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CAPITANMA DEL PUERTO.

DON MÁRIANO DE LUNA,

CAPITAN DE NAVIO DE LA REAL ARMADA Y DE ESTE PUERTO POR S. M.

PREVIENE

A LOS CAPITANES Y PATRONES QUE FONDEEN O ESTEN FONDEADOS EN ESTE PUERTO, LO SIGUIENTE:

Artículo 1º.

Ninguna embarcacion puede moverse de un lugar á otro sin tener prévio permiso del Capitan del Puerto: estas faenas deben hacerse desde la puesta del sol, hasta las nueve de la mañana del dia siguiente: el infractor de esta prevencion pagará, por primera vez 12 \$, y en caso de reincidencia 24 \$ de multa; entendiéndose que este artículo no comprende á los buques que están entrando, los cuales se gobernarán por los artículos correspondientes de estas prevenciones. Tampoco podrá pasar ninguna embarcacion entre bajos ó canales interiores del Puerto sin tomar práctico, aunque su Capitan los conozca con toda seguridad; con arreglo al tratado 5º, Titº VII, Artº 36 de las Ordenanzas generales de la Armada Naval: el Capitan que infrinja dicho artículo, pagará el práctico como si éste lo hubiere conducido.

Artº 2º

ORDERS,

THAT ALL MASTERS OF VESSELS ENTERING THIS PORT OBSERVE THE FOLLOWING REGULATIONS.

Art. 1st.

Vessels entering port will be governed by the articles of these instructions. No vessel can be moved from one spot to another, without first obtaining permission from the Captain of the Port, & such removal can take place only between sunset and nine o'clock of the succeeding morning: and any one contravening this regulation shall pay a fine of twelve dollars for the first time and of 24 dollars in case of reiteration. No vessel shall pass across any the shallows of the port, nor from one channel to another, without taking a pilot although his captain knows them perfectly well in conformity with tit. 5th tit. VII, art. 36 of the Royal Naval Ordinances; and he who shall contravene this regulation, shall pay the pilotage just as if he had employed the Pilot.

Art. 2d.

ORDONNE

A TOUTS LES CAPITAINES DE NAVIRES QUI ENTREN DANS CET PORT, D'OBSERVER LES REGLES SUIVENTS.

Article 1º

Aucune embarcation pourra changer de place, sans avoir premièrement obtenue la permission du Capitain du port, et on doit faire ce travail après la couché du soleil jusqu'a 9 heures du matin du jour prochain, et l'infracteur à cette ordre payera por la première fois l'amande de 12 \$ et en cas de recidive 24 \$; bien entendu que cet article ne comprend pas les batiments, au moment d'entrer dans le port, les quelles doivent se gouverner par les articles de cettes instructions; il n'est pas permis non plus a aucune embarcation de passer les bas fonds, ou canals intérieurs du port, quoiqu'ils soient parfaitement connus de son capitain, sans prendre un pilot, selon le traité 5ºº titre VII, article 36 des royales ordonnances généraux de l'armée navale; et en cas de ne le prendre le capitain payera les droits establies comme si le pilot l'eusse conduit.

mada Naval: el Capitan que infrinja dicho articulo, pagará el práctico como si éste lo hubiere conducido.

Artº 2º

Todo Capitan debe aproximar su buque á la costa del Este, luego que esté sondeado y aferradas sus velas, para dejar francos, tanto el canal, como los demas buques sondeados por la popa del de guardia y en Casa-Blanca, abarloándose con ellos hasta que siga á su destino. Esta prevencion es mas exigente si el buque por ser el viento escaso, ha sondeado en lo mas estrecho del canal, pues en este caso debe quitarse inmediatamente, teniendo entendido el que obstruya el canal ó el tráfico de los demas buques, por la mala colocacion del suyo, despues de requerido, pagará el bote con el práctico para que lo coloque en su lugar. Será ademas responsable á las averias que causare y pagará la multa de \$ 12. Al bajar el Capitan á tierra se presentará al Capitan del Puerto; y si trae á bordo de su buque uno ó mas individuos de color, deberá prestar su Consiguatario por cada uno de ellos la fianza establecida por el Escmo. Sr. Capitan General, antes de pasadas las veinte y cuatro horas desde la de su entrada; y de no verificarlo en el término presijado, serán recogidos y permanecerán en depósito hasta la salida del buque, á cuyo bordo hayan venido.

Artº 3º

El Capitan de todo buque que trajese pólvora, aunque sea muy corta porcion, deberá decir la cantidad que conduce al recibir la visita, para disponer su depósito; y se previene en este articulo su mas pronto y exacto cumplimiento, mediante á haberse notado la demora ó reserva de algunos Capitanes y patrones por aprovechar los instantes para amarrarse al muelle, ó otras causas: el que así no lo cumpla pagará \$ 20 de multa, y si atracare al muelle sin haberlo participado 48 \$. En ninguna embarcacion se dispararán cañonazos, ni otras armas de fuego en el Puerto, sin conocimiento del Capitan de él, y licencia del Escmo. Sr. Comandante general del Apostadero: bajo la pena de 15 \$ al que infringiere esta orden.

Artº 4º

En todo buque se deberán apagar los fogones al ponerse el sol; esté en el muelle ó en cualquier parage del Puerto; y solo la luz de cámara se podrá mantener encendida hasta el cañonazo de retreta dentro de farol bien acondicionado, bajo la multa de 15 pesos si está en habia, y 30 si atracado al muelle.

shall pay the pilotage just as if he had employed the Pilot.

Art. 2d.

As soon as a vessel has anchored & her sail are furled, the Captain shall moor on the East side of the Channel, in order to leave it free. This must be done by all vessels alike, whether they have anchored outside the Guardship or within. They will make fast to vessels near them, until they reach their place of mooring. This rule is the more imperative, if the vessel, on account of the lightness of the wind, has anchored in the narrowest part of the channel. In such case the master must warp out the channel immediately: If any master, after being required so to do, shall obstruct the channel, a boat with a pilot shall be sent, at his charge, to place his vessel in a proper position and pay a fine of 12 dollars, besides the damages originated thereby.

The master on coming ashore, must present himself at the office of the Captain of the Port, and if he has any colored man on board his consignee must sign the bond before the 24 hours of his anchoring according to the orders of the Captain General & not doing it in the fixed time, will be taken a shore in deposit, till the departure of the vessel in which he came.

Art. 3d.

If he has powder on board, he must report the quantity, in order to make the necessary dispositions for its deposit; if he conceals the whole or any part thereof, the master shall pay a penalty of 24 dollars and of 48 in case the vessel should be moored at the wharf previous to said declaration; as it has been observed, that some delay its deposit, in order to gain time in hauling to the wharf, and others, keep their powder on board while in the stream under pretext of it being but a small quantity. The discharge of cannon, or fire-arms of any description in the harbour is prohibited under a penalty of 15 dollars without permission from the Admiral, and giving notice at this Office.

Art. 4th.

All sunset, fires on board of every vessel must be extinguished, whether in the wharf or in any other part of the Port. The cabin light may continue till gunfired, provided it is kept in a lantern in good condition. The master of any vessel who neglect to obey the above disposition will be liable to a fine of 25 dollars if laying on the stream and of 30 if he is fastened to the wharf.

de son capitain, sans prendre un pilot, selon le traité 5^{me} titre VII, article 36 des royales ordonnances générales de l'armée navale; et en cas de ne le prendre le capitain payera les droits établies comme si le pilot l'eusse conduit.

Art. 2º

Tout Capitain doit immédiatement après avoir jeté l'ancre et forlé ces voiles, s'approcher de la côte de l'Est pour laisser le canal libre, laissant au même temps francs les batiments qui sont déjà placés pour la poupe du ponton et à Casa-Blanca, devant s'espier coté à coté de dites batiments jusqu'à avoir arrivé à leurs places destinées. Cette ordre est plus exigente, si le batiment, à cause du vent contraire a été obligé à jeter son ancre dans la part la plus étroite du canal; en ce cas devra s'ôter immédiatement, bien entendu tout Capitain, quo étant une fois adverti, si l'reste toujours dans la canal, payera la conduction et le pilot pour le conduire au mouillage. Il sera au surplus responsable aux avaries occasionnées et payera l'amande de 12 \$. Le Capitain en descendant à terre se presentera au Capitain du port, et en cas d'avoir à bord quelque individu de couleur la consignature devra signer la caution prescripte dans les 24 heures de son arrivé. Et de ne pas remplir cette ordre dans le temps fixé seront conduits à terre et mis en dépôt jusqu'à le départ du batiment selon la disposition du Capitain general.

Art. 3º

Le Capitain de tout batiment, qui aura de la poudre à son bord devra au moment de recevoir la visite, declarer la quantité pour l'envoyer en dépôt, et celui qui occulte le tout, ou une partie de ditte quantité payera 24 \$ l'amande et s'il attache au môle sans l'avoir notifié, payera 48 \$; parce qu'il a été observé que quelques Capitains ou patrons ont été negligents, pour profiter les instans de leur arrivée pour s'amarrer au môle, sans avoir premièrement débarqué la poudre qu'on a pour l'usage du batiment, et d'autres qui étant en baie la retiennent à bord, sous pretext de petites quantités. Il est aussi prohibé de tirer de coup de canon, ni de faire usage d'autres armes à feu, sans la connaissance du Capitain du port et la permission de l'Admiral sous l'amande de 15 \$.

Art. 4º

Tous les batiments au couché du soleil éteindront leurs foyers, quelconque soit la place où se trouve le batiment mouillé; et la lumière de la chambre ne pourra être allumée que dans une lanterne en bon état jusqu'à le coup de canon de la retraite, sous l'amande de 30 \$ si est au môle et de 15 étant en baie.

Art. 5^o

Nadie podrá tomar lastre ni desembarcarlo, sin permiso por escrito del Capitan del Puerto, quien dirá donde debe tomarse ó depositarse; el que así no lo hiciere, pagará por cada veinte quintales, una multa de 2 \$; y en caso de verificarlo atracado al muelle, en la canal, ó en otro sitio que perjudique notablemente al puerto 4 \$. El que por falta de precaucion en el embarque de lastre, diere lugar á que alguna parte de él caiga al agua, pagará de multa 2 \$ por cada veinte quintales y en caso de reincidencia 1 \$. Por menos cantidad de veinte quintales en cualquiera de los casos anteriores, 1 ½ \$. Si en mismo acto comprendo la infraccion de dos ó mas artículos, pagarán los causantes el valor de las multas que correspondan á cada uno. Las mismas multas se impondrán á los capitanes ó patrones que infrinjan los artículos anteriores en cualquier rada ó fondeadero de la costa, aunque no hubiese autoridad de marina; ni menos arrojar al agua paja, arena ni otra basura; bajo la multa de 6 \$ por primera vez; y en caso de reincidencia 24 \$; debiendo ponerla en su bote ó lancha y despues de tenerla toda colocada en los dichos, la dirigirá á la Capitana del Puerto, en la cual dando aviso se le facilitará un individuo de dicho destino, para que señale el parage donde ha de ser arrojada y acompañe dicha embarcacion. Tampoco podrá calentarse á bordo alquitran, brea ni otro combustible, debiendo ejecutarlo en tierra en el parage señalado: el que faltare á la observancia de esta prevencion pagará 50 \$ de multa.

Art. 6^o

Las órdenes que el Celador de bahía, ó los prácticos comuniquen á los Capitanes de los buques deben obedecerse, porque son emanadas del Capitan del Puerto.

Art. 7^o

En caso de que algun buque se desamurre y se viere en peligro de barar ó perderse por mal tiempo ó algun otro accidente, es de obligacion de los demas buques darle el auxilio posible para evitar cualquier desgracia; y de no verificarlo, los infractores de este artículo pagarán las averias originadas.

Art. 8^o

Todo Capitan al tiempo de fondear, tendrá particular cuidado de no cruzar con sus cables los de los otros; pues será responsable á pagar el daño que hiciere por descuido ó negligencia de no enmendarse.

Art. 9^o

Art. 5th.

No vessel can take ballast on board, or discharge it without a written permission from the Captain of the Port, who will point out the place from which it must be taken, or where it must be discharged. Care must be taken to place arpauling, to prevent its falling in the water. In neglect of this, the master of such vessel will pay a fine of 2 dollars for every twenty quintals; and of 4 dollars being the vessel laying at the wharf, in the harbour, or in any other place prejudicating the harbour. If for carelessness in taking in or out ballast, should fall any part of it into the water, the captain will pay the fine of 2 dollars for every twenty quintals; and of 4 dollars in case of reiteration; being the fine of one and a half dollars for a quantity less than twenty quintals, in any of the preceding cases. Equal care must be taken in discharging bricks, and on no account must any straw, sand or sweepings be thrown over-board, under a penalty of 6 dollars for the first time, and in case of reiteration of 24 dollars, for if there be any on board, the master after putting it in is launch may call at the Captain of the Port's, in order to be told where to discharge it. Should there be violated by any stept or act, two or more of the above disposition the infractors will pay the value of the fines as prescribed in every of said cases. To the same fines will be liable the captains or masters, by disobeying the preceding regulations in any anchoring place in the coast, even not being there any authority of marine. It is likewise prohibited to heat tar or pitch on board, as this can be done only on shore, and at the place designated. It being understood that those who violate this article, shall pay a penalty of 50 dollars.

Art. 6th.

All orders communicated to masters of vessels by pilots, or Port-Vigilants, must be obeyed since they emanate from the Captain of the Port.

Art. 7th.

In case of any vessel getting, unmoored and being in danger of stranding, or being lost by weather or other accident, it is the duty of all other vessels to render every possible assistance. If any one fails in this duty, he shall pay the damage resulting from his neglect.

Art. 8th.

Every master of a vessel at the time of anchoring, must take care that his cables do not get foul of others, as he will be liable to make good any damage that may arise

Art. 5^o

Aucun bâtiment ne pourra prendre ni débarquer du lest sans avoir permission écrite du capitaine du port, qui lui dira où l'on doit le prendre ou déposer. Celui qui ainsi ne le fera, payera pour chaque 20 quintaux l'amande de 2 \$; et en cas de le faire étant mouillé au môle, dans la canal, ou dans quelque autre endroit portant un tort réel au port, il payera 4 \$. Si quelqu'un faute de soin, en prenant ou débarquant du lest on laissait tomber quelque partie dans l'eau, il payera une amande de 2 piastres pour chaque vingt quintaux; et en cas de recidive 4 \$. On payera pour une quantité moindre que vingt quintaux dans toutes les cas précédents, 1 ½ \$. Si par une même infraction on contravient á deux ou á plusieurs articles les infracteurs payeront le montant des amendes qui appartient á chaque article. Les mêmes amendes seront imposées aux capitaines et patrons qui contreviendront aux précédents articles dans quelque rade ou mouillage de la côte que ce soit, même dans le cas de n'y avoir aucune autorité de marine. De la même manière de jeter á l'eau de la paille, du sable ou toutes autres ordures sous l'amande de six piastres pour la première fois et en cas de recidive 24 \$; mais la mettre dans son canot, et sera devoir du capitaine de le communiquer au capitaine du port qui enverra un matelot pour indiquer le lieu qui est designé pour jeter les ordures. Il est aussi prohibé de chauffer á bord du gou-dron de la brai et de tout autre combustible, mais seulement á terre et dans le lieu demarqué, sous l'amande de 50 piastres.

Art. 6^o

Les ordres que le vigilant du port ou les pilotes communiquent aux capitaines des bâtiments doivent être obéis parcequ'elles sont emanées du capitaine du port.

Art. 7^o

En cas que quelque bâtiment se demarre, ou soit en peril d'échouer ou de se perdre á cause du temps ou quelqu'autre accident il sera devoir des autres bâtiments de lui porter tous les secours possibles pour éviter quelque malheur, et de ne le faire seront responsables, á payer les averies occasionées par leurs fautes.

Art. 8^o

Tout capitaine au moment de jeter son ancre, doit avoir un soin particulier de ne pas croiser ses cables avec ceux des autres bâtiments, puis qu'il sera responsable á payer tous les dommages qu'il peut faire en negligant cette ordre.

Art. 9^o

Aucun capitaine ne pourra sortir du port avec son bâtiment avant le lever ni après le coucher du soleil

Todo Capitan al tiempo de fondear, tendrá particular cuidado de no cruzar con sus cables los de los otros; pues será responsable á pagar el daño que hiciere por descuido ó negligencia de no enmendarse.

Artº 9º

Ningun Capitan podrá dar la vela con el buque de su mando antes de salir el sol, ni despues de puesto, pues todos deben ser reconocidos al tiempo de su partida.

Artº 10.

En caso de que algun Capitan necesito recorrer, carenar, ó dar de quilla ó fuego á su buque, ántes de emprenderlo, deberá pedir permiso al Capitan del Puerto, y por ningun motivo lo hará cuando esté atracado al muelle, pues para este efecto hay varios careneos donde los buques pueden ser reparados, sin perjuicio del Puerto; y los Capitanes tienen la libertad de elegir el que mas les acomode: quedando sujeto el infractor á la multa de 12 \$ si está atracado al muelle, y de 24 en cualquier otro caranero: si diere la quilla en dicho requisito; y si fuese humazo ó fuego á los fondos en cualquier punto de la bodega sin la referida licencia, sufrirá la multa de 100 \$. La Maestranza que se emplee en dicho trabajo deberá tener licencia de sus gefes, pues serán castigados con arreglo á Ordenanzas los que trabajen sin ella.

Artº 11.

El buque que con las licencias necesarias pase á atracarse al muelle, no lo verificará hasta no tener parage señalado por el Sr. Administrador General de la Real Aduana, y de ningun modo deben amarrarse por la popa de los ya atracados, pues de lo contrario pagará el Capitan la multa de 50 \$, con mas el costo de las averias que cause á los buques atracados al muelle, mayormente en caso de temporal ó incendio, en que sea necesario sacarse del muelle, y no pueda verificarse por el buque ó buques que se hallen amarrados por la popa de los colocados en dicho muelle. Igualmente lo verificará sin que antes desenvergue, cale los masteleros, meta en caja las vergas mayores, dentro el botolón de foque y botavara, y apé las anclas, para precaver los daños de los demas que se hallen atracados; cada buque distará uno de otro por su manga, lo menos un pié y medio; y con semejantes precauciones estarán los buques en estado; que en un desgraciado accidente de fuego, puedan salir del muelle sin las dificultades que en muchas ocasiones se han notado; y que si ocurriese algun temporal, no se causen tantos daños unos á otros, como ya ha sucedido en semejantes casos.

Art. 8th.

Every master of a vessel at the time of anchoring, must take care that his cables do not get foul of others, as he will be liable to make good any damage that may arise from his carelessness.

Art. 9th.

No vessel will be allowed to leave port before sunrise, or after sunset, for they must be rited on going out.

Art. 10th.

In case a master wishes to caulk, repair, careen, or keel down, or fumigate his vessel, he must first obtain permission from the Captain of the Port; but by no means will it be allowed at the wharf under the fine of 12 dollars, as there are for this purpose, several careening places, where it may be done without inconvenience or danger to the harbour, under the fine of 24 dollars, if done in any careening place without said permit. And any one by smoking or breeming his vessel in any place of the harbor without said license, will pay a fine of 100 dollars.

Art. 11th.

The master intending to haul his vessel to the wharf, must first have a place assigned him by the collector of customs. He shall by no means lay behind those fastened to the wharf, under a penalty of fifty dollars and a liability for all damage that may follow; particularly in case of gales or fire, when it would be necessary to haul a vessel from the wharf. He must also first brace the lower endtop sails yards into port cobbill his anchors (and in case it being a small vessel the jib and flying jib boom must be taken in and the spankerboom un-shipped, in order to avoid damaging other vessels. They must be distant from each other at least three feet by the beam, by which means they may haul from the wharf without difficulty. In hauling to the wharf, or leaving it, or moving from one placeto another, permission must first be had from the Captain of the Port: either one or the other can only be done from daylight until nine o'clock in the morning, or from sunset till dark, but by no means can they remain in the channel, or disturb the free ingress with lines or ropes, under penalty of one hundred dollars and payment of the damage they may occasion.

avoir un soin particulier de ne pas croiser ses cables avec ceux des autres batiments, puis qu' il sera responsable á payer tous les dommages qu' il pais faire en negligéant cette ordre.

Art. 9^{mo}

Aucun capitaine ne pourra sortir du port avec son bâtiment avant le lever ni après le coucher du soleil parcequ' ils doivent être examinés au moment de leur depart.

Art. 10^{mo}

En cas qu' il soit necessaire á quelque capitaine de carener, radouber, ou reparer la quille ou donner feu á son navire, il doit premièrement, obtenir une permission du capitaine du port ne pouvant pas le faire par aucun pretexte au môle, car il y a pour cela quelques carenages où les navires peuvent être réparés sans prejudice du port, ayant les capitaines au même temps le privilege de choisir celui qu' ils preferent, et en cas d' infraction á cet article payera l' amande de 12 \$, et on ne pourra pas sans cette permission donner la quille dans aucun carénage sous l' amande de 24 \$. Il ne sera pas permi non plus, de fumiguer ni donner feu á un navire dans aucun endroit du port; sans en avoir obtenu la permission, sous l' amande de 100 \$; et la maistrance employée pour l' effect, doit avoir une licence de leurs chefs et seront punies ceux qui travaillent de hors des carénages et sans ditte licence selon l' ordonnance.

Art. 11^{mo}

Aucun bâtiment ne pourra aller au môle, sans avoir primièrement la permission du capitaine du port et un lieu demarqué par l' administrateur general de la douane, n' étant pas permis par aucun pretext, de s' attacher par la poupe de ceux qui son déjà placés au môle; et en cas de le faire le capitaine payera l' amande de 50 piastres plus les avaries qu' il cause aux bâtiments qui sont au môle, particulièrement en cas de mauvais temps ou inoendie, que soit necessaire se demarrer du môle, et ne puisse pas le faire á cause du bâtiment ou batiments qui soyent amarrés par la poupe de ceux qui sont en dit môle. On ne pourra pas le verifier sans primièrement deberguer, caler les mâts de hune, abaisser les bout des borgues, placer dedans le bote de hors le foc et la livarde, et avoir les ancrés pendantes pour prevenir les dommages des autres navires qui sont déjà au môle: chaque navire doit être éloigné au moins un pié et demie par son bouchin l' un de l' autre; et par ces precautions, les navires seront en état que en quelque malheureux accident d' incendie, pourront sortir du môle sans les empéchements qu' on a observé quelques fois; et en chaque mauvais temps ne s' occasione pas des averies les uns aux autres, comme il est arrivé en cas pareils.

Artº 12.

Todo buque que se halle ó entre en este Puerto, no lo amarrará su Capitan en el canal, y si en la proximidad de la costa de Casa-blanca todo lo que permita su calado á lo largo de ella desde el frente del almacén de Real Hacienda (que es á cuya inmediación se amarran las lanchas de carga y descarga de azúcar y efectos), hasta el de maderas de D. Lucas Padron y beril del canal, en cuyo espacio se amarrarán con la primera ancla por la proa y cuarenta brazas de cadena y la segunda por la popa con treinta brazas, apreados al Noroeste en los meses de Octubre, Noviembre, Diciembre, Enero, Febrero, Marzo, y en los restantes al Sueste alineados y en el debido orden para no cansarse averías; y en el espacio desde dicho muelle de Padron, hasta los bajos para el Este á un ancla con veinte y cinco brazas de cadena en tiempo de vientos flojos, pudiendo aumentar las necesarias siendo recios, conservando el mismo orden para no hacerse averías y dejnudo enteramente libre el canal de la cuadrantea, y el del paso de los vapores de la Mala Inglesa que sondean junto á Tricornia y los demas buques que pasan los bajos, evitando sondear inmediato á los buques de guerra de los que deben distar, en cualquier caso al ménos un cable; sin que sirva de pretexto para no hacerlo así, el tener que atracar al muelle de Caballería ó haber salido de él, en la inteligencia que en el propio día que verifiquen cualquiera de las dos cosas deberán dirigirse al paraje indicado, pues de no ejecutarlo en la forma expresada, pasará la lancha de auxilio ó el bote de esta Capitanía de Puerto, tripulado con sus esquipaciones á verificar la amarra del buque ó buques que se hallen demorados, sean nacionales ó estrangeros, y pagará el Capitan de ellos lo señalado por arancel, tanto por la lancha ó bote que haga la faena como por jornal á cada individuo de la tripulación, y gratificación al práctico que concurra á tal objeto.

Artº 13.

Ningun buque podrá amarrarse por ningun pretexto á las balizas que están colocadas para indicar los bajos del canal á la entrada del puerto, pues de lo contrario pagará su Capitan la multa de 12 \$, con mas los daños que resulten si mueve la baliza del sitio donde se halla colocada; y solo podrán amarrarse y espíarse á los boyones (que son siete) que se hallan colocados con este objeto en los cantiles del canal á la entrada del puerto, y los cuales se distinguen de las de arriba expresadas, en que estas tienen una argolla en la parte superior para amarrarse á ellas; y las primeras solo tienen un espigou.

Artº 14.

En el caso que hubiese incendio en cualquier buque de este Puerto, tendrán obligación los Capitanes de los buques surtos en él, de presentarse en el buque incendiado á la mayor brevedad posible, con sus lanchas ó bo-

Art. 12th.

No vessel shall be moored in the channel but in the neighbourhood of, or along the Casa Blanca shore, leaving a free space between the North end of Marty's woodenwharf, and the N. W. angle of the King's store at Casa Blanca, for the free passage of boats to & from Cabada: then along Arony's wharf and the edge of the channel until the wharf of Lucas Padron in which space they may moore with two anchors, the first a head with 40 fathoms chain, and the other on the stern 30 fathoms, bearing N. W. during the months from October to March, and the rest of the year, to the S. E. keeping themselves á line to avoid doing any damage one another: and from thence to the shallows on the East side, can be moored with one anchor with 25 fathoms of chain during the season of light winds, and during the season of gale winds they may double the length of their chains as circumstances may require. Keeping the same distance from one another, without obstructing the channel of quarantine, or the pass of the English mail Steamers, and also avoiding to anchor near vessels of war, from which they must be distant, at least one cable's length. It will no be a pretext for not complying with the above rules, that the vessel is going to, or coming from the wharf: because being in any of these cases, they must choose the proper time to moore in their appointed place, the same day they move from another, being understood that those who shall not obey this disposition, will be obliged to receive the saving launch, or the pilots boat from the Captain of the Port with its crews, to be properly moored, and all the charges will be payed by the neglecting masters of vessels according to the tariff besides the fees of the pilot employed.

Art. 13th.

No vessel shall be fastened to the buoys, which are placed to indicate the shoals, in the channel, nor to those destined for the vessels of war: the master doing so, shall pay a penalty of 12 dollars; and also the expence of all damage which may result from moving a buoy from its place. There are for that purpose seven buoys anchored on each side of the channel at the entrance of the port; in which they can make fast their ropes to haul in the vessels, and are distinguished from the others, by having an iron ring on the top; and those which indicate the shoals have only an iron point.

Art. 14th.

In case of fire breaking out on board of any vessel in harbor, it is strictly enjoined upon the master of every

Art. 12th.

Il ne sera pas permis aux capitaines des navires qui sont, ou arrivent au port, de s' amarrer dans le canal, mais dans la proximité de la côte de Casa Blanca tout ce qui s' amarrant permite au long de dite Casa Blanca pour être á flot, des l' espace vis á vis du magasin des Douanes, qui est où on amarront les chaloupes, et où on charge et décharge le sucre et des autres effets, jusqu' á celui de bois de D. Lucas Padron, et l' accore de la canal, et celle-ci sera l' espace où l' on doit s' amarrer avec la premiere ancre par la proue et 40 brasses de chaîne et la seconde ancre par la poupe avec 30 brasses, avant la proue au N. O. dans les mois d' Oct. Nov. Dec. Jan. Feb. et Mars, et dans les restants au S. E. alignés en ordre pour ne se causer pas des averies et dans l' espace de dit mole de Padron, jusqu' á les aux fonds á l' Est avec une ancre et 25 brasses de chaîne dans la saison de vents faibles, et préparés á augmenter les brasses qui sont nécessaires si les vents sont forts, et toujours avec soin, pour ne se causer des averies laissant franc du tout le canal de l' Est au passage des vapeurs de la Mala Inglaise qui s' amarrant près de Tricornia, et les autres navires de guerre, devant être au moins un cable separés d' eux, et ne servira pas de pretexte de dire qu' on va s' attacher, ou sortir du mole, devant faire ce travaille dans le même jour, et en cas d' infraction á cet article, seront obligés á prendre la chaloupe de sauvetage en compagnie du capitain du port avec un pilot pour vérifier le mouillage du navire ou navires nationeaux ou étrangers qui soient negligents, et le capitaine payera ce qui est designé par la tarif, pour la chaloupe, comme aussi á chaque individu de l' equipage de dite chaloupe et au pilot employé pour l' effet.

Art. 13th.

Il ne sera pas permis á aucun navire par aucun pretexte de s' amarrer aux balises qui sont placées pour indiquer les fonds de la canal, et en cas d' infraction payera l' amando de 12 \$, plus les perjudices qui arrivent en cas de monvoir dite balise de l' endroit où elle est placée; mais seulement sera permis de s' amarrer pour s' espier aux boyones qui sont sept, et qui sont placées aux accorres de la canal pour l' effet, á l' entrée du port, qui sont diferentes des balises pour avoir un anneau sur l' endroit superieur de la bouée qui sert pour s' amarrer, et dites balises qui sont placées pour indiquer les bas fonds de la canal n' ont qu' au bout une pointe de fer.

Art. 14th.

En cas d' incendio á bord de quelque bâtiment dans ce port tous les capitaines nommés dans le port

ra amarrarse a ellas; y las primeras solo tienen un espigón.

Artº 14.

En el caso que hubiese incendio en cualquier buque de este Puerto, tendrán obligacion los Capitanes de los buques surtos en él, de presentarse en el buque incendiado á la mayor brevedad posible, con sus lanchas ó botes bien esquipados, con boza para remolque, todos los baldes, lampazos y todo lo que conceptien á propósito para el efecto; como tambien bomba de incendio el que la tuviese, para cortar de pronto tal fatalidad; y se previene á todos los Capitanes ó Patrones la puntual y pronta observancia de este artículo bajo la mas estrecha responsabilidad en caso de descuido ó indiferencia.

Artº 15.

El Capitan de buque que necesite una lancha, puede elegir la que quiera; pero lo participará á la Capitana del Puerto, á fin de que se reconozca segun lo prescribe la Ordenanza; y el que cargue la lancha sin dejar dos pulgadas de cinta fuera del agua, quedará sujeto á la multa de 20 \$.

Artº 16.

En caso de desórdenes á bordo entre los marineros, ya tarde de la noche, puede el Capitan ocurrir al buque avanzado en solicitud de auxilio, hasta la mañana siguiente que vaya á su Cónsul, á fin de que esto pida por escrito al Capitan del Puerto que ponga en seguridad á los que hayan delinquido; y siendo el buque español, ocurrirá el Capitan al día siguiente al Sr. Comandante de Matriculas, á darle parte de lo que hubiere ocurrido. Ningun Capitan de buque despedirá marinero alguno sin permiso del Cónsul de su nacion, y si el buque es español, no deberá hacerlo sin el acuerdo del Sr. Comandante de Matriculas.

Artº 17.

El día antes de dar la vela un buque, pasará su Capitan á la Capitana del Puerto, donde se le facilitará la órden correspondiente para conducir su pólvora á bordo, caso que tenga alguna depositada.

Artº 18.

Se prohibe recorrer la babia en bote despues del canonazo de retreta; todo individuo que lo haga será conducido á bordo del buque de la insignia, donde quedará á disposicion del Esqmo. Sr. Comandante general del Apostadero.

... by having an iron ring on the top; and those which indicate the shoals have only an iron point.

Art. 14th.

In case of fire breaking out on board of any vessel in harbor, it is strictly enjoined upon the master of every vessel in port to send immediately his boats to the scene of the fire, well manned and provided with lines, buckets, wraps and every other article necessary in such cases, as well as fire engines if they have any on board, in order to extinguish the same as quick as possible: the Captain of the Port orders the most strict obedience to this article under the immediate responsibility of masters of vessels.

Art. 15th.

A master of a vessel who may require a launch is at liberty to make his selection; but he must give notice at the Captain of the Port office in order to have it examined, as prescribed by ordinance: and he who loads launches without leaving the wales two inches out of water, shall be subjected to a penalty of 20 dollars.

Art. 16th.

In case of disturbances on board amongst the sailors at late hours in the night the master may call on board the Guard ship for assistance until the morning, when he may get a letter from his Consul to the Captain of the Port, to lodge them in jail. No master of a vessel shall discharge any seaman, without permission from the Consul of his Nation.

Art. 17th.

The day before a vessel goes to sea, the master may call at the Captain of the Port's office for an order to take his powder on board, if he has any in deposit.

Art. 18th.

It is prohibited to pass backwards & forwards in the harbour in boats after evening gunfire: all persons doing so are liable to be carried on board of the Flag ship, where they will remain at the dispositions of the Admiral.

... les balises de la canal pour l'effet, à l'entree du port, qui sont diferentes des balises pour avoir un anneau sur l'endroit superieur de la bouée qui sert pour a' amarrer, et dites balises qui sont placees pour indiquer les bas fonds de la canal n'ont qu'un bout une pointe de fer.

Art. 14^{me}

En cas d'incendio á bord de quelque bâtiment dans ce port tous les capitaines mouillés dans le port auront la plus exicrite responsabilité en ne se presentant pas sitôt possible au navire incendié, avec leurs embarcations bien equipées, avec bosse pour remolquer, tous les seaux glouterons et tout ce qu'ils croient necessaire pour l'effet, comme aussi pompe d'incendio s'il y en eût quelc' une, á fin d'eviter dans l'instant telle maleure le capitaine du port ordonne celles de cet article; avec la plus exicrite responsabilité.

Art. 15^{me}

En cas que le capitaine d'un bâtiment eüsse besoin d'une chaloupe, pourra la choisir, mais doit le communiquer primierement au capitaine du port afin d'être reconnue selon l'ordonnance; et celui qui charge la chaloupe sans laisser deux pouces de cointe de hors de l'eau payera l'amande de 20 \$.

Art. 16^{me}

En cas de desórdes á bord par les matelots pendant la nuit, le capitaine pourra aller au ponton pour demander du secours jusqu'au matin prochain que dit capitaine ira voir son consul, afin que celui-ci demande au capitaine du port par écrite l'arrêt de ces qui ont contravencu á la loi; et si le navire est espagnol, le capitaine ira le jour prochain au commandant des matricules, lui communiquer l'occurrence, Aucun capitaine ne pourra expedier aucun matelot sans la permission du consul de sa nation, et si le navire est espagnol, ne devra pas le faire sans l'autorisation du commandant des Matricules.

Art. 17^{me}

Le jour avant de se mettre á la voile le navire, le capitaine ira á l'office du capitaine du port où on lui donnera l'ordre necessaire, pour conduire la poudre á son bord, en cas qu'il en eût quelque depôt.

Art. 18^{me}

Il n'est pas permis de parcourir la baie avec des canots après le canon de la retraite et tout celui qui contravient cette ordre, sera envoyé au navire de l'amiral, où il restera sous ses ordres.

1.^o Como una seguridad contra la desercion e impedida que la gente lo verifique ó sea, se ha nombrado un Maestro de embarque para el Puerto, quien únicamente se halla autorizado para embarcar cualquier individuo, ó ajustarlo para servir en el buque de los que se hallen en el Puerto. Se le prohíbe á dicho Maestro embarcar ningun marinero, hasta que se haya asegurado de que el individuo que lo solicita ha sido despedido del buque que lo trajo á este Puerto legalmente y de conformidad á los reglamentos, con consentimiento y auencia del Cónsul de la nacion á que pertenece dicho buque. Los Capitanes pueden hacer sus propios contratos con cualquier individuo que haya sido despedido de aquel modo; pero bajo ningun protesto, sea el que fuere, se empleará, recibirá, ni se permitirá que permanezca á bordo de ningun buque surto en el Puerto, marinero que no sea con estos requisitos, hasta despues que haya sido legalmente embarcado por el mencionado Maestro autorizado al efecto, y lo haya participado, tanto este, como el Capitan del buque á cuyo bordo se haga el embarque, al Cónsul de la nacion á que pertenezca dicho buque.

2.^o—Si algun marinero fuese empleado ó recibido á bordo de algun buque en contravencion de la antecedente prevencion, pagará el Capitan del tal buque la multa de 50 \$ por cada marinero que haya empleado ó recibido á bordo; cuya multa se duplicará en todos los casos en que se encuentre ilegalmente un marinero á bordo de un buque despues que este haya sido despachado en la Aduana; y en igual pena incurrirá el que abrigare de secretos.

3.^o—Es de la obligacion del Maestro de embarque D. Daniel Warren, observar exactamente este Reglamento y vigilar sobre todas sus infracciones, á fin de que se dé parte inmediatamente al Capitan del Puerto, para que imponga y haga efectiva la multa.

Art. 20.

El llevar armas mortíferas ocultas es prohibido por las leyes de este pais, que castigan al delincuente con seis años de presidio. Siendo esta la pena que se impone á todo el que se encuentre en tierra con cuchillo de punta, pistola ó cualquier otra arma prohibida; se encargará especialmente á todo Capitan de buque haga á sus marineros las advertencias debidas sobre este punto.

Art. 21.

Todo Capitan de buque mercante hará izar la bandera nacional, siempre que el buque de la insignia largue las suyas á popa y proa, bien porque sea dia de fiesta ó por cualquier otro motivo; los buques españoles urbolarán ademas, la contraseña de la provincia á que pertenezcan y la suya particular, cuando en los dias de gran celebracion engalane dicho buque de la insignia.

Al ausentarse de á bordo el Capitan prevendrá al individuo que quede hecho cargo del buque, cumpla lo dispuesto anteriormente, pues que de no hacerlo le resultará un cargo.

1st.—As a safeguard against desertion, by preventing men from deserting or being stolen from the vessel to which they belong in order to ship in another, one licensed shipping-master has been appointed for the Port, who alone is authorised to ship any man, or engage him to serve in any way on board any vessel in the harbor. This shipping-master is prohibited from shipping any sailor until he shall have ascertained that sailor has been lawfully and conformably in all respects to the regulations discharged from the vessel which brought him to this Port, with the knowledge & consent of the Consul of the nation to which said vessel belongs, Captains are at liberty to make their own bargain with any man thus lawfully discharged, but no sailor shall, under any pretext whatsoever be employed or received, nor shall he be allowed to remain on board of any vessel in this Port, until after he has been regularly shipped by the licensed shipping-master, and notice thereof has been given by him and by the master of the vessel on board of which said shipment takes place to the Consul of the nation to which said vessel belongs.

2d.—If one sailor should be employed or received on board of any vessel in violation of the foregoing prohibition without the authorization of the commander of marine (being spanish subjects) or without the same of the shipping-master, (being foreigners) the master of such vessel shall pay a fine of \$50 dollars for every person; which fine shall be doubled in every case where a sailor shall unlawfully be on board of any vessel after said vessel shall have been cleared at the Custom House.

3d.—It is the duty of the licensed shipping-master of the Port, Mr. Daniel Warren, to comply punctually with this regulation, and to watch over all infractions thereof, that he may give immediate notice of the same to the Captain of the Port, who will impose & exact the penalty.

Art. 20th.

The carrying of deadly weapons about the person is prohibited by the laws of this country, which punish the offender with six years imprisonment at hard labor. This being the penalty who warns every man forbid on shore with a pointed knife, or a pistol, or any other instrument where-by death may be inflicted, about his person: ship-masters are strictly enjoined to caution their sailors on this point, and to take care that they do not, by wearing their scankives ashore incur the penalty of the law. This penalty attaches to the mere fact of having such knife or other weapon about the person & it is not necessary that the weapon be used.

Art. 21st.

All masters of merchant vessels are bound to hoist up their national flag every time the admiral ship does it fore and aft, being a holiday or for any other cause; and the captain on leaving the vessel must take a care

1.^{er}—Comme une sécurité pour éviter la desertion et empêcher que les matelots se desertent ou a designé un maître d'embarquement pour le port, qui est seulement autorisé pour embarquer à quelque navire ceux qui sont dans le port. Il ne sera pas permis à dit maître d'embarquement, d'embarquer aucun matelot jusqu'à qu'il ne soit sûr que celui qui le demande a été expédié du navire qui l'a été porté ici légalment et de conformité aux règlements et l'autorisation du Consul de la nation de dite navire. Tout capitaine peut faire ses contrats particuliers avec les precedentes formalités; mais il n'est pas permis par aucun pretext quel qu'onque, d'employer, recevoir ou permettre aucun matelot, soit à bord d'aucun bâtiment dans le port sans les legalisations especifiées, et sans avoir été légalement embarqué par le maître d'embarquement autorisé à cet effet, et sans l'avoir primumement communiqué par dit maître d'embarquement et par le capitaine qui doit le recevoir, au Consul de la nation du navire.

2.^e—En cas que qu'un matelot soit employé ou reçu à bord de quelque en contravencion de l'entier paragraphe, le Capitan du navire payera l'amande de 50 \$ pour chaque un des matelots employés ou reçus à bord; et dite amande sera doublée en tous les cas q'un matelot se trouve à bord illegalment embarqué après être le bâtiment expédié par la douane. La même amande payera le capitaine qui retiendra à bord de son navire des deserteurs.

3.^{me}—Il est un devoir du maître d'embarquement d'observer exactement ces règlements, et de veiller sur toutes les infractions, afin qu'il le participe au capitaine du port pour verifier l'amande.

Art. 20^{me}

Il est prohibé par les lois du pays l'usage d'aucune espèce d'arme meurtrier, et l'infacteur sera puni avec six ans aux galeres. Et ce ci est la punition qu'on imposera à celui qu'on trouve en terre avec des couteau pointus, pistolet, ou quelqu'autre arme prohibée par la loi, et les capitaines de tous les bâtiments auront soin de prevenir à leurs matelots cette ordre.

Art. 21^{me}

Tout capitaine de bâtiment marchand est obligé de hisser son pavillon chaque fois que le bâtiment amiral l'aura hissé à poupe et à proue, que ce soit pour jour de fête ou pour motif quelconque; et en cas d'absence du capitaine il communiquera la present ordre à l'officier en second pour qu'elle soit executée, et en cas de ne remplir la dite ordre le capitaine est responsable à la peine signalée à cette contravention.

Art. 22^{me}

Artº 20.

El llevar armas mortíferas ocultas es prohibido por las leyes de este país, que castigan al delincuente con seis años de presidio. Siendo esta la pena que se impone á todo el que se encuentre en tierra con cuchillo de punta, pistola ó cualquier otra arma prohibida; se encarga estrictamente á todo Capitan de buque haga á sus marineros las advertencias debidas sobre este punto.

Artº 21.

Todo Capitan de buque mercante hará izar la bandera nacional, siempre que el buque de la insignia largue las suyas á popa y proa, bien porque sea día de fiesta ó por cualquier otro motivo; los buques españoles arbolarán además, la contraseña de la provincia á que pertenecan y la suya particular, cuando en los días de gran celebradón engalane dicho buque de la insignia.

Al ausentarse de á bordo el Capitan prevendrá al individuo que quede hecho cargo del buque, cumpla lo dispuesto anteriormente, pues que de no hacerlo le resultará un cargo.

Artº 22.

Para que los buques fondeados en este puerto puedan asegurarse con la conveniente anticipacion en el caso de anunciar mal tiempo los barómetros, se establecen las señales siguientes que habrán de largarse y mantenerse izadas algunas horas en el asta de bandera situada en el edificio de la Capitanía.

1º—Bandera triangular roja: hay apariencias de mal tiempo.

2º—Bandera triangular azul y amarilla por mitad horizontal: hay apariencias de muy mal tiempo.

Cualquiera de las anteriores banderas con una bola negra superior, manifiesta que hay juicios de que cesa el tiempo, que la correspondiente señal espresa.

Artº 23.

Todos los Capitanes de los buques deberán tener un ejemplar de esta instruccion, que recibirán del Celador de Bahía despues de practicado el reconocimiento, devolviéndola al tiempo de despacho en esta oficina.

Artº 24.

Todo buque de vapor deberá disminuir la fuerza de su máquina cuando sea posible desde el momento que se halle tanto avante con el Morro á su entrada en puerto, ó hasta que se encuentre en dicha situacion si sale de él. Los contraventores además de las averías que causaren, pagarán la multa de 30 \$, no siendo la primera vez que concurren á este puerto, y de todos modos si se probare que el práctico los ha enterado de esta providencia.

Captain of the Port, who will impose & exact the penalty.

Art. 20th.

The carrying of deadly weapons, about the person is prohibited by the laws of this country, which punish the offender with six years imprisonment at hard labor. This being the penalty who carries every man found on shore with a pointed knife, or a pistol, or any other instrument where-by death may be inflicted, about his person: ship masters are strictly enjoined to caution their sailors on this point, and to take care that they do not, by wearing their seaknives ashore incur the penalty of the law. This penalty attaches to the mere fact of having such knife or other weapon about the person & it is not necessary that the weapon be used.

Art. 21st.

All masters of merchant vessels are bound to hoist up their national flag every time the admiral ship does it fore and aft, being a holiday or for any other cause; and the captain on leaving the vessel, must take a particular care to recommend the person who erer may be on charge of the vessel, to comply with the said order & not doing so the captain will be responsible of the fault.

Art. 22d.

For the purpose, that the vessels laying in this port (should the barometers indicate bad weather) might be able to moore properly in due time, there have been established the following signals which will be hoisted for some hours on the flag staff of the captain of the port office.

1st—Red triangular signal signifies, that, there are appearances of bad weather.

2nd—Triangular signal half blue & half yellow horizontal signifies, that there are appearances of very bad weather & every time that the fore said signals have a black ball at the top or above, this will signifie that the bad weather is becoming clear.

Art. 23rd.

On entering the Port, the first boarding officer will hand gratis this instructions to the master, who shall deliver these back to this office, at the time of his clearance.

Art. 24th.

All steam vessels are bound to shorten their speed as much as possible, from the moment they be under the Morro coming in, until they reach the same place going out the harbor; and the infractors (not being their first visitation to this port) besides the damages originated, will pay the fine as stated below, and in all cases, should they be proved that they have been instructed by the pilot of said order 30 dollars.

Art. 20mo

Il est prohibé par les lois du pays l'usage d'aucune espèce d'arme meurtrier, et l'infacteur sera puni avec six ans aux galères. Et ce est la punition qu'on imposera à celui qui se trouve en terre avec des couteau pointus, pistolet, ou quelqu' autre arme prohibée par la loi, et les capitaines de tous les bâtiments auront soin de prevenir à leurs matelots cette ordre.

Art. 21mo

Tout capitaine de bâtiment marchand est obligé de hisser son pavillon chaque fois que le bâtiment amiral l'aura hissé à poupe et à proue, que ce soit pour jour de fête ou pour motif quelconque; et en cas d'absence du capitaine il communiquera la present ordre à l'officier en second pour qu'elle soit excentée, et en cas de ne remplir la dite ordre le capitaine est responsable à la peine signalée à cette contravention.

Art. 22mo

Afin que les bâtiments mouillés dans ce port puissent assurer les amarres d'avance en cas d'indiquer les baromètres mauvais temps, on a établies les signaux suivantes qui seront hissées pendant quelques heures sur le mât de pavillon du capitaine du port.

1.—Une signal triangulaire, rouge, signifie qu'il y a apparence de mauvais temps.

2.—Une signal triangulaire, moitié bleu et moitié jaune horizontal, signifie qu'il y a apparence de très mauvais temps; et toute fois que les dites signaux aureint une boule noire superieur, ceci indiquera qu'il y a indices que le mauvais temps molere.

Art. 23mo

Tous les capitaines des bâtiments, sont obligés d'avoir un exemplar de cettas instructions, qui leur seront delivrées par le vigilant du port après avoir reçu la visite de santé, étant obligés de la presenter au moment de leur expedition à cet office.

Art. 24mo

Les bateaux à vapeur devront diminuer la force de leurs machines autant qu'il soit possible depuis qu'ils se trouvent dessous du Morro à leur entrée, come également jusqu'à ce qu'ils arrivent à cet endroit en sortant du port; et les infracteurs payeron un surplus des avaries occasionées, l'amine de 30 \$, s'ils n'ont pas été enteriement dans ce port, mais ils payeront dans tous les cas, s'il est prouvé qu'ils ont été avertis de cette ordre par le pilot.

Consulate of the United States
Havana February 21st 1859.

Most Excellent Sir.

Information has reached me that on the 19th & 20th Inst. the mail bags intended for the United States Mail Steamers Empire City and Crescent City were seized by the Public Authorities after they had been regularly closed and sealed, as they were being carried from the house of the consignees and agents of those ships (Messrs Drake & Co) to the wharf, the seals broken, and the contents of the bags examined. It is not my province to discuss this question as one of national concern; it will be referred to the Government at Washington, where, I doubt not, it will be duly considered. But I must nevertheless avail myself of the occasion to express my deep regret at the occurrence, and respectfully, but decidedly, to remonstrate against it as discourteous towards my Government,

for the following reasons. The United States mail Steamers, which touch at this Port, have been running under the employment of the Government for more than five years. During that time they have constantly brought regular mails from the United States and have deposited them in the Post Office here, and have thus rendered essential service to this Government, and have also contributed to the interests of commerce, to the convenience of the inhabitants, and to the interests of the Post Office Department of the Island. During the same period, in the absence of a postal arrangement, it has been the uniform custom to deposit letters for the United States in a letter bag kept for that purpose by the consignees of the ships, who at the appointed time closed and sealed it, and delivered it on board the ship, when it was received as the mail of the United States. If I am not misinformed the officials of this Government have very often availed themselves

of this facility. To this custom, although well known, no objection has heretofore been made, or restriction imposed. On the contrary, it has been tacitly approved and sanctioned, and had thus assumed the character of a customary regulation. The sudden interruption in a matter of comity so beneficial, and which has so long existed, without any intimation of an intended change, may well be regarded as ground of surprise. The Government of the United States has had no intimation whatever that this custom was not altogether agreeable, or I am sure it would have been abandoned. Our Post office Department must be supposed to have given its approval to this mode of making up the mails here, under the supposition that it was entirely approved here, and it has thereby incurred the responsibility of delivering all such letters as might be mailed here, and it is to be thought necessary to depart from the customary mode, resorted to by the Government of the United States in the most unrestricted manner given the full benefit of its mail

arrangement to the Government, and
has more over been steadfast in its
friendship towards the Government of
Her Catholic Majesty, and more
especially towards this Island.

I have the honor to be
with all due respect

Your Obedient Servant

(signed) H. C. Sharkey

Counsel of the United States.

His Excellency
Sr D. Valentin Canedo
Govr + Capt + Genl
to to to

Translation With no 27

(Sal) Political Secretary's office
1st Section.

I have received the communication that Your Lordship addressed me under date of the 21st ult. in consequence of the bags containing the mails made up at the Commercial House of Drake & Co., and destined for the United States mail Steamers having been examined by the Chief of the Police.

Independently of Your Lordship's (incompetencies) want of authority in the matter, which Your Lordship acknowledges, I must state to you that the said search having been effected within Spanish territory, and at a time especially when they were in possession of private persons not clothed with any official character, in no manner have the friendly relations between both Governments, nor the difference due to their agents been affected by that act.

Whether the bags were sealed or not, it is evident that on their crossing the line of the Custom House guards

established on the coasts, and consequently on the wharves of this City, a mere ~~guards~~ would have had sufficient authority to cause them to be opened, and I even add that he would have been obliged to do it for the purpose of ascertaining if there were amongst their contents Matters on the exportation of which the Royal Treasury was entitled to duties.

And if there can be no doubt in this, much less will there be in acknowledging the same powers in a functionary of infinitely higher station and who, as the Chief of Police aforesaid, independent of this office, holds high rank in the service of the State.

Your Lordship is well aware of the exceedingly temperate manner in which the acts were effected; that the greatest loyalty presided in them, and finally that nothing was done but to look, in a few moments, over the addresses of the letters, after adopting the proper precautions to avoid that malice or ignorance should give them afterwards an appearance of violence

or irregularity.

Your Lordship is no less aware of the good disposition on the part of my Authority to attend to your wishes, even in unoffical matters, of which are authentic evidence certain recent acts which I do not suppose Your Lordship may have forgotten. On this account I am the more surprised at your Lordship's entertaining for an instant a doubt of my good dispositions, and of the special care with which I endeavor to avoid all that may offend the sincere and cordial friendship of the respectable American Government.

God preserve you many years. Havana
March 2d 1853.

(signed) Valentin Cárdeno

28

The Consul of the United States.

Recd. 19th March. Mr. Walker.

Extract

(No. 27)

Consulate of the United States
Hawaii March 12 1853

Sir

In my Dispatch No 25 of the
21st ult. I had the honor to communicate
the facts in reference to the opening
of the Mails of the United States by the
authorities of this City, and also to for-
ward a copy of my communication to
the Captain General on that subject. I
have now the honor to forward his reply,
and also to state that no other mails
have since been subjected to examination.

The Island is apparently
quiet, though there seems to be an ex-
pectation entertained by a portion
of the inhabitants that an expedition
from the United States may shortly be
expected, but on what foundation such
an expectation is founded I do not
know.

I have the honor to be
Your Obedt Servt

W. S. Parrish

To the Honorable
The Secretary of State
of the United States

No. 28. President of the United States
Havana March 26th 1853

Sir

I have the honor to acknowledge
the receipt of your dispatch of the 5th Inst
enclosing a copy of the Act of Congress
authorizing me to administer the Oath
of Office to William W. King, Vice Pres-
ident of the United States, in obedience
to the provisions of the Act, I repaired
to the place at which Mr. King is so-
journing, near Matanzas, and on
the 24th Inst, discharged the duty re-
quired of me by administering to him
the Constitutional Oath of Office, and
have the honor to enclose you the re-
quisite official certificate, as directed
to the Senate and House of Represen-
tatives of The United States.

I regret to say that Mr.
Kings health does not seem to have
been materially benefited by his visit
to this Island. He is very feeble, and
there would seem to be but little ground
to hope for a recovery. He proposes to
leave the Island on the 5th of April

for Mobile in the U. S. Steamer Fulton

I have the honor to

Yours obt. Serv^t

M. S. Mackey

Mr. William L. Massey

Secretary of State

of the United States

W. R. King, Vice President of the United States, sworn to by Wm. L. Sharkey, Consul of the United States for Havana in the Island of Cuba, on the 21st day of March 1853.

To the Senate and House of Representatives of the United States.

I certify, that, pursuant to the first section of the Act of Congress approved the 2nd of March, 1853, entitled "An Act providing for administering the oath of office to William R. King, Vice President elect of the United States of America", the said William R. King this day appeared before me William L. Sharkey, Consul of the United States for Havana in the Island of Cuba at Ariadne Estable near Matanzas in the said Island, and took the following oath: - "I, William R. King, do solemnly swear that I will support the constitution of the United States"

William R. King

In witness whereof I have herunto subscribed my name and affixed my Consular Seal this twenty fourth day of March one thousand eight hundred and fifty three.

W. L. Sharkey



American Print. (11) John ...
Signed by James ...
W. L. Sharkey, Jr. Proprietor
S. M. Woodruff & Co. Chgo. Stebbins & Co.
A. M. Williams & Co. City of New York
A. L. ... S. C. Edmund Marcy

New April 7th

Consulate of the United States
Hawaii March 30th 1853

Sir

Several of my friends in Congress, of the Democratic Party, have kindly expressed to me their desire that I should continue to hold this office. I have unwisely replied that I did not desire to do so, because I had been greatly disappointed in it. I authorized my friend Mr. McClain, of the U.S. Senate, to say to the President that under no circumstances could I consent to remain longer than the first of June, which I presume he has done. But for greater certainty I beg now to express the hope that a successor may be appointed early enough to reach here by that time at furthest, and I shall be happy to communicate fully with him in regard to the duties of the office.

Your obt. Servant

Wm. S. Harris

Hon. Wm. L. Marcy
Secretary of State

Paid April 11.0

Washington City 7th Apr. 1853.

Mr. Jefferson Davis

Dear Sir

May I trouble you to cause enquiry to be made as to the fate of my son James C. Brigham, who raised one of the Companies in New Orleans that joined Genl. Lopez in the late Expedition to Cuba.

At the battle of Las Pomas he received a severe wound was unable to go on with the little Army when they left that place, he was left at a temporary Hospital or house, together with the other wounded with a request from Genl. Lopez to the Spanish Authorities, to treat the unfortunate wounded and sick kindly. It is said and generally believed that they were all put to death by order of Genl. Enna, this may not be the case or no American saw it and my son may now languish in some prison. He was of medium size and height rather spare made and fine form fair complexion blue eyes light hair worn generally rather long he had a scar over I think the right eye he had resided in New Orleans for some time studying Medicine and in the papers giving an account of the unfortunate expedition, he was called Dr. Brigham, as he is said to have acted bravely in the battle led his men fearlessly to the charge in which many

Spencers were slain it may have suited those
whose hands he fell to subject him to every indignity
and vexation, their ingenuity could invent, and
a life in prison.

The result of the enquiry
will please communicate to me at New Orleans
Care of Genl. S. W. Downs

With great respect

Your obt. Servt.

Jas H. Brigham

Respectfully referred to the
Secretary of State
Wm. W. W.
April 11/03

Fort Madison Iowa
May 3rd 1853.

Howe & Co Dodge

Mr. Sir: There is a very respectable
the German family residing here of the name
of Miller, one of the sons of which left here
several years ago, with the intention of
going to California by the Ocean route,
but of whom nothing was heard since
he left until about two weeks ago
when a man going up the river on a Boat
inquired of the Miller family & sent them
word that the son referred to had been
enlisted in the Cuban expedition &
was killed in Cuba. The family
did not get to see the stranger
who sent the word and are greatly
distressed at the news and are
desirous to find out more of the
case. The young man's name was
Henry Miller & he was somewhat
less than 20 years old at the time
of the Cuban fray. The Father & Mother
think perhaps you might be enabled
owing to your extensive acquaintance
at Washington be enabled to as-
certain whether any young man

of the name mentioned was engaged
in the Cuban affair.

Be assured, Sir, that a sign
of favor you can do in the promise
for these distressed parents will
be gratefully reciprocated by
them.

Very Respectful
Yours,
H. P. Miller

Recd June 10th

1661

Burlington Vt

May 23rd 1853

Genl Cassin

Adjut. Genl. U.S.A.

Sir:

Excuse the liberty

I take in asking your attention to the enclosed letter from Hon. D. F. Miller making enquiry on behalf of others for a gentleman of the name of Driller said to be one of the late Cuban expedition.

If your office should be in possession of no information on the Subject of the State or any other Dept. contain a list of the names of the persons above referred to you will do me a favor by giving my letter such direction as will elicit the information asked.

Very respectfully

Atuly Jones

J. A. Dodge

A. 223. June 6, 1853.

Respectfully referred
to the Dept. of State.
W. D. Dodge.
June 6, 1853.

Burlington, Iowa,

May 23, 1853.

Hon. A. C. Dodge,
inquiries &c.

The Registry of Enlistments of the Army from January 1, 1846, to the present time, has been examined, & the name of Henry Diller is not found.

The Hon. A. C. Dodge is informed. - His communication & its enclosure, are respectfully submitted, the Secretary of War, with the request that they be referred, in accordance with the wishes of Mr. Dodge, to the Department of State. W. D. Dodge
A. C. Office, July 1, 1853.
June 21, 1853.

Recd June 18th

No 35

No 1115

Consulate of The United States
Havana June 7th 1853

Sir
I had the honor to receive on the 2d Inst your despatches of the 10th & 25th of May. The last informing Mr Sharkey that a successor to him had been appointed Mr Sharkey had received previous information of the appointment, and determined to leave the Island, which he did in the morning of the 2d in the Steamer Cherokee bound to New York, leaving the Consulate under my charge with the consent of the Governor & Captain General. He, Mr Sharkey, assured me that he had communicated my appointment to the Department of State.

Your despatch of the 10th is accompanied with a communication from the Navy Department to you. The instructions given therein will be complied with by me.

On the 5th Inst the U.S. Steamer Wiven, Lieut. Commandg. Swartout, came into port, having sustained some damage to her machinery, and being in consequence thereof short of coal and water. The damage is now being repaired, the fuel and water have been supplied, and she will probably leave for her destination on the 9th Inst.

I have the honor to be

Sir

With great respect
Yr obt. servt

W^m H. Robertson
Vice Consul in charge of the
Consulate of the U.S.

Honble William L. Marcy
Secretary of State
of the United States
Washington City

110 July 10th

No 37

M-1154

Consulate of the United States
Havana July 6th 1853

Honble William L. Marcy
Secretary of State
Washington City.

Sir

I beg leave to acknowledge the receipt by me of your despatch of June 13th addressed to Mr Sharkey and enclosing a copy of a letter addressed to the Secretary at War by James St. Brigham making enquiries about his son James C. Brigham who is said to have been one of the unfortunate men that invaded this Island the year before last under Narciso Lopez.

I have made enquiries, and deeply regret to be under the necessity of saying that the general report here is that all the prisoners taken before the proclamation of General Concha (issued towards the last of the campaign giving quarters to such of Lopez's party as gave themselves up or were taken) were shot. It is said that a few escaped by the coast. There is a list in this Consulate of all the prisoners, who called themselves Americans, that were saved from death by the Proclamation of the Captain General. Their number was ninety four, and I am sorry to say that James C. Brigham's name is not in it.

The list was sent to Mr. Owen, late
U.S. Consul here, by the Capt. General,
and was found, I believe, to be
correct.

Painful as it is to me, I must, in
obedience to your instructions, com-
municate the foregoing to the father
of the unfortunate subject of this
letter.

I have the honor to be
with great respect

Your obt. servt.

The Vice Consul in charge
of the Consulate of U.S.

Wm. C. Robertson

Consulate of The United States
Havana August 29th 1863

Most Excellent Sir

I regret that I have been disappointed in four different attempts to pay my respects to Your Excellency, the object of which was to remonstrate with Your Excellency against the repeated indignities practised in your Post office towards the Consulate of the United States in the cutting open sundry letters directed to the Honble Judge Clayton, United States Consul at Havana, and others directed to the undersigned as Consul. Satisfied in my own mind that such an indignity (implying suspicion of this office) cannot meet Your Excellency's sanction or approbation, I communicate the fact to you in the full confidence and hope that it will not be repeated.

I have the honor to be
with great respect
Your Excellency's
mi obt servt
(signed) Wm A Robertson
Comd Agt in charge of
the Consulate

His Excellency
Sr D. Valentín Canedo
Govr & Capt Genl
of the Island of Cuba
lc lc lc

1052.

Consulate of the United States
Havana 29th August 1853

Sir

The Spanish Postoffice in this city has been for some time past in the habit of cutting open letters coming from the United States, before proceeding to give them out. It is understood that it is done by order of the Capt. General, and that their object is to see if the contents is printed matter, in which case (it is said) the party to whom it is addressed is called to open it in the presence of some officers of the Government. Several letters addressed to Honble Judge Clayton U.S. Consul at Havana, and to myself as Consul have been cut open. As such acts on the part of the Authorities here are very discourteous and imply suspicion against this Consulate, I have deemed it my duty to remonstrate with the Captain General. The annexed is a copy of my communication to His Excellency.

Hoping that my course will meet your approval, I have the honor

to remain, Sir,
very respectfully
Your Obedt Servt
The acting Consul

Wm H. Robinson

Honble Wm L. Marcy
Secretary of State
of the United States
Washington

Siempre Fiel Isla de Cuba.
al) Gobierno y Capitanía General
Secretaría Política
Sección 1.^a

He recibido la carta de V. S. fecha de ayer, en que me manifiesta haber tratado de presentarse en cuatro distintas ocasiones con objeto de poner en mi conocimiento que han llegado á sus manos varias cartas dirigidas al honorable Quers. Clayton, Cónsul de los Estados Unidos en esta plaza, habiendo sido rajadas en las oficinas de correo, en la confianza de que no se repetiría ese hecho por efecto de las medidas que al intento se espera se adopten por mi Autoridad.

En contestación debo decir á V. S. que no he tenido noticia alguna de que hubiese venido á verme, así como que se indicase como tal Cónsul, puesto que, prescindiendo de lo propicio que me encuentro á recibir en todas las horas regulares á las Autoridades y personas notables, como sucede diariamente, tendría mucho gusto en oír y poder atender sus pretensiones y contribuir en cuanto me fuera dable á evitar cualquier motivo de queja que me produjera, tanto acerca del particular de que se trata, como respecto de alguna otra cosa que se le ocurriera.

No habiéndose podido impedir la introducción de cartas y papeles subversivos que de los Estados del Norte se dirijen á esta Isla, á pesar de las providencias dictadas por mi Autoridad y reclamaciones

hechas por medio de nuestro Ministro Plenipotenciario en Washington á aquel Gobierno á fin de que, como era de esperar de una nacion amiga, adoptase las medidas convenientes á reprimir ese abuso que se hace por los emigrados residentes en esos Estados, cuyas ideas y tendencias son bien conocidas procurando infundir en el ánimo de estos fieles habitantes sus descabellados proyectos por medio de publicaciones inmundas y degradantes para los mismos que no tienen reparo en escribirlas y circularlas; ha creido conveniente este Gobierno tomar las disposiciones que las circunstancias aconsejaban para evitar su propagacion, como perjudicial al orden público y ofensiva á la Legislacion que rige en estos dominios. Como las medidas á que me refiero han sido generales, quizás pudo haberse comprendido en ellas á algunas de las cartas á que V. S. se contrae, por parecerse en la forma, ó de otro modo, á las que contienen los expresados impresos subversivos; y por lo mismo no debe V. S. extrañarlo puesto que por haberse rapado dichas cartas no se comprende que se hubiesen leído, ni ha podido hacerse conforme con las instrucciones comunicadas á las oficinas de correos. Empero con esta fecha hago la prevencion conveniente al Administrador general del ranio para que en lo sucesivo no se practique investigacion alguna en la correspondencia que

venya dirigida al Consul atrás referido,
penetrado como lo estoy de que los fun-
cionarios de naciones amigas no abu-
sarán nunca de las referencias y
atenciones con que se le trata por este
Gobierno. Con lo que creo dejar
satisfechos los deseos de V. S. y sus
pretensiones.

Dios guarde a V. muchos años.

Habana y Agosto 30 de 1853.

(Firma) Valentín Canedo

Señor Agente Comercial de los Estados
Unidos en esta Plaza

Recd 6. Oct Mr Abbott

Holly Springs, N.C.
Sept 23rd 1853

Hon: W. L. Marcy,
Secy of State.

Dear Sir,

The Department has no doubt been informed, that letters addressed to me as U. S. Consul at Havana, had been opened in the Spanish Post Office. I take much pleasure in transmitting to you, a copy of the letter addressed by the Acting Consul, to the Captain General on the subject, and the substance of the reply which was received. From this it appears, that the matter may be regarded, as settled for the present.

None of the letters addressed to me, that were violated, were official. I can not speak as to those addressed to Mr. Robertson.

I regret very much to learn, that up to the 3rd of this month, both vomito & Cholera were existing in the City to a fearful extent. The Spanish Army had been almost unimpaired, and the ranks of the Soldiers greatly thinned. There had been some abatement of disease, at one time, but it had re-appeared with great violence.

As soon as it is at all safe to do so, I shall repair to my post there.

I have the honor to be
my truly
W. L. Marcy

Alex. M. Delany
U. S. Consul Havana

Recd 6 Oct Mr Galt

Hoby Springs Wis
Sept 28th 1853.

Hon: W. L. Muncy,
Secy of State.

W. Sir.

The Department has no doubt been informed that letters addressed to me, as U. S. Consul at Havana, had been opened in the Spanish Post Office. I take much pleasure in transmitting to you, a copy of the letter addressed by the Acting Consul, to the Captain General on the subject, and of the substance of the reply which was received. From this it appears, that the matter may be regarded, as settled for the present.

Some of the letters addressed to me, that were violated, were official. I can not speak as to those addressed to Mr. Robinson.

I regret very much to learn, that up to the 3rd of this month, both Com: its & Cholera were existing in the city to a fearful extent. The Spanish Navy had been almost unincumbered, and the ranks of the Soldiers greatly thinned. There had been some abatement of disease, at one time, but it had re-appeared with great violence.

As soon as it is at all safe to do so, I shall repair to my post there.

I have the honor to be
my Respy to
Alex: M. Galt
U. S. Consul Havana.

Consulate of the United States.

Havana Aug 29th 1853.

Most Excellent Sir.

I regret that I have been disappointed in four different attempts to pay my respects to Your Excellency, the object of which was to remonstrate with Your Excy against the repeated indignities practised in your Post office towards the Consulate of the United States, in the cutting open sundry letters directed to the Hon^{ble} Judge Clayton, U.S. Consul at Havana, and others directed to the undersigned as Consul.

Satisfied in my own mind such an indignity (implying suspicion of this office) cannot meet your Excy's sanction or approbation. I communicate the fact to you in the full confidence and hope that it will not be repeated.

Your Excellency
to D. Valentin Canedo
Governor & Capt General
of the Island of Cuba
&c &c &c

I have the honor to be
with great respect
Your Excy's
most obedient
the Com^d Agt in charge
of the Consulate
(signed) Wm. H. Robertson

Rec'd Jan 25

No 64

Duplicate. Consulate of the United States.
Havana Nov 7th 1853.

Sir.

I had the honor to receive on the 3rd inst a despatch from the State Department of the 30th September last signed by Mr Dudley Mann as acting Secretary. I feel gratified to learn that the Department takes an interest in the fate of the three seamen (our unfortunate countrymen) now lying in prison here. As to the instructions contained in the last part of the despatch, they will be communicated to Judge Clayton, whom I expect by the next steamer from New Orleans in 8 or 10 days, and should I have any document in the Spanish language to send to the Department, in the meantime, I will accompany a translation of it into English, if sufficient time is allowed to have the same made.

I beg leave to inform you that much of the time of this Consulate is employed by the numerous natives of this Island, who have lately visited the United States, when they have declared their intention to become citizens of the United States, and then returned here, and now desire to know whether this Consulate will protect them in case of difficulty. My invariable reply to them has been that their best protection is to keep aloof from all interference in the political affairs of the island, and to keep their mouths shut.

I have discovered that in most instances they have defeated their own object by using the same passport with which they left the Island to return to it, and had it visited by the Spanish Consul after they had made the declaration. On this subject and the general effect of these declarations which have become very numerous since the Nozta affair, information is desired, as to how far the Consulate may be authorized to interfere. [A serious case has just occurred within four or five days. Pedro Raices was taken from his bed at midnight - his papers were seized; amongst them was, as his wife assures me, his Certificate of American citizenship, which she says he refused to let the officers have but they took by force from him - it is very likely that the certificate is merely one to the effect of his having signified an intention of becoming a citizen when allowed by law. The document was issued I believe in New Orleans. Mr Raices is now confined in complete communication in the Morro castle. His mother and wife have presented themselves to me, informed me that he has several children entirely dependant on him for support, and begged me to extend to them the protection of this Consulate. Several other arrests have been made within few days, amongst them, those of three creoles, besides Raices, who

have certificates obtained in the U. States
I promised the mother and wife of Peices
that in my first interview with the Capt.
General I would bring the subject to his
attention, and so I did on Saturday 5th
Inst, altho I had no hope of affording
them the least satisfaction. You are
fully aware that the Government here
deny the right on the part of a consul
to meddle in any way in such matters.
The Captain General informed me that
he was aware that among the arrested, were
four who had Certifs of Am. citizenship,
which he did not intend to acknowledge;
that he knew them to be conspirators
against his Government, and bad men,
whom he was going to put on trial,
and if after being tried they were proved
to be guilty, that he would have them
severely punished.

The defence of the three American
seamen has been presented to Court.

I understand that it is an able document,
and regret that I cannot forward by this
opportunity a translated copy of it.
The next steamer will convey it. The
next steamer will convey it.

I have the
honor to be
Sir, with great respect

Your obt servant
Wm C. Richardson
acting Consul

Honble William L. Marcy
Secretary of State
of the United States.

Recd 29. Nov. Mr Abbott.

Consulate of The United States.
Havana Nov 21st 1853.

Sir.

I communicated to the Assistant Secretary of State A. Dudley Mann Esq. an important fact by the Steamer Falcon, which vessel has unfortunately returned to repair some part of her machinery. I therefore avail myself of the opportunity of the Steamer Isabel for communicating to you officially the same intelligence, to wit: that the Captain General received by the last mail from Spain a Royal order to liberate at once the class of Africans called Emancipados. This class is understood to be those captured. This order the Captain General has not acted upon, for the reason that he thinks it may be dangerous, and in as much as his successor is expected soon, he prefers suspending it. This Royal order refers to another Royal order, the substance of which is not mentioned. I have not read the order myself, but if you were to tell me the contents of a paper that you had read, I would believe it of course, and I as readily believe the information.

The new Captain General may be here in eight or ten days.

I have the honor to be
Sir, with great respect
Your Obedt Servt

Wm. L. Marcy
Secretary of State
of the United States

W. H. Webster
acting Consul

Recd 5th Decr. 1853
No 69.

Consulate of The United States
Habana Nov 23d 1853

Sir.

The continued detention of the United States mail steamer Falcon which sailed from hence on the 15th Inst for New York and put back in distress leaky and her machinery in bad order, on the 18th - enables me to refer to your despatch to Judge Clayton of 26th October.

In regard to any knowledge about expeditions that may be fitting out in the United States destined for this Island, there has not been a day since I have been in the Island, now upwards of two years, that there have not been rumors of expeditions prepared or preparing in the United States, and frequently that they were already landing - these reports made under the most positive assurances of the fact, with many details of the number composing the expedition and the number of artillery and small arms, and yet no expedition has come, nor can I hear of any from any reliable source, nor do I believe there is any such thing in contemplation. I have having been less said for the last two weeks on the subject, might lead one to think there may be something in agitation. Nothing, however, is known in this office of such a thing being contemplated.

At the Captain General's levee on the 19th Inst I met the Captain of the Humboldt steamer that has been laying here

for some time. he asked me if I was expecting a man of war here. In reply to him that I did not. he observed, that our men of war were no doubt better employed, and that they would be of no use here. I mention this only as an incident, and should not have thought of it again, but for a look that I saw exchanged between him and the British Consul which seemed to have some meaning, but I may have been mistaken, as it might have been entirely accidental.

I have the honor to be
Sir, with great respect
Your O^b serv^t

Wm^l H. Robertson
att^{ny} Gen^l

Hon^{ble} William L. Marcy
Secretary of State
of the United States
Washington

Recd 1. Dec 1853 W. Abbott

Mobile Alabama
November 24th 1853

Hon: W. L. Macey
Secretary of State.

I have the honor to report to you, that I am here on my way to the Consulate at Havana, and shall proceed on the Black Warrior, tomorrow. After my dispatch from Memphis, I went immediately to New Orleans, but reached there, two days after the departure of the steamer for Havana, and have been delayed, (very much to my annoyance) ten or twelve days for another vessel.

Very Resp^{ly},
your friend & aff^l Serv^t
Alex: M. Clayton.
U. S. Consul. Havana.

Recd 7 Dec

N^o 72

Consulate of the United States

Havana November 26th 1853

Sir.

I received this morning from the
Jail of this city a letter signed "Francis
D. Silva", dated 25th Inst. of which the
following is a copy = William Robertson
Esq. = Hellman. I beg leave to announce
to you, Sir, that I, being an American
citizen and finding myself in the common
jail of this city, I beg of you Sir, to be
so kind as to come to see me and
inform you on the cause of my im-
prisonment. If the feeling of natural
citizenship should make you
endeavor Sir, to see me, you would oblige
me doubly coming with Mr. Savage;
my hour should be half past three
afternoon, at that time I wait for
you tomorrow evening, where you
will find Sir there is no need of
permission of any kind for introduction,
only by naming at the gate. I am most
respectful and obedient servant.

I accordingly went down to the
prison at the hour appointed ^{accompanied} by the
Secretary of the office, and received
from him the following relation
"I was born in Cuba, but have resided
in the United States many years, and
then a minor and then became of age
I consequently became a citizen of the United
States in 1849. I obtained a passport from
the Honble John W. Clayton then Secretary
of State of the United States, which I now
have in my possession. I have a regard

3 factory here and a deposit in New York
which is my place of residence. Some time
ago a man, native of Cuba, named
Andrés Cassard who had a small shop
in New York, used to come to my store and
I would furnish him on credit cigars which
he afterwards sold at retail. The last time
he came to me he took cigars worth upwards
of 300¢ which he said he could dispose of
and that in a few hours he would bring
me the money; but many days passed and
Cassard did not make his appearance
finding that he would not pay me I had
him brought before court in New York
on the charge of having obtained goods
from me under false pretences. My surety
in the case (which is now pending) is
Mr Perez Delgado, one of whose brothers
is now a prisoner here charged with
conspiracy against the Government.
Cassard's surety was Dr Porfirio Valiente,
the secretary of the Cuban Junta in New
York. Cassard threatened several times
that he would denounce me to the Authorities
of this Island as a conspirator against
the Spanish Government; but I never believed
that he, a man whom I had aided
even in Cuba before he went to the United
States, would carry his threats into effect,
or that even if he did, that his assertions
would obtain credence from any one. I
have never been concerned in conspiracies
or plans against the Spanish Government,
as is evidenced by the fact that my enemy
has been aided and encouraged in his suit
with me by the secretary of the Cuban Junta
Confident in my innocence, and intending

to come to Havana on my lawful business,
I applied for a passport from the Government
of the United States, and obtained one from
the Hon^{ble} Secretary of State on the 22nd day of
August of the current year. This passport
I presented to the Spanish Consul in Philadel-
phia to whom I made known my intention
of coming to Cuba on business. The Consul gave
me another passport stating me to be a citizen
of the United States. Under this character I
arrived at Havana in September last per
Steamer George Law from New York. Some
days after the Police went into the house I
was staying at, took possession of all my
papers, and conveyed me to a dismal
dungeon where I was kept eleven days
entirely incommunicated. I have subsequently
ascertained that Cassard denounced me and the
brother of my surety to the Authorities here as
Conspirators - he also wrote to three parties
here, one of whom I know, that he had had
the satisfaction of bringing troubles upon me.
These letters have been presented to the Authorities
and are now annexed to the proceedings for my
trial - they are in the same hand writing of
the other in which I was denounced. Nothing
has been discovered against me notwithstand-
ing that the Authorities have taken papers
that have been in my possession since I
was a boy. By a lucky chance Cassard
destroyed his own plans. There were two
English Ladies (American citizens) coming
here that Cassard knew were to reside
at the house of the brother of my surety - he
went on board the Steamer at the last moment
and requested the ladies to hand Mr. Delgado
here a package which he delivered to them.

The ladies innocently took the package and delivered it to Mr. Delgado's father (the son was already in prison) who suspecting something was wrong did not break it open, but took it to the Fiscal (Prosecuting officer) who broke it open and found it to contain proclamations and other matters against the Government of Spain. The ladies were consequently examined and gave their evidence. I have no fear that the trial will result unfavorably to me but I wish my case laid before the Government of the United States as I have been subjected unjustly to much suffering and indignities, and have in consequence of my imprisonment suffered losses of property.

(I offered Mr. Silva that I would use my best endeavors with the Authorities to get him relieved from his position; but he desired me to do nothing at present, that there will be time enough to lay his claims against the Government after he is released. His trial is now going on, and unless some injustice is done him in the prosecution of the trial, he prefers it to take its own course.)

Mr. Silva produced to me the two passports from the Department that he mentions in his statement. He stated also that he has a certificate of American citizenship.)

I have before taken the liberty of asking instructions from Mr. Clayton on this subject, as in all probability there will be other cases that may need specific instructions.

I have the honor to be, Sir

With great respect

Your obt. servant

M^{rs} H. No. 1000

acyleman

1000
Honorable
Mrs. M. M. M. M.
Secretary of State
of the United States

Recd. 7. Dec
22

no 73

Consulate of the United States
Havana November 27th 1853.

Sir.

I beg leave to call your attention to a long letter in the Diario de la Marina of the 25th Inst. wherein heavy charges are presented against the approval of the Customs in New Orleans.

The British Steam packet arrived here day before yesterday with news from Europe. The mail was taken ashore by the Spanish Authorities. it has been usualy opened by the British Consul who takes an account of the letters, but in this instance the seals were immediately broken on its arrival at the Post office, notwithstanding the remonstrances of the Consul's Secretary. On its being reported to the British Consul he went to the office himself and protested against the proceedings. high words passed between the Consul and the acting Postmaster. What will be the result I cannot say.

The Steamer brought the mail from Spain. The Madrid official Gazette contains the Royal decrees by which the Captain General of Cuba, Porto Rico and the Philippine Islands are invested with Vice-regal powers. The new Captain Genl for the Island (Don Juan de la Peruela, Marquis de la Peruela) must now be very near here. the extraordinary powers given him are far beyond any given before. it is creating a great sensation here. People now speak of his antecedents in Porto Rico. it is

said that he is strongly opposed to
Slavery, if not an abolitionist, and
that he is the very man to carry out
the views of our English Brethren. It
seems, indeed strange that this person
so deady opposed (as it is positively
asserted) to the great interest of the
Island, should be the man just
at this moment to send out here
with such extraordinary powers.
The Courts, Finances, Army and Navy
are placed under his sole control.
this seems to indicate a strong
Government, one would suppose that
it was strong enough before.

We shall soon see the acts of the
New Captain General or Viceroy as
the Steam packet with him on
board is momentarily expected.

I have the honor to be
Sir, with great respect,
Your Obedt servt
Wm C Robertson
acting Consul

Honble
William L. Marcy
Secretary of State
of the United States
Washington.

Recd 7. Dec Mr Abbott

No 1.

United States Consulate
Havana November 28th 1853

Hon. W. L. Marcy
Secretary of State
D. Sir

I arrived here to day on the Steam. Ship Black Warrior, and shall enter on the duties of my office, as soon as leave can be obtained, from the authorities here.

I found your two letters of October 26th & November 8th, to which replies shall be made, as soon as it is possible to obtain the desired information.

I shall call on the Captain General in the morning, and ask his permission to act, until my Exequatur shall arrive from Spain. Whether I shall be more fortunate, than the Consul to Matanzas, remains to be seen.

I have the Honor to be
D. Sir yours most Respectfully
Alex. M. Clayton
U. S. Consul Havana

Bacon

Consulate of the U. S.
 City of Havana
 Nov. 30th 1853.

Hon. W. L. Marcy,
 Secretary of State.
 D. C.

In reply to the inquiries contained in your letters of the 26th ult. and 8th inst., I beg leave to make a brief reply, at the earliest possible moment, and will enter upon it more at large, as soon as farther information may enable me to do so.

Permit me to say to you in the outset, that it is very difficult to reach correct information here on the subjects referred to, because every man's opinions are colored by his own peculiar views. From the best information I have been able to procure however, in regard to the treaty alleged to have been made by England with Spain, for the introduction of the apprentice system upon the islands, I do not believe there is any evidence here of its existence. The rumors upon the subject are founded I believe upon mere inference and deduction. One reason stated for the belief in the existence of such a treaty, is a report that one person has a concession from the Spanish Government of leave to introduce 35,000 blacks from Africa as apprentices, between this and the year 1850. His agent is said to have been in Paris and London just previous to obtaining this grant, and it is hence inferred, that it was made with the assent of those Governments. But nothing is very fairly known even of the existence, of such a concession.

The system of introducing Chinese

as labourers is regarded as a failure. They are unfit for plantation labor, and slaves are not in much request for any other purpose or object. I have heard the number introduced estimated at about 5,000; but this is little more than conjecture. I will advert to all these various topics again, as soon as I can obtain fuller information.

md

In looking over the records of the Consular Office, a very short time ago, I found a letter recorded of Mr. Robertson to the Department, in reference to an interview between him & myself last evening. Its precise object can only be conjectured, but as it would seem to imply some censure on my conduct, I beg permission to give my version of it.

On our way back from the call upon the Captain General I did express my gratification at his graceful bearing as a gentleman, and with the manner of my reception. After this and before we reached the office, some expressions not now remembered, induced me to think that Col. Robertson regarded himself as in office under Joseph Sharkey, & not by my appointment. His letters to me from the time of that appointment up to my arrival here, gave me no room to doubt that he considered himself as in office under me. He had transmitted my letter notifying the Captain General of my action, to that functionary, and no objection had been made to it. Perhaps no formal consent was deemed necessary, because Mr. Robertson was in the office at the time of the appointment, and had a previous permission to act from the authorities of the Islands. I determined then to learn his views on this point.

Your department had been advised of my action in this regard, by my letter from New York of the 17th of July, and no objection had been made to it. Accordingly after our return to the office I called upon Mr. Savage the clerk, for the papers which I left there in July. Amongst these I selected the letter of the department to Intpr. Sharkey containing the order to deliver me the archives, and property of the Government. I called his attention to this, and asked him if he remembered the conversation we had in regard to it in July. He said that he did not. I then told him that when he accepted my power to him as Vice Consul, I had given him the letter - told him to hold the property for me, and that I would execute the proper receipt - that to this he assented - accepted the power and agreed to act under it, and to give me one third of the fees. He spoke of his failure of memory, and said he could not remember the letter, though he did not question my statement. I then asked him if he would comply with the order of the letter and deliver the property as required, telling him at the same time that I should make no change whatever in his position, previous to the action of the Captain General upon my request to be recognized, but that I thought it would place me in office, in some degree, at least so far as clearly to give me a right to a portion of the fees, as agreed upon. He consented at once to do so, told me it was time for dinner, and that we could return, make out the inventory and sign it after dinner. On my return he told me that he had examined the Consular instructions - consulted some of his friends - that the instructions were

too plain to admit of doubt, and he declined to deliver the property to me, or to permit me to take part in the duties of the office. I told him then that your letter I thought was all he could look to, that as to him the letter superseded the instructions. He replied that he was of a different opinion, and that he was acting for Sr. Francisco, whose bond perhaps had never been cancelled and on whom he would place no responsibility. I expressed my regret that he had not taken this position at an earlier day, and informed me at the beginning that he would not act for me. During the whole interview I endeavoured to impress on Col. Robertson the fact, that I had no intention to attempt to displace him but should leave him in his position, until the action of the Governor General could be had.

There is one material circumstance, omitted by Col. Robertson, unintentionally, no doubt, which I will mention as bearing upon this point. In one of our first conversations after my arrival he referred to the delay of the Spanish officials, and to the ultimate refusal to recognize the Consul at Matanzas. I enquired as to the cause, and the probability of my sharing the same fate. He said, he would make that impossible by resigning his position, and thus compelling my recognition. The next morning whilst writing my letter to the Captain General, I asked him, if it would not be well for him to resign at once, as he had said he would do so, and let his letter accompany mine. He at once consented to this, and wrote his letter of resignation. On a little reflection I called him to me, and told him it might be better for him not to do so, because if Sr. Francisco

was right in his views, some embarrassment and injury might accrue to our Commercial interests, to which I would by no means be accessory. He then told me that he had written the letter, and it was in the hands of the clerk to be copied. I requested him to withdraw it, which he did.

In asking to have the property delivered to me, and to be put in possession of the office so far as he could do so, I had the three-fold object in view, to obey your instructions of the 24th ult, "to repair immediately to Harana, and enter upon the discharge of my official duties," to put myself in a ~~position~~ position to be consulted in the office, and to put an end to the question of fees of office, referred to in his letter. On that subject, I may find it necessary to trouble the Department hereafter.

I am very sorry to have felt constrained to enter upon this tedious explanation. I hope it will be satisfactory, for I told Col. Robertson so frequently that I had no intention to displace him, until the action of the Captain General, that I thought he could not have misunderstood me. It seems however that he did. If I have erred at all, it has been in my earnest desire to obey your instructions "to enter immediately upon my official duties." The whole subject is submitted to your candid judgment, & I hope my course will not meet with censure.

Permit me to add, that my Commission and
Exequatur have not yet arrived. It is
hoped they may accompany, the new
Captain General, who is daily expected.
Neither has my application to General
Canedo been acted on.

The new Captain General comes
out; with powers almost absolute, it is said,
in all matters pertaining to the Island.
It may be, that the power of granting
the Exequatur to the Consuls here, has been
transferred to him. Would not this be
a favorable time, to endeavour to obtain
from the Court at Madrid, some enlarge-
ment of the Consular powers here. I
throw out the suggestion for the consid-
eration of the Department.

I have the honor to be
Very Respectfully yr. Obedt. Servant
Alex. M. Clayton
U. S. Consul Havana

Letter of Alex: M.
Clayton U. S. Consul
at Havana - in reply
to certain enquiries of
the State Department &
in regard to the Vice
Consul at Havana.

Apr 30. 1853

Rev. H. Dev

No 76

Consulate of The United States
Havana December 1st 1853

Sir.

Referring to my despatch no 64 under date of 7th ult. I beg leave to inform you that the wife of Pedro Raices (whose name is mentioned in my said despatch) came to me this morning and made known that her husband was yesterday allowed for the first time since his arrest to communicate with his family and friends. that she immediately went to the Almorro Castle where he is confined, and saw him. that he told her that he was accused of being an accomplice in the printing (he is a printer by trade) and publication of papers against the Spanish Government and the Authorities of this Island. he declares the charges to be false, that he has never in any manner said or done any thing against the Government here. he also informed her that the only paper found in his possession any way criminating him was a copy of a letter written by him to a friend in New Orleans at the time that the "Faro" newspaper was purchased by John S. Thrasher, which letter among other things expressed his satisfaction and pleasure that there was an American at the head of that paper. he was employed in his trade at the "Faro" office. Mrs. Raices also told me that her husband had assured her that he was a naturalized citizen of the United States and had produced his certificate of citizenship at this office some months

since, of which certificate a note had been taken at this office. On referring to the General Record Book, I find the following entry: "May 30th 1853. Pedro Raices, a native of the Island of Cuba, this day appeared at the office of the Consulate of the United States and produced a certificate of American citizenship by naturalization in his favor, issued out of the Fourth District Court of New Orleans on the 26th day of October 1852, signed and sealed by Thomas Gilmore, Clerk of said Court, whose signature is duly authenticated by Mortimer M. Reynolds, Judge of the Court aforesaid, on the date before mentioned". This clearly shows that Raices is a citizen of the United States. Mrs Raices tells me that she has been informed that the Captain General is enraged against her husband and has said that he will have him severely punished. Both she and her husband have likewise been assured that the best result he can expect will be his being sent to Spain, which would be a great misfortune, for he is a poor man, having besides his wife and four children and another ~~son~~ to come into the world, his aged mother, all entirely dependant on his labor for support.

Although I fear that the Captain General will not give heed to any remonstrances I may make in favor of Raices, on the plea that consuls, and specially myself who have no equivalent, are mere Commercial Agents having no right to intermeddle in such affairs, I will still, feeling as I do great interest in the fate of the

unfortunate man, and his family who
will be left entirely destitute, address His
Excellency on the subject, and exert
myself (as long as I have charge of this office)
as much as possible to obtain his release.

I beg to renew the request made in my
communication before mentioned for
specific instructions in relation to this
case that may serve as a guide for
other cases of the like nature that may
occur in future.

I have the honor to be
Sir, with great respect

Your most obedient

Wm H Robertson
acting Consul

Hon^{ble} William L. Marcy
Secretary of State
of the United States.
(Washington.)

Dear Sir W. A. Brown

No. 4. Consulate of the United States
City of Havana December 15 '53

Hon. Mr. A. H. H. H. H.
Secretary of State.
D. Sir.

It becomes my melancholy duty, to announce to the Department the death of my private Secretary and near relative, Mr. Charles B. Ross. From the most perfect health, he was brought by the zyllo fever to his grave, in the brief space of five days. My own health for a long time delicate, has become much more feeble since my arrival here. With the duties, and responsibilities and constant labor of office, there would be but little probability of improvement. Some imperceptible influence of the climate has robbed me of nearly all my strength. In this state of things, the only course consistent with my duty to the Government, and a regard to my own health, is to resign the position, which the President did me the honor to confer upon me. That course I unhesitatingly adopt, and beg you to consider this, bitter such resignation. I shall return to the United States in a few days. In the mean time I have again placed the Consulate in charge of Col. Wm. H. Robertson, and obtained the consent of the Governor General to his acting, until my successor may arrive here and enter upon his duties. The ability and energy heretofore evinced by Mr. Robertson, in his management of the office, constitute the best guaranty for his future conduct. A few days ago, I addressed the present Captain General a letter on behalf of the nine American Seamen, referred to in your despatch of the 5th ult., but have not yet received any reply. I have directed the Club

to forward to your department, a copy of the correspondence, as soon as any practical result is attained - and requested Mr. Robertson to continue to prep the subject.

It is matter of regret to me, that the peculiar circumstances by which I have been surrounded, have prevented my making ~~full~~ investigations in regards to the Apprentices system, in conformity with your requests. I have availed myself however, of many sources of information. My strong conviction is, that no treaty has been made between England & Spain upon the subject

*caly. & Spain
can? & Spain* } The question as to grants to individuals by Spain of a right to introduce Africans as apprentices is one of more difficult determination.

Col. Robertson is very confident that such grants exist, and that Queen Christina & an agent of Guadalupe, are recipients of the grant. I find others of great intelligence who doubt, whether any such grants exist; and I must confess myself to be of this number. Time alone can solve this point.

154/100
Immigration System } In the Diario de la Marina, of the 6th & 7th inst., copies of which have been sent to your department. There are leading editorial articles, which shadow forth some great change in the policy of the islands, in regards to labor. These are particularly significant, when it is recollected, that this paper is but the mouthpiece of the Government, and utters no sentiments which is not previously authorized. I annex translations of the two concluding paragraphs, kindly furnished me by a friend. The whole however does not exonerate from looking for a relief to the present scarcity of hands, although the theoretical part is in a great measure solved. Immigration on a vast scale, and on a va

basis well conceived and applied with fact, promises alone to satisfy in an ample & efficient mode, both the requirements of the present, and the wants of a future period."

What sort of immigration is meant is not yet fully developed. It is the general belief of the intelligent, & is my own, that it is the Apprentices system which is alluded to. It will be established as a Spanish measure, in the belief that England will not at it, and not intepose to prevent it, as a breach of the Treaty in regard to the Slave Trade. This conclusion is rendered the more probable, from the fact imparted to me by the same friends, that in the discussions in regard to the introduction of the Chinese, the same paper asserted - "that the Apprentices system was the solution prepared for slavery."

It is probable that the Planters of the islands are divided in their sentiments on the project. Some looking only to the present say, they are satisfied with the duration of slavery for twenty years, if they can have an unlimited number. Others, who look more to the future, and to the interests of posterity, say it will destroy their prospects, ruin the islands and reduce it to unmitigated barbarism. The friends of freedom, & of Cuban independence, are very nearly crushed by civil and military despotism. The Garce and the bayonet are not easily repented. Whatever edict may be promulgated, will receive obedience from the people, because they cannot organize & concentrate any means of resistance. So far as it depends on herself, the fate of the islands, is passive submission to her rulers.

The problem then to be solved by the American Government is, whether its interest in the fate of this new world, does not require it, in the broadest sense of the Monroe doctrine, to interpose in order to avert a system, come from whatever quarter it may, which will drive off the white race, and make Cuba another Jamaica. Some one has said, Cuba must become African or American - the alternative may not suit this administration. To watch and wait is all probably, that can now be done.

I have left particular & definite instructions with the clerk, as to the making out & forwarding the semi-annual report, to the last day of this month.

14th After the foregoing was written, the Director of the 15th December published, an Editorial, in which with extraordinary virulence, it unsaid all it had previously said in the two articles before referred to, and virtually denied any knowledge of an intended introduction of the Apprentices system.

This change of tone cannot but excite surprise, and would seem to indicate a postponement, if not an abandonment of the system. If this is the case, it can be attributed to no reason, but the firm stands of our Government on the subject.

I regret that my ill health prevents my retaining the place, but under the circumstances believe it best to return the office into your hands.

With my profound gratitude for the honor I remain most respectfully
yours &c &c

Alex. M. Delany

Card 7. Dec

No 7

Consulate of the United States

Havana December 21st 1833.

Sir.

I beg leave to draw your attention to the official Gazette of this City, wherein appear the first demonstration of the new Captain General, declaring the "Emancipados" (captured negroes) imported previous to the year 1835, free, and establishing certain rules in relation to them. In a few days I shall learn how far this demonstration corresponds with the Royal Order in the Secret Archives.

It is not six weeks since that the *Diario de la Marina* openly stated that the African apprenticeship system is the only remedy for the relief of this Islands. On the 7th + 8th Inst the subject of labor was openly discussed, and there was one remark that seemed significant. "That it was time the Government should come out boldly and independently and propose what is necessary." The two articles attracted considerable attention, so much so, that several parties called on the Captain General to ascertain their meaning. His Excellency replied, "you must have hands, the Chinese are doubtful, I will aid you in procuring the Yucatanese" (known at the same time that the Yucatan Government had prohibited their immigration into this Island) and if these cannot be procured, I see no other remedy than the importation of Africans." On the 13th an article appeared in the *Diario de la Marina* alluding to the Chinese, evidently published to quiet the excitement produced.

by the Articles of the 7th + 8th. On the 18th and today, two articles have appeared in the same paper tending to show that free labor is not to be relied upon. I recommend these articles to your attention as they will be continued, and have no doubt that they emanated from the Government.

I have stated to Col. Mann that the African apprenticeship system was originally proposed by the British Government. This will be susceptible of proof at some future day. The positive denial of the British Government that they had ever made such a suggestion ^{as africanization} is all fair, but from ~~the~~ ^{the} ~~idea~~ ^{the} ~~of~~ ^{the} ~~the~~ ^{idea} of Cuban Africanization. If that influence has been checked, and the schemes have been withdrawn from the original design, it has been owing to the strong grounds taken by you in opposition to them, and Cuba may thank our Government for checking the calamity from that quarter. It is not impossible that the same opposition may cause Spain to hesitate in her mad career.

That there have been changes from the original views in Spain and England, I have no doubt. The apprenticeship system if carried out, is to be a Spanish measure. All British influence and connection are to be repudiated. Great pains seem to be taken to make this fact known.

The present Captain General has come not only with greatly increased power, but with authority also to withhold or carry out any of the Royal orders, according to circumstances.

Sundry schemes have been proposed

to bring white laborers from Spain.
Books have been written on the subject.
Hence, the articles in the Diariv of the
18th & of this date.

I must solicit the favor of you to
send out Judge Clayton's successor
as early as possible, as I am unwilling
to remain in charge of the office upon the
miserable pittance stipulated, unless
the President thinks me worthy of hold-
ing it permanently. I desire to leave it
on the 15th of January prov^d as it will
be a sacrifice to me to lose an opportunity
to serve a friend and in so doing serve
myself. Still a few days more or less
will probably make no material difference,
as I shall not abandon the office until
other provision is made.

I have the honor to be
Sir, with great respect,
Your Very Obedt. Servt

Wm. H. Webster
Acting Consul

Hon. William L. Marcy
Secretary of State
of the United States
Washington

Recd 27th Decr Mr Abbott
No 6.

Consulate of The United States
Havalia Decr 19th 1853.

Sir,

Mr Clayton, on the eve of his departure
for Mobile per steamer Black Warrior,
handed me your despatch addressed to
him of the 23d ulto, and particularly
requested me to have the contents of it
attended to immediately. I have
therefore in obedience to your instructions
and feeling a deep interest in the subject,
without loss of time laid the circular
and interrogatories of the New Orleans
Sanitary Commission, before several
of the most experienced physicians of this
city, to wit: Doctors Belot, Schneider,
Gutiérrez, Castroverde, Finlay, Wilson,
and Abreu. These gentlemen have
great experience in the treatment of
yellow fever, and therefore their inform-
ation is considered reliable.

As soon as their answers to the in-
terrogatories are received at this office,
they will be transmitted to you.

I have the honor to be,
Sir, Respectfully,
Yr very obt servt

Wm C. Woodruff

Hon. Wm L. Marcy
Secretary of State
of the United States
Washington City

Havana Dec 25th 1853

Col M H. Robertson
US Army Consul

Sir

The subject of anxious fear for the fate of Cuba which has recently engaged the attention of all who have something at stake in it, has been at last unveiled; the mysterious announcements purposely made obscure by the government organs have come to a clear developement of a vast change, qualified by the Diario de la Marina of yesterday in the following words:

"The whole population of Havana and the whole island will read anxiously decrees of a magnitude so gigantic wherein the most delicate points connected with our situation and internal organization are touched, and decided. And if it is useless to enhance their importance it would be equally idle to imagine that in this first moment our humble voice could be heard while every ear resounds and every mind is awed with the grave words coming from the authority."

After monopolising the subject of labor, having imposed silence upon the Diario de la Habana and forced the separation of the Editor who was obnoxious, the government organ unchecked by any discussion

has lately announced that it was necessary to supply
largely the scarcity of laborers, that being the par-
amount consideration in the present state of the ag-
culture of this island. That organ has wrongly attri-
buted the extraordinary increase of the staple prod-
uctions to the abundant provision of laborers heretofore
obtained through clandestine importations from
Africa; whereas from the returns of the various
census judiciously rectified, and from the un-
putable items of labor-saving reforms introduced
and easily enumerated if required, it is evi-
dent that the latter course, and not the insignificant
increase of hands has brought about the won-
derful augmentation in the sugar crop. It has
also overlooked the fact that the scarcity of labor
has vastly improved the condition of the slaves, in
physical as well as moral point of view. It
appears to ignore the indifference to the comfort
preservation of life and happiness of, and care
to the slave, which accompanied some years fur-
back the excessive importation of Africans, and the
depreciation of property which also followed the
scarcity of labor.

With erroneous hints therefore on the situation
of labor let out occasionally by the sole organ in
vance, the Captain General now gives publicity to
three important documents, which have at once

revealed the plan and policy of the administration, and which I shall rapidly qualify, just remarking that since the existence of the colony this is the only time that matters so momentous have been resolved upon without the concurring opinion of the country.

The first of these documents is the decree granting freedom to the Emancipados, or prize negroes, whose time is up. With regard to it I have simply to say that the language and publicity given to it, with the Queen's day, and the manner in which England the faithful ally and powerful ally I mentioned in it, mark a change of policy. Here to free when similar manumissions took place the Emancipados becoming released were required to leave the country; and the internal regulations against the free colored in the rural districts, and the imprisonment of all free negroes arriving in the ports of the island clearly shewed the conviction that it was incompatible with the preservation of slavery to allow these slaves to mix with other laborers of an improved civil condition.

The second document is a circular to the subordinate officials requiring that in the persecution of prize negroes they should exclude the rural domicils from the general search in conformity with the law suspended during Cuneo's period of command, and simultaneously

encouraging the free introduction of Coolies and
deans, and nominally of Spaniards to work jointly
with the slaves, on terms sufficiently advantageous
to excite the ambition of the negroes and restricted
enough to create the discontent of the new emigrants.
This circular announces boldly, the "unavoidable
necessity of substituting the labor heretofore excluded
in existence by another which shall weaken the stimulus
of private avarice (in the slave trade) and which shall
direct individual interest in the same channel with
the beneficent intentions of the Queen and with the
fulfillment of the obligations entered into."

The Ordenanza or Bylaws for the introduction, management and general government of the new emigrants is the third document. I do not undertake its analysis, but it would be unfair to say that it is very ably done, and that it must have been the work of mature and intelligent study. With a government supported by moral strength, honest agents, and earnest and active religious teachings it might be as perfect as the best scheme for the destruction of slavery. During two years (which time may be extended) it proposes to introduce other inferior races to be mixed with the slaves - disregarding the principles of the Queen

law in favor of freemen of whatever color, it subjects these
new comers to obligations incompatible with their legal
inalienable rights - it however softens the punishments
which the government has for found necessary to sanction
in order to preserve subordination among the Chinese
already imported and intends to the latter this reform
it makes both the employer and the laborer not dependant
on the law to decide between them, but leaves them equally
at the mercy of the greedy and immoral subordinate
of government; and it necessarily will arouse through
the exhibition of daily difficulties, disagreements and dis-
cussion of rights between the apprentices, for such they
are by whatever name called, and their patrons, a
spirit among the negroes of common ambition
discontent and insubordination.

Let me add that the views herein expressed are
fully understood by the Spanish organ. The Diario de
la Marina of this day (25 Dec^r) alluding to the
repugnance of the whites to execute work on a level
with the negroes says, - "If immigration is to be
successful (fecunda) it must assimilate to the re-
"maining element of population, or rather it must
"create a new one which shall not be completely
"homogeneous with any of those in existence and
"which should resemble them only in a manner not
"to wound the customs, nor the acknowledged views,

nor the prejudices. It is thus that immigration
represent in perfect harmony the Mother through
from which it emanates, which consists in preparing
through a perpetual compromise the transition from
the past to the present and from the present to the
future.

The resumé of General Pezuela's Orden
za may be expressed thus. It is the suppression of
slavery with no eye to the moral condition of the individ-
uals concerned in it, operated through the thrall-
or modified servitude of an inferior race of men
heretofore free. Ignorance, cheap labor, unsatisfied
wants of the depreciated laboring classes, and a general
descent in the scale of morality throughout the en-
tire population, these are the well foreseen conse-
quences of the introduction of an inferior race destined to
determine slavery, whether it be attempted on a
large or a restricted scale.

And raising our eyes from the soil of
Cuba, is such a course and the future it reveals
one calculated to enlist the sympathies and excite
the encouraging smiles of the northern philanthropists.

It is now publicly asserted that the im-
mediate effect of General Pezuela's decree
has been to stimulate the slavers whose ord-

we already gone forth to the United States whence we
are to sail without delay to swarm the island with africans.
This I believe to be true and it is the triumph of British Po-
licy, because the seed of the apprentice system is left to
work its mission of unprepared, indiscriminate force
in anticipation. It requires little thought to dis-
cover in these documents the ground work upon
which the African apprenticeship may be built here-
after at pleasure. The ordinance for apprentices
of an inferior race now published is the required
pledge to England that the africans shall not
remain long slaves whether introduced clau-
destinely as such or under the sanction of the
law.

In connection with the penal law of 1835 I had
occasion to remark the versatility of the Spanish
Government. Lord Glenelg tranquilized the
British Parliament last May on the subject of
Spanish bad faith by announcing the obsequious
suspension of the law, which act though then tendered
as a mark of prospective good faith, is now
undone apparently without displeasing the
British Government. Is not this mysterious?

I will close by requesting you in your official
capacity to submit these observations to the considera-
tion of our Government at Washington, while I remain
respectfully & truly Yours

Wm. L. Garrison