

Rec'd 1 July.

Cold

No. 1000

Capt: Morris,

1850

U. S. N.

Washington 1 July 1850

VII

I have had the honor to receive  
from the Secretary of the Navy your letter  
to me of the 2d ult<sup>o</sup> together with one  
addressed to Robert B. Campbell Engineer  
U. S. Consul at Paraná.

With much respect

Yours Obedt<sup>r</sup> Servt

J. Morris

Capt U. S. Navy.

Hon<sup>r</sup> Dr. M. Clayton  
Secretary of State  
Washington.

Rec'd 3 July.

Entered

Olive J. Groffam

New York July 1 1856.

Hon J. M. Weston Esq: Dear Sir

Please excuse me for troubling your honour with  
these few lines & likewise the few questions which  
will you concerning the prisoners taken by the  
English Government at Cuba your honour will excuse  
me when I have to tell you that the Chief Mate  
of the Georgeanna Bark if my only Brother  
is impounded in New York with the balance of  
the passengers & crew of the Bark Georgeanna  
I wish you to write me here & let me know  
what in all probability will be the fate of those  
unfortunate men & you will confer a favour  
on your obedient Servt Please direct your letter  
to the Capt. in Care of Messrs French & Brindley

Olive J. Groffam Chief officer of the London  
Packet Ship Cornelia French

*E*  
Translation. (Original written) Manuel Gonzales  
Panama July 3. 1850.

To His Excellency General Zachary Taylor  
President of the United States of N America

Panama July 3. 1850.

Respected Sir.

The Undersigned, Manuel Gonzales,  
a native of Cuba, but for the last forty years  
residing in the neighbourhood of the Isthmus  
of Panama, being desirous to subserve the  
interests of the United States, begs leave  
respectfully to submit the following remarks  
to your Excellency.

As soon as the Undersigned was informed  
that the nation over which your Excellency  
has the privilege to rule, had opened commu-  
nications with the Californias, and that  
in order to facilitate such communications,  
a contract was about being made with  
New Granada for the construction of a

Railroad or a canal, he addressed himself to the Consul at this place, describing to him how he had been employed in endeavors to establish a communication between the Atlantic and Pacific Oceans, by way of the Peak of Tarien at the South, to the far:

stretching headlands on the coast of San Blas, or to the gulf of Tarien at the North on the Western coast of Cartagena; a project which might be realized at much less expense than any other undertaking now under consideration.

It is somewhat strange, most excellent Sir, that Mr. William Nelson, who was then Consul at this place, never took sufficient interest in the matter as to answer one of the many letters (8 in number) which I addressed to him; in the last of these

written in 1849, am I had proposed to  
him, that in the event of his not having  
the power to grant what I asked, which was,  
unto send four engineers to make a complete  
reconnaissance of the territory of Darien from  
South to North, and also one or two navigators  
and men acquainted with the art of construc-  
ting canals, and carpenters to build the  
necessary vessels to ply between the two  
Oceans, or that he would honor me  
by forwarding one of the many commis-  
sions I had addressed to him on the  
subject to your Excellency; a request, I  
believe, he did not comply with; hence this  
complaint against him.

My Agent, General Samuel Taylor, who  
was Consul at Santa Marta, and to whom  
I had the pleasure of communicating all

the details of this project, has been directed to give your Excellency all the information that may be required on the subject, and to call your attention to the fact, that in as much as it would be a work of great importance to the government of the United States, it ought to be a national undertaking, seeing that the expenses would be much less than those attending the construction of the Nicaragua Canal, or the proposed railroad, as your Excellency will be able to judge, by examining the plan, and by taking into consideration all the important results that would accrue from this undertaking.

The Undersigned has pledged himself, and now pledges himself again, to perform the work on condition of being appointed

(if found worthy of such a post) Second  
Director for the construction of the aforesaid  
canal between the Atlantic and the  
Pacific, having in his possession a plan  
for that purpose which may be seen upon  
the production of an order from your  
Excellency for the execution of the work,  
or by having the undersigned conveyed to  
Washington on board of one of the govern-  
ment vessels, free of expense, in order  
that he may have the honor of  
explaining the aforesaid plan in person,  
and that he may be examined by compet-  
ent persons appointed by your Excellency,  
and, if his project should be approved of,  
that he may have the honor of reciev-  
ing the appointment of Second Director  
for constructing the canal in question,

and also the glory of becoming a citizen  
of the nation over which your Excellency  
presides.

I am your Excellency's most  
devoted and respectful servant,

Manuel Gonzales

Excelentísimo Señor Presidente de los Estados Unidos del Norte America Señor General Zaccarias Taylor.

Panamá 3 de Julio de 1850.

Respetado Señor:

Con la mayor veneración diríse estas  
letras á V. Excelencia Manuel González natural de la Isla de Cuba,  
y vecino de Panamá Permo, ha yá cuarenta años, quien deseoso de  
ser útil á estos Estados, manifiesta á V. Excelencia lo siguiente.

Que en el momento que llegó á su noticia la adoptación <sup>q.</sup> del Trafico de las Californias por la Nación que tiene d<sup>r</sup> la sati-  
facción & mandar, i con tal obsequio hacia contratación de Camino  
a Canal, ó Canal, con esta Nación Nueva Granada, dirigió sus co-  
municaciones al Señor Consul de esta Plaza, por ocho diferentes  
cartas, describiéndole gratuitamente, se empleaba el que habla en  
favor de la Nación Norte Americana en hacer descubrimiento  
de la comunicación de los dos Mares Atlántico i Pacífico por  
el Río del Darién del Sur, a las playas del Playón en la costa de  
San Blas, ó golfo del Darién del Norte en la Costa al Este de  
Cartagena. Tan favorable empresa, i con un costo que fárge  
de menos consideración, que cualquiera otra empresa la contraria.

Há sido extraño Señor Excelentísimo: Que el Señor Consul  
Guillermo Vernon que era entonces no contestase sus cartas, si  
quiera en obsequio de esa Nación por quien representaba, i tomare  
sus intereses en el Asunto referido; siendo la proposición que le dirigió  
en el año proximo pasado a mil ochocientos cuadriginta intres,  
i, en su cohärenza, que si no tenía facultades q. lo q. solucataba, si  
quiera le enviasse el auxilio q. le pedia, i era el de cuatro individuos  
q. fiesen ingenieros, q. q. hiciesen un escrito Reconocimiento  
del territorio del Darién del Sur a, V. C. con el obsequio dicho, lo mis-  
mo que uno ó dos truticos, i los preciosos q. entendieren de apre-  
cia al Canal, Carpinteros q. indien Puentes q. el tránsito de los  
dos Mares, i que le honrara con respeto á V. E., su correspondiente,  
que muchas de ellas le envió ya duplicado con tal fin, i esto recuer-  
dase, q. no lo ha verificado, de cuyo procedimiento, se quiso al Señor  
Consul Guillermo Vernon.

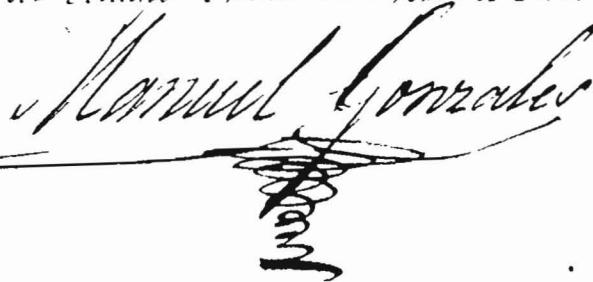
Interahido el Señor General Samuel Taylor su Apoderado  
que fué Consul de Santa Marta, al q. tiene la satisfacción de haberle  
entendido a dicho particular, i q. informase á S. E. de todo, q. q. siendo  
una obra grande e importante para el gobierno, debía ser obra Nacional,  
i que el costo no era comparable, con el camino por Nicaragua, ni con

el camino Canil, como V.E. verá por su correspondencia; i los diferentes  
asuntos interesantes que resultarían de la consecución de la citada obra.  
El que se subcribe: Si brindo Señor, i aún ahora se brinda tal  
vicio por el interés, & que se efectue lo ya tan deseado en esta Carta Representación  
i si quisiera me dar el empleo de segundo Director de la Oficina  
de dicho Canal de Atlántico al Pacífico, cuyo plano tiene en su poder  
con las minas siguientes.

Primero. Pida que V.E. envie facultades para dicha obra, q  
es tan favorable al gabinete, i tan fácil de hacer, i las grandes ventajas  
que se obtendrían al mundo entero; y de otro modo, que V.E. expida  
orden, para que sea recibido a bordo, en uno de los Buques del gobieno  
a costa de la Nación, para tener el honor de presentarle personalmente  
el dicho plano, i que sea examinado por personas & conocimientos  
en esta materia de los Estados del mundo de V.E.; i siendo conforme,  
la honra de merecer el mencionado título de segundo director del ya men-  
cionado Canal, i igualmente la gloria & pertenencia al gobieno de los Es-  
tados del Norte de América, & quén es V.E. Presidente.

Queda de Viscerencia atenta obsequiente Servidor.

Excelentísimo Señor General Zucarias Taylor Pi-  
sidente de los Estados Unidos del Norte de America:



Fijado el C. había sido el  
mitido esta misma carta  
y su contraria, el principal  
en fecha 8 de Junio dí, el  
duplicado con fecha 10 de  
Junio citado, i en esta  
fecha la presente.

González

Si M. González considerase mejor que El Señor  
Presidente mandare su aviso q gozara personalmente  
con su Plano y mi persona a Qro. Asistencia sobre  
este particular tan importante q el Gobierno del  
Norte de America.

González

Eccelentísimo Señor Presidente de los Estados Unidos del  
Voto de América Señor General Zacaías Taylor.

Panamá 20. de Junio de 1850.

Respetado Señor:

Con la mayor veneración dirijo estas letras á V. E. Manuel  
Gonzales Ministro de la Faz de Cuba; i vecino del Llano de San-  
miguel hâ ya cuarenta años; quien deseo de ser útil á éstos Esta-  
dos, manifiesto á V. E. lo siguiente.

Que en el momento que llegó á su noticia la adop-  
ción para el tráfico de las California por la Nación que p-  
tique V. E. la satisfacción de mandar i contal obxeto hacia  
construcción de Panamá Canal, o Canal con esta Nación  
, Viña Granada, dirigió sus comunicaciones al Señor Comis-  
de esta Plaza por ocho diferentes Cartas, describiéndole que  
gratuitamente se empleaba el que habla, en favor de la Nación  
Vista Americana en hacer descubrimientos de la comunica-  
ción de los Mares Atlántico, i Pacífico q. el Pd. del D-  
arién el Sur a las Playas del P. Catón en la Costa de San  
Blas, o golfo del Darién del Norte en la Costa al diente de  
Cartagena. Tan factible empresa, i con un costo, que juzga  
se menor consideración, que cualquiera otra empreza tam-  
bién.

Ha sido cuando Señor Eccelentísimo que el Señor  
Emil Guillermo Vélez q. que era entonces q. no contentase  
sus Cartas si quería en obsequio de ésta Nación q. quien se  
presentaba, i temare un visto interés en el Asunto referido,  
siendo la justicia q. le dirijo, en el año proximo pasado de  
mil ochocientos cuarenta q. Guere, i en su contenido, que si no te-  
nia facultades para lo q. solicitaba, le enviaría el Oficio q. le  
pedía, i éra el de enviar individuos q. fueren ingenieros para  
que hicieren un esbozo topográfico del Territorio del Da-  
rién el Sur a Vista con el obxeto dicho; lo mismo q. uno o  
dos Náuticos, i los oficiales q. entendiesen de Apertura de  
Canal, carpinteros para hacer buques q. fueran nece-  
sarios, q. el servicio de los dos Mares, i q. de le honrara con  
femitis q. V. E. en correspondencia, q. muchas se ellas te-

enviò por duplicado con tal fin, i esto segun creó, así no lo había visto,  
de cuyo procedimiento se queja el Señor Consul Guillermo  
Vesón.

Histauhido el S<sup>r</sup>. Señor Samuel Taylor su dipu-  
tado, q<sup>e</sup> fue Consul de Santa Marta, al que tiene la satisfac-  
ción de haberle enterado de dicho particular, i que informase a V.E.,  
todo, q<sup>e</sup> q<sup>e</sup> siendo una obra grande e importante al gobierno  
debía ser obra Nacional, i que el costo no era comparable a  
el Canal por Nicaragua, ni con el camino Canadá, como V.E. g-  
pox su correspondencia, i de los diferentes puntos interesantes  
que resultarán de la construcción de la citada obra.

El que se subcribe: Se brindó, i cum ehora se brinda  
al servicio, por el interés de que se efectue lo ya tan referido en  
esta carta representación, i si quiera merecer el empleo de segun  
Director de la Apertura de dicho Canal & Atlántico al Pacífico  
cuyo plan tiene en su poder las misas siguientes.

1º Primero: Que V.E. envie facultades para dicha obra  
es tan favorable al gobierno, tan fácil & halagüeña, i las grandes  
renisas que resultarán al mundo entero, p<sup>q</sup> se dize modo que  
dipida su orden, para que sea recibido abajo de uno de los Buzos  
del gobierno a costa de la Nación, para tener el honor & presen-  
tarse personalmente con el dicho plan, i que sea examinado  
personas & conocimientos en esta materia de estos Estados del Norte  
& V.E.; i siendo conforme tener la honra & merecer el enunciado  
titulo & segundo Director del ya mencionado Canal, e igualmen-  
te gloria & pertenecer al gobierno & los Estados Unidos del Norte  
& America, q<sup>e</sup> quedará es V.E. Presidente.

Queda de V.E. atento obsequio, Servidor

Escleruino Señor Lazarus Taylor, Presidente de los Es-  
tados Unidos del Norte & America.

Esta es duplicada y fu-  
entación ha sido dada  
primaria el ocho del corrien-  
te mes.

Recd. 6 July.

To R. M. Wm. M. Murchison  
Wm. M. Murchison  
R. M. Murchison - file.

Treasury Department  
July 5<sup>th</sup> 1851.

Mr: I have the honor to acknowledge the receipt  
of your letter, under date of the 3<sup>d</sup> inst. requesting  
this Department to issue the necessary orders for  
the recognition of Don Henry H Fallon as vice  
Consul of the Spanish Government for the Port  
of Boston Massachusetts, he having been named  
by his Government to that office, and to state  
in reply, that the wishes of the Spanish Minister  
in this respect have been complied with, in a  
letter to the Collector of the Customs at Boston of  
this date.)

I am, Sir, very respectfully,  
Your obt. servt.  
A. St. Deere  
Secretary of the Treasury.

From John M. Clayton  
Secretary of State.

Recd 15 July.

Continued

Sarah S. A. Doyle  
6 July 1859

Cuba July 6 1859

To Hon John W Clayton Esq

Dear Sir

I wrote you last week informing you of the arrest of my brother Mr E J Doyle, and at the same time asking your assistance, it is now two weeks since he was taken prisoner, the District Attorney of this place say said they have no proof against him, there is no cause for detaining him, he does not know why his case has not been settled ere this. I am afraid the Governor will send him to Havana, if so Lord knows when he will be free, here there is neither law nor justice and especially for an American, they are treated like dogs, no respect paid them, I pray Mr Clayton that you will do something for my brother without delay. I have written to President Taylor he being the one that you must look up to in political family, we would ask protection from our Father so have I asked his protection and assistance, the next one. I recke is your honorable self, and I hope you will not refuse me I feel confident you will do all in your power for us I plead earnestly

though badly I plead for a dear brother now under  
my pen to my Father, and is still. I trust in  
God he will soon be released from his prison, but I  
fear without your kind intercession. He will still have  
some trouble although they have not anything against  
him, once more I entreat and implore you aid in his  
trouble

With many good wishes and good speed  
you in your good intentions I am your humble Servt.

Sarah L A Doyle

cd 17<sup>th</sup> July.

Entered

Logan Hancock

Office U. S. Atty & Dist. La.  
New Orleans July 8 1857

For:

I have the honor to acknowledge the receipt of yours  
of 25<sup>th</sup> inst transmitting copy of a note from the Spanish Minister  
to the Department of State, dated 14<sup>th</sup> June last, together  
with an Extract of a Communication to the Minister from the  
Spanish Consul here concerning a supposed second attempt  
to invade the Island of Cuba.

I shall observe your instructions  
in relation to any further attempts in ~~the~~ ~~which~~ ~~will~~ ~~not~~ ~~out~~  
~~a~~-Military expedition against ~~that~~ ~~island~~.

I do not believe  
now that such attempt will be made within any short  
time, yet I am quite sure that those who were engaged  
in fitting up the late expedition have not abandoned  
their lawless designs upon the Island. They will  
find it more difficult however to fit out a second ex-  
pedition.

I addressed a communication to the Acting  
General on the 28<sup>th</sup> inst requesting his advice as to fu-  
ture proceedings on the -ments against Governor  
Pisani and judge friends of others. and shall wait  
for his advice. I learn that the Governor is  
extremely indignant, that the Grand Jury in the

Lt. chay. of this date should have deemed it unadvisable  
on them to prefer an indictment against him.

I sent the notice of the Courts adopted, but am ready to  
sustain their action in the premises.

I am for your high regard

Your most obedient servant

John Huston

At. of Attorney

Mr. John W. Clayton  
Secretary of State  
Washington

Key West July 8. 1851.

Sir

I received on the 5<sup>th</sup> instant your letter of the 14<sup>th</sup> ulto, in which you ask to have furnished to you all the information I possess relating to the embarkation and departure from New Orleans, of the persons taken with the barque Georgiana and the brig Susan Louie at the Island of Contoy, together with all the affidavits and other proceedings had and taken during the progress of the trial, which took place before me, so far as the same in any way relate to the purposes and intentions with which these men left the United States, or to their conduct and actions when the object of the expedition was made known to them.

In answer to your request I have to inform you that, as the object of the examination before me, was simply to determine whether the persons arrested should be held to bail to answer for a violation of the laws of the United States, committed in New Orleans, I did not reduce to writing but very little of the testimony taken before me. When referring to my very imperfect notes of this testimony, I find, that they throw but little light upon the subject of your enquiries.

Testimony however was given, though not contained in my written notes, which satisfied my mind, that it was almost certain, that the Contoy prisoners had been deceived and deceived; and had never intended to join a military expedition against the Island of Cuba, but believed, that the vessel they embarked in, at New Orleans was, in truth, bound to Bahagia. It was evident, that they had either been deceived,

or had repented and fully deserted and abandoned  
the enterprise at Contrary. From the facts appearing  
before me, I thought it most probable, that they  
had been deceived, and instead of being deserters,  
they had never engaged in the enterprise. Being  
of that opinion I wrote the letter to Gen<sup>t</sup>. Campbell  
referred to in your communication, at his suggestion,  
hopes, that it might be made useful to these unfortunate  
men.

The testimony taken before me on the examination  
of the persons arrested not having been reduced to  
writing, except in broken and disconnected memoranda,  
so that I cannot comply with your request by forward-  
ing it to you, I have since the receipt of your letter,  
caused the depositions of Dr Bates and Mr Wilson  
who took passage from New Orleans in the Georgiana  
and Mr Sherman the chief engineer of the Creole  
to be taken before me, and you will find them  
herewith enclosed.

I am, Sir,

Very Respectfully

Your O<sup>r</sup>Sent

Wm Marvin

WM MARVIN

To the Honl.

John M. Clayton

Secretary of State

Washington city

Reid with Judge Marcellus  
letter of 8th July 1850.

Ex. Doc. 83, Barque Georgiana, 95-98

Deposition of John C. Bates M.D. of  
Cincinnati Ohio in relation to the  
persons captured at Cozoy, in the  
Barque Georgiana, the brig Susan  
Sound, and from the island of Margarita, and  
said to be now confined in prison  
in Havana. Taken before W<sup>m</sup> Morrison  
U.S. Judge at Key West Florida July  
6. 1850 -

John C. Bates being duly  
sworn deposes and says, that he  
is by profession a physician, and  
resident at Cincinnati, Ohio. That in  
the fore part of April last, he for the  
first time heard, in Cincinnati, of an  
expedition, to be fitted out and to sail  
from New Orleans, and which in ~~the~~  
~~city~~, was spoken and talked of as a  
company to be organized for emigra-  
tion to California; but which from  
the hints, remarks and observations  
made to him at this concert, he understood  
and informed to be an expedition to  
Cuba. He, with a friend of his was  
induced, by various representations and  
by promises of more ample information  
on the subject of its objects and organization  
to be given to him at New Orleans, to consent  
to join the expedition at New Orleans - On  
the 4th of April a company of about

two hundred men left Cincinnati, in  
the steam boat Martha a bristling tow,  
and proceeded down the river to New Orleans.  
These men constituted a portion of the  
expedition from New Orleans, and had been  
collected from the city of Cincinnati and  
another the country about there. They were  
spoken of and called Captain Hardy's  
Company for California, and were assembled  
together for business by advertisements  
calling them "Captain Hardy's company  
for California". This defendant then living  
and being at Cincinnati heard and knew of  
nothing to the contrary, but that these men  
were a company for California,-

This defendant further says that  
about the 18<sup>th</sup> or 20<sup>th</sup> of April he ~~saw~~  
arrived from Cincinnati, at New Orleans,  
and found there the brig George Anna,  
advertised to sail for Chagres ~~with~~ <sup>and</sup>  
~~ready~~ to receive passengers. She was  
cleared, at the Custom House, to sail  
for Chagres. This defendant himself, as  
he has above stated, having been sufficiently  
informed, by hints and observations and  
in other ways, that an expedition was  
to proceed to Cuba, did himself  
understand, that this brig was to carry  
to the island of Mungoos as a rendezvous  
of the expedition to Cuba. But he says,  
that he saw and conversed, in New Orleans  
with many of the common men, who had  
come down the river from Cincinnati, and  
who afterwards took passage in the brig

Georgianay, and he learned from them that some few of them seemed to understand that they were bound for Cuba, but a very large number of them seemed to be fully impressed with the idea, that they were going as a company in the Georgianay to Chagres, thence to California.

At about nine o'clock of the evening of the 25 of April, the barge Georgianay left New Orleans with about two hundred and thirty men on board, being the men who had come down the river, in the "Ninth a weeking-ton" from Cincinnati<sup>and a few others-</sup>. They went on board simply as passengers, and without arms or warlike instruments, except a few fowling pieces, often carried by passengers. There was nothing connected with the barge's departure from New Orleans to excite suspicion in the minds of the uninitiated and misinformed, that the barge was not to go to Chagres. She had been advertised to sail for Chagres, and the passengers were supplied with tickets entitling them to "a passage passage to Chagres on board the barge Georgianay".

On the barge's arrival at the Balize, to which place she had been towed by a steam tow boat, a small vessel came alongside of the barge, and transferred on board the barge boxes

of arms, muskets, guns &c After these arms were put on board, much dissatisfaction and alarm prevailed among the men - They sought for explanations, - Many of them did not seem to understand it - They sought to have their officers or leaders explain, many of them saying that they had volunteered for California, and they did not understand all this - No satisfactory explanations were given, and some fifteen or twenty of them were determined, that they would go back to New Orleans in the tow boat - <sup>Paying passage had been agreed</sup> They had permission to do so, but no opportunity was given them to get on board the tow boat to go back, and the Georgiana went to sea -

She sailed for the island of Muzeros, on the coast of Yucatan, but owing to contrary winds and currents, she did not arrive there, but came to anchor under the lee of the island of Cozumel. While lying there a sort of military organization took place, with an appointment of officers to the arms were brought out and distributed.

On about the 13<sup>th</sup> of May the Steamer Creole came up, and after speaking the Georgiana, passed on to the island of Muzeros for water, after obtaining which, she returned to the Georgiana still at

Anchor when she arrived about the 16<sup>th</sup>.  
The Creole took on board from the  
Georgiana men, provisions, coal 16-

While the Georgiana lay at  
anchor at Cozoy much discontent  
and dissatisfaction prevailed among the  
men - Many of them seeming determined  
to compel ~~to return~~ the Georgiana  
to return to New Orleans - This discontent  
prevailing, Col O'Hara for the first  
time, stated to the men the objects  
and destination of the expedition, and  
disclosed to them what was intended -  
Very many of the men, upon being  
thus informed, expressed much indigna-  
tion, and much anger, saying that  
they had been deceived, misled and  
decoyed, and declaring, that they never  
intended to go to Cuba - that they  
thought the Georgiana was going to  
Changus and that they were going to  
California -

After the Creole had first come  
up and while she was gone to the island  
of Chagres for water a paper was  
circulated for signatures among the  
men on board the Georgiana, which  
in substance pledged all those who  
signed it to aid and assist with their  
utmost powers to revolutionize the  
island of Cuba, &c - A considerable  
number declared that they had been

decided as to the whole affair, and positively refused to sign the pledge and declared their intentions to be to get back to the United States if they could -

When the Creole left the Georgiana there were, as this reportant thinks, about thirty five men ~~had~~ left behind, one board off <sup>the Georgiana</sup>, the most of whom had taken passage in her at New Orleans. They were mostly the men who had previously ~~had~~ expressed their indignation and anger, at the deception and imposition, that had been practised upon them, and who had previously declared, that they never intended to go to Cuba, but had supposed that the bargain was, in good faith bound to Chagres.

They were informed, that the Georgiana would return to the United States, and as many of the men were dissatisfied, Genl Lopez gave a general permission to all such to return in the Georgiana to the United States. These persons availed themselves of this permission, declaring that they ~~had~~ not intended to go to Cuba, but to Chagres, and that they would now return to the United States.

The persons who left in the Creole for Cuba chose to regard the men who remained behind in the

Georgiana as deserters, and have  
been Home grounds, calling them  
cowards to but this defendant  
truly believes, that very many of the  
men who remained on board the  
Georgiana, perhaps not all, and  
perhaps all, had really been deceived  
and misled in regard to the whole matter,  
and never intended to join any hostile  
expedition against the island of Cuba;  
and instead of being cowards and  
deserters, they had <sup>and sense</sup> firmness enough  
to resist the solicitations, offers and the  
meers <sup>of the persons around them</sup>, and to insist, when undiscerned,  
upon being allowed to return to their  
own country —

This defendant was informed at  
the time, that twelve men abandoned left  
the "Creole" at the island of Mugeres  
when she went there for water, and refused  
again to come on board, preferring to take  
their chances upon that desolate island  
to running the risk of being of being  
either forced or inveigled into a hostile  
attack upon Cuba —

As near as this defendant can  
ascertain, he thinks that about twelve men  
left the Creole at Mugeres and thirty five  
remained on board the Georgiana, under the  
assurance that the Georgiana was to return  
to the United States — making in all 47 men.

He cannot say that all of these

men, without exception, were deceived as to the expedition, when they left New Orleans as some of them may have had some vague information as to their intended destination, but he says that from his knowledge of the transactions, he does firmly believe that very many if not all of these 47 men left New Orleans, without any intention of going to Cuba, but expected to go to Chagres, and they availed themselves of the first opportunity, after they were informed that the company constituted a hostile expedition against Cuba, to return to the United States -

The Curoe sailed from Contoy to Cardenas in Cuba, and as this deponent is informed, the barges Georgiana and big Susan Louie, with the persons on board and the men left at Chagres, were soon after captured by Spanish cruisers and carried into Havana where the aforesaid persons are confined in prison as criminals -

This deponent makes the foregoing statements in justice to the persons thus confined -

J. B. Bates

I read & sworn to before me this

6<sup>th</sup> day of July 1850

M. M. Marvin

W. S. Farley

Deposition of A. H. Wilson late of  
Cincannate in relation to the contrary  
prisoners

State of Florida

Key West - A. H. Wilson being duly  
sworn deposes and says, That he left  
New Orleans in the steamer Georgiana,  
with about two hundred and twenty  
passengers, on the 25 April last,  
and bound, as many supposed, to  
Chagres - And as many others understood  
to some rendezvous on the coast of  
Yucatan, there to be joined by others  
and constitute a military expedition  
against the island of Cuba - While  
the steamer was still in the river,  
much dissatisfaction began to  
prevail among many of the passengers  
who affirmed, that they did not  
understand, that they were to go to Cuba,  
but supposed they were going to California -  
This disquietude had concurred with many  
of these passengers, before leaving the  
city and found, that some of them  
understood, that they were bound  
to Cuba; but many of them really  
believed, that the company was  
going to California - While the  
steamer was in the river, the mate

were for a time quieted by being told, that every thing should be explained to them at the Belize, and that ~~any~~  
such as did not wish to go, should have an opportunity to return in the tow boat. On arriving at the Belize some forty or fifty men got their baggage, and other things ready intending to go back in the ~~long~~ tow Boat to New Orleans declaring, at the time, that they did not understand things, that they had started to go to California, and they heard others talking of going to Cuba - That they meant to go back - So determined were these men to go back, that they intended to jump on board the <sup>tow</sup> boat at considerable peril to themselves, but they had not the opportunity to do so - Among the prisoners who in the river, and at the Belize, determined to return to New Orleans, affirming, that they had been deceived and imposed upon because the barge was bound to Chagres were William Pastor, or Clarke, ~~P.~~ Davis, Smith, Wade ~~and~~ Williams and others - <sup>whose names are not now remembered</sup> These men were kept on board against their will and carried to sea, and when at ~~at~~ sea, Smith and Davis circulated a paper to get up <sup>volunteer</sup> force to compel the return of the barge to New Orleans - These

Men, at Contoy, refused to go on board the Creole, saying all the time, that they had never engaged in any expedition to go to Cuba, but supposed that the barges, when she left New Orleans, were going to Havana - Being informed, that the Georgiana was to return to the United States, and the Creole was to go to Cuba, they did not hesitate ~~to back~~ <sup>in the Georgiana</sup> in their choice to go back, at the first moment they had permission to do so -

This deponent says, that in the City of New Orleans before the Georgiana departed, but little was said by officers or men, as to the destination of the Company; but many of the men did think, that they had been engaged to go to California - But after getting on board, and leaving the city, their destination began to be whispered about among them and to be talked of more openly, and then discord and dissatisfaction broke out, many of the men declaring, that they had been deceived, and induced to leave the Georgiana at the Belize and go back in the tow boat, but had no opportunity - Many of them insisted to the last in

saying they had been deceived  
and would go back - The persons  
left on board the Georgiana  
at Contoy were of this number  
who had endeavored to leave at the  
bulky but had no opportunity -

The expedition upon leaving  
Contoy in the Creole deceived  
the persons who remained behind  
in the Georgiana, as deserters and  
called them cowards but this  
deponent truly believes from  
his knowledge of the men and  
the whole transaction, that they  
had been and were deceived at  
the time they left New Orleans as  
to the destination of the Georgiana,  
and that they at no time intended  
to go to Cuba, unless forced there.  
They really thought as this deponent  
believes, that the barge was bound  
to Chagres and that they were going  
to California -

And further this deponent saith  
not -

A. H. Wilson

Read to me before me  
this 5<sup>th</sup> day of July - A.D.  
1860  
A. H. Wilson

H. S. Judge

A statement made under oath by  
Hugh M. Sherman, chief engineer of  
the Steamer Creole, in relation to the late  
military expedition against the island of  
Cuba - Made before William Monroe U.S.  
district judge, Key West Florida, the 5<sup>th</sup>  
day of July 1850.

Hugh M. Sherman being duly  
sworn deposes and says, that he was engaged  
by John Henderson ~~Engineer~~, on the 25<sup>th</sup>  
April last, as chief engineer of the Steamer  
Creole, then lying at New Orleans, on wages  
by the month, and commences at that time  
to repair the engine and get it ready for service.

That the Steamer left New Orleans between eight  
and nine o'clock of the evening of the 7<sup>th</sup> of  
May, under the command of A. P. Lewis as  
Master, with passengers on board, bound to  
Chagres, as this defendant was informed and  
verily believed. He was so informed by  
Henderson who acted as the agent of the  
Steamer in New Orleans, and also by a man  
white who claimed to be the owner, a day  
or two before the Steamer left New Orleans, that  
her first trip was to be to Chagres. She  
was also advertised in the papers to sail  
to Chagres. This defendant, therefore, really  
supposed then believed, that the Steamer when  
she left New Orleans was to go to Chagres.  
At the distance of some six or seven miles  
below New Orleans the Steamer was stopped  
and some boxes taken on board, which for the  
first time excited some suspicion in his  
mind, but every thing was not right, but as  
he knew not the contents of the boxes, and

he was much occupied in attending to his  
affairs this circumstance made <sup>at the time</sup> but little impression  
upon his mind. The Steamer got to sea on the  
8<sup>th</sup>, and as defendant thinks on the 9<sup>th</sup> for the  
first time, he learned the destination of the  
vessel was not ~~also~~ to Chagres but to Cuba -  
On that day a printed ~~newspaper~~ paper  
or "Address to the Liberating Army of Cuba"  
was circulated among the persons on board.  
which showed, that the party on board were  
an expedition to Cuba - This was the first  
time that he had heard or learned, that Genl Lopez  
was on board. On the 10<sup>th</sup>, as he thinks, the  
Steamer came up with the big Susan Ladd,  
at sea, about half way between the Bahia  
and the island of Cozumel, and took on board  
the Steamer the persons found on board the  
Susan Ladd. ~~The steamer~~ The passengers  
of the Susan Ladd came on board the Steamer  
in boats, and he cannot say whether they all  
came or whether some few remained in the  
boat in the Susan Ladd - The captain  
of the Susan Ladd came on board the Crook,  
on some business, in search of his runaway  
Cook, as he understood, and was prevented  
from returning to his vessel by armed officers  
who compelled him to remain on board the  
Crook - He afterwards acted as pilot in  
towing the Crook into Cozumel - After  
receiving on board the persons from the Susan  
Ladd, the Crook proceeded to the island of  
Cozumel, on the coast of Yucatan, where

the barge "Georgiana" lay at anchor. After  
leaving the barge, the crew proceeded  
to the island of "Mugres" for water, and  
after getting a supply of water the crew  
returned to Cozoy and went alongside  
the barge and received on board coal  
from the barge and ~~and~~ a large number  
of the ~~first~~ barge's passengers - Before the  
steamer went alongside the barge, and while  
lying for a short time at anchor, near the  
barge, the persons on board, who by this time  
and while on the voyage, had begun to act  
as soldiers and troops, having their caps  
and red shirts, and guns, were assembled,  
and addressed by Genl Lopez through Genl  
Gonzales as interpreter. Genl Lopez told  
the soldiers, that all those who did not  
wish to accompany him on the expedition  
to Cuba could now go back to New Orleans  
in the Georgiana, and he desired those  
that did not wish to go to Cuba, to pull  
over to one side of the boat that he might  
see how many there were of them. There  
had been considerable dissatisfaction among  
the men, - Many of them saying, that they  
thought they were bound to Chagres, and  
had no idea of going to Cuba. Some ten  
or twelve men too had got ashore at the  
island of Mugres, when the steamer went  
for water, and remained there, refusing to  
come on board again. When Genl Lopez

assembled the men and addressed them through Capt. Gorringe telling them, that such of them as did not wish to go to Aba, could now have permission to return to the United States in the Georgiana some ten or twelve of the men separated themselves from the rest to go back in the Georgiana - The crew then went alongside the Georgiana and received coal and other men from her, and left her about one o'clock at night - This deponent cannot say what number of men left the creole at Crottoy, and went on board the Georgiana nor what number of the Georgiana's men remained on board of her, as the creole left the Georgiana in the night, and this deponent's duties required him at the engine -

The creole then proceeded to Cardewell in the island of Cuba where the expedition landed in the night of the 19<sup>th</sup>

This deponent says, that he has but little knowledge of what was the understanding of the men left on board the Georgiana at Crottoy, out of those who remained at the island of Clarendon as to the intended ~~setting~~ destination of those vessels - but he heard a number of the men before leaving Crottoy, say that they had been deceived, that they thought they were going to Chagres and never had any idea of going to Cuba

and they expressed their determination  
to return to the United States in the  
Georgiana, if they should be allowed  
to do so - He says that his  
opportunities of knowing the views  
and purposes of the various persons  
on board were not great as his  
duties kept him much employed  
but he knows the facts above stated.

He says that he at no time  
protested against or objected to <sup>going</sup> ~~going~~ in  
the Creole, whencever she was directed,  
as he knew very well, that his objections  
or protests would be in vain, and that  
he would be compelled by superior force  
to work the engine, and go whencever  
the military officers directed -

Hugh M. Sherman

I vow to Before me at Key West  
this 5 July 1850

Wm Marini

J.J. Judge -

Rec'd 29 July.

Excellency.

J. R. Hackley  
21 July 1850

Key West July 20<sup>th</sup> 1850,

Sir

Yours of the 6<sup>th</sup> Inst was received,  
on the 18<sup>th</sup>. Judge Marvin informs  
me that he sent to your office on  
the 8<sup>th</sup> Inst a copy of all testimony  
which he had taken relating to  
the Parrot's crime, and I can  
procure his further evidence on  
the subject as soon as this person's  
Parrot being the 1<sup>st</sup> violation against  
Federate citizens of the Union  
can be sent as prisoners to New Orleans,

"With Great Respect

To his Excellency,

John M. Clayton  
Secretary of State  
Washington  
D.C.

Yours very obd<sup>r</sup> Servt

J. R. Hackley  
U.S. Dist Atty Prothono

Washington 23 July 1850.

Hon<sup>ble</sup> Mr. Clayton  
Secretary of State.

Sir.

I have the honor to report that in compliance with your instruction of the 29<sup>th</sup> Ultimo, I embarked in the U.S. Steam Vixen, on the 9<sup>th</sup> and arrived at the Havana on the 10<sup>th</sup>. instant. I immediately addressed a note to the Governor and Captain General of Cuba, requesting an audience, as directed by your letter, and received a verbal message that he would receive me the next day at Noon.

I found in the harbour of Havana the U.S. Frigate Congress, with Commodore McKeever, and the Albany. Commander Randolph.

From Commodore McKeever I learned that he had held several conversations with the Captain General respecting the persons captured at Corinto, and had been assured by him, that a part of them would be released before the 12<sup>th</sup> of the month.

Early in the morning after my arrival Commd McKeever received a note from the Captain General, dated on the 10<sup>th</sup>, informing him that forty two of those persons had been liberated and would be sent to any vessel that he might designate.

A translation of this note, accompanied by a list of the men, was sent to me by

Commodore B. W. Keever for my directions

He was instructed to receive them  
on board the Congress, and then to  
transfer them to the Albany, and Commodore  
Randolph was directed to receive them.

Copies of these communications are  
~~marked~~ and numbered 1, 2, 3 & 4.

At noon of the same day I waited  
upon the Governor of Captain General,  
taking with me Mr. Forehouse, a gentleman  
from New Orleans, as an interpreter.

When the main object of my visit  
and the authority under which I was to  
make communications to him, were  
stated, the Captain General declined  
receiving any communication as an  
official one from the Government of the  
United States, because he had no  
authority to act in any manner upon  
diplomatic subjects - At the same time,  
he expressed his readiness to receive every  
communication I might make in my  
official character of an officer of the  
Navy, and to give to them the same con-  
sideration, as though they had emanated  
from a higher authority.

In reply he was informed, that  
I could only act in conformity with  
my instructions; and that any communi-  
cation, which I might make, must  
be made as under the authority and  
by the direction of the President of  
the United States. The consideration

and weight which he might give to these communications, must of course depend upon his own views of his duty.

When declining to receive the communication in the manner indicated, he expressed the highest personal and official respect for the President, & his entire confidence in the intentions of the President to cause all the obligations which were due to Spain from the United States to be faithfully performed.

In the course of the conversation which followed, all the communications required by my instructions, were made to the Captain General, with the exception of a formal demand for the captured persons who were still detained. I was induced to defer this until I could converse with those who had been released.

The Captain General had stated in the course of the conversation, that the persons who were still detained, were beyond his lawful control until the judicial proceedings upon them, which were then in progress, should be completed.

The interview was closed, after he had again stated, that he could not receive the communications, which I had made, as official communications from the Government of the United States. <sup>and I had</sup> ~~to which~~ replied, that I had made them as from, & by the authority of, the President.

On the morning of the 12<sup>th</sup> inst. the U.S. Consul went with me to the Attorney, where

we saw and conversed with the forty two persons who had been liberated the day before. - From the statement of those persons, it appeared that from the time of their capture, until quite recently, they had been more or less, confined by leg shackles, and generally on the lower deck of the ship of the line the Solenzara. In other respects, none of them made any complaint to me, of gross ill treatment. - None of their original number had died, but were all present. - When any had been sick, they had been sent to the Hospital until they were well enough to return to the ship. All of them appeared to be in good health excepting the one who returned from the Hospital the day they were liberated.

Two of them complained of a loss of money and clothing, and one, of a passage ticket to Chagres. I subsequently addressed a note to the General of the Marine on this subject, a copy of which and of his answer is annexed of record.

5. 6. & 7.

The Albany sailed for Pensacola, with three men, on the morning of the 13<sup>th</sup>. and under orders of which a copy is annexed and numbered, 8.

On the 15<sup>th</sup>. I had another interview with the Governor & Captain General, when I made the formal

demand received by my instructions for the ten men who were still detained, of those who had been captured at Corinto.

The Captain General in reply stated that these individuals were now in the possession and under the control of the judicial tribunals, and that until those tribunals should decide on the guilt or innocence of the parties, he could not lawfully interfere in any manner with them.

He stated however that the Master of the Georgiana, the mate of that vessel of the mate of the Susan Ladd, were all that were upon trial, and that the seamen were only detained as witnesses. He concluded by repeating assurances of his great respect for the President of the United States, and of his own desire to preserve the most friendly relations between Spain & the United States by all means that were consistent with his duties to his own country.

By an arrangement with the General of Marine, the U.S. Consul and myself visited on the morning of the 16<sup>th</sup>, all the persons who are still detained -

We were informed that the Master of the Georgiana, Mr. Bonner, had been sent to the hospital about the 14<sup>th</sup> and in consequence of symptoms of insanity - we found him there suffering from Mania of a violent character.

Although he recognized the Consul and a Spanish officer who accompanied us, he was evidently unable to comprehend & did not notice any thing which was said to him.

His mind appeared to dwell upon Lopez, whom he considered to be worth us, and on whom he was frequently calling; and upon his Bible to which he often referred as being in his possession. Nothing which he said gave any other indications of the cause of his insanity - The Chief of the Hospital promised to have him placed in the Ward for the Insane, and that every attention should be given to alleviate his unfortunate condition.

The two mates and the seaman, excepting one at the Hospital, were on board the Soberana. On being questioned as to the treatment they had received, they said they had no complaint to make; that when any of them had been sick, they had been sent to the Hospital until they were well enough to return on board; and that none of them had died.

The permission to visit the master and Matis, was granted to us as a favor, for by the Spanish Law, those persons were not allowed, in the existing stage of their trials, to communicate with any one but the officers of the Law.

We were in consequence requested not to question them on the subject of their capture or trial, but every liberty was granted to question them respecting their condition and treatment.

We were also authorized to inform the Seamen  
that they were only detained as witnesses, and  
~~would be released~~ as soon as their testimony  
should be closed.

The "Dictionary" of the Auditor of  
War & Navy, which decided the case of the  
two captured vessels, Susan Lound & Georgina,  
and of the passengers who were taken with  
them, was first published on the 12<sup>th</sup> and  
again on the 13<sup>th</sup> & 14<sup>th</sup>. — I annex one of the  
newspapers which contains it.

It appears by this decision, that the  
authorities of Cuba have considered the  
captain of these vessels authorized by the  
laws of nations, and have regulated all  
their proceedings accordingly.

On being questioned, the Fiscal of the  
Marine said, that the evidence to be used  
on the pending trials would be the  
testimony of the Seamen, the declarations  
of the parties & the papers found in the  
vessels. I was also assured that these  
trials would be closed without other delay  
than was due to their great importance.

Believing that my longed stay at  
Havana could not be productive of  
any advantage I embarked & sailed in  
the Vixen on the afternoon of the 16<sup>th</sup> instant.

With much regret

I have the honor to be

J. D. Langtry

1105728

J. D. Langtry.

No 1

Copy.

U.S. Legate Congress.

Havana July 11<sup>th</sup> 1850.

(See)

I have the honor to enclose  
herewith the translation of a communication  
of yesterday's date which I have just  
received from his Excellency the  
Governor of Captain General of Cuba  
and request your instructions, whereon  
I am to convey my respects and regards

J. S. Ordway

Signd. J. B. Keen

To

Commodore Charles Morris

C. S. Navy

Havana.

Translation.

On the seventh inst, when you paid me the attention of calling to take leave of me before sailing, I expressed the regret which my departure occasioned me, as well on account of the personal esteem which I have for you, as because of an announcement which had already been made known to me by the most Excellent Commander General of Marine, to the effect that by virtue of the summary proceedings held in the Tribunal of the Garrison, such persons out of the whole number of those taken at Conroy, who it appears were only passengers on board of the vessels, would soon be declared free & I had intended to ask you if it were convenient to order that one of the vessels under your command should receive on board those individuals who, at the time of receiving their liberty (under the restriction however that they should not remain on the Island, which was necessary for many reasons) should desire to go to the United States, and as you immediately consented to delay your departure for four days, which was the time I thought would still be necessary for the Tribunal to issue its Declaration, with a view of <sup>your</sup> receiving those who might choose to embark in your vessels, if in that time they should be liberated. I now inform you that the moment has arrived in which a decision has been made in regard to the individuals named in the enclosed list, & who are being asked, have voluntarily said their wish was to return to the country from which they came.

Under these circumstances I hope you will be pleased to inform me if you are disposed to receive them, in order that to-morrow I may give proper orders in relation to the subject. I avail myself of this occasion to renew to you the assurances of faithful & especial esteem as a man & worthy officer in the Navy of a Nation with which Spain always maintains good relations.

Al Conde de Alcoy.

Havana 10<sup>th</sup> July 1850.

List of the individuals detained on board H. M. Ship  
of the Line "Sovereign" who on being placed at liberty  
expressed a desire to return to the United States.

A. B. Moore  
 William J. Holland  
 Charles A. Paris  
 James O' Donnell  
 Arthur McGuire  
 John Atwalson  
 Joel D. Hoog  
 Stephen Havershaw  
 John L. Carter  
 Allen P. Coakley (Sick in the Hospital)  
 James Beeson  
 William L. Hardy  
 John Blattstone  
 Charley B. Matthews.  
 James Tagley  
 George W. McDaniel  
 William Brown  
 Edwards B. Davis  
 John French.  
 William Penton.  
 David Flincher Smith.  
 James M. Gooram  
 John W. Winter  
 John Gibbs  
 Thomas M. Armstrong  
 William B. Smith  
 Wm M. Antock.  
 James Folger  
 John Cronin  
 Levi Brown

Continued

Alexander Miller  
Henry Stevens  
William L. Lake  
James M. Martin  
Henry Smith.  
John Estile  
Joseph Byrnes  
Antonio Francisco.  
Frigg S. Webster  
Philip D. Connor  
Alexander M. Juilli  
Joseph Reed

The total number of individuals comprising this  
is forty-two (42), one of whom is confined to the H.  
by sickness.

Havana 10 July 1858

Attny  


No 3

A.S. Skinner Vice

Havana 11 July 1850

Sir

I have to acknowledge the receipt  
of yours of this date, covering instructions of  
a communication which you have  
received from the Governor Captain George  
of Cuba, informing you of the release of a  
part of the persons taken by Spanish vessels  
of war from American vessels near the  
Island of Santa Cruz requesting you to designate  
some vessel of war to receive them.

You will please similarly to the Governor  
to state you will be ready to receive them  
on board the Congress, as early to day, as  
may suit his convenience.

After these men shall have been thus  
received by you, you will cause them  
to be immediately transferred to the U.S.  
Sloop Abbie. - Commander Randolph  
will be directed to receive them from  
you.

With much respect

B. O'Leary  
Lieut C. Morris

Admiralty.

Commander J. W. Keeler

U.S. Brig. Cosplay,

Havana

No 4.

Copy

U. S. steamer Dixie

Havana 11 July 1850

Dr

Commodore Preble will send on board the Albany under your command a number of the persons who were captured at Contrary in American vessels and which have been this day released by the Governor and authorities of Cuba.

You will receive and provision these men, spirits excepted, and will give them as comfortable accommodations as circumstances will permit until otherwise directed.

You will keep the Albany prepared to sail at the shortest notice.

With much respect

  
W. O. Lewis  
Signed

Commander W. H. Randolph  
U. S. Albany  
Havana

Copy No 5

U.S. Steamer Vixen

Galveston 13 July 1870

Mr.

When the Consul of the U.S.A.  
and myself were on board the Albany  
yesterday, to see the persons who had  
recently been liberated by the authorities  
of this place, one of them named  
A.B. Moore, stated to us that whilst he  
was under the control of the Spanish  
authorities, three hundred & ten dollars,  
a belt and some clothing were taken  
from him; and that on his release  
he received back only two hundred  
of twenty dollars, without his belt or  
clothing.

Another of them named W.J.  
Holland stated that money to the amount  
of eight hundred & five dollars and  
fifty cents; and a belt, were thus taken  
and only five hundred dollars were  
returned to him.

Henry Stevens another of the persons  
stated that a passage ticket in his  
favour stating in substance "This ticket  
entitles the bearer to one steerage passage  
to Chagres on the Bark Georgina" was  
taken from him & was not returned.

Although these statements rest  
entirely on the simple assertion of the  
individuals interested, which is owing  
in part to their inability to make  
affidavits on oath at the office

of the Consul of the United States. I have  
described it prior to present the same  
you in consideration.

If it should be found that from  
any cause, these articles have been  
overlooked, when the men were sent  
on board the Pacific Congress, and can  
now be supplied, they may be sent to  
the office of the U.S. Consul to be forwarded  
for the parties interested.

With much respect

I am the honor-

To be V. O'Leary  
Signed 11/10/72

To his Excellency,  
The Governor of the Islands  
Hawaii

1806  
Habana y Julio 14 de 1850.

Sr. J. Morris Cimadero  
de los E. U.

Sr. Cimadero: he tenido el gusto de recibir  
su carta fechada ayer en que me habla de lo que  
en su presencia manifestaron tres de los individuos  
que fueron detenidos en Cartagena y ultimamente  
suyos en libertad por los tribunales.

Deseo juzgar de complacencia a T. S. y de in-  
formarle lo que consta en el particular de q.  
se trata: se indagado del oficial fiscal q.  
varado estos hombres fueron detenidos e impri-  
cio en los lugres y con ellos un registro para  
buscar las armas, papeles y dinero q. se encon-  
trara; inmediatamente de efectuado el registro fue  
sacado q. pertenecen los hombres detenidos en des-  
cubrir lugres, quedando todo sus equipajes en la  
caja; y el dinero y algunos relojes encom-

nados fue puesto a cargo el comisionado del  
Estado Pírizco. Dijo que en la Habana se  
hallaron reunidos todos los lugarez y hombres  
de los que se mencionan á estos los equipajes y  
valijas en la viñagiana y cada uno eligió lo que  
quiso sacar suyo. En respecto al dinero exige  
que se siga la ley de cada uno, resaltare la can-  
tidad q. trae y que sea de su propiedad para  
utilizar y no pertenezca á la expedición ni  
á otros individuos e los que habían consumi-  
do el delito de la agresión. El punto de no ha-  
bérlo mandado se poneba anteriormente  
estada, el fiscal trajo q. presentó q. no se ha-  
bia formado relación nominal redif. q. a cada  
uno q. se había encostado, dijo con el dinero  
y valijas recogidas en Santurce lo q. con los equi-  
pajes, esto es, puso á disposición de todos el  
reunido el total recogido p. q. que ellos no  
nos q. se repartieran según las demandas  
mas o menos justas q. cada cual hiciera  
neces. De efecto en el verificó q. el adusto  
aumento q. obra en poder del oficial fina-

esperada, y del que dirijo á U.S. una copia  
de su conocimiento.

Atingo el honor de ver con la mayor  
satisfacción su atento yerno asido

C. M. S.

  
H. Sturges

No 7

We the undersigned declare in due form  
that we have received the money and  
jewels and clothing and everything  
that belongs to us and was in our  
possession at the time we were de-  
tained by her Majesty's Steamer  
Pisces at the Island of Gontay.  
And we further declare also that  
all the others that are in the  
same case are also satisfied with  
their properties. Barrow July  
10<sup>th</sup> 1850 = A. B. Moore = W. Denton  
= W. J. Holland = F. D. Davis =  
John Still = J. C. Hagg = James  
Heron = John Finch —  
This is a true copy of the original  
which is in the process. In testimony  
whereof I the officer of the navy

acting as judge in this case have  
Signed my name in company with  
the interpreter. Havana July 13<sup>th</sup>

1850 —

Francisco A. Gurras

Su ex delo Causa

J. Alexander Martin

Interpreter

No. 8

A. S. Steamer Dixie

Havana 12 July 1851.

You will proceed with all despatch  
in the U.S. S. Albany under your command  
to the Harbour of Pensacola, for the purpose  
of taking to that place, the persons who were  
sent yesterday to the Albany from the  
Congress and who have recently been  
liberated from confinement by the authorities  
of Cuba.

It is desirable that these persons  
should remain on board the Albany  
until the directions from the Government  
can be received in relation to them.

If on your arrival at Pensacola you  
should not, on referring to the Commanders  
of that yard and station, find directions  
from the Secretary of the Navy respecting  
them, you will immediately send an  
officer to Mobile, with a despatch for the  
Secretary of the Navy to be transmitted by  
Telegraph, informing him of the number  
of persons liberated by the authorities of  
Cuba which you have on board, and  
requesting his instructions in relation to  
them & to the future movements of the  
Albany.

Should you receive no instructions  
from the Secretary of the Navy respecting  
the future employment of the Albany  
you will be governed by unexecuted  
instructions which you may have

Ex Doc. 83, Brig. (engraved), 109

received from Commodore Parker, as  
the service hereby ordered is only  
intended to suspend his orders till  
~~the~~  
~~the~~

Respectfully  
J. O'Leary  
Lieut. C. Morris  
A. S. May.

Commodore W. D. Randolph  
A. S. Attorney  
Admiral.

Rec'd 29 July.

Entered

John West

Washington 26 July 1850

To: Daniel Webster  
Sec'y of State -  
Dear Sir,

I have the honor to present a second Protest, and other documents, in the case of Mr. James H. West still under arrest at Agua la Grande, Island of Cuba. - This Protest reiterates the assertion of his innocence, and makes a demand for damages, in support of which I beg leave to submit, in his behalf, the following statement. -

Mr. West removed his business as a merchant from Boston Massachusetts to Agua la Grande in January last, intending to make the Island of Cuba, on which he has extensive family connections, his place of permanent business. He took out with him a large amount of property, in materials for erecting extensive buildings, and conducting the business of furnishing the supplies, and of storing and shipping the produce of plantations. - He had secured the financial Agency of coffee and sugar estate with sealed obligations, and had made contracts with two commercial houses in New York, and one in Boston, on which supplies for the estates had been advanced, and, in return, the produce

of the estates was to have been shipped. These arrangements were the result of three years previous preparation; and involved the pecuniary resources of himself and his immediate friends.

The building-materials and supplies were shipped by mrs. Reed-Wainwright, Morton, on board the Mij Tolian, and arrived at Sagua la Grande in January last. Soon after the cargo had been discharged, a quantity of Gunpowder was discovered to have been smuggled; and was found near the spot where the cargo was landed. The Powder was seized, and the Captain of the vessel arrested. He was examined, and on his affirmation that he put on board the Powder and Smuggled it unknown to all other persons, he being the owner of the vessel, he was set at liberty on his parole, and the powder was confiscated.

Here the matter would have ended, but for the interference of the authorities of the interior jurisdiction of Villa Clara. They, excited by a rumour, that the Mij Tolian had brought in an entire cargo of arms and ammunition; and that Mr. Presto's trunks were filled with papers connected with the then expected to open invasion, passed into Sagua their armed authorities;

and seized and put under arrest all persons and property connected with Mr. West, on the suspicion of political designs against the Government of Cuba.

Under these new charges, the authorities of La Habana Grande proceeded to break up and examine the cargo, and to cause a thorough search of Mr. West's books and papers. After every article had been examined and every paper translated, the Judge to strike, and the Interpreter jointly signed a declaration, that not an article was found among the cargo, nor a word in Mr. West's papers justifying the slightest suspicion of political designs.

Yet, notwithstanding this clear acquittal, Mr. West was kept under arrest; his papers and property withheld from him; his employees carried off to the Villa Clara prison; his business prostrated; himself and his family involved in bankruptcy and ruin; besides the expenses and costs, amounting to thousand dollars.

No single fact has yet come to light calculated to throw a doubt over the correctness of the above statement; and it is firmly believed that an examination of the records, when ever access shall be had to them,

will prove it rigidly correct.

It was a painful aggravation of Mr. West's sufferings that, during this prostration of his business, his wife and child lay at the point of death, as was supposed; at her father's estate near Cordenas, and yet he was refused, tho' any reasonable amount of bonds was offered by his friends, permission to visit them!

In regard to the above occurrences, Mr. West is not disposed to impute any intended or wilful wrong to the authorities of Cuba. He is not surprised at their disposition to even the slightest causes of alarm; nor disposed to complain against the severest measures of protection for the public safety. But he thinks himself entitled to expect, from the Courtesy, the magnanimity, the justice of the Spanish nation, that they will correct and recover error, and redress an undeserved and unintended wrong.

The injuries sustained by Mr. West entitle him to claim suitable relief. He demands his release, and that of his employees; and appraises his damages at Fifty Thousand Dollars.

He estimated the loss of his financial property at  
\$10,000.— his commission business of \$5,000.— his  
cargo and property in Japan \$10,000.— his costs  
and expenses there \$3,000.— his loss of labour  
and support of Employees \$5,000.— To this  
schedule of losses is to be added, all the  
expenses of prosecuting the measures for  
obtaining redress, and the injuries  
sustained by his family and friends  
in the United States by the dishonesty  
of his business paper, and their con-  
sequent imprisonment.

At which is most respectfully submitted,

By, W. H. West

John West

Consulate of the United States of America,  
for the port of Sagua la Grande.

By this public Instrument of Protest; Be it known  
that on the day & date hereof, Before me, M. D. Hall,  
acting as Vice Consul for the United States of America  
at the port of Sagua la Grande, Personally appeared  
James H. West, a native of Bristol, State of  
Rhode Island, doing business at Sagua la Grande,  
in the Island of Cuba, to make the following  
affidavit & protest in the strongest manner possible  
against whom & may or doth concern -

Affidavit of Protest of J. H. West

Sagua la Grande, Island of Cuba, May 20th 1850.

I, James H. West, a citizen of the United States &  
native of Rhode Island, residing lately for commercial  
purposes in this place, do solemnly protest against  
the present state under which by the lawful authori-  
ties I am held both in person & property for causes  
of which I am ignorant, certifying that on the  
5th day of February last I extended a protest before  
the American Consular Agent at this place, in which  
I made known that I had been placed under arrest  
on the 30th day of January previous, & my papers  
seized in consequence of the discovery of some powder  
supposed to have been landed from a vessel which  
came to my Consignment; altho' in one week after  
my arrest it was proved from the examination of  
my papers & of witnesses that the powder was  
imported without my knowledge or participation.  
I have to this day been deprived of the enjoyment  
of my property or the effects imported by me in  
the vessel, on the use or even copies of any of  
my commercial books or papers, or the privilege

of leaving the jurisdiction in which I am arrested,  
which is at a distance from my family &  
interest. I certify that I have made  
frequent applications to the authorities for  
my release & my property, but have been uniform-  
ly refused either, that I have corresponded  
with the Am. Consuls at Falmouth and Havana,  
but have experienced no relief to my situation.  
that if I am guilty of any crime or fault  
against the Government I am not aware of it,  
neither have I ever been informed by any official  
communication that any charge exists against me  
I also certify that an American Cooper employed  
by me, by name of Edward Reed Lambden, was  
arrested two days before myself, and has from  
that time to this been confined in prison, & also  
that a French subject in my employ was arrested  
at the same time with him, & is still in prison.  
Also that the tools belonging to two Amer.  
Carpenters in my employ have been detained  
from them up to this time, thereby rendering  
their services to me valueless. that my  
property has gone to waste & in my business  
ruined in consequence of this proceedings be-  
held against me. that I place myself in  
trust the American Government as a  
Citizen thereof, and claim and demand  
damages to the amount of \$50000 / fifty  
thousand dollars) for the injuries I have  
and am suffering.

James St. West

In witness thereof I  
herewith affix my signature.

Mr. Gardner, R. Reed, and Henry. C. Wainwright, of Boston  
County of Suffolk, and State of Massachusetts, merchants, doing  
business under the style of Reed & Wainwright, do hereby certify, that  
during the month of December last, we loaded the Brig Colian,  
Captain A.M. Jordan, bound for Sagua la Grande, in the island  
of Cuba, with an assorted cargo, consigned to Mr James H.  
West, there, and that the said Brig Colian did not have on board  
any contraband articles to our knowledge, or to the knowledge of  
said James H. West, as he left Boston for Cuba, before the vessel  
was loaded, and that no Gunpowder of any kind, was to our  
knowledge ever put on board of the said vessel, or to the knowl-  
edge of said West, and from a long acquaintance with Mr  
James H. West, during his residence in Boston, know him to  
be a strictly honest, and correct merchant, and can exonerate  
him from all blame or knowledge of there being any Gunpowder,  
or any other contraband article on board of said vessel, and  
if any was there we feel assured that it was without his knowl-  
edge, or consent.

In witness whereof we have hereunto set our hands and  
seals, this sixth day of April, One thousand, eight hundred  
and fifty.

Witnesps  
W. C. Branden  
R. W. Reed

Gardner R. Reed  
" " "  
Henry. C. Wainwright  
" "

Extracts from the Custom House Rules and Regulations -  
for the Government of all Vessels arriving at Havana.

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All Captains or Super cargoes, the moment their vessel comes to anchor, must deliver immediately upon being visited by the Custom House boat, a manifest declaring his name, that of the vessel, her stowage, whence she comes, the number of bales, packages, and every other article he has on board, or of which his cargo is composed, with their respective marks, numbers, and consignees. — Twelve hours after delivery of the above manifest, no alteration or addition whatever can be made in the same. The said twelve hours to run from six in the morning to seven in the evening, every day of the year, without exception of festivals. —

The Captain or Super cargo is required before twenty-four hours have elapsed after the delivery of the manifest, to present himself at the Custom House, and there take oath in presence of the Collector and Interpreter, declaring that what he has manifested is a true and correct account of his cargo. —

In case the Captain does not present the manifest and swear within the time above mentioned, he will incur a fine of one thousand dollars. —

In case the Captain or Super cargo is unable to make out a manifest or take oath, this will be the duty of the consignee or one of his clerks. —

The twelve hours prescribed in the first regulation having elapsed, all packages which have been omitted in the manifest will be confiscated, and the captain fined in double the value of the same, according to the valuation prescribed by the tariff, well understood that their value does not exceed one thousand dollars. — In case their value should exceed the above sum, and belong to the owner of the vessel, the Captain or the super cargo, the vessel, freight, and all other profits shall be confiscated. —

Neither before nor after the delivery of the manifest, can anything whatever be discharged from the vessel, without the permission of the

Custom House, — Should anything be discharged, although it be of little value, or free of duty, the Captain or Supercargo will incur a fine of one thousand dollars, with the confiscation of the goods thus discharged —

— In case goods of one vessel lying in the harbor, are transported on board of another without the permission of the Collector, the Captain who has received them, and all who have assisted to transport them, will be fined in treble their value, and the goods themselves will be confiscated with the vessel or vessels in which they have been found, together with the boats, launches, and all other things which have been employed in the transportation of the same.

— All goods that have been fraudulently disembarked, and seized by the Custom house Officers, will not only be confiscated and fined according to the sixth rule, but will be immediately appraised by the Custom House Appraiser, and if their value at the highest market price exceed \$100, the vessel with all her appurtenances shall be included in the penalty of confiscation. —

— If any goods manifested for transit be discharged or introduced seawards fraudulently, they will not only be confiscated, but also the vessel, together with the boats and launches employed in discharging the same —

— Should a vessel discharge merchandise, (be the quantity small or large) at a non licensed port, said merchandise, as also the buying vessel and all her appurtenances shall incur the penalty of confiscation —

— All Stores must be manifested, and if they appear to be disproportionately abundant, such vessel shall pay duty, — All baggage likewise must be manifested, and should fraud be detected in them they shall be subject to penalty, and those implicated in such fraud shall pay three times the value of the article —

— Permission being obtained, the discharge shall begin from the vessel, at dawn of day at the wharf, or any other place pointed out for that purpose. — Goods requiring to be examined, weighed or measured, shall not be removed to any other wharf or place without permission from the Collector, under pain of confiscation —

— If on the conclusion of the discharge there should be found one or more packages short of the quantity manifested, without an

Invoice of such packages, having been presented, and consequently without their contents being known, and the name of the consignee, it will be understood that the Captain or Supercargo of the vessel has committed fraud against the Custom House, and shall be fined \$200 for each package missing. —

In the outward dispatch, as soon as the vessel shall have finished loading, she shall have been visited and examined, and if merchandise be found on board exceeding the quantity cleared, or fraudulently shipped, and without the knowledge of the custom house. Such merchandise shall be confiscated, and the captain fined in thrice its value. — But should it consist of gold, silver, Tobacco, or Segars, of more than the value of \$400, the vessel and all her apparel shall be confiscated. — All goods detected in the act of being fraudulently shipped, shall likewise be confiscated. —

No consignee shall dispatch a vessel outward without her being first visited and examined, under a penalty of \$1000, which shall be exacted in the first instance, and for a second or future infringements, an action shall be brought against him. —

Should the Captain or Supercargo not have wherewith to satisfy such fines imposed on him and vessel, the vessel shall be seized for the purpose, unless the consignee comes forward as security. —

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Dear Sir

Cincinnati Aug. 26-1850

In consequence of being one of those unfortunate persons captured and confined by the Spanish authorities during the present summer, I take the liberty of addressing a few lines to you, in order to obtain more information in regard to the matter. First, is it a case in which there is sufficient ground, for a claim of indemnity, from the Spanish Government, for detention and false imprisonment. Secondly, if such is the fact, has I have been informed by Gen. Campbell Consul at Havana for U.S. also Commander Randolph of the U.S. Ship Albany and the U.S. district Attorney at New Orleans) what course is proper for me to pursue in the matter, together with those under the same circumstances. I presume by this time you are in possession of the statements we made to Mr. Hamilton U.S. district Attorney at Mobile, the first setting forth the manner in which we were inveigled into the expedition against <sup>Californy</sup> under pretence of conducting us to California. the other containing an account of the barbarous treatment we received at the hands of the Spanish authorities.

Yours respectfully  
John Daniel Webster Henry Stevens

P.S. Please favor me with an answer  
John H. S.

Rec'd 1 Augt.

W. L. Gull  
Post Master  
P. O. W. H. Harbor.

Petition  
July 27/50

To the President of the United States.

The undersigned citizens of Camden in the State of Maine would respectfully represent that they have seen a statement in the newspaper, that the Captain & crew have been released by the Cuban authorities; but that the Captain mate and crew of the Bark Georgine have not been given up.

Several of the undersigned are owners of said Bark and all are friends to the Captain mate & crew of same Bark. We therefore pray your Excellency to make a peremptory demand for the release of said Bark Captain mate and crew.

These men, we beg to state have in their vicinity families whose distress for their situation is such as to awaken the sympathy of all human

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citizens. They would further state  
that they learn that the Captain of  
the Bark Georgiana owing to his  
violent temper and unjust treat-  
ment is a rising mania.

It is the noblest exercise  
of power on the part of a govern-  
ment to protect its citizens  
in every land, and we trust  
the American Government will  
not be backward in exercising  
this power. We respectfully  
refer his Excellency the President  
to a former application now  
on file in behalf of the Bark  
Georgiana and crew.

Augusta Maine.  
July 27. 1830

Thomas S. Harbach

J. H. Curtis

Maurice C. Blake

Robert P. Hale

Barzillai

Wm. F. Brooks

J. N. E. Storrs

Gulab Thomas

A. B. Jones

E. K. Pratt  
Warren Conant  
A. Buchanan

Joseph P. Hale  
Hiram Postg.  
Hiram Hinckley  
Cipress W. Hosmer  
Almon G. Adams  
Lel. Adams  
J. L. Stevens  
Abdiah Brown  
Nicholas Berry

Seth W. Gould  
Jared Boynton  
E. Hardin  
S. P. Pickard  
R. S. Brown

O. J. Harrington

Navy Department,  
July 29, 1850.

Sir:

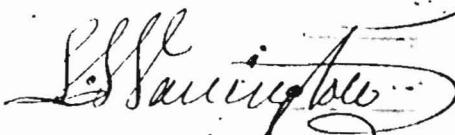
I have the honor to enclose  
herewith, for your perusal a despatch  
received at this Department from Com-  
modore Isaac M. Hopper, dated "U. S. Frig-  
ate Congress, Havana, 11<sup>th</sup> July, 1850," with  
its enclosure:

Also letter from Commander  
W. M. Randolph dated "U. S. Ship Albany,  
Off Pensacola Navy Yard, July 21<sup>st</sup> 1850,"  
with its enclosure,

Also Report from Commodore  
Charles Morris, dated "U. S. Steamer Texas  
Havana 12. July 1850."

I will thank you to return  
these papers to this Department, af-  
ter you shall have examined them.

I am, very respectfully,  
Your obedt Servt

  
O. J. Harrington  
Acting Secy. of the Navy

Hon. Daniel Webster  
Secretary of State

Rec'd 30 July.

Encd

Mr. Wm. W. Warrington

Mr. Donick

Navy Department  
July 29. 1850

Sir:

I have the honor to enclose herewith, a copy of a letter addressed by this Department, to the Secretary of State, under date of July 19<sup>th</sup> instant, transmitting papers containing information called for by Resolution of the Senate of the 5<sup>th</sup> instant.

I am, very respectfully  
Sir

Your obedt. Servt.

*Wm. W. Warrington*  
Acting Secretary of the Navy

The President  
of the United States

Aug.

John S. Tyler

Boston July 31. 1850

Hon. Dan. Webster

Secretary of State

Washington

Sir.

On the 3<sup>d</sup> of June past,  
we had the honour to address to the  
late President of the United States, a  
Petition in relation to the destruction  
of our Brig Purcell and, by the Spanish  
authorities in Cuba - and, we took the  
liberty of sending our Petition to your  
self, as one of the Representatives  
of our State, and a resident of our  
own District - We doubt not that  
you received, and transmitted the  
Petition, in the manner it should  
have been presented - but, we have  
had no response thereto, in any form,

We

We have no account of or about  
the Vessel, saving such as we have  
gathered from the Public Prints, and  
we feel exceedingly anxious to learn  
whether she is likely to be released  
or otherwise -

Presuming that the Depart-  
ment over which you have been called  
to preside, is in possession of the facts  
we respectfully ask for such information  
as may properly be communicated.

We are, very respectfully

Yr. Ob. Serv<sup>t</sup>

Joseph L. Codd for the Com-  
munity of Doug. Lyons &

Repleased to address me at Boston to the  
care of John S. Tyler Notary Public.