERAL OF THE UNITED STATES,

Seoul Korea, August 5,1901.

DEPARTMENT RECEIVED SEP 9 1901 DEPT. OF STATE

Mr.Horace N.Allen, to the

Assistant Secretary of State.

Adm'l SEP 20 1901

-Subject-

Vice and Deputy Consul General.

-Synopsis-

Announces the arrival at his post on the third instant, of Mr.Gordon Paddock, Vice and Deputy Consul General. He has handed Mr.Paddock his commission and has this day, officially introduced him at the Foreign Office, which is all that is necessary, as the Korean Government does not issue a regual consular exequatur.

Consular Bureau SEP10 1901

No.38, Consular.

Consulate General of the United States,
Seoul Korea, August 5,1901.

To the Honorable,
David J.Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to inform you that Mr.Gordon Paddock, Vice and Deputy Consul General, arrived at his post on the third instant, and I have today formally introduced him by visit and letter, to the Minister for Foreign Affairs.

As the Korean Government does not issue a regular exequatur, this official introduction is all that is necessary to fit Mr.Paddock for the discharge of his consular functions.

I have delivered to Mr.Paddock his commission as Vice and Deputy Consul General.

I have the honor to be,

Sir:-

Your obedient servant,

Horace Allen

No. 90. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA

CONSULAR BUREAU
NOTED AND PUBLISHED.

SEOUL, KOREA, August 15th. 1901

Mr. Horace N. Allen, to the
Assistant Secretary of State.

9/ Auditor
Oct 4
1901

To Cohyarth
Enc 5 to
Auditor
Oct-4
1901

- Subject -

Reports death of Allen J. Cameron, at Chemulpo, Korea. To. C. H. Noble

- Synopsis -

with bor & orig. letter enclosed & addressed to him Mch 6-1902,

Report of the death of Allen J. Cameron, a naturalized citizen of the United States, (Canadian by birth,) who died at Chemulpo, Korea, of smallpox, on June 22d.1901, and was buried at Chemulpo. Encloses Report of Death (2 enclosures,); List of papers enclosed with Account, and Account.

OCT 4 1901
Comptroller's Office

No. 90. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, August 15, 1901190 .

To the Honorable,
David J.Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

1/ I have the honor to hand you enclosed, my report on the death of Allan J.Cameron, a Canadian by birth, ~~who claimed to be an American citizen and has long re-~~sided in the United States. He was employed by the ~~American Mining Company here.~~ I found only his declaration of Intention to become an American Citizen, among his papers. I took charge of his effects and settled his estate in the customary manner.

For the use of the Auditor of the State and Other
2/ Departments, I enclose a duplicate copy of this report;
3/ a copy of the list of enclosures sent by me with the
4/ statement of the account with the estate; and a copy of my final statement of account with the estate of the deceased.

I have the honor to be,
Sir:-
Your obeident servant,
Horace N Allen

Enclosures.
1/ Report. Death of A.J.Cameron.
2/ " Copy ~~for Auditor.~~
3/ List of Papers " "
4/ Account " "

1/Despatch. No 90. Consular
Aug 15th 1901.

U. S. LEGATION.
SEOUL KOREA

RECEIVED AND PUBLISHED.
BUREAU.

(FORM NO. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

Seoul Korea, Aug.15 1901.

Name: Allan J.Cameron.

Native or naturalized: Naturalized, Canadian by birth.

Date of death: June 22, 1901.

Place of death: Chemulpo Korea.

Cause of death: Smallpox

Disposition of remains: Buried in General Foreign Cmetery, Chemulpo

Local law as to disinterring remains in case it is desired to bring them home:

Chemulpo Municipal Council will grant permission to disinter if requested.

Disposition of effects: Such as could not be easily disinfected were destroyed. Objects of a sentimental value found with deceased and at his quarters at the American mines, with papers etc. are sent herewith. Other things were inventoried and sold at public auction.

Address of family: Hanford Cal. & O.C.Mining Co. Boyd Block San Francisco.

Family notified: Yes, by telegraph.

Accompanied by relatives: No.

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages 164 to 176 Incl.

Remarks: Deceased was a miner in the employ of the Oriental Consolidated Mining Co. of Wunsan Korea. The Company telegraphed to the friends and paid all cost of burial. His effects and money amounted to Yen 665,67 and his debts to Yen 355,46, leaving a balance of Yen 310,21 which amount is forwarded by N.Y.draft to the heirs.

[SEAL.]

Horace N Allen
Minister of the United States.

Office of the

Third Assistant Secretary.

Mr. Carr:-

How would it do to appoint Mr. Paddock Consul General without salary until the matter can be explained to Congress in the next Estimates and that body has a chance to act and if possible make the title Secretary of Legation and Consul General, with the same or an increased salary. The office of Consul is certainly more of a necessity than the purely diplomatic grade.

I think we ought also ask for this $300 for a second native writer.

Adee

Consular Bureau.
OCT 8 1901

M. R.

(FORM NO. 192.)

CONSULAR SERVICE, U. S. A.,

AT

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No.

AUG 15 1901, *190*

Ar Bureau

No. 91. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, August 28, 1901.

Mr. Horace N. Allen, to the
Assistant Secretary of State.

Ans'd OCT 9 1901
3rd. ASST. SECRETARY.
SEP 23 1901

-Subject-

Advisability of Maintaining a Consular Office in Seoul.

-Synopsis-

Replying to Consular despatch No.43, of July 23, he advises the appointment of Mr. Paddock as Consul, since a vice consul seems not to be provided for by the Regulations for the Consular Courts of the United States in Korea. Cites the practise of other Governments in Korea.

He aslo suggests the advisability of making an allowance of $300 per annum for a native writer.

OCT 3 1901

No. 91. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, August 28, 1901190 .

To the Honorable,

David J.Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to acknowledge the receipt of your despatch No.43, of July 23, asking for suggestions from me as to the advisability of continuing a consular office in Seoul now that my post has been raised to one purely diplomatic.

I may say in reply that I think the maintainance of a consular office here to be necessary. Much of the work is of a consular nature. The securing of deeds for Americans from the Korean Government, necessitates constant correspondence with the Mayor or Governor of Seoul, who deals only with consular officers. Court cases are frequently coming up also, and already I have had to turn over one such case to Mr.Paddock. Such matters as consular invoices and similar work, would also seem to require the signature of a consular officer.

The German Representative in Seoul is - Consul with Diplomatic Powers. The British Chargé d'Affaires has been also Consul General, but now that the telegrams announce his promotion to "Minister", it may be that his assistant will discharge consular functions. The French Secretary of Legation discharges consular functions. The Japanese, Chinese and Russian Governments maintain a separate consular office in Seoul, while the Japanese, Chinese, Russian and British Governments maintain consuls at one or all of the ports.

The Regulations for the Consular Courts of the United States in Korea, passed by the Fifty Second Congress at its first session, on May 26,1892,- Senate Executive Document No.104, states at its close - "The word"consul" shall be held to include Consul General and Deputy Consul General".

As these two grades are particularly specified and nothing is said of a vice consul, it may be deemed best, by you, to appoint Mr.Paddock Consul, This would enable him to attend to all consular duties and act as Secretary of Legation and Chargé d'Affaires as well.

/ In this connection I would like to suggest that I be given an allowance of $300 per annum for the employment of a native writer. The work of the office has increased so much of late that the native interpreter, Mr.Kwan, cannot well keep up with his duties. He writes a good hand and makes most of the copies of matter other than diplomatic. The writing of native letters and making copies of native documents, is very slow work, and two men could be used to good advantage. Mr.Kwan, the present Interpreter, is very proficient and reliable, but he can secure a better paid position with his own Government and I fear we may lose him, as we lost Mr.Hong Woo Kwan. He certainly would not remain if his salary was reduced in order to employ a writer. Formerly the Interpreter's salary was $1000 gold, but Mr.Heard,in making an experiment in employing two men instead of one, did not use the whole amount. It was therefore cut down to $500, to the great detriment of the work.

I have the honor to be,

Sir:-

Your obedient servant,

Horace N Allen

No. 92. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, September 20., 1901

Mr. Horace N. Allen, to the
Assistant Secretary of State:

- Subject -

Report of death in Korea of F.W.Chase, an American citizen.

- Synopsis -

Reports the death of F. W. Chase, an American citizen, in Korea, and encloses List of papers and copy of final account on settlement of the estate of deceased.

CONSULAR BUREAU.
RECEIVED
DEC 13 1901

No. 92 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, September 20, 1901

To the Honorable,
David J. Hill,
Assistant Secretary of State.

Sir:-

I have the honor to hand you enclosed my report on the death of Frank W. Chase, deceased, an American citizen, who was in the employ of the Oriental Consolidated Mining Company in Korea.

I enclose also a duplicate copy of the report, for the Auditor, a copy of the List of papers in settlement of the Estate, and a copy of my final account with the Estate of deceased.

I have the honor to be,
Sir;
Your obedient servant,

Horace N. Allen

Enclosures:-
1/ Report of Death.
2/ " - " " -Duplicate for Auditor.
3/ Copy of List of papers.
4/ Copy of Account.

DUPLICATE

(FORM NO. 192.)

Enclosure No. 2.
Dispatch No. 2. Consular
September 20, 1901.

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

CONSULAR BUREAU.
CONSULAR BUREAU
RECEIVED
NOV

Consular Service, U. S. A.,

SEOUL KOREA, August 31. 1901.

Name: Frank W. Chase.

Native or naturalized: Native.

Date of death: July 13th 1901.

Place of death: Chittabaebie, Korea.

Cause of death: Consequences of diarrhoea.

Disposition of remains: buried at Chittabaebie.

Local law as to disinterring remains in case it is desired to bring them home:

- None -

Disposition of effects: forwarded to

Hon. J. Sloat Fassett.

Elmira, New York. U.S.A.

Address of family: C/o Hon. J. Sloat Fassett, Elmira. Ny.

Family notified: by telegram from Employer, the Oriental Consolidated Mining Co.

Accompanied by relatives: - No -

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages - 178 - 200.

Remarks:

All articles of a sentimental value are forwarded to Hon. J. Sloat Fassett, Elmira, Ny. USA. through the U.S. Consul at Nagasaki, Japan. and U.S. Despatch Agent at San Francisco, USA.

[SEAL.]

Horace N. Allen
Minister of the United States.

DUPLICATE

(FORM NO. 192.)

Enclosure No. 2.
Dispatch 77. Consular
September 20, 1901

CONSULAR BUREAU
RECEIVED
NOT FILED

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

SEOUL KOREA, August 31. 1901.

Name: Frank W. Chase.

Native or naturalized: native.

Date of death: July 13th 1901.

Place of death: Chittabaibie, Korea.

Cause of death: Consequences of diarrhoea.

Disposition of remains: buried at Chittabaibie.

Local law as to disinterring remains in case it is desired to bring them home:

- unee -

Disposition of effects: forwarded To

Hon. J. Sloat Fassett.

Elmira, New York. U.S.A.

Address of family: C/o Hon. J. Sloat Fassett, Elmira. Ny.

Family notified: by telegram from Employer, the Oriental Consolidated Mining Co.

Accompanied by relatives: - no -

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages - 178 - 200.

Remarks:

All articles of a sentimental value are forwarded to Hon. J. Sloat Fassett, Elmira, Ny. West. through the U.S. Consul at Nagasaki, Japan. and U.S. Despatch Agent at San Francisco. West.

[SEAL.]

Horace N. Allen
Minister of the United States.

(FORM NO. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA.

Report of the Death of an American Citizen.

*Enclosure No.*_____ *in despatch*

*No.*_____.

_____, *190* .

Enclosure No. 3/
Despatch, 92. Consular
September 20, 1901.

List of papers in the Settlement of the Estate of

Frank W. Chase, Deceased.

15

H.F.

1. Letter from Employer, F.W. Meserve, Manager of the O.C.M.Co. Woonsan Mines.
2. Certificate of death.
3. Inventory of effects.
4. Inventory of articles of a Sentimental value. Sent to J.Sloat Fassett, Elmira New York.
5. Auction list of things sold at the Mines.
6. " " " a consignment of merchandize received and sold at Chemulpo Korea.
7. Account with the Mining Company.
8. Account with the U.S.Legation.
9. Order from Montgomery Ward for balance on account, £ 2/2/2 = $1027 = Yen 20,54.
10. Receipt from U.S.Legation for official fee of 5% on Yen 471,93 = Yen. 23,59.
11. Draft on New York for balance Yen 448,34 = $ 221.93

Horace N. Allen

U. S. LEGATION,
SEOUL, KOREA.

AUG 31 1901

Enclosure No 4/
Despatch No 72. Consular
September 20.1901

The U.S.Legation, Seoul Korea, in account with

The Estate of Frank W.Chase, Deceased.

To balance on account with the O.C.Mining Co.	Yen	133,45
" proceeds of auction sale at the Mines.		210,78
" " " " " " Chemulpo.		107,16
" order from Montgomery Ward & Co,Chicago.		
L2/2/2 = $10,27 =		20,54
Total receipts	Yen	471,93

By U.S.Official fee 5% on Yen 471,93	¥	23,59
By paid for New York draft($22/93)		448,34
Total disbursements	Yen	471,93

Horace N Allen

U. S. LEGATION,
SEOUL KOREA.

AUG 31 1901.

No. 93 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

RECEIVED
NOV 13 '01
DEPARTMENT OF STATE

SEOUL, KOREA, October 5 , 1901.

Mr. Horace N. Allen, to the
Assistant Secretary of State:

FILE

- Subject -

Delivery of prisoner, John G. Flanagan, at California State Prison.

- Synopsis -

Acknowledges receipt of despatch, No. 44, Consular, of August 24, enclosing receipt for delivery of the prisoner, John G. Flanagan, convicted of murder in the Consular Court at Seoul, to the Warden of the State Prison at San Quentin, California.

Consular Bureau
NOV14 1901

NO. 93. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, October 5 , 1901

To the Honorable,
David J.Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Adee's despatch No.44, Consular, of August 24, handing triplicate receipt of M.G.Aguirre, Warden of the State Prison at San Quentin, California, for the safe delivery of the prisoner, John G.Flanagan, convicted of murder in the Consular Court at Söoul, and transferred as per my despatch No.86, of June 29,1901.

I have the honor to be,
Sir:-
Your obedient servant,

Horace N Allen

CONSULAR BUREAU.
NOTED

No. 94 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, October 24, 1901.

Acked by Sarvice
Dec. 19, 1901.

Mr. Gordon Paddock, to the
Assistant Secretary of State:

-Subject-

Marriage of American citizens.

-Synopsis-

Encloses copy of Marriage Certificate of Elmer M. Cable and Myrtle Emma Elliott, American citizens, married at Chemulpo, Korea, on October 23d.1901, before the Vice and Deputy Consul General of the United States.

Consular Bureau
DEC 10 1901

No. 94 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, October 24, 1901.

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U.S.A.

Sir:-

1/ I have the honor to hand you herewith a copy of the Certificate of Marriage of Elmer M. Cable and Myrtle Emma Elliott, who were married before me as Vice and Deputy Consul General, at Chemulpo, Korea, on the 23d. instant.

I have the honor to be
Sir:-
Your obedient servant,

Gordon Paddock

Enclosure:
1/ Copy Marriage Certificate.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

SEOUL KOREA, October 23d, 1901.

I, Gardner Paddock, Vice and Deputy Consul General of the United States at SEOUL KOREA, do hereby certify that, on this 23d day of October, A. D. 1901, at the house of Rev. Geo. H. Jones in the city of Chemulpo, Korea, Elmer M. Cable, aged 26 years, born in Jackson, Iowa, and now residing in Chemulpo, Korea, and Myrtle Emma Elliott, aged 23 years, born in Grundy Centre, Iowa, and now residing in Chemulpo, Korea, were united in marriage before me, and in my presence, by Rev. George H. Jones, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA, this 23d day of October, A. D. 1901, and of the Independence of the United States the one hundred and twenty-fifth.

Gardner Paddock

Vice and Deputy Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

CONSULAR BUREAU.
FILED.

CONSULAR BUREAU.

No. 95 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA

3rd. ASST. SECRETARY.
MAR 3 1902

SEOUL, KOREA, January 25th, 1902.

Sent to Mr. C. H. Noble
Mch 6-1902

To the Honorable

Herbert H. D. Peirce,

Third Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of your despatch No. 45, of December 11th, 1901, addressed to Horace N. Allen Esquire, etc. in which you note the receipt of a box and letter with enclosures from this office, both addressed to Mr. C. H. Noble, San Francisco, California, in regard to the effects of A. J. Cameron, dec'd; that both box and letter are marked "To accompany despatch No. 89 from Seoul"; that as yet this despatch has not reached the Department, and requesting that a duplicate copy of same be sent to the Department.

I beg to say that upon investigation I find that by mistake in numbering, the despatch (a copy of which is enclosed) sent in regard to the Estate of A. J. Cameron, dec'd, was numbered 90, instead of 89, the latter number being missing from the list of Consular Despatches sent from this office. Would it not be sufficient to note the omission in the records of the Department and of this office.

1./

I have the honor to be,

Sir:-

Your obedient servant,

Consular Bu.
MAR 4 1902

Edward Paddock

Enclosure:

1/ Copy of Consular Despatch No. 90.

Enclosure No. 1/ No. 95 Consular, January 25th, 1902.

Consular No. 90.

Consulate General of the United States,

Seoul, Korea, August 15, 1901.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1/ I have the honor to hand you enclosed my report on the death of Allan J. Cameron, a Canadian by birth, who claimed to be an American citizen and has long resided in the United States

He was employed by the American Mining Company here. I found only his declaration of Intention to become an American citizen among his papers. I took charge of his effects and settled his estate in the customary manner.

For the use of the Auditor of the State and other Departments,

2/ I enclose a duplicate copy of this report, a copy of the list

3/ of enclosures sent by me with the statement of the account with

4/ the estate; and a copy of my final account with the estate of the deceased.

I have the honor to be,

Sir:-

Your obedient servant,

(Sgd.) HORACE N. ALLEN.

Enclosures:

1/ Report Death of A. J. Cameron,

2/ " Copy for Auditor,

3/ List of Papers " "

4/ Account " "

CONSULAR BUREAU.

No.96 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

3rd. ASST. SECRETARY.
MAR 27 1902

CONSULAR BUREAU.
NOTED

SEOUL, KOREA, February 7th, 1902.

Mr. Gordon Paddock to the

Third Assistant Secreatry of State:

Ack'd by form Apr 7/02

-Subject-

Death of George Leck, an American citizen.

-Synopsis-

Reports the death on December 25th, 1901, at Chittabalbie, Korea, of George Leck, an American missionary residing formerly at Syen Chyun, Korea. States that further information will be ~~reported when received.~~

MAR28 1902

No. 96 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, February 7th , 1902.

To the Honorable

Herbert H. D. Peirce,

Third Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a Report of the death of George Leck, an American citizen, having just received a certificate of death from Dr. Frahklin Palmer, the attending Physician. The deceased was a missionary residing at Syen Chyun, a small town in northern Korea, and his death occurred at a mining village in the north called Chittabalbie. Owing to the difficulties of communication at this season, it has been impossible to get any information further than that contained in the enclosed Report, but I have written to the deceased's widow, who is at Syen Chyun, for further information, and instructing her to administer the estate subject to the supervision of this Consulate. I understand that the deceased left little property of value, but a further report will be made as soon as practicable.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:

1./ Report of Death.

Enclosure 1/ with dispatch
Consular No. 96. February 7th 1902

(FORM NO. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

COMMERCIAL BUREAU. RECEIVED.

Consular Service, U. S. A.,

U. S. CONSULATE GENERAL, SEOUL, KOREA. February 7th 1902.

Name: George Leek.

Native or naturalized: naturalized through parent.

Date of death: December 25th 1901.

Place of death: Chittabalbi, Korea.

Cause of death: Varicose Ongluvers

Disposition of remains: not yet reported.

Local law as to disinterring remains in case it is desired to bring them home:

none.

Disposition of effects: not yet reported.

Address of family: not yet reported

Family notified: —

Accompanied by relatives: accompanied by Wife, Frances B. Leek.

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages —

Remarks: Deceased was a Missionary residing at Syen Chyun, Korea. His last residence in the U.S. being Minneapolis, Minnesota. His widow has been instructed to administer the Estate through this Consulate; To make a complete inventory of the effects. and To furnish the information called for above. Upon receipt of which a further Report can be forwarded.

[SEAL.]

Gordon Paddock

Vice and Deputy Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

U. S. Consulate General.

Seoul, Korea

Report of the Death of an American Citizen.

Enclosure No. 1. in despatch

No. 96. Consular.

February 7th, 1902.

CONSULAR BUREAU
NOTED AND PUBLISHED.

No. 97 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

RECD JUN 25 1902
DEPT OF STATE

SEOUL, KOREA, May 26th, 1902.

Mr. Gordon Paddock to the

Third Assistant Secretary of State:-

-Subject-

Death of Lillian N. Harris, an American citizen

-Synopsis-

Encloses a Report on the death of an American Citizen, Lillian N. Harris, which occurred at Pyeng Yang, Korea, on the 16th, instant.

Consular Bureau
JUN 27 1902

No. 97 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU
NOTED AND PUBLISHED

SEOUL, KOREA, May 26th, 1902.

To the Honorable

Herbert H. D. Peirce,

Third Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a Report on the death of Lillian N. Harris, an American citizen, having received a certificate of death from the attending physician.

The deceased was a missionary physician residing at Pyeng Yang, Korea, and was accompanied by her brother-in-law and sister, Dr. and Mrs. E. D. Pollwell. I am informed that deceased left a will, in which her sister, Mrs. Pollwell, is named as Executrix. The Executrix has been instructed to produce the will for probate, etc. and a further report on the estate will be forwarded when practicable.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Caldwell

Enclosure:

1./ Report of death.

(FORM NO. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

CONSULAR BUREAU
ADOPTED AND PUBLISHED

Consular Service, U. S. A.,
U. S. LEGATION,
SEOUL KOREA. May 26th 1902.

Name: Lillian N. Harris.

Native or naturalized: native.

Date of death: May 16th 1902.

Place of death: Pyeng Yang, Korea.

Cause of death: Pernicious typhoid fever.

Disposition of remains: buried at Pyeng Yang.

Local law as to disinterring remains in case it is desired to bring them home:

None.

Disposition of effects: Not yet reported.

Address of family: Delaware, Ohio - USA.

Family notified: —

Accompanied by relatives: Yes.

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages —

Remarks: Deceased was a Missionary Physician, unmarried.

I am informed that deceased left a Will. Where as the personal effects of deceased is in the possession of the Executrix. Mrs Follwell (deceased's sister) at Pyeng Yang.

The Executrix has been directed to produce the Will for probate, etc.

A further report will be forwarded when practicable.

Gaston Liddell

[SEAL.]

Vice and Deputy Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

U. S. LEGATION,
SEOUL KOREA.

Report of the Death of an American Citizen.

Enclosure No. 1 */* *in despatch*

No. 97. Consular.

May 26th, 1902.

No. 98 Consular.

LEGATION OF THE UNITED STATES OF AMERICA.

DEPT OF STATE JUL 30 1902 2ND ASST SECRETARY

DIPLOMATIC BUREAU

To Treasury?
Ack.

SEOUL, KOREA, June 25th, 1902

Mr. Gordon Paddock to the

Assistant Secretary of State:

Ack by form to Treasury July 31-1902

-Subject-

Purchase of Japanese schooner "Harry M." by an American Corporation

Treas

-Synopsis-

Encloses a bill of sale and copy of the consular certificate issued to the Oriental Consolidated Mining Company, an American corporation, on their purchase of a Japanese schooner, the "Harry M." for use in Korean waters.

Consular Bureau JUL 30 1902

No. 98 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 25th, 1902

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a copy of a bill of sale and of the Consular certificate covering the same for the schooner "Harry M.", built at Moji, Japan, and purchased by the Oriental Consolidated Mining Company, an American corporation, for use in Korean waters.

I have the honor to be,

Sir:-

Your obedient servant,

Stanton Caldwell

Enclosures:

1./ Bill of sale, and certificate, as above.

Enclosure No. 98. Consular

DUPLICATE
(Copy.)
(FORM No. 35.)

Certificate to be Issued to Citizens of the United States Being Purchasers of American or Foreign Built Vessels in a Foreign Port.

I, GORDON PADDOCK., Consul of the United States for the port of Korea., do hereby certify that the within bill of sale, bearing date the 26th day of May, 1902, ~~189~~, of the Schooner "Harry H." formerly "Dexias Mars", of 30 tons burden: length 44. Feet (54 feet about.) built at Hioji. Japan. sold and transferred by K. Yamaguchi. Agent for H. Hoke (owner.) to The Oriental Consolidated Mining Company, has been proved satisfactorily to me to have been duly executed by the subscribing party, and I further certify that the said Company, by E. L. Barstow. its Agent therein mentioned as purchaser of said vessel is a citizen of the United States.

Witness my hand and seal of office at SEOUL KOREA, this 25th day of June. 1902, ~~189~~.

Gordon Paddock
U. S. Consul.

Vice and Deputy Consul General.

(Cobe) Enclosure in No 98. Berrisford.

Application for Certificate for sale and purchase of ship.

Japanese-type coasting ship, No. 1. Sekiho.

We beg you to certify the sale of the above ship, bill of sale attached hereto, belonging to Matsuzo Isobe, doing business in this port, to E. S. Barstow, an American citizen.

26th, May, 1902.

K. Taniguchi, Agent of owner, (seal)

lodging at T. Yanagihara's, Lot No 22.
G. F. Settlement, Chinampo.

M. Isobe (owner)

No. 13 Nishi Kaigandori,
Moji, Japan.

To-
K. Nakagama Esq.

Japanese Consul, Chinnampo.

We certify the above.

Japanese Consulate, Chinnampo, 26th, May, 1902. (Seal,)

Bill of Sale.

Japanese-type coasting ship, No 1. Sekiho.

Place of registary, Moji, Japan.

Length, 4 Ken.

Place of building, Moji, Japan.

Date of building, unknown.

The ship's register was granted by the Governor of Fuknoka on the 15th, January, 1900. Price Yen 950.00, with rigging, etc.

Hereby, I have sold the above-mentioned ship, and received the price mentioned, and agree as follows:- Should any trouble arise, concerning said vessel before the date of this bill of sale, the seller will be responsible and not trouble the purchaser

26th, May, 1902 Seller K. Taniguchi, Agent. M. Isobe.
(Seal,)

Purchaser, The Oriental Consolidated Mining Company
E. S. Barstow, Agent.

(Copy) Enclosure in
No. 98 Consular.

Chemulpo, June 24" 1902.

This is to certify that Capt. E. S. Barstow is the duly authorized agent of the Oriental Consolidated Mining Co. at Chinnampo, Korea, and as such has full power to sign documants on behalf of this Company.

For

The Oriental Consolidated Mining Company,

D. W. Deshler, Agent.

CONSULAR BUREAU.

To Treasury.
Ack + file.

DEP'T OF STATE
AUG 1 1902
2nd ASST SECRETARY

No. 99 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 28th, 1902.

Mr. Gordon Paddock to the
Assistant Secretary of State:

Ack by formate
Treasury aug 2/02

-Subject-

re Quarantine against cholera enforced in Korea.

Treas

-Synopsis-

Reports a meeting of the Consuls of the Treaty Powers, the Kamni, and the Commissioner of Customs at Chemulpo on the 27th. instant, at which it was unanimously decided that all ports of China, including Hong Kong, were infected with cholera, and that quarantine regulations should be enforced, beginning from June 28th. against all vessels arriving directly or indirectly from those ports.

Reports that no cases of cholera in Korea have been reported this year up to the present time, but that many cases are reported in China, and a number in Japan, and that Korea is in almost daily communication with those countries.

Consular Bureau
AUG 1 1902

No. 99 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 28th, 1902.

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to inform you that, on the 27th. instant, a meeting of the Consuls of the Treaty Powers, the Kamni, and the Commissioner of Customs was held at the Custom House in Chemulpo to decide, in accordance with section 9. of the regulations for the prevention of the introduction of infectious diseases into Korea, whether vessels arriving from ports in China in which cholera is known to exist should be subjected to medical inspection. It was unanimously decided that all the ports of China, as well as Hong Kong, were infected with cholera, and that quarantine regulations should be enforced, beginning from the 28th. instant, against all vessels arriving directly or indirectly from said ports.

No cases of cholera in Korea have been reported this year up to the present time, but as many cases are reported in China and a number in Japan, it will require every precaution to prevent its introduction into Korea, which is in almost daily communication with the countries named.

I have the honor to be,
Sir:-
Your obedient servant,

Horace N. Allen

CONSULAR BUREAU.
NOTED AND PUBLISHED.

No. 100 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 28th, 1902

Mr. Gordon Paddock to the

Assistant Secretary of State:

-Subject-

Report ~~on~~ regarding death of American citizen,
Henry G. Appenzeller.

-Synopsis-

Reports the death on June 11th, of an American citizen, Rev. Henry G. Appenzeller, who was lost in the wreck of a Japanese steamer, the "Kumagawa Maru", as reported in Mr. Allen's despatch No 474, of June 14th, 1902.; that every effort has been made by the Steamship Company and the Japanese Government to recover the bodies of those drowned, but without success; that the effects of the deceased have been taken charge of, so far as possible at present, by the consular officer.

Consular Bureau
JUL 30 1902

NO. 100 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 28th, 1902.

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a Report on the death of an American citizen, Rev. Henry G. Appenzeller

A full report giving all the details of the shipwreck in which Mr. Appenzeller perished has been sent to the Department by Mr. Allen in his despatch No 474. of June 14th, 1902. Since then both the Japanese Steamship Company and the Japanese Government have made a thorough search of the locality of the disaster; divers have been used, but the depth of the water (29 fathoms,) and the rapidity of the currents at the scene of the wreck have made it impossible to recover anything from the wreck. The neighboring islands have been searched without result.

I have taken in charge the effects of the deceased so far as possible at present, but the private papers, among which it is supposed there is a will, are locked in the safe of the treasurer of the missionary society to which deceased belonged, the treasurer is at present in China, and the papers can not be obtained until his return.

I have the honor to be,
Sir:-
Your obedient servant,

Edwin Saddock

Enclosure:
1./ Report of death American citizen.

CONSULAR BUREAU.
RECEIVED AND PUBLISHED.

(Form No. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

SEOUL KOREA, June 28th 1902.

Name: Henry G. Appenzeller.

Native or naturalized: native.

Date of death: June 11th 1902

Place of death: Near "Okei Island", Korea

Cause of death: drowned in shipwreck

Disposition of remains: remains not recovered

Local law as to disinterring remains in case it is desired to bring them home:

Disposition of effects: Effects in Korea have been taken in charge by the Consular Officer so far as at present possible.

Address of family: Lancaster - Pennsylvania.

Family notified: Yes.

Accompanied by relatives: no.

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages

Remarks: Rev. Henry G. Appenzeller was lost at Sea in the wreck of the Japanese S.S. "Kiunagawa Maru" on the night of June 11th All possible efforts have been made without avail by the Steamship Company for the recovery of the body. The personal effects so far as at present practicable, have been taken in charge by the Consular Office.

[SEAL]

Godwin Paddock

Vice and Deputy Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

U. S. Consul General.

Seoul Korea

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No. 100 Consular

JUN 28 1902, *190*

Con. Bureau File

No. 1. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, July 5th 1902.

Oath inclosed
Acknowledged by form
Nov. 14, 1902.

Mr. Gordon Paddock to the
Assistant Secretary of State:

BUREAU OF APPOINTMENTS
AUG 1 2 1902
Department of State.

CONSULAR BUREAU
JUL
10
1902
DEPARTMENT OF STATE

-Subject-

Appointment as Secretary of Legation and Consul General.

-Synopsis-

Acknowledges receipt of despatch No 1. of May 29.1902, informing Mr. Paddock of his appointment as Secretary of Legation and Consul General at Seoul, Korea, from July 1st. 1902, and enclosing forms of oath of office, and official bond to be executed and returned. Encloses oath of office executed July 1st, 1902, before Minister Allen, also signature card; states that the American Surety Company of New York has been instructed to execute and file with the Department the necessary bond, that Company having executed Mr. Paddock's bond as Vice and Deputy Consul General now on file with the Department.

No. 1. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, July 5th, 1902.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of your despatch, No 1. of May 29. last, informing me that the President, by and with the advice and consent of the Senate, has appointed me to be Secretary of Legation and Consul General of the United States at Seoul, Korea, from July 1st. 1902, and enclosing forms of official bond, and oath of office to be executed and returned to the Department.

1./ I have the honor to hand you enclosed my oath of office duly executed on the 1st. instant before Minister

2./ Allen, and signature card filled in for the use of the Treasury Department. In regard to the matter of my bond, I beg to say that, on account of the difficulty of finding Americans in Korea qualified to act as bondsmen, I have instructed the American Surety Company of New York to execute and file with the Department the necessary bond, as I have already on file with the Department my bond as Vice and Deputy Consul General executed by that Company.

I am informed that an exequatur will be issued to me by the Korean Government upon my producing my commission as Consul General.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosures:

1./and 2./ Oath of Office
and Signature Card.

No. 2, Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

RECEIVED AUG 14 1902 DEPT OF STATE

SEOUL, KOREA, July 5th, 1902.

CONSULAR BUREAU NOTED

Mr. Gordon Paddock to the

Assistant Secretary of State:

-Subject-

Consular Certificate of Marriage.

Ack Aug 20/02

-Synopsis-

Encloses a copy of the Certificate of Marriage issued to Charles Edwin Sharp and Eliza Miller Howell, Americans, married before the Consul General at Seoul, Korea, on the 2nd. instant.

Consular Bureau.
AUG18 1902

No. 12. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, July 5th. , 1902

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a copy of the Marriage Certificate issued to Charles Edwin Sharp and Eliza Miller Howell, American citizens, who were married before me as Consul General, at Seoul, Korea, on the 2nd. instant.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:

1./ as above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

U. S. CONSULATE GENERAL. SEOUL KOREA, JUL 2 1902, 189

I, GORDON PADDOCK, U. S. CONSUL GENERAL of the United States at SEOUL KOREA, do hereby certify that, on this 2nd day of July, A. D. 1902, at the residence of Dr. C. C. Vinton in the city of SEOUL KOREA, Charles Edwin Sharp, aged 32 years, born in Waterloo, Iowa, and now residing in SEOUL KOREA, and Eliza Miller Howell, aged 32 years, born in Southold, Suffolk Co. N.Y., and now residing in SEOUL KOREA, were united in marriage before me, and in my presence, by Rev. F. S. Miller, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA, this 2nd day of July, A. D. 1902, and of the Independence of the United States the one hundred and twenty-sixth.

Gordon Paddock

CONSUL GENERAL of the United States of America.

Fee one dollar. To be issued in duplicate.

No. 4. Consular.

CONSULAR BUREAU.

LEGATION OF THE UNITED STATES OF AMERICA.

3rd ASST. SECRETARY SEP 28 1902

CONSULAR BUREAU. NOTED.

Enclosure 1/ Kanboten
[illegible] Consular

CONSULAR BUREAU.
SEP 25 '02

No. 4. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

3rd. ASST. SECRETARY.
SEP 29 1902

SEOUL, KOREA, August 9th, 1902.

Mr. Gerdon Paddock to the
Assistant Secretary of State:

I Treaty
Sept. 30/02
Vroom

-Subject-

Quarantine regulations against cholera.

-Synopsis-

At a meeting of the Consuls of the Treaty Powers, the Kamni and the Commissioner of Customs of Chemulpo it was decided that, in accordance with section 9 of the regulations for the prevention of the introduction of infectious diseases in Korea, quarantine regulations should be enforced against all vessels arriving from the ports of Japan as well as from the Russian ports in the Liaotung peninsula on and after the 5th. instant. and against vessels arriving from the Korean port of Chenampo after the 8th. instant.

Consular Bureau.
SEP 29 1902

No. 4 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, August 9th , 1902

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to inform you that cases of cholera having occurred in Nagasaki, Shimonosaki and other ports in Japan, which are in communication with Chemulpo and other ports in Korea, and also in Port Arthur, which is in direct communication with Chemulpo, a meeting of the Consuls of the Treaty Powers, the Kamni and the Commissioner of Customs of Chemulpo was held, on the 4th, instant, at which it was decided that all the ports of Japan as well as the Russian ports in the Liaotung peninsula were infected with cholera, and that, in accordance with section 9 of the regulations for the prevention of the introduction of infectious diseases in Korea, quarantine regulations should be enforced against all vessels arriving from such ports on and after the 5th, instant. It was also decided that, the Commissioner of Customs of Chemulpo should enforce the regulations against vessels arriving from these ports of Korea which might thereafter become infected, without calling a further meeting of the Consuls, etc. Cases of cholera having been reported at the Korean port of Chenampo, the Commissioner of Customs notifies me that quarantine regulations will therefor be enforced against vessels arriving from that port from the 8th, instant.

I have the honor to be, Sir:-

Your obedient servant,

Eugene Paddock

CONSULAR BUREAU.

NO. 5. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

3rd ASST. SECRETARY.
SEP 29 1902

CONSULAR BUREAU
FILED AND PUBLISHED

SEOUL, KOREA, August 19th , 1902.

Mr. Gordon Paddock to the

Assistant Secretary of State:

FILE

-Subject-

J. G. Johnston, deceased.

-Synopsis-

Encloses report on the death of J. G. Johnston, an American citizen, who died on the 16th. instant at Chemulpo, on his way home to the United States. Deceased was a miner in the employ of the British mining Company at Gwendoline, Korea.

Consular Bureau.
SEP29 1902

No. 5. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, August 19th, 1902.

To the Hererable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honer to hand you enclosed a report on the daeth of an American citizen, Mr. J. G. Johnston, who died in Chemulpo on his way home to the United States. Deceased was a miner in the employ of the British Mining Company at Gwendoline, Korea, and was invalidid home. The Company has paid the expenses of the funeral, and has turned over to my charge the effects of the deceased, which will be administered in accordance with Consular Regulations.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Paddock

Enclosure as above.

(Form No. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

CONSULATE
NOTED AND PUBLISHED

Consular Service, U. S. A.,

SEOUL KOREA August 19th 1902.

Name: J. G. Johnston.

Native or naturalized: native

Date of death: August 16th 1902

Place of death: Chemulpo. Korea.

Cause of death: Chronic inflammation of Stomach & bowels.

Disposition of remains: buried in Cemetery of General Foreign Settlement, Chemulpo.

Local law as to disinterring remains in case it is desired to bring them home:

Remarks on consent of Trustees of Cemetery of Gen. Foreign Settlement, Chemulpo.

Disposition of effects: I have taken charge of the effects of decd. will administer the Estate according to Consular Regulations

Address of family: Wife: Mrs Isabella Johnston, 201 B. Street, Oakland. California

Family notified: Am informed that Wife has been notified

Accompanied by relatives: no.

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages ~

Remarks: Deceased was a Miner in the employ of The British and Korean Corporation. Ltd. at Unsan. Korea: was invalided on his way home.

[SEAL.]

Gadau Paddock

U. S. CONSUL GENERAL of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 in despatch

No. 5.

August 19th, 1902.

CONSULAR BUREAU

No. 6 Consular.

ACKNOWLEDGE

LEGATION OF THE UNITED STATES
OF AMERICA.

ASST SECRETARY.
SEP 29 1902

SEOUL, KOREA, August 23rd, 190 2

Mr. Gordon Paddock to the

Assistant Secretary of State:

Recd. by Form Oct. 11 02.

-Subject-

Japanese laborers attack American Missionaries.

-Synopsis-

Encloses a short report on the subject of an attack made on a party of American Missionaries by laborers employed in constructing the Seoul-Fusan Railroad, the trial and sentencing of the assailants.

No. 6. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, August 23rd , 1902.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a short report of an attack made by some Japanese laborers upon a party of American Missionaries on June 1st. last. As Mr. Allen has been in communication with the Japanese Minister concerning some pecuniary indemnity to be paid by the Seoul-Fusan Railway Company, to the gentlemen injured in the assault, I have delayed fefwarding this report, but as nothing has yet been agreed upon, and as I notice some mention of this matter has been made in the newspapers, I now forward the same. The sentencing of the assailants to two months and one month at hard labor, though wholly inadequate, is I am told by those familiar with Japanese Courts quite as much as could be expected. The Japanese Consul told me that, though the punishment seemed very light, if he were to make the sentence more heavy, the accused men would undoubtedly appeal, and that on appeal to the Court in Nagasaki his decision would probably be reversed. The weak point of the case lying in the fact that Bishop Moore, in striking the Japanese over the knuckles with his stick, made the first act of attack.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure as above.

Horace Paddock

1/

Report of an assault on American Missionaries by Japanese laborers.

On Sunday June 1st. an assault was made on a party of American Missionaries by Japanese laborers employed in the construction of the Seoul-Fusan Railroad. (Japanese.)

The circumstances, as related by members of the missionary party and afterwards substantiated on the trial, were as follows:

The missionary party, consisting of Bishop David H. Moore, of the Methodist Episcopal Church, Rev. Henry G. Appenzeller, Rev. Wilbur C. Swearer, Miss Melvin, Miss Moore, and a native helper, were on their way from the City of Seoul to attend a church in the country. At a point several miles from Seoul their road crossed a cut in the grading of the Seoul-Fusan Railroad, now in process of construction. It seems that the old road at this point followed the line of the present grading for a few yards and then ran beside the grading for some distance to a point where it recrossed the same. There had been a new road cut through a hill by the railroad people to replace the old road, but there was no sign to show that the old road was not to be used, and in fact it had recently been traversed by one of the party without objection on the part of the Japanese. The ladies in the party had gone ahead and had recrossed the railroad grading without interference. The party was travelling in jinrikishas drawn by Korean coolies, and Messrs. Appenzeller and Swearer had alighted and proceeded on foot for some distance along the old road where it ran beside the grading, Mr Swearer in advance, when they noticed a Japanese laborer pass them hastily and evidently excited, though he did not speak to them. They then heard Bishop Moore, who was some distance in the rear, and who had also alighted from his jinrikisha, call out to Mr. Appenzeller to come back. Mr. Appenzeller returned and found the Japanese,who had passed him on the road,holding the shaft of the

Bishop's jinrikisha, and refusing to allow it to proceed. Mr. Appenzeller then asked the man in Korean to let go of the jinrikisha, saying that if they had taken the wrong road they were sorry and would not do so again. The man did not understand Korean and none of the party spoke Japanese. The man still refused to release the jinrikisha, and Mr. Appenzeller attempted to remove his hand from the shaft without avail, the man resisting and becoming rough in his manner. Bishop Moore then with his stick rapped the man over the knuckles to make him let go. The man then let go of the jinrikisha, and in a rage picked up a large stone which he threw with force at the Bishop's head, calling out at the same time for help. The Bishop dodged the stone. In a moment several other Japanese ran up, and two of them armed with stones and clubs joined in the attack on the Bishop and Mr. Appenzeller. Mr. Swearer then came to the assistance of the Bishop. He seized the man who had stopped the jinrikisha, as he was about to strike the Bishop, and threw him to the ground. As he was bending over the man, one of the others hit him over the back with a heavy club. The Bishop seemed to be the object of the attack, and he was struck a heavy blow on the head with a club, but was saved from injury by the fact that he wore a stiff pith helmet. Mr. Swearer saw one of the men go to a pile of fire-wood near, and pick up a long stick, he put himself between the man and the Bishop, but turning his head away for a moment, as he again faced around the man hit him between the eyes with the sharp edged stick, cutting a long gash from which the blood flowed. Mr. Swearer fell to the ground, but got up in a moment. In the mean time Mr. Appenzeller had been engaged in holding off another of the Japanese, and had received a severe blow with a club in the face from the first assailant. The party had been retreating along the road, and managed to get some little distance away from the scene of the first encounter, which was a short distance from a^n encampment of Japanese laborers, and finally the Japanese desisted. The party then went to-

a spring near by, where the wounds of the injured were bathed and bound up. They then returned to Seoul, where Messrs. Appenzeller and Swearer received medical attention. Mr. Swearer's wounds in particular being quite severe.

The matter was immediately reported to Minister Allen, who at once communicated the matter to the Japanese Minister, and received assurances that everything would be done to bring the guilty parties to justice. Dr. Wada, of the Japanese Legation, went with me to see the injured men, Messrs. Appenzeller and Swearer, who were confined to the house. The three men who made the attack were arrested by the Japanese authorities, and on June 7th. their trial was begun before the Japanese Consul in Seoul. I attended the trial, which continued during the mornings of June 9th, 12th, 13th, 14th, and 16th, as "hearer". and Swearer
On the second day Messrs. Appenzeller appeared as witnesses, and recited the facts substahtially as stated above. Bishop Moore had in the mean time left for the United States. The accused men told quite a different story, as reported to me by my interpreter, but a severe examination showed the story of the Americans to be correct, and the men were found guilty of assault. The man who stopped the jinrikisha, and who made the first attack on the Bishop; and the one who wounded Mr. Swearer were each sentenced to two months at hard labor. The third man, who does not seem to have taken much part in the assault, was sentenced to one month at hard labor. The Japanese Consul told me they had the right to appeal to a court in Nagasaki, and that if they were to do so, his decision would probably be reversed.

Dated Seoul, June 23rd. 1902.

Edmund Caddock

Consul General.

CONSL

No. 3. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

3rd. ASST. SECRETARY. OCT 16 1902

3rd. ASST. SECRETARY. OCT 16 1902

SEOUL, KOREA, September 4th, 1902

Mr. Gerdon Paddock to the

Acting Secretary of State:-

File

-Subject-

Mistake in numbering consular despatches.

-Synopsis-

Explains that, by a mistake in numbering consular despatches, the number "3" has been omitted;;that this despatch is therefor given the number "3". in order to supply such omission.

No. 3. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, September 4th, 1902.

To the Honorable

David J. Hill,

Acting Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to inform you that by a mistake in numbering my consular despatches I have omitted the number "3". To supply such omission I will therefor number this despatch, explaining the mistake "No 3"., which I trust will prove a satisfactory way of keeping the record straight. I shall endeavor not to make such a mistake in numbering again.

I have the honor to be,

Sir:-

Your obedient servant,

Horace Paddock

Bureau of Indexes and Archives.

Oct 16, 1902

CONSULAR BUREAU.

This despatch

Despatches

&

Missing Numbers

Officers

No. 7 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

DIPLOMATIC BUREAU
RECD
OCT 31 1902
DEPARTMENT OF STATE

SEOUL, KOREA, October 4th, 1902.

Mr. Gordon Paddock to the

Assistant Secretary of State:

BUREAU OF APPOINTMENTS,
NOV 1 1902
Department of State.

Ret'd Dept of State Nov. 3. 1902

CONSULAR BUREAU
RECD
NOV 1 1902
DEPARTMENT OF STATE

-Subject-

Official bond as Consul General.

Comm sent Nov 5

-Synopsis-

Refers to No 1. Consular of July 5th, and encloses bond as Consul General executed by the American Surety Company of New York, in the sum of $3,000.00, and signed as per instructions. An exequatur will be issued by the Korean Government upon production of commission as Consul General.

INDEX BUR
OCT

No. 7. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, October 4th, 1902

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

Referring to my despatch No 1. of July 5th, I have the honor to hand you enclosed my bond as Consul General, executed by the American Surety Company of New York, in the sum of $3,000.00, which I have duly signed before two witnesses as instructed. An exequatur will be issued to me by the Korean Government upon my producing my commission as Consul General.

I have the honor to be,
Sir:-
Your obedient servant,

Enclosure:
1./ as above.

No. 8 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULATE GENERAL
NOTED AND PUBLISHED

SEOUL, KOREA, October 4th, 1902.

Acked by Nov. 12, 1902.

Mr. Gordon Paddock to the

Assistant Secretary of State:

-Subject-

Marriage Certificate of American citizens.

-Synopsis-

Encloses the Marriage Certificate of Edward Hughes Miller and Mattie May Henry, American citizens, married before the U. S. Consul General at Seoul, Korea, on the 2nd. instant.

No. 8 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

Seoul, Korea, October 4th, 1902.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a copy of the Marriage Certificate issued to Edward Hughes Miller and Mattie May Henry, American citizens, who were married before me as Consul General, at Seoul, Korea, on the 2nd. instant.

I have the honor to be,

Sir:-

Your obedient servant,

Arthur Caldwell

Enclosure:

1./ as above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

SEOUL KOREA, October 2nd, 1902.

I, Jabez Goodwin, Consul General of the United States at SEOUL KOREA, do hereby certify that, on this 2d day of October, A. D. 1902 at the residence of Dr. C. C. Vinton in the city of Seoul, Edward Hughes Miller, aged 29 years, born in Roosevelt - Pennsylvania, and now residing in SEOUL KOREA, and Mattie May Henry, aged 29 years, born in Martinsburg - Iowa, and now residing in SEOUL KOREA, were united in marriage before me, and in my presence, by Rev. S. A. Moffett D.D., who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA, this 2nd day of October, A. D. 1902 and of the Independence of the United States the One hundred and twenty-seventh.

Jabez Goodwin

Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

No. 9 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

STATE DEPARTMENT
RECD
NOV 28 '02
DIVISION

SEOUL, KOREA, October 17th, 1902.

Mr. Gordon Paddock to the

Assistant Secretary of State:

Bu. Accounts
Avoid Dec. 5, 1902
J.A.D.

-Subject- Instructed to conform to law and regulations as a Consular Officer.

File

Certificate requested by Auditor.

-Synopsis-

Having received from the office of the Auditor of the State Department, etc. notification of receipt of account of fees, with the request that that office be furnished with "form 113", which is a certificate by consular officers as to absences from their consular districts, asks,-as such a certificate has never before been required of this office, which is primarily a diplomatic one, and as the question is covered in salary accounts rendered quarterly,- that instructions be furnished.

INDEX BUREAU
DEC 8

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No. 9 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, October 17th, 1902.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to inform you that I have received from the office of the Auditor of the State Department, etc. a notification of receipt of my account of fees for the quarter ended June 30, 1902, in which I am requested to furnish that office with my "form 113" for the said quarter. Form 113,referred to, is a certificate for consular officers regarding absences from their consular district during the quarter covered by their accounts, and no such form has ever been used by or required of this office, in which the Minister has heretofore been also Consul General. My office as Secretary of Legation and Consul General is primarily a diplomatic one, and in my accounts for personal salary, rendered directly to the Department each quarter, I have in each case certified as to my presence at my post during the period, which would seem to be sufficient. I would beg, therefore, that you will instruct me in the matter, for- unless instructed to the contrary by the Department,- I shall consider the form which has been used by this office hitherto as sufficient.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Sweet

Bureau of Indexes and Archives.

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Please instruct Cons. Genl
to change the numbering of
his despatches ~~No~~ 2 & 3
Nos. 4 & 5 of Oct 14, '01 and
No. 6 of Oct 16, '01, to
Nos 7, 8 and 9 respectively
so that his series of Nos
may be correct.

J.L.D.

CONSULAR BUREAU

No. 10. Consular.

CONSULAR BUREAU
NOTED

RECD DEC 29 '02 DEPT OF STATE

LEGATION OF THE UNITED STATES
OF AMERICA.

3rd. ASST. SECRETARY. DEC 31 1902

SEOUL, KOREA, November 22nd, 1902.

Mr. Gordon Paddock to the

Assistant Secretary of State:

-Subject-

Rec'd, by forma & also re number. Jany 20/1903.

Stating the Death of Miss Christine Collbran.

-Synopsis-

Encloses a Report of the death of Miss Christine Collbran, an American citizen, which occurred at Seoul on November 18th. Miss Collbran was accompanied by her family.

INDEX BUREAU

No. ~~9.~~ 10 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, November 22nd, 1902.

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a report on the death of Miss Christine Collbran, an American citizen, which occurred in this City on the 18th. instant.

Miss Collbran was accompanied by her father, Mr. H. H. Collbran, and his family.

I have the honor to be,
Sir:-
Your obedient servant,

Edson Paddock

Enclosure:
1./ as above.

No. ~~7.~~ 10 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, November 22nd, 1902.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a report on the death of Miss Christine Collbran, an American citizen, which occurred in this City on the 18th. instant.

Miss Collbran was accompanied by her father, Mr. H. H. Collbran, and his family.

I have the honor to be,

Sir:-

Your obedient servant,

Horace Paddock

Enclosure:

1./ As above.

Bureau of Indexes and Archives.

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This despatch should be No. 10
in continuation of Consular series
and is so indexed. J.D.

(Form No. 192.)

CONSULAR BUREAU
NOTED.

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

...

Consulate Service, U. S. A.,

NOV 22 1902 190 .

Name: Christine Colebran

Native or naturalized: natui

Date of death: November. 13. 1902

Place of death: Seoul. Korea

Cause of death: typhoid fever.

Disposition of remains: buried in General Foreign Cemetery of Seoul.

Local law as to disinterring remains in case it is desired to bring them home:

On consent of Cemetery Committee

Disposition of effects: —

Address of family: —

Family notified: —

Accompanied by relatives: family present

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages

Remarks:

Arthur Caldwell
Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 in despatch

No. 7. Consular

Nov. 22 d, 1902

No. 11 C. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU.
Call attention to
correct numbering
4403

SEOUL, KOREA, December 1st, 1902.

Mr. Gordon Paddock to the

Assistant Secretary of State:

-Subject-

Cholera quarantine in Korea.

-Synopsis-

Referring to Nos. 99 Consular of June 28th, and 4 Consular of August 9th, last, regarding cholera quarantine in Korea, reports that quarantine regulations have been discontinued from the date of November 22nd. last.

Cholera was prevalent throughout Korea during August, September, October, and early November. It has now entirely disappeared.

No. 11 S. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, December 1st, 1902

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

Referring to my despatches Nos. 99 Consular of June 28th. last, and 4 Consular of August 9th. last, regarding the enforcement of quarantine regulations against vessels arriving from the ports of China, including Hong Kong, from Japan, and from Russian ports in the Liaotung Peninsula, I have the honor to inform you that I have been officially notified by the Commissioner of Customs at Chemulpo that such quarantine regulations have been discontinued from the date of November 22nd. last. Cholera, which was prevalent throughout Korea during the months of August, September, October, and the early part of November, has now entirely disappeared.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Saddock

Bureau of Indexes and Archives.

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This dispatch has been renumbered 11 in correction of Cons. Gen'l's desp. 1 Dec.

No. 12 Consular.

CONSULAR BUREAU.

3rd. ASST SECRETARY.
FEB 13 03

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, January 12th, 1903.

Bureau,
FEB 13 1903

Mr. Gordon Paddock to the
Assistant Secretary of State:

File

-Subject-

Correcting numbers of Consular despatches.

-Synopsis-

Acknowledges receipt of No 2 Consular of December 2, 1902, instructing the renumbering of his despatches Nos. 4 and 5 of October 4, and No. 6 of October 7, 1902 on his office copies to correspond with the Department's renumbering of same, and to number future despatches accordingly. Reports having done as instructed.

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No. 12 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, January 12th, 1903

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Peirce's despatch No 2 Consular of December 2, 1902, informing me that my despatches Nos. 4 and 5 of October 4, and No. 6 of October 7, 1902 have been renumbered in the Department 7, 8 and 9 respectively, and instructing me to so change the numbers on my office copies and number my future despatches accordingly.

I have numbered the office copies of the despatches named as instructed, and shall number future despatches accordingly.

I have the honor to be,
Sir:-
Your obedient servant,

Graham Paddock

No. 13 Consular.

CONSULAR BUREAU.

3rd. ASST. SECRETARY.
FEB 13 '03

LEGATION OF THE UNITED STATES
OF AMERICA.

Consular Bureau.
FEB 13 1903

SEOUL, KOREA, January 12th, 1903.

Mr. Gordon Paddock to the
Assistant Secretary of State:

-Subject- Rec'd from Seoul 2/18/03.

Attack on Missionaries by Japanese workmen.

-Synopsis-

Referring to No 6 Consular of August 23, 1902, reporting an assault on a party of missionaries by Japanese workmen on the Seoul-Fusan Railway, reports that, as a result of Minister Allen's action in the matter, the Directors of the Railway Company have paid, through the Japanese Consul in Seoul, to Mr. Swearer, one of the gentlemen injured in the assault, the sum of Yen 250.00 to reimburse him for his doctor's bills. Mr. Swearer has expressed himself in writing as pleased with the conclusion of the matter. Mr. Appenzeller, the other injured party, having since died, it is expected that the Company will offer a like payment to his heirs.

INDEX BUREAU
FEB 19 1903
FILED

No. 13. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, January 12th, 1903.

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

Referring to my despatch No 6 Consular of August 23rd. 1902, in which I reported an assault made upon a party of American missionaries by Japanese laborers on the Seoul-Fusan Railway in June last, and the subsequent trial and conviction of the assailants in the Japanese Consulate, and in which I stated that Minister Allen was in communication with the Japanese Minister here concerning a pecuniary indemnity to be paid by the Railway Company to Messrs. Appenzeller and Swearer, the gentlemen injured in the assault. I have now the honor to inform you that, as a result of Mr. Allen's action, Mr. Mimashi, the Japanese Consul in Seoul, requested Mr. Swearer to call upon him on the 2nd. instant. Mr. Mimashi then stated to Mr. Swearer that the Directors of the Seoul-Fusan Railway regretted exceedingly the unfortunate affair of June last, wherein he and Mr. Appenzeller had received wounds at the hands of workmen engaged on the Railway, and, as they had learned that he- Mr. Swearer- had in consequence had doctor's bills to pay, they wished to offer him a small sum to cover those bills. Mr. Mimashi thereupon handed Mr. Swearer Yen 250.00, which he said he had received from the Railway Company for that purpose. Mr. Swearer was satisfied with this conclusion of the matter, and has expressed himself in writing to Mr. Allen as highly pleased.

Mr. Mimashi further stated that this action did not touch Mr. Appenzeller's case at all. It is, therefore, to be expected that a sum will also be offered by the Railway Company to Mr.

Appenzeller's

Appenzeller's heirs. Mr. Appenzeller having perished in a shipwreck on June 11th. last, as reported to the Department by Mr. Allen in his despatch No 474 of June 14th. 1902, and by myself in my No 100 Consular of June 28th, 1902.

I have the honor to be,

Sir:-

Your obedient servant,

Gustavus Schmidt

CONSULAR BUREAU.

File.

No. 14 Consular.

3rd. ASST. SECRETARY. FEB 13 1903

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU. NOTED AND PUBLISHED.

Consular Bureau. FEB 13 1903

SEOUL, KOREA, January 14th, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:

Checked by P. Mar. 14, 1903

-Subject-

Report of Death of American citizen.

-Synopsis-

Reports the death in Korea of an American citizen, the Rev. D. C. Rankin, who dief at Pyengyang on December 27, 1902.

The deceased was making a short visit in Korea, and his effects, consisting of wearing apparel, etc. will be taken in charge and the estate in Korea administered in accordance with Consular Regulations.

No. 14 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, January 14th , 1903.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a Report of the death of an American citizen, the Rev. D. C. Rankin, D.D. who died of pnuemonia on December 27th. last, at Pyengyang, Korea. The deceased arrived in Korea on December 5th, and proposed making a short visit here. His effects, consisting of his wearing apparel, etc. will be forwarded to Seoul as soon as practicable, and the estate here will be administered in accordance with Consular Regulations.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Saddock

Enclosure:

1/a abs.

No. 14 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, January 14th , 1903.

To the Honorable
David J. Hill,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a Report of the death of an American citizen, the Rev. D. C. Rankin, D.D. who died of pnuemonia on December 27th. last, at Pyengyang, Korea. The deceased arrived in Korea on December 5th, and proposed making a short visit here. His effects, consisting of his wearing apparel, etc. will be forwarded to Seoul as soon as practicable, and the estate here will be administered in accordance with Consular Regulations.

I have the honor to be,
Sir:-
Your obedient servant,

Edward Caddell

Enclosure:
1./a abs:

(Form No. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

CONSULAR BUREAU.
NOTED AND PUBLISHED.

Consular Service, U. S. A.,

SEOUL KOREA JAN 14 1903 190

Name: (Rev.) D. L. Rankin.

Native or naturalized: Native

Date of death: December 27. 1902.

Place of death: Pyengyang. Korea.

Cause of death: pneumonia.

Disposition of remains: buried in Foreign Cemetery at Pyengyang.

Local law as to disinterring remains in case it is desired to bring them home:

on consent of Managers of Cemetery Association.

Disposition of effects: To be forwarded to Seoul as

soon as practicable.

Address of family: Mrs Rankin. % Executive Com. for Foreign Missions. { P.O. Box 457. Nashville. Tenn. U.S.A.

Family notified: Yes.

Accompanied by relatives: No.

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages —

Remarks: The deceased was visiting Korea. and his effects - consisting of ordinary wearing apparel, etc. will be taken in charge, and the Estate in Korea administered in accordance with Consular Regulations.

Gardner Caldwell

of the United States.

U. S. CONSUL GENERAL.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No. 14.

JAN 14 1903, *190*

CONSULAR BUREAU.

No. 15 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

3rd. ASST. SECRETARY.
APR 16 1903
CONSULAR BUREAU.
NOTED.

SEOUL, KOREA, February 20th, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:

Ans'd Apr 22/03.
To Auditor
Rec'd Apr 1X

-Subject-

Settlement estate of J. G. Johnston, deceased.

-Synopsis-

Reports the final settlement of the estate in Korea of the deceased, and that a sum has been retained as the official fee on settlement, ~~as to the necessity~~ of which the writer is uncertain, and asks instructions as to its disposal.

No. 15 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, February 20th, 1903.

To the Honorable

David J. Hill,

Assistant Secretary of State:

Washington, U. S. A.

Sir:-

I have the honor to report to you the final settlement of the estate, in Korea, of the late J. G. Johnston, deceased, a report of whose death was forwarded in my No 5 Consular of August 19, 1902. The deceased was an American miner in the employ of the British Mining Company in Korea, and was invalided and on his way home when he died at Chemulpo. The Mining Company paid all expenses of his last illness and of the funeral, and turned over to me his effects, which were packed and sealed in three cases. These have been forwarded to his widow upon receipt of a certified copy of Letters of Administration granted her. The personal effects were not inventoried nor unpacked, as the deceased left no debts in Korea. There was a deposit to his credit in the hands of the agents in Chemulpo of the Hongkong and Shanghai Bank, who are also the agents of the Mining Company by whom he was employed. I have sent to the Administratrix a draft for the amount of such deposit less the expenses for forwarding the effects and the sum of Yen 57.79, being 5% on the amount of money which passed through my hands, and which I retained as the official fee on settlement of the estate; together with a letter and an account of settlement, copies of which I enclose. In regard to the item retained for official fee I have been uncertain as to whether it was a necessary charge on the estate or not, and have therefore notified the Administratrix that the same will be returned to her if I am so instructed by the Department. I would ask, therefore, that I be instructed as to the

&2./

No. 15 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, February 20th, 1903.

To the Honorable

David J. Hill,

Assistant Secretary of State:

Washington, U. S. A.

Sir:-

I have the honor to report to you the final settlement of the estate, in Korea, of the late J. G. Johnston, deceased, a report of whose death was forwarded in my No 5 Consular of August 19, 1902. The deceased was an American miner in the employ of the British Mining Company in Korea, and was invalided and on his way home when he died at Chemulpo. The Mining Company paid all expenses of his last illness and of the funeral, and turned over to me his effects, which were packed and sealed in three cases. These have been forwarded to his widow upon receipt of a certified copy of Letters of Administration granted her. The personal effects were not inventoried nor unpacked, as the deceased left no debts in Korea. There was a deposit to his credit in the hands of the agents in Chemulpo of the Hongkong and Shanghai Bank, who are also the agents of the Mining Company by whom he was employed. I have sent to the Administratrix a draft for the amount of such deposit less the expenses for forwarding the effects and the sum of Yen 57.79, being 5% on the amount of money which passed through my hands, and which I retained as the official fee on settlement of the estate; together with a letter and an account of settlement, copies of which I &2./nclose. In regard to the item retained for official fee I have been uncertain as to whether it was a necessary charge on the estate or not, and have therefore notified the Administratrix that the same will be returned to her if I am so instructed by the Department. I would ask, therefore, that I be instructed as to the

disposal of the sum retained for official fee. I have forwarded also to the Administratrix duplicate vouchers for all amounts disbursed by me on account of the estate.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosures:

1./and 2./ as above.

No 111 C. G.

Enclosure 1/

Klamath #18, Overland

Date FEB 20 1903

Seoul, Korea, January 30th, 1903.

Mrs. Isabella Johnston,

Administratrix of the Est. of J. G. Johnston, dec'd.

2214 Chestnut St. Oakland, California.

Dear Madam:-

Your letter enclosing certified copy of Letters of Administration on the estate of J. G. Johnston, Dec'd, granted to you in the Superior Court of Alameda Co, California, was duly received.

I have forwarded to you on the 16th. instant, through Messrs. Holme, Ringer & Co. of Chemulpo, three sealed cases containing all the personal effects of the deceased. These were packed and sealed immediately after Mr. Johnston's death, and have not since been opened.

As stated to you in my former letter the British Mining Co. by whom Mr. Johnston was employed, paid all expenses of his last illness and of the funeral. I, therefore, hand you enclosed a draft, endorsed to your order as Administratrix, etc. on the Hongkong & Shanghai Banking Corporation, San Francisco, (1st of exchange,) for $531.44- the equivalent at exchange 49 3/4 of Yen 1068.22 - being the balance to the credit of the estate in the Hongkong & Shanghai Bank, Chemulpo, at this date (as per enclosed copy letter of the Bank's agents,)- after deducting the

charges for forwarding the effects, and the sum of Yen 57.79, the official fee for settlement of the estate. In regard to this latter charge, I shall communicate with our State Department and if it be found that the fee may be omitted in this case, I shall remit to you the amount so retained.

Enclosed herewith is an account of the settlement of the estate with vouchers. Kindly acknowledge the receipt of this letter and enclosures.

Yours very truly,

GORDON PADDOCK.

U. S. CONSUL GENERAL

Enclosures:

1./ Draft on Hongkong & Shanghai Bank, San Francisco.

2./ Account with vouchers annexed.

3./ Copy letter Holme, Rinfer & Co.

Copy.

Chemulpo, Korea, Jan. 21, 1903.

Gordon Paddock Esquire,

American Consul General,

Seoul.

Sir:-

We are in receipt of your esteemed favor of the 16th. instant addressed to our Mr. Bennett, and contents of same have had our careful attention.

The three boxes containing deceased Johnston's effects go forward per S.S."Takasago Maru" and we will as desired, forward the B/Lading along with your Consular Invoice to Mrs. Johnston at Oakland.

We have pleasure in handing you a cheque on the Dai Ichi Ginko for Yen 64.58 being amount of your Official Fees in connection with the administration of the deceased's estate, which amount we have recovered from Johnston's balance with the Hongkong & Shanghai Bank. Our expenses for freight &c, amounting to Yen 23.00 as per receipts in triplicate herewith, we have recovered in the same way. You will notice we have covered the goods by marine Insurance, and we trust this will meet with your approval.

We have now pleasure in handing you a demand draft payable to your order on the Hongkong & Shanghai Bank, San Francisco (Oakland is impossible) for G.$ 531.44, being the equivalent at exchange 49 3/4 of Yen 1068.22 this being the balance standing at Johnston's credit after deducting the amounts mentioned above. As the Bank require an official receipt for the full amount paid out will you kindly send us one for the sum of Yen 1155. 80.

Trusting all will be found in order,

We have the honor to be
Your obedient servants,
per pro Holme Ringer & Company,
(Signed) W. Geo. Bennett,
General Agents

Enclosure 2./

Klehbatter's #16. Consular

U. S. Consulate General, Seoul, Korea.

FEB 20 1903

In the matter of the settlement of the estate of J. G. Johnston, dec'd.	Account.

By- Amount to credit of J. G. Johnston, dec'd, in the hands of Messrs. Holme, Ringer & Co, Chemulpo, Agents for the Hongkong & Shanghai Bank, as per statement rendered by them January 21, 1903. Yen 1155.80

To- Draft on Hongkong & Shanghai B'kg Corp. San Francisco, dated Jan'y 21, 1903, $531.44 U.S.gold a 49 3/4 Yen 1068.22

Forwarding effects: Consular invoice,	5.02
" " Freight to Chemulpo,	1.77
" " " " San Francisco, etc.	23.00
Official fee- 5%- on settlement of estate.	57.79
Total:-	Yen 1155.80

January 3rd 1903.

GORDON PADDOCK.

U. S. Consul General.

Assistant Solicitor
APR20 1903
Department of State.

Mr Whitehouse:

No fee should have been charged. It should be sent to the Consul Ge[illegible]ved the effects (which were already packed & were not examined by him) and transmitted them to the legal representative of the deceased.

Consular Bureau
APR 21 1903

It seems to me under the circumstances no fee should have been collected under Fee No 2 tariff of fees. What do you think about it?

E L W

Adm'x.

F. V.

Consular Bureau
APR 21 1903

...the Consul
...ved the
effects (which were already
packed & were not examined
by him) and transmitted
them to the legal representa-
tive of the deceased.

It seems to me under the
circumstances no fee should
have been collected under Fee
No 12 Tariff of Fees. What
do you think about it?

E L W

Adms.

F.V.

Consular Bureau.
APR 21 1908

?

Ge

the Consul

red the

effects (which were already
packed & were not examined
by him) and transmitted
them to the legal representa-
tive of the deceased.

It seems to me under the
circumstances no fee should
have been collected under Fee
No 12 Tariff of Fees. What
do you think about it?

E L W

Consular Bureau.

MEMORANDUM.

Consular Bureau
APR 21 1903

Mrs Van Dyne:

In this case the Consul General merely received the effects (which were already packed & were not examined by him) and transmitted them to the legal representative of the deceased.

It seems to me under the circumstances no fee should have been collected under Fee No 12 Tariff of Fees. What do you think about it?

E L W

Consular Bureau.
No. 1903

CONSULAR BUREAU.

3rd. ASST. SECRETARY.
APR 16 1903

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU
RECD.
APR 14 '03
DEPARTMENT OF STATE

SEOUL, KOREA, February 28th, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:

-Subject-

Numbering of consular series
corrected.

-Synopsis-

Acknowledges receipt of Mr. Peirce's No 3 Consular of January 20, 1903, and states that the writer's despatches 7 and 8 have been renumbered 10 and 11 in continuance of his consular series, as directed.

No. 1

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, February 28 , 1903.

To the Honorable

David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Peirce's despatch No 3 Consular of January 20, 1903, informing me that my despatches numbers 7 and 8 of November 22 and December 1, 1902, respectively, have been renumbered in the Department 10 and 11 in continuance of my consular series.

I have so corrected the records in my office.

I have the honor to be,

Sir:-

Your obedient servant,

Edw Paddock

No. 15 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

Consular Bureau
Received
APR 29 1903

CONSULAR NOTED AND PUBLISHED.

SEOUL, KOREA, March 20, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:

-Subject-

Death of Walter V. Johnson.

-Synopsis-

Encloses a Report of the death of an American citizen, the Rev. Walter V. Johnson, who died of confluent smallpox at Seoul on the 18th.instant. Mr. Johnson left no will, and his estate in Korea has been taken in charge by the writer, and will be administered in accordance with Consular Regulations. He was a missionary connected with the mission in Korea of the Presbyterian Church in the U. S. His family in the U. S. have been notified of the death through the Board of Foreign Missions of the Presbyterian Church at No 156 Fifth Avenue New York City.

INDEX BUREAU
MAY 12 1903
FILED

No. 16 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, March 20 , 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

./ I have the honor to hand you enclosed a Report of the death of an American citizen, the Rev. Walter V. Johnson, who died of confluent smallpox in Seoul on the 18th.instant.

The late Mr. Johnson was a missionary connected with the mission in Korea of the Presbyterian Church in the U. S. A. He was the bearer of a U. S. passport (No 63820.) issued by the Department. While on his way to Korea he had the misfortune to lose his wife, who died and was buried at Kobe, Japan. He left no will, and I have taken in charge his estate here, consisting of personal and household effects, which will be administered in accordance with Consular Regulations. I am informed by the mission here that his family in the United States has been notified by cable of his death, through the Board of Foreign Missions of the Presbyterian Church at No 156 Fifth Avenue, New York City.

I have the honor to be,

Sir:-

Your obedient servant,

Enoch Lassock

Enclosure:

1./ as above.

Enclosure No 1/
Korbatch 16. Consular

(FORM NO. 192.)

MAR 20 1903

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

CONSULAR BUREAU
PRINTED AND PUBLISHED

Consular Service, U. S. A.,

SEOUL KOREA MAR 20 1903 190 .

Name: Walter S. Johnson.

Native or naturalized: native.

Date of death: March 18, 1903.

Place of death: Seoul. Korea.

Cause of death: Small pox. "

Disposition of remains: buried in General Foreign Cemetery. Seoul.

Local law as to disinterring remains in case it is desired to bring them home:

On permission of Secretary of Cemetery Committee.

Disposition of effects: the effects of deceased have been Taken in charge by the U.S. Consular General at Seoul. and the Estate will be administered in accordance with Consular Regulations.

Address of family: J. F. Johnson (father.) Berea. Ohio. U.S.A.

Family notified: Notified by cable through The Mission Board of the Presbyterian Church in New York. U.S.A. No. 156. Fifth Avenue. N.Y. City.

Accompanied by relatives: No.

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages —

Remarks: Deceased was connected with the Mission of the "Presbyterian Church in the U.S.A." in Korea. and arrived in Seoul. Korea. in February. 1903.

[SEAL.]

Eugene Paddock
Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 in despatch

No. 16. Consular.

MAR 20 1903, 190 .

No. 17 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

3rd ASST. SECRETARY.
MAY 15 1903

RECD. MAY 14 1903 DEPT OF STATE

CONSULAR BUREAU. MAY 16 1903 DEPARTMENT OF STATE

SEOUL, KOREA, March 28th, 1903.

CONSULAR BUREAU.
ACKNOWLEDGE,
FILE.

Mr. Gordon Paddock to the
Assistant Secretary of State:

Ans by Pouch May 18/1903

-Subject-

re the Shooting of a Korean by an American, Clare W. Hess.

-Synopsis-

Refers to Minister Allen's despatch No 574 of February 7th. last reporting the occurrence, and reports the final settlement of the case by the American's payment of an indemnity, approved by the Governor of Seoul, to the injured Korean, who has been discharged from the hospital completely cured, and upon the American's promise to leave Korea. Hess discharged on the 20th. instant, left Korea the following day.

RECEIVED MAY 16 1903

No. 17 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, March 28th, 1903.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to report the final settlement of a case in which an American, Clare W. Hess, of Columbia City, Indiana, shot and wounded a Korean named Aw Miung Soon.

The occurrence, on February 5th.last, was witnessed by Minister Allen, and has been fully reported by him to the Department in his No 574 of February 7th, in which he enclosed a sworn copy of a statement by himself and Mr. de Waeber, Russian Special Envoy. I would, therefore, refer to that despatch for a description of the occurrence.

On questioning Hess, he could give no satisfactory excuse for the shooting, nor for going armed with a large and powerful revolver to such a place. He shot in all three times. The first time, as he said, in the air to scare the "stone fighters" away from the place where he was trying to photograph the scene. He did not then, however, leave the place, but continued his efforts to take photographs, and his first shot seems to have been fired simply in a spirit of bravado to frighten the natives near, for, by his own admission, he was then in no danger. After an interval of some fifteen minutes the crowd of fighters surged in his direction. In the mean time stones had been thrown towards him, but apparently not directed at him. He then evidently became frightened and lost his head, and he says that he fired his second shot believing himself in danger and aiming, as he supposed, in the air. It was this shot that struck the Korean, the bullet passing through the fleshy part of his thigh. When the crowd saw the foreigner shoot and the Korean fall they rushed for Hess. He then shot again and ran, until he met Mr. Allen,

who took away the revolver, as recounted in his despatch. Hess then ran for protection to the Legation, something over a mile distant, followed by an excited crowd of Koreans.

From his statement it appeared that he was in no actual danger until he had shot the Korean. He might have sought a place of safety at any time before that, and he had no occasion to go armed to the place.

The wounded Korean was brought to the Legation, where his wound was dressed by Dr. Wunsch, whom I had summoned. It was seen that the wound was not serious unless complications set in, so I ordered the man taken to the American hospital, which its Medical Superintendent was good enough to place at my disposal.

Hess was given in charge of the Consular Jailer, to await the result of the Korean's wound. To this he did not demur, as he considered the Legation a place of refuge.

It seemed best, if the injured man recovered quickly, and if Hess were able to pay the man a sufficient sum by way of indemnity, and would promise to leave Korea, where he might no longer be safe, that I should try to get the consent of the Governor to such a settlement of the matter rather than proceed in a criminal action against Hess. He had undoubtedly made himself liable to a possibly severe penalty in a criminal proceeding, but his action seemed to have been more heedless than malicious. I found that he had but little money, but expected to receive in a few days an amount which would probably be sufficient, so I saw the Governor and laid the matter clearly before him and asking him to let me know if he could approve of such a settlement. After considerable difficulty, and correspondence, copies of which are enclosed, I obtained his approval in writing of such settlement.

In the mean time the wounded man had recovered, and was discharged from the hospital on the 10th.instant, completely cured.

On the 20th.instant Hess received his expected money. I therefore saw the Governor again (Governor changed in the interval.) and after long discussion got his consent and approval of a payment of Yen 100. to the Korean as indemnity. Copies of corres-

pondence are enclosed. The amount though small was a large sum to a Korean of the coolie class, and was all that Hess could well spare, leaving him little more than enough to pay his passage home, after settling his debts in Korea. Hess paid to me besides the Yen 100., the medical and hospital charges and his board at the Legation premises, and, upon signing a sworn statement and promise to leave Korea, was discharged on the 20th.instant. He sailed from Chemulpo, in accordance with his promise, the following day. On the 26th.instant the Governor sent an official from his office bringing the Korean, Aw Miung Soon, who was paid the Yen 100. indemnity. A copy of his receipt, and duplicate receipts for other payments are enclosed.

Both the Governor and the injured man finally expressed themselves as satisfied with this settlement of the matter, and it seems the best for all concerned.

I have the honor to be,

Sir:-

your obedient servant,

Arthur Caldwell

Enclosures:

1./ to 12./ as above.

No 112. C. C. DUPLICATE Enclosure 1/ Despatch 17. Corrs.

Seoul, February 9th, 1903.

Hon. Chang Wha Sik,

Governor of Seoul.

Sir:-

Referring to our conversation of the 7th.instant, regarding the case of the man Aw Hiung Soon, who was shot and wounded by an American, Clare W. Hess, on the 5th.instant, I have the honor to ask that you inform me of what conclusion you have reached as to the course you would prefer us to pursue. As I stated to you, our wish is to obtain complete justice, and if you consider the payment of a sum of money to the wounded man, as an indemnity for his injury, (provided the American can afford to pay a sufficient sum,) together with the American's promise to leave the country, to be the most satisfactory settlement of the matter, I beg that you will communicate with me at once. Or, if not, that you will kindly let me know, so that proceedings may be commenced in the U. S. Consular Court immediately.

In the latter case I will ask that the presence of the injured man be ordered, if his condition permits, and you are invited to attend, either in person or by deputy, the hearings, the date of which will be notified to you.

I have the honor to be, Sir:-

Your obedient servant,

(Sgd.) GORDON PADDOCK.

Enclosure 2/
Korbatter 17. Corr

Despatch No. 3.

Han Sung Poo, Feb. 9, 1902.

Honorable G. Paddock,

U. S. Consul General.

Sir:-

I have the honor to inform you that on the 7th. instant, hearing that a Korean was shot by an American, name not known, without any reason, I had sent out Ye Yun Chong the Trial Judge in the City Courtand a clerk named An Sikand found that the wounded man was in Ar-Hiun where stone fight we call was going on; his right leg suddenly felt struck by a hot stone and fell down on the ground; he met a Frenoh man, Tremoulet, who took him into the city to his houseand dressed his leg and then sent to the American Legation where he was dressed by a foriegn Doctor with medicine on his legand then sent to theHospital, that there is a hole made by the shot on his right leg and still running the blood.

No matter who the man was, whether foreigner or Korean, the man who shot others should be punished ace cording to the law. This wounded Korean did not know the foriegner and there was no reason for him to be shot by the foreigner.

I therefore beg to ask you to get the man who shot the Korean and punish him as much as the law and to get him pay the wounded man an indemnity.

I have the honor to be,

Sir:-

Your obedient servant,

Chang Wha Sik,

Governor of Seoul.

Copy

Enclosure 3/
Kenbertee M. Conn

Despatch No. 4.

Han Sung Pooh, Feb, I0, I902.

Honorable G. Paddock.

U. S. Consul General.

Sir:-

In reply to your letter of yesterday's date regarding the case of the Korean wounded by Mr Hess shooting, proposing two ways of settling the case and asking me tp decide one way or the other, I have the honor to inform you that as the wounded man is still in the position of danger, I cannot arrange and settleit ~~thor-~~ thoroughly. ~~oughly~~. I will let you know in a few days, waiting how the man would be.

I have the honor to be

Sir:-

Your obedient servant,

Chang Wha Sik,

Governor of Seoul

No 115 C. C.

Enclosure 4/
Kinpatch 17. Corr.

DUPLICATE

Seoul, February 10th, 1903.

Hon. Chang Wha Sik,

Governor of Seoul.

Sir:-

I have the honor to acknowledge the receipt of your two letters in regard to the recent shooting of a Korean by an American, one dated the 9th. and the other the 10th.instant.

In the former, written after I had seen you and explained the whole matter at length, you ask me to punish the American as severely as the law allows and to get him to pay an indemnity to the wounded man. As I tried to explain to you, if I proceed against the American according to our law, and he is found guilty and punished by imprisonment or a fine:- i.e. the payment of money, the wounded man will not receive anything, for the money-fine would in such case be paid to the United States Government.

Your second letter, replying to mine of yesterday, does not answer my request that you inform me at once which of the two proposed ways of settling the matter you wish me to pursue.

There has been no suggestion that you should settle the matter "thoughtlessly", for of course the amount of indemnity would depend greatly on the extent of the man's injury, and it would be proper, therefor, to wait until that is definitely known before fixing the amount. What I wish to know is which form of settle-

-ment you approve; whether by the compromise suggested, in which case the injured man will get an indemnity, or by a criminal action against the accused American, in which the Korean will get no indemnity. Will you, therefor, be kind enough to let me know on receipt of this letter which of the two proposed ways of settlement you wish me to pursue.

I have the honor to be,

Sir:-

Your obedient servant,

GORDON PADDOCK.

Copy

Enclosure 5/
Korhatcher 17. Com

Despatch No. 5.

Han Sung Pooh, Feb. II, 1903.

Honorable G. Paddock.

U. S. Consul General.

Sir:-

I have the honor to acknowledge the receipt of your despatch today regarding the matter of the settlement of the case of the Korean's being shot by Mr. Hess, an American.

I beg to say that the American shot his gun without any reason and he committed a guilt that the law does not allow, but the man who has been shot was not seriously wounded and also was wounded accidentally. Therefore the law for the case must be light.

I therefore agree with you that get the American to pay an indemnity to the man wounded and make him promise to leave Korea for ever. As ~~the~~ to the amount of indemnity I will discuss with you to fix the amount.

I have the honor to be,

Sir:-

Your obedient servant,

Chang Wha Sik.

Governor of Seoul.

No 143 C.C. DUPLICATE Enclosure 6/ Keisatsu 17. Cons.

Seoul, March 23rd. 1903.

The Honorable,

Min Kieung Sik,

Governor of Seoul.

Sir:-

Referring to our conversation of the 20th. instant, in regard to final settlement of the matter of the shooting and wounding of the Korean, Aw Miung Soon, by an American, Clare W. Hess, I have now the honor to inform you that I am prepared to pay the amount of indemnity agreed upon, viz:- Yen 100.- to the Korean, at my office, whenever you may find it convenient to send him to me with an official from your office.

I have the honor to be,

Sir:-

Your obedient servant,

GORDON PADDOCK.

Enclosure 7/

Despatch 17, Corr.

Despatch No. 8

Han Sung Pooh, March 25, 1902.

Honorable G. Paddock,

U. S. Consul General.

Sir:-

In reply to your letter received yesterday in which you wished me to send an officer with the wounded Korean, Awh Miung Soon, to the Consulate to receive the money Yen 100 for his damages; I have the honor to to inform you that I will send for him and send him to you at 1 o'clock P. M. tomorrow to receive the money.

I have the honor to be

Sir:-

Your obedient servant,

Min Kiung Sik,

Governor of Seoul.

Copy.

CONSULAR SERVICE, U. S. A.

Enclosure of Despatch 17. Cons.

Empire of Korea :
City of Seoul, : S.S.

Clare W. Hess, being duly sworn, says that he is a citizen of the United States temporarily residing in ~~the~~ Korea; that on or about the 5th. day of February, I903, he shot and wounded a Korean; that he has since been detained on the premises of the U.S.Legation in Seoul, Korea, to await the result of the Korean's wounds; that he understands the Korean has been treated in the American hospital and has been discharged; that he therefore, by way of indemnity, pays to the injured man a sum agreed upon between the Governor of Seoul and the U.S.Consul General at Seoul, Viz; Yen I00., together with the bill for medical attendance and hospital charges of Yen 40.,also his account for board on the Legation premises amounting to Yen 43.; that he pays these various sums without duress, and he further agrees that he will leave Korea actually and without fail, sailing on the very first available steamer from Chemulpo.

(Sig.) C.W.Hess.

Subscribed and sworn to before me
this 20th. day of March, I903.

GORDON PADDOCK.
U. S. CONSUL GENERAL.

Enclosure 12/
Copy. Korbatch 17. Corr.

CONSULATE GENERAL OF THE U.S.A.
SEOUL, KOREA.

Received from Gordon Paddock, United States Consul General at Seoul, Korea, the sum of Yen 100.00, being the amount agreed upon between Mr. Paddock and the Honorable Min Kiaung Sik, Governor of Seoul, to be paid to me as indemnity for the injuries received by me on February 5th, 1903, at the hands of an American, Clare W. Hess, and which I receive in full satisfaction of any and all claims I may have against said Hess, or of any claim whatsoever arising from the said injuries, and in full compensation for the same.

Witness:-

Yi ui Sik (L2)
Chusa y Governor's office

Auk Heung Soon
(His Mark.) X

The foregoing receipt and release having been translated into

Enclosure 9/
DUPLICATE Korbatch 17 Corr.

Seoul, Korea March 26, 1903.

I have received from Mr. Gordon Paddock, United States Consul General, the sum of Yen 43.00, for the board of Clare W. Hess, for 43 days, at Yen 1.00 per day.

D. Coleman
Consulate Clerk

Enclosure 12/
Copy. Kenhatsu 17. Corr.

CONSULATE GENERAL OF THE U.S.A.

SEOUL, KOREA.

Received from Gordon Paddock, United States Consul General at Seoul, Korea, the sum of Yen 100.00, being the amount agreed upon between Mr. Paddock and the Honorable Min Kieung Sik, Governor of Seoul, to be paid to me as indemnity for the injuries received by me on February 5th, 1903, at the hands of an American, Clare W. Hess, and which I receive in full satisfaction of any and all claims I may have against said Hess, or of any claim whatsoever arising from the said injuries, and in full compensation for the same.

Witness:-

Yi ui Sik (L.S.)
Chief of Governor's office

Aw Miung Soon
- (His mark) X

The foregoing receipt and release having been translated into Hondan, and read and explained to the subscriber, Aw Miung Soon, is signed and witnessed before me this 26th day of March, 1903.

GORDON PADDOCK.

U. S. CONSUL GENERAL.

Enclosure 101
Severance 17. Cases

DUPLICATE

Seoul, Korea, March 28th, 1903.

Received from Mr. Gordon Paddock, U. S. Consul General, the sum of Yen 25.00 in full for services in treatment of the Korean, Aw Miung Soon, who was wounded by a revolver bullet on February 5th. last, and discharged cured from the hospital on the 10th. instant.

Richard Wright M. D.

DUPLICATE

Seoul, Korea, March 28th, 1903.

Received from Mr. Gordon Paddock, U. S. Consul General, the sum of Yen 15.00 in full for treatment, in the Severance Memorial Hospital, of the Korean man, Aw Miung Soon, wounded on February 5th. last, by C. W. Hess.

O. R. Avison

Medical Superintendent.

Enclosure 11/
" Despatch 17. con.

DUPLICATE

Seoul, Korea, March 28th, 1903.

Received from Mr. Gordon Paddock, U. S. Consul General, the sum of Yen 15.00 in full for treatment, in the Severance Memorial Hospital, of the Korean man, Aw Miung Soon, wounded on February 5th. last, by C. W. Hess.

O. R. Avison

Medical Superintendent.

1903 DEPARTMENT OF STATE

Consular
~~DIPLOMATIC~~ BUREAU

DEP'T OF STATE
JUL 23 1903
2ND ASST SECRETARY

Penal treatment.
Ack.
copy

CONSULAR BUREAU
NOTED AND PUBLISHED

No. 18 Consular.

~~LEGATION OF THE UNITED STATES~~
OF AMERICA.

INDEX BUREAU
RECD.
JUL 23 1903
DEPT. OF STATE

SEOUL, KOREA, June 23rd, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Acknowledged July 28, 1903

-Subject-

Death of Anna Reinecke Miller.

-Synopsis-

Encloses a report of the death of Anna Reinecke Miller, an American citizen, which occurred at Seoul on the 17th. instant.

Deceased was the wife of Frederick S. Miller, of the Korea Mission of the Missionary Society of the Presbyterian Church in the U. S. A. (150 Fifth Avenue, New York City,) She left a will by which her husband was made sole legatee and executor. Her will has been admitted to probate, and letters testamentary granted to the executor named on this date. All papers connected with the matter have been filed and recorded in this office.

INDEX BUREAU
JUL 30 1903
FILED

No. 18 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 23rd , 1903.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a report of the death of Anna Reinecke Miller, an American citizen, which occurred at Seoul on the 17th. instant.

The deceased was the wife of Frederick S. Miller, of the Korea Mission of the Missionary Society of the Presbyterian Church in the U. S. A. (150 Fifth Avenue, New York City.) She left her surviving in Korea the following, as her heirs at law and next of kin:- William N. Miller, Lisette Miller, and Anna E. Miller, all minors and children of deceased and of her said husband; and her said husband, Frederick S. Miller. Deceased left a will, dated April 17th, 1903, and filed in this office on the 22nd. instant, by which she made her said husband sole legatee and Executor. A petition for probate of the same was filed, on the same day, by the Executor named. On this day I have taken proof of the subscribing witnesses to the said will; have admitted the same to probate, and have issued letters testamentary to the said Executor. All of the papers mentioned have been filed in this office, and are recorded in Liber of Wills, etc. pages 82 to 88.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure
1/ as above.

Edwin Paddock

Inclosure 1/

(FORM NO. 192.) Korpaten # 18. Consular

JUN 23 1903

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

SEOUL KOREA JUN 22 1903 190

Name: Anna Reinecke Miller.

Native or naturalized: native

Date of death: June 17th 1903

Place of death: Seoul. Korea.

Cause of death: Septicaemia from purulent peritonitis.

Disposition of remains: Interred in General Foreign Cemetery of Seoul.

Local law as to disinterring remains in case it is desired to bring them home:

On consent of Cemetery Committee.

Disposition of effects: Deceased left a will, by which she bequeathed all her estate to her husband, making him Sole Executor.

Address of family: Frederick S. Miller (husband) Seoul. Korea.

Family notified: "

Accompanied by relatives: "

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, ~~pages~~ Wills. &c. page 82 - to 88

Remarks: Deceased's last Will and testament - as above has been duly filed in this office on this date. Will be admitted to probate and Letters Testamentary issued to the Executor named in due form.

Arthur Caldwell

of the United States.

U. S. CONSUL GENERAL.

(FORM NO. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No. 18, Consular

JUN 23 1903

, *190*

No. 19 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU.
JUG
13
1903
DEPARTMENT OF STATE

CONSULAR BUREAU
RECD.
AUG 07 03
DEPT. OF STATE

SEOUL, KOREA, June 26th, 1903.

Aug 14/03

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

re the fee collected by your in connection with estate of J. G. Johnston, deceased.

Official fee Estate of J. G. Johnston, dec'd.

-Synopsis-

Acknowledges receipt of Department's No 4 Consular of April 22, 1903, instructing the writer that, in the case of this estate, the Department is of the opinion that no fee should be collected. Reports the forwarding of a draft for the amount retained as such fee to the legal representative of the estate, and encloses a copy of letter fofwarding the same.

INDEX BUREAU
AUG 8 1903
FILED

No. 19 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 26th, 1903.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Peirces despatch, No 4 Consular, of April 22, 1903, in regard to the collection of an official fee on settlement of the estate of J. G. Johnston, deceased, and instructing me that inasmuch as my connection with the estate was merely for the purpose of forwarding it to the legal representative, the Department is of the opinion that no fee should be collected by me. I beg, therefor, 1./ to hand you enclosed a copy of a letter, which I have this day sent by registered mail to the legal representative of the estate, forwarding a draft for $28.75, (the equivalent of Yen 57.79 at exchange 49 3/4.) being the sum retained by me for said fee.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:

1./ as above.

Enclosure 1/

No 193 G.G.

Konbaten 'S. Embassy

JUN 26 1903

Seoul, Korea, June 25th, 1903.

Mrs. Isabella Johnston,

Administratrix, Est. J. G. Johnston, dec'd.

2214 Chestnut Street, Oakland, California.

Dear Madam:-

Referring to my letter of January 30th. last., in which I sent you a draft for the amount on deposit in the Hongkong & Shanghai Bank, Chemulpo, to the credit of the estate of Mr. Johnston, less the sum of Yen 57.79, which I retained as the official fee on settlement of the estate, stating that I would communicate with our State Department and remit the sum to you if it were found that the fee might be omitted. I now have the pleasure to inform you that I am instructed that, in the case of this estate, the Department is of the opinion that no fee should be collected. I, therefore, hand you enclosed a draft on the Hongkong & Shanghai Banking Corporation, San Francisco, for $28.75, being the equivalent at exchange ~~43 3/4~~ of Yen 57.79, endorsed to your order.

I shall be obliged if you will acknowledge the receipt of this letter, as well as of that of January 30th.

Yours very truly,

GORDON PADDOCK.

No. 20 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU.
AUG
13
1903
DEPARTMENT OF STATE.

INDEX BUREAU
REC'D.
AUG 10 '03

SEOUL, KOREA, June 27th, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Improper stamp, "U.S.Legation & Consulate General".

-Synopsis-

Acknowledges receipt of Mr. Peirce's No 5 Consular of May 15, 1903, noting that requisition for supplies dated April 1, 1903 is incorrectly stamped " U. S. Legation and Consulate General", there being no such office in Korea, where the Minister has no consular functions, and instructing the writer to discontinue the use of such stamp. Reports that the stamp will be discontinued, and that requisition for stationery, etc. properly headed will be made.

INDEX BUREAU
AUG 10 1903
FILED

NO. 20 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, June 27th, 1903.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Peirce's despatch No 5 Consular of May 15, 1903, advising me that my requisition for supplies dated April 1, 1903 is stamped "U. S. Legation and Consulate General", and instructing me that, as there is no such office in Korea, where the Minister has no consular functions, I discontinue the use of the stamp mentioned. I shall do as instructed, and will request in my next requisition for supplies such stationery, etc. as may be needed with proper headings.

I have the honor to be,

Sir:-

Your obedient servant,

Horace Allen

Noted and Published

No. 21 Consular.

INDEX BUREAU RECD. AUG 10 1903

LEGATION OF THE UNITED STATES
OF AMERICA.

INDEX BUREAU AUG 18 1903 DEPARTMENT OF STATE

SEOUL, KOREA, July 3rd, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:

Rec'd Aug 24. 1903.

-Subject-

Death of Linnie Davis Harrison, an American citizen.

-Synopsis-

Encloses Report of Death of Linnie Davis Harrison, wife of William B. Harrison, an American missionary residing at Chunju, Korea, which occurred at that place on June 20th, 1903.

Mrs. Harrison left a will, naming her husband as sole legatee and Executor, which has been filed at this office. Proof of the subscribing witnesses has been obtained, but letters testamentary can not be issued to the Executor until his return from Japan, where has gone for a short stay without coming to Seoul.

The writer is informed that Mrs. Harrison's sister in the U.S. has been notified of her death. Deceased was accompanied by her husband, who has taken possession of her effects.

INDEX BUREAU AUG 20 1903 FILED

No. 21 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, July 3rd , 1903.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a report of the death of Linnie Davis Harrison, wife of William B. Harrison, an American missionary residing at Chunju, Korea. Mrs. Harrison's death occurred on June 20th. She was accompanied by her husband. She left a will naming her husband as sole legatee and Executor, which has been sent by Mr. Harrison to this office with the request that it be admitted to probate. I have been able to obtain proof of the will by the subscribing witnesses, but Mr. Harrison himself has left for a stay in Japan without coming to Seoul, so it will be impossible to issue Letters Testamentary and allow him to qualify as Executor until his return. The effects of the estate are in Mr. Harrison's possession.

The deceased left a sister, Miss Annie L. Davis, residing at Abingdon, Va. U. S. A., who has, I understand, been notified.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Saddock

Enclosure:

1./ as above.

(Form No. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

SEOUL KOREA JUL 3 1903 190 .

Name: Lewis Davis Harrison

Native or naturalized: native

Date of death: June 20. 1903

Place of death: Chemulpo, Korea.

Cause of death: typhus fever

Disposition of remains: interred in Presbyterian Mission Compound. Chemulpo.

Local law as to disinterring remains in case it is desired to bring them home:

— None —

Disposition of effects: deceased left a wife in which her husband. Wm B. Harrison is named as sole legatee & Executor. Effects in his possession.

Address of family: Miss Annie L. Davis. Abingdon. Va. (Sister.)

Family notified: Yes.

Accompanied by relatives: Wm B. Harrison - husband present.

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages 206 - Liber I. Settlement of Estates.

Remarks: deceased left a wife, which has been sent to this office for probate by the Executor named. Proof of subscribing Witnesses has been taken this day. Executor has gone on vacation to Japan. Without coming to this office. Not duly qualified as Executor upon his return.

[SEAL.]

Gad Saddoch

of the United States

U. S. Consul General.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No. 21 Consular.

JUL 3 1903, *190*

Consular

DIPLOMATIC BUREAU

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Ask. ack 2

DEP'T OF STATE
JAN
15
1904
2-A SECRETARY

No. 22. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU
JAN
16
1904
DEPT. OF STATE

DEPT. OF STATE
RECD. JAN 11 '04
DIV. OF RECS.

SEOUL, KOREA, November 30th, 1903.

CONSULAR BUREAU
RECEIVED

Mr. Gordon Paddock to the

Assistant Secretary of State:

Dup by Form 4/04

CHIEF CLERK,
JAN 15 1904
Department of State.

-Subject-

Marriage of William C. Fenton, an American.

-Synopsis-

Reports the marriage of an American citizen, William Clyde Fenton, with a Korean girl. The marriage took place befpre the writer, as Consul General, at the office of the Consulate General, on October 22nd. last. Encloses copy of Certificate of Marriage.

No. 22 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, November 30th, 1903.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a Certificate of Marriage of an American citizen, William Clyde Fenton, who was married before me, as Consul General, in the office of the Consulate General on October 22nd. The bride was a young Korean girl. This, I believe, is the first case of the marriage of a Korean woman with an American.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Adsoell

Enclosure:

1./ as above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

SEOUL KOREA, OCT 22 1903, 189

I, Gordon Paddock, Consul General of the United States at SEOUL KOREA, do hereby certify that, on this 22nd day of October A. D. 1903, at the Consulate General of the U.S. in the city of SEOUL KOREA William Clyde Fenton, aged 30 years, born in Chihuahua, Mexico and now residing in Chinnampo, Korea, and Ada Yang aged 17 years, born in Chinnampo, Korea, and now residing in Chinnampo, Korea, were united in marriage before me, and in my presence, by Rev. S. A. Beck, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA, this 22nd day of October, A. D. 1903, and of the Independence of the United States the one hundred and twenty seventh.

Gordon Paddock

Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

Consular
DIPLOMATIC BUREAU

Usual course.
Ack.

DEP'T OF STATE
JAN
15
1904
2ND ASSISTSECRETARY

No. 23. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU
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DEPARTMENT OF STATE

CONSULAR BUREAU
NOTED AND PUBLISHED

SEOUL, KOREA, December 8th, 1903.

Mr. Gordon Paddock to the

Assistant Secretary of State:

Dec'd Jan 4/04 Ack Feb

CHIEF CLERK,
JAN 15 1904
Department of State.

-Subject-

Death of Letitia Coulter Vinton.

-Synopsis-

Encloses a Report of the Death of Letitia Coulter Vinton, an American citizen, which occurred in Seoul on the 4th. instant. The deceased was the wife of C. C. Vinton M. D. the Treasurer of the Korea Mission of the Missionary Society of the Presbyterian Church In the U. S. A. (150 Fifth Avenue, New York City.) Deceased left a will naming her husband as sole legatee and executor. The effects of the estate are in possession of the latter.

Consular
DIPLOMATIC BUREAU

Usual Course.
Ack.

DEP'T OF STATE
JAN
15
1904
2ND ASSISTSECRETARY

No. 23. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU
JAN
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3
1904
DEPARTMENT OF STATE

SEOUL, KOREA, December 8th, 1903.

CONSULAR BUREAU
NOTED AND PUBLISHED

Mr. Gordon Paddock to the

Assistant Secretary of State.

Dec 4/03 Vinton 1/11/04 ack

CHIEF CLERK,
JAN 15 1904
Department of State.

-Subject-

Death of Letitia Coulter Vinton.

-Synopsis-

Encloses a Report of the Death of Letitia Coulter Vinton, an American citizen, which occurred in Seoul on the 4th. instant. The deceased was the wife of C. C. Vinton M. D. the Treasurer of the Korea Mission of the Missionary Society of the Presbyterian Church in the U. S. A. (150 Fifth Avenue, New York City.) Deceased left a will naming her husband as sole legatee and executor. The effects of the estate are in possession of the latter.

RECEIVED
FEB 3

No. 23 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, December 8th, 1903.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a Report of the Death of an American Citizen, Letitia Coulter Vinton, which occurred in Seoul on the 4th. instant, The deceased was the wife of C. C. Vinton M. D. the Treasurer of the Korea Mission of the Missionary Society of the Presbyterian Church in the U. S. A. (150 Fifth Avenue, New York City, N. Y.). She left a last will, which has been filed in this office, in which her husband is named as sole legatee and Executor. The effects of the estate are in the possession of the latter.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Adcock

Enclosure:

1./ As above.

Enclosure No. 1/
Dispatch No. 22. Consular

(FORM NO. 192.)

DEC 8 1903

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

DEPARTMENT OF STATE
CONSULAR BUREAU
RECEIVED AND PUBLISHED

Consular Service, U. S. A.,

SEOUL KOREA DEC 8 1903 190

Name: Letitia Coulter Vinton

Native or naturalized: Wife of native U.S. citizen.

Date of death: December 4. 1903

Place of death: Seoul Korea.

Cause of death: Hemorrhage following childbirth.

Disposition of remains: buried in General Foreign Cemetery. Seoul.

Local law as to disinterring remains in case it is desired to bring them home:

On consent of Directors of Cemetery Association.

Disposition of effects: Deceased left a Will by which her husband is made sole legatee and sole Executor.

Address of family: G. H. Vinton (husband) Seoul. Korea.

Family notified: "

Accompanied by relatives: "

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages

Remarks: The deceased was the wife of G. H. Vinton - M.D. Treasurer in Korea of the Mission of the Methodist Society of the Presbyterian Church in the West. (Address. Fifth Avenue. New York City.)

Andrew Saddorth

Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1/ *in despatch*

No. 23. Consular

December 8, *1903.*

CONSULAR BUREAU.

3rd ASST. SECRETARY. FEB 23 1904

CHIEF CLERK, FEB 23 1904 Department of State.

No. bis 23 Consular.

Consular LEGATION OF THE UNITED STATES OF AMERICA.

CONSULAR BUREAU FEB 23 1904 DEPARTMENT OF STATE

SEOUL, KOREA, January 15th, 1904.

Mr. Gordon Paddock to the

Assistant Secretary of State:

Asked W. A. Harper U.S. Despatch Agent July 24/04 Bot's sent to mr Johnson, Cuba, Mar; Apr 20/04 Filed

-Subject-

Personal effects of W. V. Johnson, dec'd.

-Synopsis-

Reports that he has shipped to the Department of State, Washington, through the U. S. Consul at Nagasaki, Japan, and U. S. Despatch Agent at San Francisco, two boxes containing the personal effects of the late W. V. Johnson, an American citizen whose death was reported in No 16 Consular of March 20, 1903. The Administrator of the estate in the U. S. has been notified to apply to the Department for these boxes, which have been forwarded in this way owing to difficulty in shipping them direct from here to the address in the U. S. of the Administrator.

U. S. Despatch Agency,
POST OFFICE BUILDING,
SAN FRANCISCO, CAL.

March 19 1904

Hon Herbert H D Squire,
Secretary of State
Washington, DC

Ans March 29/04

Sir:-

Pursuant to instructions contained in your letter of the 24th ultimo I have the honor to advise the forwarding hence by mail on the 18th inst of two cases containing personal effects of W. B. Johnson an American citizen who died in Korea.

The cases are addressed "Consular Bureau, Department of State, Washington, DC No 1/2" No 1 is a trunk which I have locked. No 2 is a box the original address of which I have covered with a board screwed on.

Enclose B/L herewith. Will you please advise me whether said voucher for account should be included or should I render a separate statement of expense incurred in handling these cases.

Very respectfully
Your obedient servant W. A. Cooper
U.S. Despatch Agt.

G 899—30 M—in pads of 50.

2 T F 227

Shippers will please use copying ink in filling out this form.

THIS DOCUMENT MUST BE PRESENTED WITHOUT ALTERATION OR ERASURE.

J. C. STUBBS, Third Vice-President, San Francisco, Cal.
WM. SPROULE, Freight Traffic Manager, Pacific System and Oregon Lines, San Francisco, Cal.
A. D. SHEPARD, General Freight Agent, Pacific System, San Francisco, Cal.
G. W. LUCE, Asst. General Freight Agent, Pacific System, Los Angeles, Cal.
C. H. MARKHAM, General Freight Agent, Oregon Lines, Portland, Or.
G. W. FLETCHER, General Agent, 613 Market Street, San Francisco, Cal.
EDWIN HAWLEY, Asst. General Traffic Manager, 349 Broadway, New York, N.Y.
C. W. BEIN, Traffic Manager, Atlantic System, Houston, Tex.
W. H. MASTERS, Asst. Traffic Manager, Atlantic System, New Orleans, La.
H. A. JONES, Gen'l Freight Ag't, G. H. & S. A. and H. & T. C. Rys., Houston, Tex.
W. G. NEIMYER, General Western Agent, 238 South Clark Street, Chicago, Ill.

SOUTHERN PACIFIC COMPANY'S BILL OF LADING. | No.

(PACIFIC SYSTEM AND OREGON LINES)

ORIGINAL.

DELIVERED to the **SOUTHERN PACIFIC COMPANY** *at* San Francisco, Cal. *the following described packages, in apparent good order (contents and value unknown) consigned as marked and numbered below, to be carried upon the conditions expressed herein to the COMPANY'S FREIGHT STATION at* EL PASO *and there delivered in like good order to the consignee or owner, or to order of said consignee or owner, or to such Company or carriers (if the same are to be forwarded beyond said Station) whose line may be considered a part of the route to the place of destination of said goods or packages; it being distinctly stipulated that the responsibility of this Company shall cease at the Station where delivered to such person or carrier.*

It is further stipulated that the service to be performed hereunder shall be subject to the conditions, whether printed or written, herein contained, and said conditions are hereby agreed to by the shipper and by him accepted for himself and his assigns as just and reasonable.

CONDITIONS:

This Company is not a carrier of money, valuable papers, bullion, or manufactured articles of gold or silver, jewels or watches, or valuable mineral specimens, and therefore will not undertake to transport same upon any terms.

ROUTING: To enable it to guarantee through rates the right of routing beyond its Junction stations is reserved by the Southern Pacific Company.

STATION WITHOUT AGENT: If the property is destined to a station on the line of the delivering Carrier at which such Carrier has no Agent, it is understood and agreed that the delivering Carrier shall have fully performed its service, and is released from responsibility, when property shall have been left at such place on carrier's line as is directed by shipper. Further, that all charges on such property must be prepaid. If not prepaid it will be held for delivery at nearest station where there is an Agent.

CARLOADS: Carload rates are based on minimum weight Tariff provides for carload of commodity carried.

MISREPRESENTATION: When the contents of packages are incorrectly described, charges will be based on the actual contents.

WEIGHTS: Freight to be paid on the weight of the line's railroad scales, and, on property liable to evaporation, shrinkage or leakage, such as Fruits, Vegetables, Meats, Liquids, etc., to be paid on weight at time and place of shipment.

DELAY IN TRANSIT: This Company will not be responsible for accidents or delays from unavoidable causes nor does it agree to carry freight by any particular train or boat or in time for any particular market.

TRANSFER: All freight is subject to transfer en route as the necessities or convenience of Carriers require, and should be loaded so that transfer and reloading may be made without injury. All freight shipped at carload rates is at owner's risk of damage caused by transfer en route, it being understood that no freight is authorized to be contracted through without transfer.

CHARGES: The owner or consignee to pay freight charges as per specified rates upon the goods as they arrive.

PREPAYMENT: Freight charges on any property (perishable or other) which at forced sale may not be worth the charges to destination, including the following articles, must be prepaid to the point to which this Company names the rate, and the charges thence to destination must be prepaid or covered by a good and sufficient guarantee that same will be paid on delivery: Bulbs and Roots, Cactus Fibre, Chests (filled), Fresh Fish and Meats, Grape Cuttings, Green Fruit, Hogs (dressed), Household Goods, Lemons and Oranges, Live Plants and Trees, Marble (wrought), Mineral Water, Ore, Ore Sweepings, Personal Effects, Potatoes, Poultry (live or dressed), Shrubbery, Stone, Trunks (empty), Vegetables.

DELIVERY: Freight carried by this line must be removed from the station immediately on its arrival, being at owner's risk thereafter, and if not taken within 24 hours after arrival it may be stored at the owner's risk and expense, and in the event of its destruction or damage from any cause while in the depot of this line, it is agreed that said line shall not be liable to pay any damage therefor. Storage and demurrage charges, when consignees do not take immediate delivery at destination, are subject to the rules of delivering lines.

FREIGHT TO ORDER: When property is consigned to order of shipper, the name of some party at destination must be given to whom delivery can be made or notice of arrival sent, otherwise all charges to destination must be prepaid.

INSPECTION: Shippers should express hereon their wishes in the matter of allowing inspection of property at destination before payment of charges and surrender of Bill of Lading. Unless notation is made hereon that such inspection may be allowed, it is assumed by the Carrier that inspection is forbidden.

RESPONSIBILITY: The responsibility of this Company and each succeeding carrier for loss or damage does not extend beyond its own line.

None of said carriers is to be liable for any loss or damage of any kind, except such as may be proximately caused by its negligence.

ADJUSTMENT OF LOSSES: Except when otherwise agreed, the value or cost of property at place and date of shipment is to govern settlement and Carrier is to have the benefit of any insurance effected by or on account of the owners of said freight. Notice of loss or damage must be given to the delivering Carrier within thirty-six (36) hours after property has been delivered.

MARKS AND DESTINATION must be plainly written below and contents of packages correctly described—the use of such terms as "Mdse.," "Sundries," etc., is not permissible. Carriers are not responsible for damages caused by illegibility of marks or errors in shipping directions. **Agents must insist on shippers specifying the kind and number of packages constituting the carload shipments, and when loaded by shipper receipt for same as "Shipper's Load and Count." Agents must see that place and date are duly filled in.**

RELEASE.

Desiring to receive the benefit of any lower rate provided for freight upon carriers being released, or at owner's risk, or at a specified value of ....., in consideration of such lower rate being applied on the within shipment, we hereby agree that none of said carriers is to be liable for any loss or damage of any kind except such as may be caused by its gross negligence, and that the goods covered by this Bill of Lading are of the value of ....., and that in no event is carrier to be liable for any loss of or damage to said goods from any cause in excess of the valuation above named.

W. A. Cooper, Shipper.

Shipper.

RECEIVED the following described packages, in apparent good order (contents and value unknown) consigned as marked and numbered below, to be transported upon the conditions expressed herein to the COMPANY'S FREIGHT STATION at EL PASO *and there delivered in like good order to the consignee or owner, or to order of said consignee or owner, or to such Company or carriers (if the same are to be forwarded beyond said Station), whose line may be considered a part of the route to the place of destination of said goods or packages; it being distinctly stipulated that the responsibility of this Company shall cease at the Station where delivered to such person or carrier.*

It is further stipulated that the service to be performed hereunder shall be subject to the conditions, whether printed or written, herein contained.

STATION SAN FRANCISCO. Date Mar. 18 1904 189 C. J. JONES, AGENT. Agent.

MARKS AND CONSIGNEE	ARTICLES.	WEIGHT. Subject to correction to weight on lines railroad scale.
Consular Bureau Department of State Washington D.C. No 1/2.	Two cases personal effects	1400 all

Car No. Initials Route via VIA SUNSET

[Blank spaces below will be filled in by Agent.]

PREPAID

CHARGES PAID AS FOLLOWS

Agent.

MAR 13 1904

RECEIVED $ ..... to apply in prepayment of the charges on the property described herein.

O. J. JONES, Agent

By M. J. Perkins

The rate of freight on this shipment as described from SAN FRANCISCO to WASHINGTON, D. C. is ..... cents per 100 lbs.

First Class (2 times)	22.20 1/2	5,55	Fourth Class
First Class			Fifth Class
Second Class			Class A
Third Class			Class B

THE ORDINARY MARINE INSURANCE RISK BETWEEN NEW ORLEANS OR GALVESTON AND N.Y. BOSTON OR PHILADELPHIA UPON THE GOODS DESCRIBED IN THIS BILL OF LADING Class ..... Commodity ..... ASSUMED BY THE SOUTHERN PACIFIC COMPANY.

Special

C. J. JONES Agent.

Agent.

No. 23 bis Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, January 15th, 1904.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to inform you that I have forwarded from this office two boxes containing personal effects of the late W. V. Johnson, an American citizen, whose death was reported in my No 16 Consular of March 20th, last. These boxes I have shipped to Mr. Harris, U. S. Consul at Nagasaki, Japan, with the request that he forward them through the U. S. Despatch Agent at San Francisco to the Department of State, Washington. I have notified the Administrator of the estate in the U. S. to apply to the Department for the boxes, which I have forwarded in this way as there seemed to be some difficulty in shipping them direct to the address in the U. S. (Cuba, Mo.) of the Administrator, and as Mr. Allen, our Minister here, tells me he has heretofore shipped the effects of deceased Americans in this way.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Caldwell

ACKNOWLEDGED
MAY 21 1904
Bureau of Trade Relations.

No. 24. Consular.

MAY 18 '04

Consulate General LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU
MAY
19
1904
DEPARTMENT OF STATE

SEOUL, KOREA, April 4th, 1904.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Korean Trade Returns for 1903.

-Synopsis-

Encloses four pamphlets, being trade returns for 1903, of Korean ports in which Customs are established, furnished the writer by the Chief Commissioner of Korean Customs.

Report & pamphlets to
Com. & Labor May 21, 04
Bureau of Trade Relations.

INDEXED
MAY 23
FILED

No 25. Consular.

3rd ASST. SECRETARY.
AUG 22 1904

RECD. AUG 19 '04 DEPT. OF STATE

CONSULAR BUREAU
AUG 22 1904
DEPARTMENT of State

COMSULATE GENERAL OF THE UNITED STATES
OF AMERICA.

Seoul, Korea, July 6th, 1904.

To the Honorable
Francis B. Loomis,
Assistant Secretary of State,
Washington, U, S. A.

INDEX BUREAU
AUG 25 1904
FILED

Sir:-

I have the honor to hand you enclosed a copy of the Certificate of Marriage of Frederick Scheibler Miller and Susan Adell Doty, American citizens, who were married before me in this City on this day.

I have the honor to be,
Sir:-
Your obedient servant,

Enclosure:
1. As above.

CHIEF CLERK,
AUG 20 1904
Department of State.

CERTIFICATE OF MARRIAGE.

Consulary Office of the United States of America,

Seoul. Korea, July 6th 1904, 189 .

I, Gordon Paddock, Consul General of the United States at Seoul. Korea, do hereby certify that, on this 6th day of July, A. D. 1904, at The residence of the bride in the city of Seoul. Korea, Frederick Schubler Miller, aged 37 years, born in Pittsburg. Pa., and now residing in Seoul. Korea, and Susan Adele Doty, aged 43 years, born in Chester Park. Ill, and now residing in Seoul. Korea, were united in marriage before me, and in my presence, by Rev. Arthur G. Welbon, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at Seoul. Korea, this 6th day of July. 1904, A. D. 189, and of the Independence of the United States the one hundred and twenty eighth.

Gordon Paddock

Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

ASSISTANT SECRETARY.
NOV 23 1904

No. 26 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

NOV 16 '04

SEOUL, KOREA, September 30, 1904.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

CHIEF CLERK.
NOV 16 1904
Department of State.

Suggests consular visit to Treaty Ports.

-Synopsis-

Suggests desirability of writer's being authorized to visit treaty ports accessible from Seoul for purpose of reporting as to trade development.

Reports the large increase in population, mostly Japanese, of certain ports, as result of present war. Large interests of Americans in commercial enterprises in Korea, and promise of future development. The development of Korea, a country of great possibilities, seems assured on termination of war.

Writer reports his having been chosen President of the Municipal Council of Chemulpo Foreign Settlement.

NO. 26 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, September 30, 1904.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to suggest the desirability of my being authorized to visit such of the Korean treaty ports as are readily accessible from Seoul- notably Chenampo and Pyengyang, Fusan, and Mokpo,- for the purpose of reporting in the interest of trade development. The result of the present Russia-Japan war has thus far been to attract large numbers of merchants and laborers from Japan, and the population of the ports named has very largely increased. The port of Chenampo, in the foreign settlement of which Americans hold considerable land, has more than doubled in population. The same is true of the foreign population of Pyengyang, where American missionaries have a large establishment. Fusan, the eastern terminus of the Seoul-Fusan Railway now nearing completion, is also the scene of rapid development. American commercial interests in Korea are already greater than those of any European nation, and promise future development. Of course the outcome of the present war will influence the future of Korea, but the country itself is one of great possibilities, and in any event it's further development would seem to be assured upon the termination of the war.

Chemulpo, the largest and most important of the treaty ports, is not behind in this development, and Americans are not only large holders of property in this port, but take a prominent part in the commercial interests of the place. It may be permitted me to report that, at it's last meeting, I was chosen President of the Municipal Council of the Chemulpo Foreign Settlement

I have the honor to be, Sir:-
Your obedient servant,

The Assistant Secretary.

Nov. 23, 1904.

CONSULAR BUREAU:

Ack. & ask him for an estimate of the expense.

F. B. L.

No. 27 Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

CONSULAR BUREAU
DEC 15
1904
DEPARTMENT OF STATE

Seoul, Korea, November 4th, 1904.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Com. & Labor

ACKNOWLEDGED
DEC 20 1904
BUREAU OF TRADE RELATIONS.

Commerce and Industries of Korea.

-Synopsis-

Encloses a copy of a report on the Commerce and Industries of Korea for 1903 and the first six months of 1904, in accordance with instructions contained in the Department's circular of August 31 last, received on October 17th.

Mentions some difficulties experienced in obtaining information on the subject mentioned.

INDEX BUREAU
DEC 23 1904
FILED

No. 27. Consular.

LEGATION OF THE UNITED STATES
OF AMERICA.

SEOUL, KOREA, November 4th, 1904.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a report on the Commerce and Industries of Korea for 1903 and the first six months of 1904. This report covers the facts and figures, so far as obtainable, called for by the Department's circular, entitled "Commerce and Industries", of August 31st last, and which I received on October 17th. This report was commenced some time before receipt of the circular mentioned, and I have continued it to include the period in 1904 called for, and have enclosed a copy to the Bureau of Trade Relations in an unnumbered despatch, as instructed. I regret to say that I have experienced considerable difficulty in getting certain information, and it has been impossible to obtain some figures which would have been of interest for the reason that American commercial success in Korea seems to have aroused a correspondingly great jealousy. For example the Korean Customs, most ably conducted by Mr. J. McLeavy Brown, C. M. G. an Englishman, makes it a rule to give out no information in advance of their printed reports (That for 1903 has just been received, and will be forwarded by next mail,) I have reason to believe however that this rule is not always strictly observed in the case of British Consular officers in Korea. Another and unexpected inconvenience was the unwillingness of one of our leading merchants here to give any information atall concerning the large business he represents. I quote from his reply to a letter asking for certain information.- "of course any figures published by

the Customs are public, but no merchant wants to tell to the world what he is doing personally if he can help it. Our Consular Reports from all over the world I venture to say have been of as much benefit to British and German traders as they have been to American". In distinction to this I must note the great willingness with which Messrs. Collbran and Bostwick gave me all information concerning the American Korean Electric Company and the proposed Seoul water-works, and other matters undre their control. It has, of course, been quite impossible to obtain any information regarding the importations of Japanese railway, and other supplies which might be considered of a military nature, except such as are matters of common report. It is believed, however, that the enclosed report covers the ground in a general way.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:-

1./ Report of Trade.

REPORT ON THE COMMERCE AND INDUSTRIES OF KOREA

Covering 1903 and the first six months of 1904.

The constant growth of the trade of Korea, as evidenced by Customs returns, is somewhat remarkable in view of the unfavorable internal condition of the nation, and is to be explained only by a consideration of the comparatively large resources of the country, as yet but partially developed. It is, therefore, safe to assume that at the conclusion of the present hostilities, of which Korea is at least partially the objective, but from the ravages of which she has thus far providentially been spared, a greater development awaits her, accompanied by a further expansion of her foreign trade.

The year 1903, with no very exceptional advantage in the way of harvest, but with severe epidemic of cattle disease, particularly serious to an agricultural community whose cattle are one of its principal means of transportation, and with continued depreciation of its native nickel currency, added to the anxiety caused by impending war, still shows a marked increase in Korea's foreign trade. The total gross trade of the Treaty Ports in 1903 amounted to $ 19,585,168.- as compared with $ 15,691,109. in 1902,- in which is included coast trade between Treaty Ports but not a non-Treaty Port trade of $ 2,400,00.

The total net value of the direct foreign trade of 1903 was $ 13,792,999.- as follows:- Imports of foreign goods from foreign countries $ 9,073,153.- as compared with $ 6,743,621. in 1902, and $ 7,318,842. in 1901. Exports of native goods abroad $ 4,719,846.- as compared with $ 4,131,900. in 1902 , and $ 4,214,050. in 1901. In 1903 exports of gold amounted to $ 2,717,285. as against $ 2,521,925. in 1902, and $ 2,486,688. in 1901. The increase in value of direct foreign trade (not

including treasure.) for 1903 thus exceeded the highest previous total, that of 1901, by some $ 2,241,000. or about 19 %, and the next highest, 1902, by some $ 2,900,000. or over 26 %. This increase being relatively larger in imports than exports (including gold.) shows a balance against Korea of over $ 1,600,000. as against a similar balance of only about $ 80,000. in 1902. But, to quote from Customs returns, "this large balance may be reduced by an amount nearly equivalent to the value of railway materials imported ($ 870,722.), and money paid as wages and for supplies by the railway and other foreign companies would further assist in paying the commercial debts of the country." Of this increase in imports the largest item, next to railway materials, consisted of large importations of food-stuffs- principally rice, and other grains, and flour,- aggregating some $ 597,600. Importations of flour alone amounted to over five and a half million pounds valued at $ 103,627.- as against some two million pounds valued at $ 36,265. in 1902, and about the same in 1901,- almost all of which was American flour imported to Korea via Japan and China. This sudden increase may be partially accounted for by a bad native wheat crop, but conditions are such that the market seems likely to hold its own. Cotton goods, as a class, constitute the largest item of import to Korea, and in 1903 foreign cottons were imported to the value of $ 2,879,207., showing a slight increase over 1902, and a decrease as compared with 1901. According to Customs returns these importations may practically be classed, in nearly equal value, as either British or Japanese. It is a fact, nevertheless, that a considerable portion of the cotton drills and sheetings imported were of American manufacture. That British cottons can thus hold their own against Japanese competition would seem to argue that a much larger share in this trade might be developed for American cottons by a study of the local demand and conditions in this country, where what might be called the "national costume" is composed mainly of cotton sheeting.

A taste which has enormously developed in Korea of recent years is that for cigarettes. Native tobacco is used by the countrymen in their long pipes, but in the cities and even among the labering classes, when they can afford it, the cigarette has become almost universal. Cigarettes were heretofore imported almost exclusively from Japan, made partially at least of American tobacco. In 1902 a cigarette factory, on rather a large scale for Korea, was opened by a British concern at Chemulpo, but for some reason did not prove a success. There is at present, however, a small factory at Chemulpo, making cigarettes from a mixture of Richmond and native tobaccos, which is reported to be doing a good business. Recently an American and British company,- one of the large tobacco concerns,- has established an agency in Korea and will bid for a share of this growing trade. The following figures show an increase in value of importations of over 85 % for the past two years. Importation of tobacco, cigars and cigarettes, (principally cigarettes,) in 1903 was valued at $ 157,608. as against $ 98,903. in 1902 and $ 85,000. in 1901.

Customs returns give the following figures as the net value of direct foreign trade for 1903, according to countries, (the first returns in which a separate account is made of American and British trade.):- Imports and Exports:- Japan $ 9,538,987. China $ 3,440,087.; Manchurian (Russian) Ports $ 226,961. Imports:- Great Britain $ 388,571., and United States $198,391.

The figures here given for the United States cover principally railway materials and such importations of kerosene oil (a small proportion,) as came direct from America, and that they do not at all represent the extent of our trade with Korea may be seen from the importation of American oil alone. The Standard Oil Company has at Chemulpo and Fusan large "godowns", or store-houses, especially built for storing its oil, most of which is imported in five gallon tins from that Company's branches in Japan. In 1903 the importation of American kerosene was 2,232,127 gallons, valued at $ 242,008. This shows a

decrease compared with 1902, the best previous year, when importation was 3,461,980 gallons valued at $380,458. and 1901 with 2,463,631. gallons valued at $306,523. In the report of the Chemulpo Customs this falling off is accounted for by the fact that, in so far as that port is concerned, Russian oil was for the first time imported in competition, but this is not a completely accurate explanation since importations for each year do not necessarily correspond to the sales of that year, and it has been stated, as a matter of fact, that this importation of Russian oil has not materially affected the sales of American oil. The latter, though higher in price being also higher in quality, is preferred by the natives as it does not congeal in the cold of Korean winter.

As mentioned, the largest item of increase in importation for 1903 was that of railway materials ($870,722.), and the development of the railways of Korea, aside from any political bearing on the future of the peninsula, is a matter of paramount commercial importance, and of particular interest to American manufacturers isomuch as the qquipment of these railways is to be largely of American manufacture. The first railway in Korea, that between Seoul and Chemulpo, was built in 1899 by an American firm (the concessionnaire,) of American material and equipped with American rolling stock. This road was sold just before completion to a Japanese company, and has proved a commercial success. It has now been taken over by the Seoul-Fusan Railway Company (Japanese). This latter company expects within the following month to complete its new line (begun in 1901) from Seoul to the south-eastern port of Fusan, a distance of some 268 miles, which will establish quick communication between the Capital City of Korea and Japan by a connecting ocean ferry from Fusan to Moji (Japan). This railway, like other Japanese lines in Korea, is of standard American guage (4 feet 8 1/2 inches.) and is to be equipped with American locomotives, of which some twenty (five of them 110 ton Express Locomotives) have been already delivered. It was stated that at the time

rails were first required for the construction of this line (in 1901-1902,) American manufacturers were so pressed with orders that they could not even supply the home demand. However that may be, the first rails imported were of British make, and with them a considerable portion of the line has been laid, but more recently large quantities of American rails have been used, and the bridge-work of this line is largely of American manufacture. The construction of a railway to connect Seoul with the northern border city of Wiju, on the Yalu River, was commenced in 1902 by the Korean Government under the direction of French engineers. This line (some 300 miles in length) has now been taken over and is in process of construction by the Japanese military authorities. A line to connect Seoul with the eastern Treaty Port of Gensan (about 150 miles) is also to be constructed. While the immediate construction of these last two lines is undertaken for military purposes, the intention is, and their construction is such, that they shall be permanent, and, since in conjunction with the Fusan line they will connect the northern and southern extremities with the east and west coasts of the peninsula, while traversing the interior, they will eventually open most of Korea to the development of trade.

The largest American enterprises in Korea at the present time are those of the Oriental Consolidated Mining Company and of the American Korean Electric Company. The former operating on concession a district of some 500 square miles in extent in north-west Korea has been described as the largest development undertaking in Asia. It employs about seventy white men and several thousand Asiatics, and operates five mills on its concession with a total of 200 stamps. In 1903 it mined and milled 203,567. tons of ore valued at $1,478,956., and had in sight on December 31, 1903, ore to the value of over $6,000,000. It has now about completed a large dam forming a reservoir to furnish water power for an electric plant, by which its mills will be run. This plant is to cost completed some $200,000.

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In this connection the following figures giving the export of gold from Korea to foreign countries for the past ten years are of interest:- 1894= $465,169; 1895 = $673,758.; 1896 = $692,425 1897 = $1,012,971.; 1898 = $1,183,111.; 1899 = $1,460,824.; 1900 = $1,809,258.; 1901 = $2,486,688.; 1902 = $2,521,925., and 1903 = $2,717,285. These figures do not include a considerable quantity of gold mined by natives but not exported through the Treaty Ports. Other foreign mining concessions are operated in Korea by British, German, and Japanese companies, but have thus far proved by no means so successful as that of the American company. Considerable deposits of gold have recently been discovered a short distance from the city of Pyengyang, in the north-west, and it is reported that 25,000 Koreans are now in that region engaged in placer mining. It is doubtful, however, if the deposits in that locality will hold out very long, and the returns to each individual miner can not be very great.

In 1903 mining supplies to the value of $212,964. were imported, about the same as in 1902, and an increase over 1901, a considerable proportion of which were American goods for the American mines.

The American Korean Electric Company, which began operations in 1899 under the title of the Seoul Electric Company, has recently been reorganized, and incorporated under its present name, with a capitalization of $1,000,000., under the laws of Connecticut, U.S.A.. It holds an exclusive franchise for operation of electric street railways, telephones, lighting and power plants in Seoul, and is the only concern at present operating an electric light and power plant in Korea. It is now operating some 25 cars over 11.2 miles of track in and about the City of Seoul, and furnishes some 5,000 electric lights. Its entire electrical equipment is of American manufacture, and of the latest and most approved type. This company has been so successful that it is about to add some 6 miles of track to its line, and contemplates the purchase of some 15 to 20 new cars. It will also add to its power-house installation two generating sets of 250 killowatt capacity each, connected to two 400 horse-

power cross-compound engines.

A Company organized in America, with a capital of $1,000,000. holds a franchise (granted originally in 1898) for the construction of a water-works system for the City of Seoul, and construction work will be commenced in the coming spring. This would seem a very necessary adjunct to a City of some 300,00 inhabitants, which is constantly growing and becoming modernized, and which at present has to rely only on such water, of very limited quantity and doubtful quality, as can be obtained from shallow wells. .In the past three years there have been a number of serious fires in Seoul, the last only recently, when the Imperial Palace was almost totally destroyed, all of which might have readily been controlled had there been an adequate water system. The water for this system is to be taken from the Han River (a large river about three miles from the City) some five miles above the City by centrifugal pumps, and after passing a system of filtration, known as the American System of Rapid Mechanical Filtration, will be pumped to the City by two high-duty triple-expansion pumping engines, each of a capacity of 5,000,000 gallons per 24 hours. The system of piping for distribution consists of 54 miles of cast iron pipe, of from 4 to 24 inches diameter, and a large number of fire and domestic iron hydrants. Pressure in the pipes is maintained, besides the pumps, by a soft steel stand pipe located near the City. This is a work of considerable magnitude, the engineering investigations for which have covered a period of several years. The equipment will, of course, be of American manufacture.

Next to the Japanese, who with a population in the Treaty Ports alone of over 21,000 in 1903, far exceed all others, and the Chinese, numbering about 2,000, Americans in Korea outnumbered any other foreign nationality. According to the last enumeration there were some 241 Americans residing throughout Korea, of whom about two-thirds are missionaries, principally of

of the Presbyterian and Methodist Churches. The establishments of the missionaries in Seoul and Pyengyang are particularly worthy of note, and, though perhaps not strictly within the scope of a trade report, mention may well be made of the large and well-equipped, modern hospital recently opened in Seoul under the auspices of the Presbyterian Mission, the gift of a charitable American for the benefit of the Korean people.

As regards the exports of Korea, it can not be said that, as yet, many of them are such as American trade demands. Aside from gold the minerals of the country, thus far developed, consist mainly of iron, copper, and coal. A French company has undertaken the manufacture of briquettes from a kind of disintegrated anthracite coal found in north-west Korea, but its operations were suspended by the present war before the merit of this industry had been proven. A Korean company has also recently been organized, with an American miner as superintendent, for the purpose of mining what is claimed to be a more solid form of this coal, to be found in the same region. It is doubtful, however, if this latter company as constituted will accomplish much, although it is reported that it will shortly receive machinery, ordered in America, sufficient to begin operations. Copper and iron mining seems to be solely in the hands of the natives. Korea is primarily an agricultural country, whose principal products are rice, beans, millet, and some wheat. Though it would seem that its soil and climate are well adapted to raising any of the products of a temperate region. Some cotton is grown, but not of very good quality, and silk, for which the conditions of climate, etc. would seem admirable, is cultivated to a certain extent. On arrival in Korea one's attention is at once attracted to the really fine cattle, mostly bulls, used as beasts of burden, much resembling American cattle of various kinds, and all large, powerful animals. It would certainly seem that Korea, with any proper regard to breeding and feeding, might supply a large share of the beef of the East, but unfortunately no agricultural development can be expected of this country under existing conditions, for instead

of a premium on industry there is a penalty, since the farmer who lays aside more than sufficient for immediate use becomes at once a mark for official persecution. This unfortunate condition ~~applies~~ to every industry, and has effectually prevented any real development of the natural resources of the land.

In native manufactures and industries the results are for the most part extremely crude. Of the best may be mentioned a kind of very strong, coarse paper, used mostly for floor covering, but which might be well adapted to other uses; some very excellent reed and straw mats and mattings, and hair-cloth. For the reason mentioned, however, these have never been produced in any considerable quantity for export. It is impossible to cover the subject of Korean exports without including ginseng, since within the past few years quite an interest in the cultivation of this root has arisen in America. The cultivation of Korean ginseng is a Government monopoly, and has in the past yielded a considederable income. In 1903 exports were valued at $490071 and at $596,650. in 1902. It is, however, an article of rather uncertain merit, and of such fictitious value that, in 1902, a large portion of the crop in Korea was destroyed in order that the market (principally Chinese) might not be glutted. It would hardly seem, therefore, as if its cultivation in America for the oriental market, in competition with the eastern product, would adequately repay the care necessary in raising it.

Perhaps the most serious discouragement to the development of Korea's trade at present lies in the almost hopeless condition of her monetary system, but another result of her unfortunate political condition. The native currency of the country consists of nickel coins, of a face value of 2 1/2 cents U.S.gold, ~~&~~ copper cash and copper coins, but in certain localities, as the American mining district, silver dollars ~~only~~ will be accepted by the natives. In and around Seoul the nickel is used, and in the past these nickel coins have been poured out by the Government Mint without regard for the future, and without maintaining any reserve metal. In addition permits for coining

were freely granted to private persons, and to make matters as bad as possible counterfeiting became so common that there were at times about as many spurious as genuine nickels in circulation. There was reported at one time to be some twenty-six different varieties of nickels in circulation, most of them bad. It is, therefore, not surprising that these coins should have depreciated until there was a time when the Japanese Yen (49.8 cents U. S. gold) was the equivalent of $2.60 in nickels.

Banking in Korea is almost entirely confined to the Japanese banks, of which Dai-Ichi-Ginko (First Bank) of Japan is the most important, with branches at Seoul and all the Treaty Ports. This bank has issued, with authority of the Japanese Government, special notes for use in Korea of denominations of 1.00, 5.00, and 10.00 Yen, which with the bank notes of the Bank of Japan (Nippon Ginko) form the currency in general use among the foreign community. Japanese subsidiary coins of 10, 20, and 50 Sen (silver) and 5 Sen (nickel) are also current.

That the trade of Korea for 1904 should have been at once affected by the Russo-Japan war, opening as it did with the sinking of the Russian war-ships "Variag" and "Koryeetz" in Chemulpo harbor on February 9th, goes without saying. Immediately, Chemulpo and other Korean ports were closed to trade, and for a time remained so. The majority of the Japanese merchant ships, which had been plying to Korean ports, were taken by the Japanese Government for its transport service. The scene of war, however, shortly passed beyond the borders of Korea, and though for some time thereafter communication with her ports was somewhat limited, little by little her trade has quietly and gradually revived until at the present time, except for uncertainty as to dates of arrival and departure, and higher freight rates, no very great inconvenience can be said to exist.
As might be expected too the war has had a varied effect on Korean trade and industries. Large numbers of troops to be fed, and large railway and other undertakings being pushed forward have distributed much money throughout the country. The Korean

laborer has often had more ready money than it was ever his lot to enjoy before. On the other hand the effect has been to paralyze certain other industries, and through requisition of coolies for transportation purposes and railway work, at a time when crops were to be harvested, agriculture has to a certain extent suffered. It is most worthy of note, however, that from the orderly manner in which the campaign in Korea has been conducted the regular routine has been disturbed remarkably little. For example the American Mines, whose region was successively in the occupation of the Russian and the Japanese troops, have no fault to find with either, and except for difficulty in getting supplies through lack of transportation afcilities, and in loosing some of its native laborers, through the attraction of war wages for the most part, but little inconvenience has been suffered, and mining operations have gone on much as usual. Moreover certain branches of trade seem now to be reviving in greater strength than before. Following the advance of the army there has been an enormous immigration of Japanese, mostly laborers and small merchants, and much of the available land in the Treaty Ports, notably Fusan, Chenampo, and Chemulpo, and the Cities of Seoul, and Pyengyang has been bought up by Japanese. Improvements of the harbors of Fusan and Chemulpo, and construction of terminal facilities for the railways in Fusan, Seoul, and Pyengyang, have called for an unprecedented importation of such commodities as building materials, tiles, etc. Though it is at present impossible to obtain complete returns figures available seem to show a wonderfully healthy condition of ordinary trade. No information is, of course, obtainable concerning importations for military purposes, including materials for construction of railways by the military, but in what might be called regular importations a substantial increase is already shown in kerosene oil and in cigarettes.

For the half year ending June 30th, 1,833,129 gallons of American oil were imported, and though it is to be regretted that trade secrecy makes it impossible to obtain further information

than given in preliminary returns of Customs, it is a fact that the trade in oil has of late shown a remarkable increase. The same is true, to even a greater degree, of cigarettes, of which importations for the period named amounted to no less than $256,570. as compared with $157,608. for the whole year of 1903, itself the best on record. Some 2,000,000 pounds of flour, mostly American, were imported in the half year, and as but little was imported in the first quarter this trade promises to equal its record of 1903. Cotton goods seem to have somewhat gone backward, but will doubtless improve. Mining materials to the value of $68,103. were received, a good record considering the difficulties of transportation. Exports of gold for the period amounted to $1,003,752. which for the reason just given is perhaps more creditable, taking the risk of loss into account.

Transportation, though still suffering the loss of ships taken for transport service, is fairly well re-established. A Japanese company, the Shosen Kaisha, has frequent small steamers passing between Korean ports and Japan. The largest Japanese company, the Nippon Yusen Kaisha, has several foreign ships under charter, which maintain a service between Japan, Korea, and China (Chefoo). The Hamburg-Amerika Company runs fortnightly steamers between Chemulpo and Shanghai and one steamer, under the American flag, the "Ohio" (Registered in Kobe, Japan) belonging to an American resident of Korea, maintains a regular service between Chenampo, Chemulpo, Mokpo, Fusan, (Korea,) and Kobe and Osaka (Japan,) It may be added that this ship is the own most favored by passengers between Korea and Japan on account of its excellent passenger accommodations. The excellent service promised by the steamers of the Chinese Eastern Railway Company, of course, came to a conclusion with opening of the war, when its steamer "Sungari" was sunk in Chemulpo harbor. American shipping is unfortunately but rarely seen in Korean waters. There is, however, a considerable clearance of small ships bearing the American flag, at Chenampo, the property of the American Mining Company.

As to the development of American trade, it is believed that comparatively little can be accomplished under existing conditions except by representation on the spot. It must be remembered too that Korea's American and European population is as yet but insignificant, and that there is therefore but a very limited market for such articles as might be termed those of luxury. The country is thus far mainly an agricultural one, but it is doubtless in a transition period. What its future will be, however, depends much on the turn of future events. In any case its much larger development would seem to be promised, and with its development must come further opportunities for foreign trade, of which Americans seem thus far to have well availed themselves, since it is an undoubted fact that American commercial interests in Korea today are greater than those of any one European nation.

Seoul, Korea, November 4, 1904.

Edward Caldwell

No 28 Consular.

INDEX BUREAU REC'D DEC 22 04 DEPT OF STATE

3rd ASST. SECRETARY. DEC 22 1904

CONSULAR BUREAU DEC 22 1904 DEPARTMENT of STATE

AMERICAN CONSULATE GENERAL.

Seoul, Korea, November 14, 1904.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

To Com. & Labor and

ACKNOWLEDGED DEC 2[illegible]1904 BUREAU OF [illegible] RELATIONS

-Subject-

CHIEF CLERK. DEC 22 1904 Department of State.

Korean Customs Returns for the year 1903.

-Synopsis-

Encloses, under separate cover, complete Returns of Trade and Reports of the Imperial Korean Customs for 1903, contained in a bound volume recently received by the writer from the Chief Commissioner of Customs.

Asks that copies of Department's Monthly Consular Reports (Nos. 278 and 279,) for November and December 1903, be supplied, those numbers being missing from the files of this office.

INDEX BUREAU JAN 3 1905 FILED

No 29 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

February 7, 1905.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

re. to the Chemulpo Electric Company.

-Synopsis-

Encloses letter, signed by the writer as President of the Chemulpo Municipal Council, setting forth conditions upon which the Council grants permission to The Chemulpo Electric Company, Limited (registered in Japan.) for the erection and operation of an electric light and power plant within the limits of the General Foreign Settlement.

Understands the necessary machinery will be of German manufacture.

Matter known to American Minister, and other Representatives at Seoul, before Council consented to proposition.

No 29 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

February 7, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U.S.A.

Sir:-

I have the honor to hand you enclosed a copy of a letter, addressed by myself as President of the Municipal Council of the General Foreign Settlement at Chemulpo to Mr. C. Wolter, setting forth the conditions upon which the Council had decided to consent to that gentleman's proposals for permission to erect and operate an electric light and power plant within the limits of the Settlement. Mr. Wolter, who is one of the largest land owners in the Settlement and himself a member of the Council, at first expressed himself as dissatisfied with the conditions, but they have since been accepted by the company which he represented, and which is styled The Chemulpo Electric Company, Limited, (registered in Japan.) I understand that Mr. Wolter is now in Shanghai for the purpose of buying the necessary machinery, which will be of German manufacture.

I may add that this matter was known to the American Minister, Mr. Allen, and the other Representatives at Seoul, before the Council gave its consent to the proposition.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:

1. As above.

Copy.

Enclosure No. 1/
No. 29 Consular FEB 7 1905

MUNICIPAL COUNCIL,

CHEMULPO,

December 5, 1904.

Sir,

In reply to your letter of the 25th ultimo I beg to inform you that, at a meeting of the Municipal Council held on the 3rd instant, it was decided to comply with your proposal regarding the Electric Company on the following conditions:-

1. The Municipal Council of the General Foreign Settlement at Chemulpo, hereafter called the Council, in accordance with the resolutions passed at its meetings held on the 19th ultimo and 3rd instant, grants permission to the Chemulpo Electric Company, Limited, hereafter called the Company, and at present represented by Messrs Carl Wolter, Kaku, Tanaka, and Hori, for the erection and working of an Electric Plant for Light and Power, and hereby permits the erection of poles in the streets necessary for the working of said plant, providing that work is commenced within one year and that the Company is in full working operation within two years.

2. The Company agrees to connect any house or dwelling within the Settlement with the Electric Light Plant, whenever a request to that effect is made by the tenant or proprietor.

3. The Company is allowed to place poles in any part of the Settlement approved by the Council.

4. All roads broken by the Company to be placed in perfect order again at the Expense of the Company.

5. This concession has been granted for the term of twenty years and the Council will not grant similar permission to any other person or company during the term of this agreement if the Company is prepared to undertake such work, other than lighting, at equal rates with others. This article does not apply to electric plants for private purposes.

6. In consideration of these privileges it is hereby agreed that the Council shall after the expiration of the first ten years participate with twenty-five per cent of the net profits

over ten per cent on the actual capital after making due allowance for depreciation and amortization. This profit is, however, to be calculated on the portion of electric light and power which is used within the limits of the General Foreign Settlement only. For the first ten years the Council does not participate in any of the profits of the Company.

7. The Company has the right to transfer this contract to a third Party or Company.

8. The Company guarantees not to charge more than-

A. Yen 2 per 16 c.p. per month for half night.

B. Yen 3 per 16 c.p. per month for whole night.

C. All others in proportion to 16 c.p.

D. If 15 or more lamps of 16 c.p. are used a meter can be supplied. The charge by meter shall not exceed 30 sen per Kiliwatt hour.

E. The minimum charge for light when using a meter shall not exceed Yen 20.

F. The charge for the meter shall not exceed Yen 2 per month.

G. For all public lights a good and reasonable reduction shall be made.

9. This agreement shall continue in force on the same terms even after the expiration of the period now fixed, that is twenty years, unless six months notice to the contrary be given by either party.

I am, Sir:-

Your obedient servant,

(Sig.)

Gordon Paddock,

President of Municipal

Council.

C. Wolter Esquire,

etc. etc. etc.

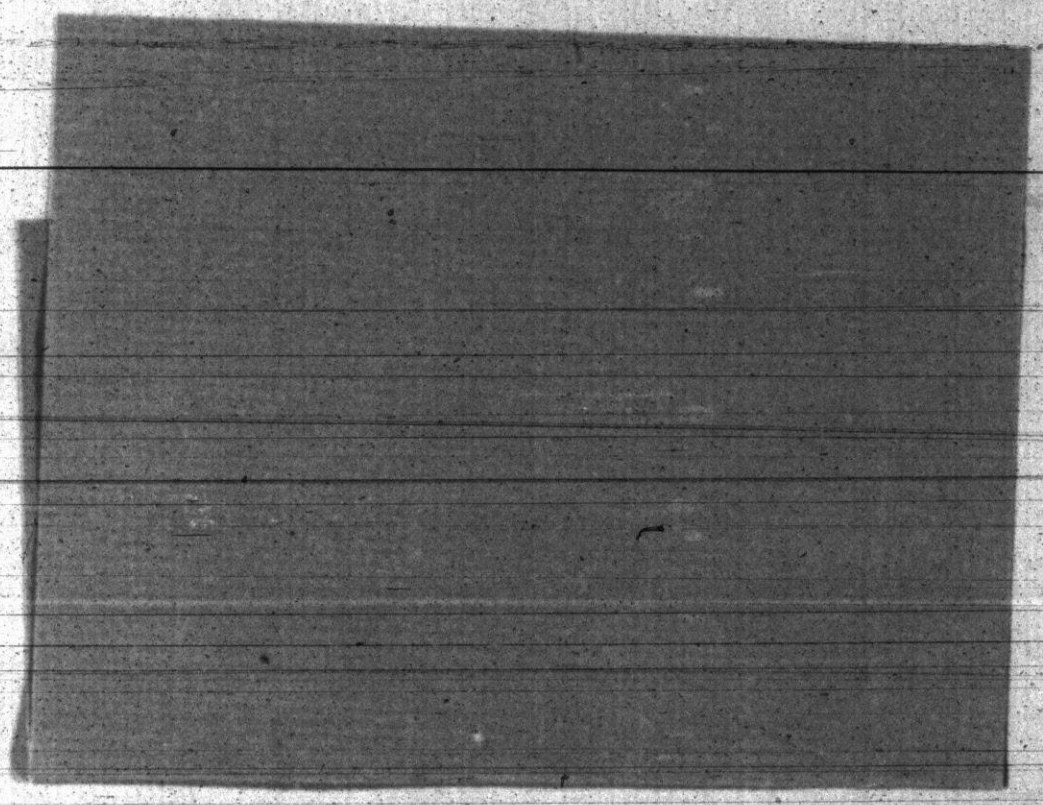
Consular Bureau.

MEMORANDUM.

Mr Smith,

This is a new question to us. Is there anything in the diplomatic channel with which this despatch needs to be considered?

M.J.B.



Mr. Carr
Do something
to do back.
M. A.

CONSULAR BUREAU
MAY
DEPARTMENT OF STATE

INDEX BUREAU
RECD
APR 24 '05
DEPT OF STATE

No. 30 Consular.

Consulate General

AMERICAN LEGATION,
SEOUL, KOREA.

March 15, 1905.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Cons 2nd 1905

-Subject-

Consular tour of Korean treaty ports.

INDEX BUREAU
MAY 6 1905
FILED

-Synopsis-

Replying to Department's request to be furnished with estimate of cost of such a trip to Korean treaty ports as suggested in the writer's No 26 of September 30th last, explains that such trip could not readily have been made during the winter months through lack of steamship communication, and because it would be impossible for consular officer to be absent from Seoul for the necessary time. Explains his reasons for suggesting such trip at this time when Korea is in state of transformation commercially as well as politically.

Cost of such trip should not exceed $150.00, but same disability as to absence of consular officer still exists.

CHIEF CLERK,
APR 28 1905
Department of State.

DEPARTMENT OF STATE BUREAU

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NO. 30 Consular. Consulate General

AMERICAN LEGATION,
SEOUL KOREA.

March 15, 1905.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Rec'd April 17 05

-Subject-

Consular tour of Korean treaty ports.

INDEXED BUREAU MAY 6 1905 FILED

-Synopsis-

Replying to Department's request to be furnished with estimate of cost of such a trip to Korean treaty ports as suggested in the writer's No 26 of September 30th last, explains that such trip could not readily have been made during the winter months through lack of steamship communication, and because it would be impossible for consular officer to be absent from Seoul for the necessary time. Explains his reasons for suggesting such trip at this time when Korea is in state of transformation commercially as well as politically.

Cost of such trip should not exceed $150.00, but same disability as to absence of consular officer still exists.

CHIEF CLERK, APR 26 1905 Department of State.

NO. 30 Consular

AMERICAN LEGATION,
SEOUL, KOREA.

March 15, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Peirce's despatch, No 7 Consular of November 26, 1904. requesting me to furnish the Department with an estimate of the cost of such a consular visit to the various Korean treaty ports as suggested in my No 26 Consular of September 30th. I have not replied earlier for the reason that since the receipt of that despatch and until the present time it would have been impossible to reach some of the ports named except by a difficult overland journey, as steamship communication was discontinued for the winter months, and for the further reason that, as the only American consular officer here, it would have been impossible anyway for me to be absent from Seoul for the time necessary to make such a trip. I may say that in suggesting this trip I did not consider the question of reimbursement for the cost of the trip. My idea was that in view of the comparatively large interests of Americans in the various ports named, and in the city of Pyengyang and region north of there, a locality which no American consular officer so far as I know has ever visited, it might be of interest to the Department to have an official report on the situation at this time. Sales of land in the Foreign Settlements of these ports have been going on until much, if not most, of the available land in all the treaty ports has been bought by private individuals or taken over for military purposes. As is to be expected there has been an enormous immigration of Japanese, and land in the Foreign Settlement at

Chenampo was sold during the occupation of that port by the Japanese troops, and at at time when other foreigners were prohibited from traveling in that region. Extensive improvements have been made in the various harbors, and the railways recently completed, or in process of construction, are matters of interest which can be intelligently reported on only by one who has seen them. The same is true of trade development, an understanding of which can not be obtained altogether from customs returns. Korea is truly in a state of transformation commercially as well as politically.

In reply to the Department's question as to the cost of such a trip as suggested, I should say that it should not exceed about $150.00, but, of course, so far as absence from the Consulate at Seoul is concerned the same disablity will exist until there may be some one to act as vice consul during the consular officer's absence.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Saddock

DEPT OF STATE
APR
28
1905
2ND ASSISTANT SECRETARY

Dear Bruce

I think we may wait until there are treaty ports in actual business operation to be "inspected." Just now the proposed trip would be a useless junket.

APPROVED
A. W. Dulles

CONSULAR BUREAU.
APR 23
RECEIVED
APR 24 1905

NO. 31 Consular.

Consulate General

AMERICAN LEGATION,
SEOUL, KOREA.

3rd ASST. SECRETARY.
APR 28 1905

March 18, 1905.

CONSULAR BUREAU.
NOTED.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Marriage of Mr. Atkinson and Miss Townsend.

-Synopsis-

Reports the marriage of Mr. J. De F. Atkinson, an American, with Miss Townsend, on this date, in writer's presence as Consul General.

INDEX BUREAU
MAY 3 1905
FILED

CHIEF CLERK,
APR 28 1905
Department of State.

No. 31 Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

March 18, 1905.

CONSULAR BUREAU.
NOTED

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed the Certificate of Marriage of Mr. James De Forest Atkinson and Miss Marguerite Townsend, who were married in my presence, as Consul General, at Chemulpo, Korea, on this date.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Caldwell

Enclosure:

1. As above

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

Seoul Korea, March 18th. 1905, 189 .

I, Gordon Paddock, Consul General of the United States at Seoul Korea, do hereby certify that, on this 15th. day of March A. D. 1905, at the Methodist Episcopal Church in the city of Chemulpo Korea, James De Forest Atkinson, aged 23 years, born in Kobe, Japan, and now residing in Chemulpo, Korea, and Marguerite Townsend, aged 21 years, born in Shanghai China, and now residing in Chemulpo, Korea, were united in marriage before me, and in my presence, by Rev. Wm B. Scranton, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at SEOUL KOREA, this 18th. day of March 1905, A. D. 189, and of the Independence of the United States the One hundred and thirtieth.

Gordon Paddock

Consul General of the United States of America.

Issued in duplicate.

CHIEF CLERK,
APR 28 1905
Department of State.

BUREAU
NOTED

APR 22 '05

No. 32 Consular.

Consular

AMERICAN LEGATION,
SEOUL, KOREA.

CONSULAR BUREAU
APR
1905

3rd ASST. SECRETARY.
APR 28 1905

March 21, 1905.

CONSULAR BUREAU
NOTED AND PUBLISHED

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Subject-

Death of Marcus Hurling Thorn.

-Synopsis-

Reports the death of an American citizen, Marcus Hurling Thorn, which occurred at the American gold mines at Woonsan, Korea, as the result of a fall in one of the shafts of the mines.

RECEIVED
MAY 12 1905
FILED

CHIEF CLERK,
APR 28 1905
Department of State.

NO. 32 Consular

AMERICAN LEGATION,
SEOUL, KOREA.

March 21, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1./ I have the honor to hand you enclosed a Report of the Death of an American Citizen, Marcus Hurling Thorn, which occurred at the American gold mines at Woonsan, Korea, on the 12th instant. The deceased was a young man- 23 years of age- employed by the Oriental Consolidated Mining Company, and his death was the result of a fall in the shaft of one of the company's mines in northern Korea. I have been furnished with a report of the accident by the company, and a certificate of death and statement by the company's physician, who attended deceased from the time he was found after the accident until his death.

Deceased was accompanied by his brother, also in the company's employ, who has taken possession of the few effects left, and will take the remains, which have been cremated, to the home of their parents at Mariposa, California.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:

1. As above.

(Form No. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

CONSULAR EC
NOTED AND PUBL
ISHED

Consular Service, U. S. A.,

SEOUL KOREA MAR 21 1905 190 .

Name: Marcus Hurling Thorn.

Native or naturalized: native

Date of death: March 12. 1905.

Place of death: Maibong. Wunsan District - Korea.

Cause of death: Result of a fall in the "Kharabowie Mine"

Disposition of remains: Cremated.

Local law as to disinterring remains in case it is desired to bring them home:

None. It is the intention of deceased's brother to take the cremated remains to their parents' home in the USA.

Disposition of effects: Taken possession of by deceased's brother. J. F. Thorn. who was present at the Time.

Address of family: Mariposa. California. USA.

Family notified: —

Accompanied by relatives: Accompanied by brother - J. F. Thorn.

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages —

Remarks: Deceased was in the employ of the Oriental Consolidated Mining Co. at Wunsan. Korea. His brother - also in the Company employ. proposes to return immediately to their parents' home in the West. taking with him the remains. and the personal effects of deceased - which consisted of books. clothing. and about yen 300. ($150.) in money.

[SEAL.]

Ernest Saddock

Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No. 32 Consular.

March 21st, 1905.

NO. 33 Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

CONSULAR BUREAU.
JUN 27 1905
DEPARTMENT of STATE

May 11th, 1905.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Cons 19 from
June 30 '05

-Subject-

Marriage of Miss Scranton and Mr. Porter.

-Synopsis-

Encloses Certificate of Marriage of Miss Scranton, an American, to ~~Miss~~ Mrs. Porter, a Consular Assistant of the British Legation in Seoul.

At the young lady's request attended the wedding and provided her with copy of enclosed Certificate, although perhaps unnecessary as by marriage she becomes a British subject.

CONSULAR BUREAU.
RECEIVED
JUN 27 1905
DEPARTMENT of STATE

CHIEF CLERK,
JUN 27 1905
Department of State.

NO. 33 Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

May 11th, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a copy of the 1./ Marriage Certificate of Miss Scranton, an American, who was this day married in my presence to Mr. Porter, a Consular Assistant of the British Legation in Seoul.

While an American woman marrying an Englishman thereby becomes a British subject, and may not, therefore, require the usual certification of her consular official as to the marriage, I have, at the young lady's request, attended the wedding and provided the bride with a copy of the enclosed Certificate.

I have the honor to be,

Sir:-

Your obedient servant,

Gabriel Maddock

Enclosure:-

1./ As above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

Seoul. Korea, May 11th 1905, 189 .

I, Gordon Paddock, Consul General of the United States at Seoul. Korea, do hereby certify that, on this 11th day of May, A. D. 1905, at the Church of the Advent in the city of Seoul. Korea, Harold Porter, aged 25 years, born in London. England, and now residing in Seoul. Korea, and Augusta Scranton, aged 21 years, born in Cleveland. Ohio, and now residing in Seoul. Korea, were united in marriage before me, and in my presence, by Right Rev. Bishop Corfe. D.D., who is authorized by the laws of Great Britain to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at Seoul. Korea, this 11th day of May. 1905, A. D. 189, and of the Independence of the United States the one hundred and twenty-ninth.

Gordon Paddock

Consul General of the United States of America.

Issued in duplicate.

CONSULAR BUREAU. NOTED.

No. 34 Consular. AMERICAN LEGATION. SEOUL, KOREA.

2nd ASST. SECRETARY. JUN 28 1905

No. 34 Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

3rd ASST. SECRETARY
JUN 28 1905

CONSULATE
RECEIVED

May 18th, 1905.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Death of Bertha Finley Hunt.

-Synopsis-

Encloses Report of death of Bertha Finley Hunt, an American citizen, which occurred at Pyengyang, Korea, on the 14th instant. Deceased was accompanied by her husband, Rev Wm B. Hunt, of the Presbyterian Mission in Korea, and left no will, and no property aside from her personal effects, of which Mr. Hunt has taken charge.

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CHIEF CLERK,
JUN 27 1905
Department of State.

No. 34 Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

May 18th, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a Report of the death of an American Citizen, Bertha Finley Hunt, which occurred at Pyengyang, Korea, on the 14th instant. Deceased was the wife of Rev. William B. Hunt, a member of the Presbyterian Mission in Korea, who was present at the time of her death.

Rev. Mr. Hunt reports that deceased left no property whatever aside from her personal effects, of which he has taken charge.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Paddock

Enclosure:

1./ As above.

(FORM NO. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

CONSULAR BUREAU. NOTED

Consular Service, U. S. A.,

SEOUL KOREA, MAY 18 1905 190

Name: Bertha Finley Hunt.

Native or naturalized: native.

Date of death: May 14. 1905.

Place of death: Pyengyang. Korea.

Cause of death: Septicaemia following Membranous Pharyngitis.

Disposition of remains: Buried in Foreign Cemetery at Pyengyang.

Local law as to disinterring remains in case it is desired to bring them home:

- None -

Disposition of effects: Deceased was the wife of Rev. Wm B. Hunt. a Missionary. + possessed no property other than personal and household effects.

Address of family: accompanied by husband. Rev. Wm B. Hunt.

Family notified: "

Accompanied by relatives: "

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages —

Remarks: Rev. Wm B. Hunt. husband of deceased. Reports that the possessed no property whatever others than personal effects. of which he has taken charge, and that deceased left no will.

[SEAL]

Andrew Saddock

AMERICAN CONSUL GENERAL of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 in despatch

No. 34 Counsel

MAY 18 1905, 190

No 35 Consular.

CONSULAR BUREAU AUG 10 1905 DEPARTMENT of STATE

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

Aug 22/05 Aug 22/05 allowance for clerk Aug 22/05

July 6, 1905.

INDEX BUREAU AUG 22 1905 FILED

Mr. Gordon Paddock to the

Assistant Secretary of State:-

CHIEF CLERK, AUG - 9 1905 Department of State.

-Subject-

Contingent allowance for Consulate General.

-Synopsis-

In view of separation of offices of Legation and Consulate General, now established in separate buildings, suggests advantage of small allowance for contingent expenses of latter, which are now drawn from allowance provided when offices were combined. Mentions increased cost of everything in Korea since opening of war, and difficulty of maintaining both establishments on comparatively small allowance of Legation. Work and requirements of Consulate growing make it seem timely to provide allowance for such expenses of this office as heating, lighting, janitor and messenger service, postage, etc.

An additional native interpreter for use of Consulate also much needed. Such a man, who could also do clerical work, could now be procured for about $300.00 a year.

Consular Bureau.

MEMORANDUM.

Mr. Morrison,

I think the $300 should be allowed for clerk hire appropriation.

W.W.R.

Mr. Morrison says to the Consul that he will be allowed not to exceed 20 per cent of his salary for rent, and that the contingent expenses must be kept down to the amount actually necessary to the performance of the duties of the office. Call attention to circular.

No 35 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

July 6, 1905.

To the Honorable
Francis B. Loomis,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

In view of the fact that the offices of the Legation and of the Consulate General at Seoul are now considered as separate, and are actually established in separate buildings, I have the honor to suggest that it would be of advantage if a small allowance could be provided to cover the contingent expenses of the latter, which are now drawn from the allowance provided when both offices were combined.

The cost of everything in Korea has so increased since the opening of the present war that it has become almost impossible to maintain both establishments here on the comparatively small contingent allowance of the Legation. The work and requirements of the Consulate, moreover, are steadily increasing, and it seems to me that it would be timely to provide a separate allowance to cover such expenses in maintaining this office as heating, lighting, janitor and messenger service, postage, etc.

An additional native interpreter is also much needed for the Consulate, one who could do clerical work, and such a man could now be procured for about $300.00 a year.

I have the honor to be,
Sir:-
Your obedient servant,

Ernest Paddock

File

No 36 Consular.

CONSULAR BUREAU
AUG
1905
DEPARTMENT OF STATE

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

July 15, 1905.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Reports on Korean Government Loan, and on Increased Railway rates between Seoul-Chemulpo.

-Synopsis-

Encloses two reports on above subjects written by Mr. Willard D. Straight, recently appointed Vice Consul General.

Requests advice as to manner in which Vice Consul General should communicate with Department.

CHIEF CLERK,
AUG 26 1905
Department of State.

No 36 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

July 15, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed copies, in duplicate, of two reports written by Mr. Willard D. Straight, recently appointed Vice Consul General at Seoul, as follows:-

1./ "Report on the recent Korean Government loan ". dated July 11, 1905.

2./ "Report on increased Railway rates between Seoul and Chemulpo". dated July 14, 1905.

In this connection, and since it does not seem to be quite clear whether Mr. Straight should communicate with the Department direct or through the Consul General, may I ask that I be advised as to what method is correct.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Maddock

Enclosures:-

2. Reports, as above.

NO. 37. Consular.

AMERICAN ~~LEGATION~~, Consulate General
SEOUL, KOREA.

CONSULAR BUREAU
AND PUBLISHED

July 31, 1905.

CONSULAR BUREAU
Send notification
Give to press as an
item
Ack

DEP'T OF STATE
SEP 9 1905
2ND ASSISTSECRETARY

Mr. Gordon Paddock to the

Assistant Secretary of State:-

CHIEF CLERK,
SEP 8- 1905
Department of State,

-Subject-

Ack'g
Ack'g from Sec'y Sept 13/05
Let to Mr Sidney Dec 1 to 7 05

Death of Arthur Sturgis Dixey.

-Synopsis-

Reports the death on the 26th instant of Arthur Sturgis Dixey, an American citizen, who at the time of his death was acting as private secretary to Mr. Morgan, American Minister to Korea.

INDEX BUREAU
SEP 18 1905
FILED

NO. 37 Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

July 31, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a Report of the death of an American citizen, ARTHUR STURGIS DIXEY, which occurred at the American Legation, Seoul, on the 26th instant.

Mr. Dixey was acting as private secretary to Mr. Morgan, American Minister to Korea, at the time of his death.

I have the honor to be, Sir:-

Your obedient servant,

Enclosure:-

1. As above.

(Form No. 192.)

CONSULAR BUREAU
NOTED AND PUBLISHED

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

Seoul. Korea. July 31st 1905.

Name: Arthur Sturgis Dixey

Native or naturalized: native

Date of death: July 26th 1905

Place of death: American Legation. Seoul. Korea.

Cause of death: dysentery

Disposition of remains: buried in General Foreign Cemetery. Jun Wha Chun. Seoul

Local law as to disinterring remains in case it is desired to bring them home:

Removal on consent of trustees of Cemetery Association

Disposition of effects: Held in the Legation to await instructions of deceased's father W. R. B. Dixey.

Address of family: Richard B. Dixey. 44 Beacon Street. Boston. Mass.

Family notified: by telegram of American Minister

Accompanied by relatives: no

This information, inventory, accounts, etc., recorded in Miscellaneous Record Book, pages —

Remarks: deceased was the private Secretary of W. Edwin V. Morgan American Minister to Korea.

[SEAL.] AMERICAN CONSULATE GENERAL SEOUL, KOREA

Edwin Paddock
Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

AMERICAN CONSULATE GENERAL.

SEOUL KOREA

Report of the Death of an American Citizen.

Enclosure No. 1 *in despatch*

No. 37.

July 31st, *1905.*

WAR DEPARTMENT,

OFFICE OF THE QUARTERMASTER GENERAL,

WASHINGTON.

December 15, 1905.

Returned Dec 21/05

CHIEF CLERK
DEC
15
1905
DEPARTMENT
OF STATE.

Memorandum for the Chief Clerk,
State Department:

You are respectfully informed that the remains of the late Arthur Sturgis Dixey, Private Secretary to the American Minister at Korea, have been received at San Francisco, Cal., on the Transport "Thomas", which arrived at that port December, 13, 1905.

It is presumed that the remains will be called for at San Francisco by a representative of the decedent's family.

J. B. Sartin

Chief Clerk.

215547.
Cem.-A.

NO. 38. Consular.

Consulate General

AMERICAN ~~LEGATION~~,
SEOUL, KOREA

3rd ASST. SECRETARY. DEC 15 1905

CONSULAR BUREAU.
NOTED.

CONSULAR BUREAU DEC 15 1905 DEPARTMENT OF STATE.

September 14, 1905.

CHIEF CLERK DEC 15 1905 DEPARTMENT OF STATE.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Marriage of Lewis B. Tate and Martha B. Ingold.

-Synopsis-

Encloses a copy of the marriage certificate of the above named American citizens.

NO. 38. Consular.

CONSULAR BUREAU,
NOTED

AMERICAN LEGATION,
SEOUL, KOREA.

September 14, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1/ I have the honor to hand you enclosed a copy of the marriage certificate of Lewis Boyd Tate and Martha Barbara Ingold, American citizens, who were married in my presence in Seoul on the 2nd instant.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Adcock

Enclosure:

1/ As above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

Seoul, Korea, September 2nd, 1905.

I, Gordon Paddock, Consul General of the United States at Seoul, Korea, do hereby certify that, on this 2nd day of September A. D. ~~1904~~ 1905, at the residence of Rev. W. D. Reynolds in the city of Seoul Lewis Boyd Tate, aged 43 years, born in Roxrasse, Missouri and now residing in Seoul, Korea, and Martha Barbara Ingold aged 38 years, born in Hickory, North Carolina, and now residing in Seoul, Korea, were united in marriage before me, and in my presence, by Rev. W. D. Reynolds, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at Seoul, Korea, this 2nd day of September, A. D. ~~1904~~ 1905, and of the Independence of the United States the One hundred and thirtieth.

[L. S.]

Gordon Paddock

Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

No. 39 Consular.

CONSULAR BUREAU.
NOTED.

Consulate Seal

AMERICAN LEGATION,
SEOUL, KOREA.

3rd ASST. SECRETARY.
DEC 15 1905

CONSULAR BUREAU.
NOTED

September 23, 1905.

CHIEF CLERK
DEC
15
1905
DEPARTMENT
OF STATE.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Ans by Loomis Dec 29/05

-Subject-

Marriage of Edwin W. Koons and Lucy F. Donaldson.

-Synopsis-

Encloses a copy of the marriage certificate of the above-named American citizens.

NO. 39 Consular.

CONSULAR BUREAU.
NOTED.

AMERICAN LEGATION,
SEOUL, KOREA.

September 23, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a copy of
1/ the marriage certificate of Edwin Wade Koons and Lucy Floy Donaldson, American citizens, who were married in Seoul in my presence on September 13, 1905.

I have the honor to be,

Sir:-

Your obedient servant,

Horace Saddock

Enclosure:

1. As above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

Seoul, Korea, Sept. 13th, ~~1904~~ 1905.

I, Gordon Paddock, Consul General of the United States at Seoul, Korea, do hereby certify that, on this 13th day of September, A. D. ~~1904~~ 1905, at the residence of Rev. Dr. Underwood in the city of Seoul, Korea, Edwin Wade Koons, aged 25 years, born in McLean, N. Y. and now residing in Pingyang, Korea, and Lucy Fay Donaldson, aged 20 years, born in La Porte City, Iowa, and now residing in Seoul Korea, were united in marriage before me, and in my presence, by Rev. W. C. Whiting, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at Seoul, Korea, this 13th day of September, A. D. ~~1904~~ 1905, and of the Independence of the United States the one hundred and thirtieth.

[L. S.]

Gordon Paddock

Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

No. 40. Consular.

Consulate Gen'l

AMERICAN LEGATION,
SEOUL, KOREA.

3rd ASST. SECRETARY.
DEC 15 1905

DEC 15 1905
DEPARTMENT OF STATE

CONSULAR BUREAU.
NOTED.

September 23, 1905.

CHIEF CLERK
DEC 15 1905
DEPARTMENT OF STATE.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Answered Dec 29/05

-Synopsis-

Marriage of William M. Barrett and Elizabeth Carson.

-Synopsis-

Encloses a copy of the marriage certificate of the above-named American citizens.

No. 40 Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

CONSULAR BUREAU.
NOTED.

September 23, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a copy of the marriage certificate of William Marshall Barrett and Elizabeth Carson, American citizens, who were married in Seoul in my presence on September 14, 1905.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Saddock

Enclosure:

1. As above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

Seoul, Korea., Sept. 14th., 1884 1905.

I, Gordon Paddock, Consul General of the United States at Seoul, Korea, do hereby certify that, on this 14th. day of September, A. D. 1884 1905, at the residence of Rev. A. G. Welbon in the city of Seoul, Korea, William Marshall Barrett, aged 34 years, born in Coff. Indiana Co. Penna. and now residing in Seoul, Korea, and Elizabeth Carson, aged 28 years, born in Hardin, Illinois, and now residing in Seoul Korea, were united in marriage before me, and in my presence, by Rev. H. G. Brown, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at Seoul, Korea, this 14th day of September, A. D. 1884 1905, and of the Independence of the United States the one hundred and thirtieth.

[L. S.]

Gordon Paddock

Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

No. 41 Consular.

Consulate Gen'l

AMERICAN LEGATION,
SEOUL, KOREA.

3rd ASST. SECRETARY.
DEC 15 1905

CONSULAR BUREAU,
NOTED.

October 7, 1905.

CHIEF CLERK
DEC
15
1905
DEPARTMENT
OF STATE.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

Ans by Journ Dec 29/05

-Subject-

Marriage of Ernest F. Hall and Harriet McLear.

-Synopsis-

Encloses copy of Marriage Certificate of above named American citizens.

No. 41. Consular.

AMERICAN LEGATION,
SEOUL, KOREA.

CONSULAR BUREAU,
NO. [illegible].

October 7, 1905.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, D. C.

Sir:-

1/ I have the honor to hand you enclosed a copy of the Marriage Certificate of Ernest F. Hall and Harriet McLear, American citizens, who were married at Seoul in my presence on the 4th instant.

I have the honor to be,

Sir:-

Your obedient servant,

Horace Paddock

Enclosure:

1/ As above.

CERTIFICATE OF MARRIAGE.

Consular Office of the United States of America,

Seoul, Korea, October 4, ~~1904~~ 1905.

I, Gordon Paddock, Consul General of the United States at Seoul, Korea, do hereby certify that, on this 4th day of October, A. D. ~~1904~~ 1905, at the residence of Dr. H. G. Underwood in the city of Seoul, Ernest F. Hall; aged 37 years, born in Biddeford, Maine, and now residing in Seoul, Korea, and Harriet McGear, aged 33 years, born in Wilmington, Delaware, and now residing in Seoul, Korea, were united in marriage before me, and in my presence, by Rev. Dr. H. G. Underwood, who is authorized by the laws of the District of Columbia to perform such a ceremony.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of my office at Seoul, Korea, this 4th day of October, A. D. ~~1904~~ 1905, and of the Independence of the United States the One Hundred and Thirtieth.

[L. S.]

Gordon Paddock

Consul General of the United States of America.

Fee one dollar. To be issued in duplicate.

No. 42. Consular.

Consulate Gen'l

AMERICAN LEGATION,
SEOUL, KOREA.

3rd ASST. SECRETARY.
DEC 15 1905

October 12, 1905.

CHIEF CLERK
DEC
15
1905
DEPARTMENT
OF STATE.

To the Honorable

Francis B. Loomis,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed a copy of the translation of a bill of sale and other papers, and of the Consular Certificate issued thereon in the matter of the purchase of a small Japanese-built sailing ship, known as the "Jinryu-maru", by H. G. Underwood, an American missionary.

Mr. Underwood informs me that he has purchased this ship for the purpose of transporting building materials to a point on the Korean coast, near Seoul, where the missionaries propose building houses.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Adee

Enclosures:-

1. As above.

No 43 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

November 15, 1905.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Returns of Imperial Korean Customs for 1904.

-Synopsis-

Transmits, under separate cover, complete returns of trade and reports, recently published, of Imperial Maritime Customs of Korea addressed by Chief Commisioner to "The Chief of the Bureau of Commerce and Labour, etc. Washington."

Reports that an additional copy can be furnished the Department if desired.

No 43 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KORRA.

November 15, 1905.

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you, under separate cover, a volume addressed by the Chief Commissioner of Korean Customs to "The Chfef of the Bureau of Commerce and Labour, Bureau of Statistics, Washington," being the complete returns of trade and reports, recently published, of the Imperial Maritime Customs of Korea for the year 1904. Should the Department desire an additional copy of this volume I can transmit an extra copy which has been supplied to the Legation, there being already one copy on file in this office.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin V. Morgan

Bureau of Trade Relations.

MEMORANDUM.

Jany. 8, 1906

Mr. Carr:

The volume of Korean statistics herein referred to has not been received in the Bureau.

J. B. O.

not go through this Department.

W. J. C.

No Volume is known in the Bureau of Statistics so they say over the phone

Consular Bureau.

MEMORANDUM.

January 8, 1906.

Mr. Osborne:

This volume was sent by the Chief Commissioner of Korean Customs to the Bureau of Statistics at the request of the Department of Commerce and Labor, and did not go through this Department.

W. J. C.

The Volume is now in the Bureau of Statistics so they say over the 'phone

No 44. Consular.

RECD FEB 6 1906
CONSULAR BUREAU. FEB 8 1906 DEPARTMENT of STATE
3rd ASST. SECRETARY. FEB 8 1906

Cuba P.O.
Auditing
Feb 10-06

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

December 22, 1905.

CHIEF CLERK FEB 8 1906 DEPARTMENT OF STATE.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Ten days absence from post.

-Synopsis-

Reports an absence of ten days, December 8th to 19th, from his post without leave.

Accompanied the late Minister, Mr. Morgan, on his departure, on a trip to Dalny and Port Arthur, returning by way of Japan.

INDEXED FEB 10 1906

No44. Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

December 22, 1905

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to inform you that I have been absent from my post without leave for a period of ten days, from the 8th to the 19th instant.

At the kind suggestion of Mr. Morgan, late Minister to Korea, I accompanied him, on his departure from Korea, on a trip to Dalny and Port Arthur, returning to Seoul by way of Japan, and the new Seoul-Fusan Railway.

I may be permitted to say that this is the second occasion on which I have ever been away from my post, having made a trip of ten days to China, also in company with Mr. Morgan, in the summer of 1904.

I have the honor to be,

Sir:-

Your obedient servant,

Estus Paddock

No 45 Consular.

DEPT OF STATE RECD FEB 8 1906

CONSULAR BUREAU FEB 8 1906 DEPARTMENT OF STATE

3rd ASST. SECRETARY. FEB 8 1906

Answered Feb 19.06

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

December 26, 1905.

CHIEF CLERK FEB 8 1906 DEPARTMENT OF STATE.

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Vice Consul General's leave of absence.

-Synopsis-

Reports departure on 25th instant of Mr. Willard D. Straight, Vice Consul General, on leave of absence of three months. Mr. Straight to return to the United States.

DEPT OF STATE RECD FEB 12 1906

No 45 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

December 26, 1905.

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to inform you that Mr. Willard D. Straight, Vice Consul General at this post, having applied to me for a leave of absence of three months on account of circumstances making it necessary for him to return to the United States as soon as possible, left Seoul on the morning of yesterday for Japan, where it is his intention to leave by steamer for the United States on January 7th.

I take this opportunity of expressing my high appreciation of Mr. Straight's character and efficiency while at his post.

I have the honor to be,

Sir:-

Your obedient servant,

Edward Adee

CONSULAR BUREAU. MAR 7 1906 DEPARTMENT of STATE

DIPLOMATIC BUREAU.

3rd ASST. SECRETARY. MAR 6 1906

No 46 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

January 9, 1906.

CHIEF CLERK MAR 8 DEPARTMENT OF STATE.

Mr. Gordon Paddock

to the Assistant Secretary of State:-

INDEX BUREAU RECEIVED

-Subject-

Jamestown Celebration.

-Synopsis-

Acknowledges Department's circular of November 7, 1905, addressed to American Minister, in relation to Jamestown Celebration, and reports that he has transmitted invitation to Korean Government to participate therein to Korean Minister for Foreign Affairs, who regrets that it is impossible for his Government to accept and requests me to communicate to my Government cordial thanks of his Government for courteous invitation.

No 46 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

January 9, 1906.

To the Honorable
Robert Bacon,
Assistant Secretary of State,
Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of the Department's circular, dated November 7, 1905, in relation to the Jamestown Celebration, which was addressed to Mr. Morgan, the American Minister, but arrived after his departure from Korea.

I have carried out the instructions contained therein in transmitting to the Korean Government the invitation to participate in the coming celebration, and
1/ have the honor to hand you enclosed the reply of the Korean Minister for Foreign Affairs regretting that it should be impossible for his Government to accept and requesting me to communicate to my Government the cordial thanks of his Government for the courteous invitation.

I have the honor to be,
Sir:-
Your obedient servant,

Sidney Addoes

Enclosure:
1. As above.

Department of Foreign Affairs,

Seoul , January 8 , 1906.

To

Gordon Paddock Esqr.,

American Consul General .

I have the honor to acknowledge the receipt of your despatch of the 3rd instant inviting the Imperial Government to participate in the international naval , marine and military celebration in 1907 , at Hampton Roads in the State of Virginia.

I regret that it is not possible for me to accept this invitation on behalf of the Imperial Government , and I beg that you will do me the favor to communicate to your Government the cordial thanks of my Government for this courteous invitation ,

With high esteem ,

Ye Wan Yong ,

Acting Minister for

Foreign affairs .

No 47 Consular.

CONSULAR BUREAU MAR 1906 DEPARTMENT OF STATE

CONSULAR BUREAU.
NOTED.

3rd ASST. SECRETARY. MAR 6 1906

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

January 13, 1906.

CHIEF CLERK MAR 6 DEPARTMENT OF STATE

Mr. Gordon Paddock

to the Assistant Secretary of State:-

Cons'l Bur. Jan 9/06

-Subject-

Death of Elizabeth Campbell Pieters.

-Synopsis-

Encloses report of death of an American citizen, Elizabeth Campbell Pieters, which occurred at Seoul on the 4th instant.

CONSULAR BUREAU RECEIVED

CONSULAR BUREAU.
NOTED

No 47 Consular.

AMERICAN CONSULATE GENERAL,

SEOUL, KOREA.

January 13, 1906.

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

1/ I have the honor to hand you enclosed the report, which I have just received, on the death of an American citizen, Elizabeth Campbell Pieters, which occurred at Seoul on the 4th instant.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:

1. As above

CONSULAR BUREAU.
NOTED.

(Form No. 192.)

REPORT OF THE DEATH OF AN AMERICAN CITIZEN.

Consular Service, U. S. A.,

Seoul. Korea. January 13. 1906.

Name: Elizabeth Campbell Pieters

Native or naturalized: native

Date of death: January 4. 1906.

Place of death: Seoul. Korea.

Cause of death: Pulmonary Tuberculosis

Disposition of remains: buried in General Foreign Cemetery at Jangsuka Seoul. Seoul.

Local law as to disinterring remains in case it is desired to bring them home:

On consent of Cemetery Committee.

Disposition of effects: In possession of deceased's husband. Alexander A. Pieters. of Seoul. Korea.

Address of family: ~~(in America)~~ Mrs. C. E. Campbell. Durand, Illinois.

Family notified: Fact of death cabled to Board of Foreign Missions of the Presbyterian Church in the West who notify relatives with full particulars

Accompanied by remains: deceased's husband — sisters.

This information, inventory, accounts, etc., recorded in Miscellaneous Record

Book, pages —

Remarks: Deceased left a will in which her husband Alexander A. Pieters is named as Sole Legatee and Executor.

[SEAL.]

Arthur Lee Gaddis
Consul General of the United States.

(Form No. 192.)

CONSULAR SERVICE, U. S. A.,

AT

_____

Report of the Death of an American Citizen.

*Enclosure No.*_____*in despatch*

*No.*_____.

_____, *190* .

NO. 1

Consulate General.

AMERICAN LEGATION,
SEOUL, KOREA.

MAR 24 1906 BUREAU OF ACCOUNTS DEPT OF STATE.
MAR 23 1906 DEPARTMENT OF STATE

January 15, 1906.

Bur of Accts
Ans by cable 2/6/06
Confirmed 2/7/06

To the Honorable

Elihu Root,

Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to hand you enclosed my accounts as Secretary of Legation and Consul General for the quarter ended December 31, 1905, as follows:- 1. Account for personal salary (October and November,) with certificate as to absence during the quarter; 2. Account for Treasury fees; 3. Account for Notarial fees, and to advise you of my draft of this date (#54) for $207.00 to balance the same.

Since by the withdrawal of the Legation at Seoul I ceased to be Secretary of Legation after November 30, 1905, the date on which Mr. Morgan, the American Minister, closed his accounts, I have drawn my personal salary for the months of October and November only, though accounting for all fees received by me during the quarter mentioned. I shall draw no further salary until instructed, as I understand my salary to have been allowed me as Secretary of Legation primarily and not as Consul General.

I have the honor to be,

Sir:-

Your obedient servant,

Hugh Paddock

Enclosures:

3. As above.

INDEX BUREAU APR 2 1906 FILED

OF APPOINTMENTS
EB 3 1906
partment of State

TELEGRAM RECEIVED IN CIPHER.

Secretary of State.
FEB 3 1906

From Seoul

FEB 5 1906 DEPARTMENT OF STATE

February 3, 1906.

Received 12:32 p.m.

Secretary of State,

Washington.

I have received this afternoon official announcement General Hasegawa has assumed the duty of Acting Resident General.

PADDOCK.

INDEX BUREAU
FILED

Deciphered by C.R.D.

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No. 48 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

CONSULAR BUREAU
MAY
24
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DEPARTMENT OF STATE

3rd ASST. SECRETARY.
MAY 24 1906

DIV. OF MAILS
RECD.
MAY 12 '06
DEPT. OF STATE

February 26, 1906.

CHIEF CLERK
MAY
22
1906
DEPT. OF STATE

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Cipher Codes.

-Synopsis-

In reply to Department's circular of November 16,1906, returns a list of telegraphic codes in his office with names, dates and editions of same.

RECEIVED
JUN 8 1906
FILED

CONSULAR BUREAU
MAY
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1906
DEPARTMENT OF STATE

3rd ASST. SECRETARY.
MAY 24 1906

No. 48 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

RECD.
MAY 12 1906
DEPT. OF STATE

February 26, 1906.

CHIEF CLERK
MAY
22
1906
DEPT. OF STATE

Mr. Gordon Paddock to the

Assistant Secretary of State:-

-Subject-

Cipher Codes.

-Synopsis-

In reply to Department's circular of November 16,1906, returns a list of telegraphic codes in his office with names, dates and editions of same.

INDEX BUREAU
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No. 48 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL. KOREA.

February 26, 1906.

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

In reply to the Department's circular of November 16, 1905. instructing Consular Officers to report in a numbered despatch the names, dates and editions of any telegraphic cipher codes, Departmental or commercial, in their offices as part of the archives thereof, I have the honor to report that there are in this office the following cipher codes:-

Department's Cipher Code, (No 13) of 1876, with accompanying Holocryptic Code.

Department's Cipher Code, (No 36) of 1899, with accompanying Holocryptic Code.

Larrabee Cipher Code- Naval- with amended code word of 1904.

Western Union Telegraphic Code, edition of 1902.

"A. B. C." Telegraphic Code, 4th edition of 1899.

Moreing & Neals Mining Code, 4th edition of 1899.

I have the honor to be,

Sir:-

Your obedient servant,

Edwin Saddock

49 Consular.

No.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

CONSULAR BUREAU
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1906
RECEIVED

3rd ASST. SECRETARY
MAY 24 1906

DIV. OF DUPLICATE
RECD.
MAY 12 1906
DEPT. OF STATE.

February 26, 1906.

CHIEF CLERK
MAY
22
1906
DEPT. OF STATE

Mr. Gordon Paddock to the

Assistant Secretary of State;-

Acknd May 25, 1906

-Subject-

Lands of Americans appropriated by Japanese Military Authorities. Settlement of case.

-Synopsis-

As matter of record reports settlement of a case in which Japanese Military Authorities undertook arbitrarily to take possession of lands belonging to American missionaries. Satisfactory settlement finally obtained through intervention of Japanese Minister.

DIVISION OF
MAY 28 1906
RECEIVED

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NO.

AMERICAN CONSULATE GENERAL,
SEOUL. KOREA.

CONSULAR BUREAU
MAY
24
1906
DEPARTMENT OF STATE

3rd ASST. SECRETARY.
MAY 24 1906

RECD. D.C.
MAY 12 '06
DEPT. OF STATE

February 26, 1906.

CHIEF CLERK
MAY
22
1906
DEPT. OF STATE

Mr. Gorden Paddock to the

Assistant Secretary of State;-

Acknowledge May 25. 1906

-Subject-

Lands of Americans appropriated by Japanese Military Authorities. Settlement of case.

-Synopsis-

As matter of record reports settlement of a case in which Japanese Military Authorities undertook arbitrarily to take possession of lands belonging to American missionaries. Satisfactory settlement finally obtained through intervention of Japanese Minister.

INDEXED
MAY 28 1906
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No. 49 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

February 26, 1906.

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to report, as a matter of record, the satisfactory settlement of a case of appropriation of certain lands belonging to American missionaries by the Japanese Military Authorities, for the purpose of construction of the Japanese railway from Seoul to Gensan.

This matter threatened at first to occasion some difficulty, and did arouse considerable feeling on the part of the owners of the land, through the attitude of the Japanese Military in assuming the right to arbitrarily seize such land as they wished and pay what they chose in return. There were also flagrant cases of trespass committed on the premises by Japanese coolies in the employ of the Military Railway Department, including the beating of native servants of the American occupants of the premises and threatening action towards the occupants themselves. These, however, were settled more or less satisfactorily by the Japanese Consular officials. The matter of pre-emption of the land was taken up by Mr. Morgan, then American Minister, with Mr. Hayashi, the Japanese Minister, and continuation of work on the line through the premises stopped pending a settlement. The owners, however, demanded for the right of way terms, pecuniary and otherwise, which the Legation did not feel warranted in pressing, and arbitration was suggested.

Finally

Finally after lengthy negotiations, and subsequent to Mr. Morgan's withdrawal from Korea, a settlement, in my mind highly satisfactory, was arrived at. This was brought about, I believe, mainly through the good offices of Mr. Hayashi. I may mention that, though Mr. Hayashi's note to me is dated January 31st, this settlement was not effected until the 14th instant, when payment for the land taken was made to the owners in my office, but Mr. Hayashi asked that I accept and acknowledge his note as of January 31st, for the reason that on that date he withdrew as Minister in favor of the new Residency General.

I enclose copies of Mr. Hayashi's note to me, with enclosures, and of my reply to him in acknowledgment thereof.

1.2

I have the honor to be,

Sir:-

Your obedient servant,

Jno. Paddock

Enclosures:-

1./ Mr. Hayashi's note to Mr. Paddock, & enclosures.

2./ Mr. Paddock's reply to Mr. Hayashi.

Enclosure No. 1/

No. 49 Confidential

Japanese Legation,

Seoul, January 31, 1906.

Monsieur le Consul-Général,

Ihave now the honor to inform through your good self the owners of the pieces of land on the Han River, the question of the purchase of the said pieces of property having been the subject of negotiations between them and our Military Railway Authorities for some time, that the latter has now agreed to settle the question in accordance with the memorandum herewith enclosed .

In informing this I express my appreciation for the efforts you were good enough to make in bringing the matter to an amicable settlement . I may add that the payment named in the memorandum will be directly made to the owners.

I avail myself of this opportunity to renew to you, Monsieur le Consul-Général, the assurance of my highest consideration.

G. Hayashi.

Gordon Paddock, Esquire,

Consul General of the United States of America,

etc. etc. etc.,

Seoul.

Memorandum.

Purchase of property owned by Dr. Underwood, and by Messrs. Underwood, Avison and Miller jointly, at Han Kang , naar Seoul.

---

1. The Japanese Railway Authorities agree to purchase the two pieces of land on the bank of the Han River indicated on the annexed plan by black lines, one the property of Dr. Underwood, the other the joint property of Dr. Underwood, Dr. Avison and Mr. Miller .

2. The Railway Authorities agree to pay for that piece of land owned jointly by Messrs. Underwood, Avison and Miller, and measuring 512 tsubo, 7 go, 1 shaku, Japanese measurement, the sum of Yen Nine Thousand (Yen 9,000) and for that piece of land owned by Dr. Underwood , and measuring 230 tsubo, 2 go, 9 shaku, the sum of Yen Four Thousand and forty two, sen twenty eight (Yen 4,042.28), including compensation for the Corean house on Dr. Underwood's property at the rate of twenty yen (Yen 20) per kan for the number of kan in the house .

3. In order to permanently define the boundry of the land purchased as aforesaid by the Railway Authorities, a fence shall be erected at the cost of the Railway Authorities , corresponding with the black line shown on the annexed plan . The public road crossing the said line within Dr. Underwood's property shall not be blocked . Fences shall also be erected at both edges of the tunnel which the Railway Authorities propose

building

building within the limits of the joint property, in order to ensure safety in crossing the railway line. No fences shall, however, be erected over the said tunnel which shall in any way interfere with unrestricted passage across the tunnel.

4. A crossing, provided with sutiable gates, shall be made at the cost of the Railway Authorities at a point distant 3 miles and 25 chains from Yongsan station.

5. The Railway Authorities agree to keep and maintain in good condition all fences, gates and approaches as aforesaid, The keys of the said gates shall be kept in the custody of the owners of the property, and the Railway Authorities accept no responsibility for the safety of the persons using the crossing.

6. The Railway Authorities agree to construct stone retaining walls on either side of all deep cuttings , in order to prevent injury to the property of Dr. Underwood, and of Messrs. Underwood, Avison and Miller.

7. The Railway Authorities agree that special care shall be exercised to avoid damage to the trees and brushwood on the property of Dr. Underwood, and of Messrs. Underwood, Avison and Miller, and that in the event of any such damage a sutible compensation shall be paid. The Railway Authorities agree to preserve the trees and brushwood above the tunnel in their present condition. Damage unavoidably caused to trees, brushwood etc. situated close to the edge of the cuttings and the tunnel is not included in this provision.

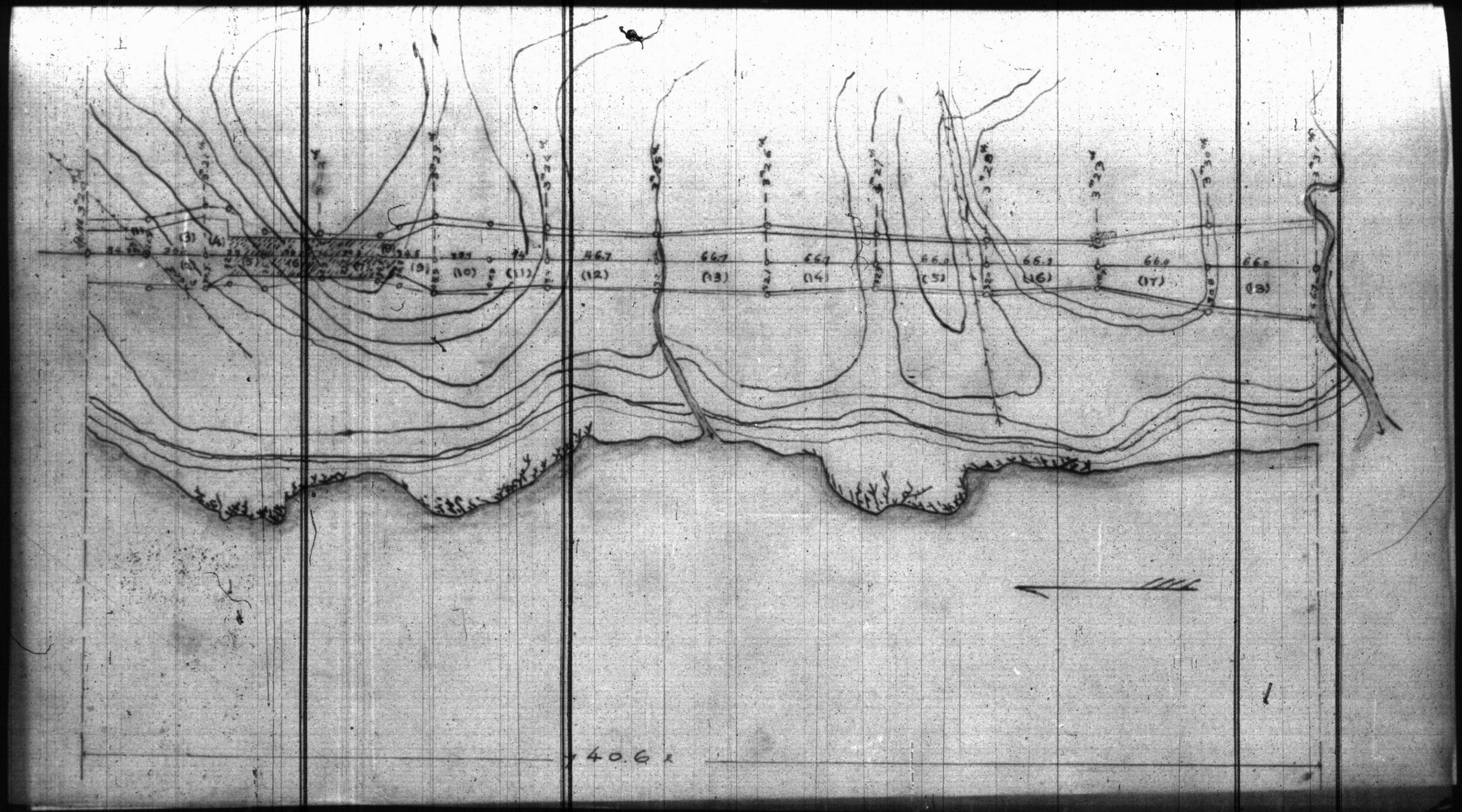
8. With regard to the request of Messrs. Underwood, Avison and Miller that arrangement may be made for the establishment of a

Flag

Flag Station at a point of the railway close to their property, the Railway Authorities agree that the matter shall be favorably considered, though they are unable to make any definite promise.

End.

Japanese, Legation, Seoul, Korea,
January 31st., 1906.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40.6

14. L. C.

Enclosure No 2/

No 49 Consular

January 31, 1906.

Monsieur le Ministre:-

I have the honor to acknowledge the receipt of your note of this date, handing me a memorandum of the agreement which has been arrived at between the Japanese Military Railway Authorities and Messrs. Underwood, Avison, and Miller, with regard to the purchase of certain pieces of land belonging to the latter at Han Kang, near Seoul.

I have communicated the contents of your note to my national, Mr. Underwood (who also represents Mr. Miller,) and have shown him the memorandum referred to, which is entirely in accordance with his understanding of the settlement agreed upon.

I beg to add that this amicable settlement of the matter is highly satisfactory to me, and to assure Your Excellency that I heartily appreciate your good offices in bringing it about.

I avail myself of this opportunity to renew to you, Monsieur le Ministre, the assurance of my highest consideration.

GORDON PADDOCK

His Excellency

G. Hayashi,

H. I. Japanese M's Envoy Extraordinary

and Minister Plenipotentiary.

etc. etc. etc.

Seoul.

No. 50 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA,

February 26, 1906.

Mr. Gordon Paddock to the
Assistant Secretary of State:-

Acknd May 25, 1906.

-Subject-

Acting Resident General assumes charge.

-Synopsis-

Confirms his telegram of the 3rd instant reporting that General Hasegawa had assumed charge as Acting Resident General.

As a matter of record gives dates of withdrawal of the various legations at Seoul.

No. 50 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA,

February 26, 1906.

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to confirm my telegram of the 3rd instant, reading as follows:-

"Secstate, Washington.

I have received this afternoon official announcement General Hasegawa has assumed the duty of Acting Resident General. Paddock".

I sent the above telegram on receipt of a note announcing the opening of the Japanese Residency General at Seoul and Residencies at the various ports on the 1st instant. This note, a copy of which I enclose, is addressed to me by Baron General Hasegawa, Commander in Chief of the Japanese military forces in Korea, who assumes charge as Acting Resident General pending the arrival of Marquis Hirobumi Ito, and I thought the information worthy a telegram for the reason that all of my colleagues, with the exception of the Chinese acting Consul General, had previously told me that they were in receipt of telegraphic instructions from their respective governments to communicate with the Japanese Resident General after the date of the 1st instant.

As a matter of record I will give the dates of withdrawal of the various Legations at Seoul, as follows:

The Italian Minister Resident and Consul General announced

announced his departure from Korea on leave on October 15, 1905. The Italian Legation has since been charge of a care-taker, and Italian interests in care of the British Representative.

On December 4, 1905, the German Minister Resident and ~~Consul and~~ Consul General announced the transfer of diplomatic matters to the German Legation at Tokyo, the office here being left in charge of the German Vice Consul.

On January 6, 1906, the Minister of France, who was also Consul General, announced that, having been permitted to return to France, he handed over charge of the service here to the French Vice Consul, who would act as Consul General.

On the 12th instant the British Chargé d'Affaires announced that he ceased to exercise the functions of Chargé d'Affaires while continuing to act as Consul General.

On the 14th instant, the Chinese acting Consul General, (the Chinese Envoy Extraordinary and Minister Plenipotentiary being on leave,) announced the withdrawal of the Chinese Legation and his having taken over charge of Chinese affairs in Korea.

The Belgian Representative here has always been Consul General, so his office has continued as before.

I have the honor to be,

Sir:-

Your obedient servant,

Enclosure:-

1. As mentioned.

Ensu Paddock

Enclosure No. 1/
No. 50 Consular

H.I.J.M's Residency General,

Seoul, Corea, February 3, 1906.

Monsieur le Consul-General,

I have the honor to inform you that the Residency General was opened in Seoul and Residencies at various ports on the 1st instant, and that I have assumed the duty as acting Resident General.

I have the honor to be,

Sir,

Your obedient servant.

長谷川好道

(Baron General Hasegawa.)

Gordon Paddock, Esquire,

U.S. Consul General,

etc. etc. etc.,

Seoul.

51 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

CONSULAR BUREAU
MAY
24
1906

3rd ASST. SECRETARY.
MAY 24 1906

March 3, 1906.

CHIEF CLERK
MAY
22
1906
DEPT. OF STATE

Mr. Gordon Paddock to the

Assistant Secretary of State.-

-Subject-

Establishment Japanese Residencies in Korea.

-Synopsis-

Acknowledges receipt of Department's No 12 Consular, of January 30, 1906, and reports that he has acted in accordance with instructions therein contained.

INDEXED
MAY 28 1906
FILED

. 51 Consular.

AMERICAN CONSULATE GENERAL,
SEOUL, KOREA.

March 3, 1906.

To the Honorable

Robert Bacon,

Assistant Secretary of State,

Washington, U. S. A.

Sir:-

I have the honor to acknowledge the receipt of Mr. Peirce's despatch, No 12 Consular, of January 30th, 1906, enclosing a copy of a note from the Japanese Legation at Washington stating that on February 1st the Japanese Imperial Government would formally open a Residency General at Seoul and Residencies at other places, and instructing me, after that date, to address the Residency General in all cases which may arise and which heretofore have been addressed to the Korean Government.

In reply I beg to refer to my No 50 Consular, of the 26th instant, and to say that I have acted in accordance with the instruction mentioned.

I have the honor to be,

Sir:-

Your obedient servant,

Snowden Marshall

EXED FROM
RBON COPY.

TELEGRAM RECEIVED IN CIPHER.

CHIEF CLERK
APR
DEPARTMENT
OF STATE.
Secretary of State,
APR 23 1906

BUREAU OF APPOINTMENTS.
APR 23 1906
Department of State.

From seoul

Received April 22, 1906.

11:41 A. M.

Secretary of State,

Washington.

American citizen, Thomas Koen, in great anxiety in regard to mother (and) sisters residing 732 Folsom Street, San Francisco. Requests telegraphing at his expense. No direct telegraphic communication since the earthquake.

PADDOCK.

Consul General.

INDEX BUREAU
MAY 16 1906
FILED

O.G.S.

Secretary of State,
APR 23 1906

Chief Clerk
Ask War Dept
to ascertain
about this
if not done
already

Case
[illegible]

Buck

282.

TELEGRAM RECEIVED IN CIPHER.

CHIEF CLERK
JUL
5
1906
DEPT. of STATE

From Seoul

Received July 5, 1906.

9:54 A. M.

CONSULAR BUREAU

Ack & file.

BUREAU OF APPOINTMENTS
JUL 5 1906
Department of State.

DEPT OF STATE
JUL
5
1906
2ND ASST SECRETARY

Secretary of State,

Washington.

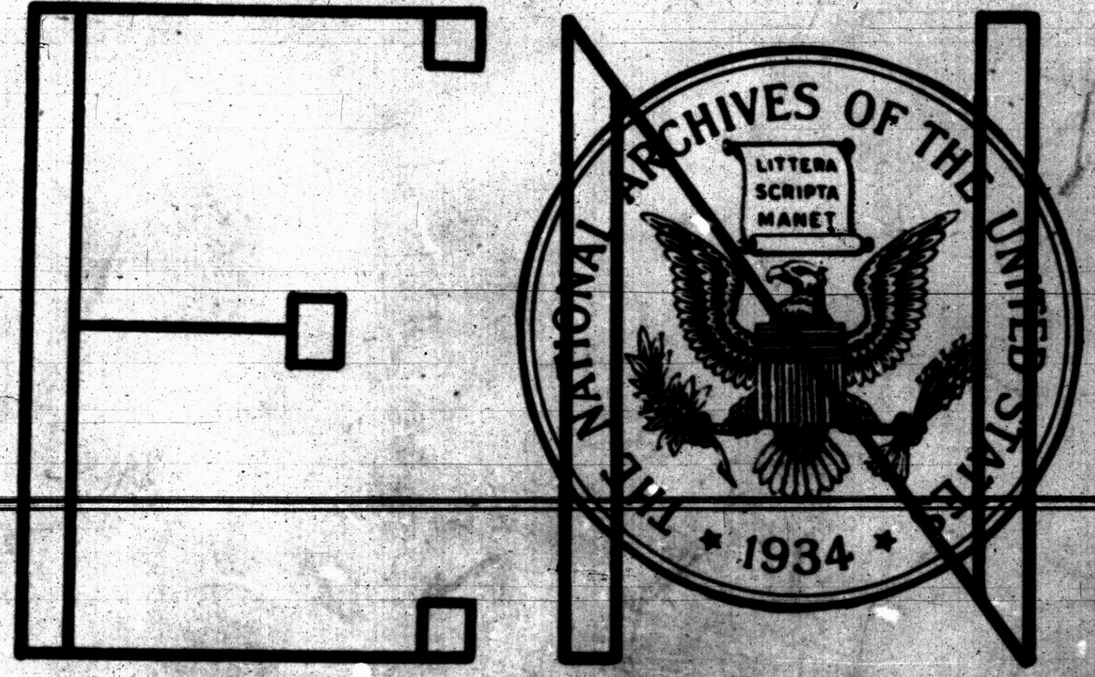
Japanese police arrival expected stationed in the Imperial palace in order to prevent communication between King of Korea and his officials and others supposed to have been encouraging opposition to Japanese administration of Korea.

PADDOCK.

July 9 1906

INDEX BUREAU
JUL 10 1906
FILED

~~Ciphered by the Chief Clerk's Office,~~
W. J. K.


THE NATIONAL ARCHIVES OF THE UNITED STATES
LITTERA
SCRIPTA
MANET
1934


167-2