

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED
21,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.
THOS. T. ECKERT, President and General Manager.

525 Pm

NUMBER	SENT BY	REC'D BY	CHECK
176	V	W	39 paid Govt

RECEIVED at _____, 3/19 1895

Dated Washington D.C. 19

To Collector Customs
New Ho

A note transmitted by mail from the Spanish minister here relative to a probable or simulated shipment of arms to measures so far as practicable to prevent violation laws united states

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THOS. T. ECKERT, President and General Manager.

NUMBER	SENT BY	REC'D BY	CHECK

RECEIVED at _____, 189

Dated _____

To _____

S. Wiske
Asst. Secty

N.
14788

Treasury Department.

Office of the Secretary,

Washington, D. C., March 19, 1895.

Collector of Customs,

Fernandina, Fla.

Sir:

I transmit herewith a copy of a note from the Minister of Spain at this capital, relative to a "probable or simulated shipment of arms."

You will please exercise diligence to prevent, if practicable, any violation in the matter, of the laws of the United States.

Respectfully yours,

C. S. Smith

Acting Secretary.

etc. *W.*

1 enclosure.

*Enclosed
3/23/95*

Legation of Spain,

Washington, March 11, 1895.

The undersigned Minister Plenipotentiary of Her Majesty the Queen Regent of Spain has the honor to transmit to the Honorable Secretary of State the enclosed report of Mr. Schuler (Schuyler?) Consular Agent of Spain at Fernandina, Florida, which corroborates the suspicion of Mr. Borden's complicity in the equivocal and questionable transactions connected with the yachts Legonda, Amadis and Paracoa.

Relying upon the assurances which according to the press, have been given by Mr. Taylor to the Spanish Government that the American Government will cause a strict watch to be kept upon expeditions carrying arms, the undersigned takes the liberty to call the attention of the Honorable Secretary of State to the probable or simulated shipment of said arms via the port of Philadelphia.

The undersigned avails himself of this occasion to reiterate to the Honorable Secretary of State the assurances of his most distinguished consideration

E. de MURUAGA.

Hon. W. Q. Gresham,

Secretary of State.

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Draft, from Report of Mr. Schuyler, Spanish Consular Agent at Fernandina, (Fla.)

"7th March. Sir: I wrote you hurriedly last night, and wired you this morning that the suit of Kimbal-Mantell was settled, the case dismissed and the arms, &c. released from attachment, as I wrote you a few days ago was likely to be the case at any time; the arms &c., upon being released by sheriff were immediately during the night removed back to Borden's warehouse and I have reason to believe that they were or will be at once shipped by rail from here; I know not where, but suspect to Philadelphia. I have interviewed the custom house this morning and find that there is no vessel in port, that is at all likely to be concerned in the matter, and that night there was an empty car standing before the Borden warehouse, there may be some further developments during the day and if so I will advise you; the whole negotiations have been conducted very quietly, and the closing of the case last night came quite unexpectedly taking us by surprise. I was unable to be present at the settlement on account of other imperative official duties, but I was kept advised. The attorney for the plaintiff are Cooper and Cooper of Jacksonville."

8th March.

"Sir: All the arms ammunition &c., that were stored in Borden's warehouse have been removed and shipped from here by railroad their destination I do not know, the work was done at night and all employed in it are very secretive, nothing can

-3-

be learned from them, but the warehouse was empty."

March 5th.

"Sir:

I am in receipt of your esteemed note of the 28th ultimo, and have given the matter referred to, due attention. I was previously under the impression that all the arms, ammunition and accoutrements received here by Mr. Borden were under attachment in the Kimbal-Mantell suit, but I find that not to be the case a portion only--sufficient to secure the claim in the suit--was attached and unmoved from Borden's warehouse--these are still in the hands of the Sheriff, stored in a building at some distance from the warehouse. The remainder are in the warehouse, in Mr. Borden's possession and he may be disposing of them in fact though I cannot as yet get evidence to prove it. I am satisfied that he is so disposing of them to what extent I cannot at present say-- on the suit referred to (Kimbal & Mantell) Mr. Borden was Garnishee and required to show under oath, what property, possessions or effects he had in his possession or control belonging to said Mantell; to this he yesterday made answer that he had nothing so belonging. This is a denial on his part that the arms &c., are the property of Mantell, and hence they lie there without any apparent owner, and subject to be removed without any responsibility. The suit in attachment is not

-4-

returnable until July next, but I learn incidentally that the matter is in ~~XXXXXX~~ process of compromise, in which case dismissal of the suit and release of the property, may at any day be accomplished. The owner of the property whoever it may be, has means and is desirous of settling the suit and get possession of the same. Mr. Borden is very little in the city, spending most of his time in Jacksonville, as I understand, and any disposal of the arms &c., must be made through a third party. The correspondent of the secret agency to which you refer, may gain more details in the case than I can, as my position is well known, and information carefully secreted from me but in the information given above, I have obtained it from first hands."

N.
14425

Treasury Department,

Office of the Secretary,

Washington, D. C., January 12, 1895.

Collector of Customs,

Fernandina, Fla.

Sir:

In reply to your telegram dated yesterday, the following message, signed by myself, was sent you today, viz:

"If case yacht "Lagonda", covered by Article one-thirty-six, regulations eighteen-ninety-two, take action accordingly. Report fully and immediately what further suspicious circumstances attach to the vessel other than that agent refuses to allow inspection."

The Secretary of State informs the Department under this date that his Department has no information tending to throw light on the nature of the cargo.

Respectfully yours,



Acting Secretary.



14425^{N.}

Treasury Department.

Office of the Secretary,

Washington, D. C., January 14, 1895.

Collector of Customs,

Fernandina, Florida.

Sir:

In reply to your telegram of this date, the following message signed by myself was sent you today, viz:

"Report cases yachts "Lagonda" etc., to U. S. Attorney."

Respectfully yours,



Acting Secretary.

E.C.

W.

R.G. 36, Bureau of Customs, Letters Received 1890-1906, Entry 1498

(Cat. No. 1006.)

OATH OF OFFICE.



Rev. Stats. of the U. S., § 2616.

I, C. B. Higginbotham, having been appointed Special Inspector of Customs in and for the District of Tennessee

do solemnly swear that I will diligently and faithfully execute the duties of the said office, and that I will use the best of my endeavors to prevent and detect frauds against the laws of the United States imposing duties upon imports.

Rev. Stats. of the U. S., § 1757.

And I do further solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

sworn and subscribed before me this Eleventh day of January, A. D. 1895. C. B. Higginbotham

J. L. Pattell
Collector of Customs

OFFICIAL

SEAL.

* Swear or affirm.

from Jan 11 to Jan 18 / 95 inclusive

14425^{N.}
Treasury Department,
Bureau of Navigation,
Washington, D. C., July 1, 1895.

Collector of Customs,
Fernandina, Fla.

Sir:

Your requisition dated May 27, 1895, on Form Cat. No. 173, for five dollars and two cents, (\$5.02,) expenses incurred in the case of the yacht "Lagonda", etc., has been brought to the attention of the Secretary of State.

Respectfully yours,

C. J. Chamberlain

Commissioner.

✓
Treasury Department.

9575-G.

Office of the Secretary,

Washington, D. C., August 27, 1895.

Collector of Customs,
Fernandina, Fla.

Sir:

You are informed hereby that the Acting Secretary of State, in a letter dated the 22nd instant, advised this Department that the Government of Sweden and Norway has accepted the resignation of Mr. N. B. Borden, its Vice-Consul at your port, and has abolished said office.

Respectfully yours,

W. M. ...
Assistant Secretary.
cc

GMM

(No enclosures.)

Attention