

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microcopy No. 179

MISCELLANEOUS LETTERS OF THE
DEPARTMENT OF STATE

Roll 126

June 2-August 30, 1851



THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

Washington: 1963

P. A. Harjous

June 4, 1851.

Rel. to claim of Andrew Cuccio
of Mexico.

(Enclosing deposition Domingo Hungaray)

Referred to Joint Commission under
Convention with Mexico of July 4, 1868

Received June 6th 1850.

David Webster
5 Dimes 50

Barque Georgiana

Brig Susan Lourde.

Captured & carried into Havana

From the Hon. Daniel Webster,
U.S. Senator.

Recd 6 June.

Mr Webster respectfully asks the attention
of the Secretary of State to the enclosed
Petition

June 5 1850

Papers relating to
Susan Louisa, captured by Spain &

Rec'd 6 June.

Boston June 3. 1850

Hon D. Webster
Washington

Dear

I send you the
enclosed paper, by direction of the
Wm's of the Susan Land, who are
Guarantors of high responsibility
for a very amazementable

Rectangular, yr.

Obst. Johnson

Boston June 3. 1858.

Rev. Dr. E. Webster

Washington

We take the liberty to hand
you herewith a petition addressed to
the President of the United States, and
the Affidavit of Capt. Pendleton Cut-
water of the Brig. "Diana" belonging
to us -

It is recommended that it be
noted how ~~the~~ Captain was captured by the Spanish
authorities, and may be condemned
as far as the part the ~~magistracy~~^{magistracy} took
in the Cuban expedition. We have
no other information ~~on~~ ^{of} the subject
than that which you will find embodied
in the Magistrate's affidavit, and set forth
in our petition. Our wish is to put
the Government in possession of the

whole facts believing as we do, that
there is no just ground for the for-
feiture of our property - and that
the Government will watch over
the rights of innocent citizens.

We believe that the subject
will receive more attention, if pre-
sented through yourself, than if
any other man - and, we know well
you will understand perfectly whether
the mode of action we have adopted
is proper. If it is not, we beg of
you to return us the paper with a
suggestion of the right way course.

Your Obedient Servt.
J. C. Ford
Parcer Simell

Recd 7th June.

6

R. F. Tallmadge

6 June

U. S. MARSHAL'S OFFICE,

Southern District of New-York;
New-York, June 6 1851

To the Honorable Daniel Webster
Secretary of State

Sir

On the 30th day
of May last I addressed you a letter
requesting your instructions in relation
to the delivery of the Steam boat Cleopatra
to Mr O'Sullivan the Claimant, in
accordance with your verbal directions
to me in this City on that day, and
otherwise requesting information as to
what account the various expenses
incurred were to be charged. Several
bills having been already presented
to me and being desirous of receiving
your instructions before I liquidate
them I much & respectfully request
an audience at your earliest

convenience -

I remain, Sir, respectfully
Your obedt Servt
R. F. Tallmadge
marshal

Recd 14th June

J. S. Secor

J. S. Secor

6 hand

Milbo June 6th 1857.

To the

Rev Daniel Webster
Secretary of State
Washington City

Sir

On the 13rd of May last I had the honor to enclose you a claim of the owners, master and crew of the Sch Rosine of New Orleans against the Government of Spain for assisting to save the Spanish Steamship of War Colon while ashore on the coast of Cuba.

May I request that you will inform whether it has been received, also of there is any thing necessary to be done on the part of the claimants to facilitate the adjustment of the claim. The vessel is remaining here until they are informed on that point.

I am very respectfully

Your obt Servt

J. S. Secor

Recd 16th June, 1851
Appr. 16 Jun 1851

Jpm Denning

Balaïs Me since 9 1851

Hon Daniel Webster

City of State

Dear Sir

Among the prisoners taken at Cardenas, Cuba, some two years ago was a young man named Thomas S. Hale he was mate of the "Susan Louisa" He firmly sailed as mate in my employ, and from the fact of not hearing from him, I fear he is still retained by the Spanish Government - His Father Mother are both dead, and he has no friends except a young sister living in Boston, and I have taken the liberty to request your interest in his behalf.

Yours with much respect

Jpm Denning

5 July
1857

Mr. Webster John S. Tyler

Boston 16 June 1857

Hon. Dan'l Webster

Secretary of State

Washington

Dear Sir.

The owners of the Brig Susan and one of the vessels seized and confiscated by the authorities of Cuba, for an alleged participation in the Cuban invasion, have asked me to prepare an application for damages, to be presented through your Department to the Government of Spain. I have heretofore transmitted a statement of the facts, but I am wholly at a loss what form should be adopted in presenting the claim.

I venture, therefore to ask for directions from the Department, trusting that my request may not be deemed improper.

Very respectfully

W^r. Ob. St.

John S. Tyler

Rec'd 5 July.

B. Secretary of Treasury.

Treasury Department.
June 24th 1831

Sir,

In compliance with your request, I have the honor to transmit herewith a copy of the opinion of the Attorney General, on certain claims for satisfaction, under the Treaty with Spain, bearing date the 22^d of February 1819, and the acts of Congress, to carry the same into effect.

I am, very respectfully,
Your Ob't Servt.

Wm. A. Leaburn
Sec'ty ad interim.

Hon. Daniel Webster
Secretary of State.

New York July 1st. 1851

Hon. Edward Curtis

Sir,

I enclose herewith the "Gaceta de la Habana," and Extracts from M^r Madan's letter, which I showed you while in New York. Will you be good En^ds! to put them with the other papers.

Very Respectfully
Your Obdt Servt.
Francis H Drykers

See Letter of A F Odier
of June 7 1851. with enclosure
Vol 24 Havana Consular
Letter of Oct 5 from Madan

1
Sociedad
Gaceta de la Isla

Septiembre 7^{to} 1870.

Sentencia pronunciada por el Consejo de guerra de la Comisión Militar ejecutiva y permanente de esta Isla.

Sentencia de fájas 404.—Visto el decreto del señor Brigadier D. Fulgencio Salas, Presidente del tribunal de la Comisión militar ejecutiva y permanente de esta Isla, su fecha veinto y siete de Diciembre del año inmediato pasado, autorizando al capitán D. Francisco Javier Mendoza, Fiscal del mismo, para la formación de causa dispuesta por el Excmo. Sr. Capitán General, contra varios individuos que habiendo emigrado contemporáneamente y sucesivamente a la vecina república de los Estados Unidos, é instalado un club en la ciudad de Nueva-York, bajo el título de "Junta promovedora de los intereses políticos de Cuba," con el fin de difundir en esta Isla y la de Puerto-Rico sus insidiosas intenciones y decidido propósito de subvertir el orden, se han ocupado y emplean en causar perjuicio contra el legítimo Gobierno de S. M. que rige en ellas, apareciendo acusados como miembros y activos agentes de esa criminal asociación, D. Ambrosio José González, D. José María Sánchez Izaguirre, D. Cirilo Villaverde, D. Juan Manuel Macías, Ddo. D. Pedro de Agüero, D. Victoriano de Arrieta, D. Gaspar de Betancourt y Cisneros y D. Cristóbal Madáns; visto el proceso contra dichos acusados por información y recolección; y habiéndose hecho relación de todo en el Consejo celebrando el día de la fecha, bajo la presidencia del ante nombrado señor Brigadier, donde no comparecieron los encargados por juzgárselos en rebeldía; oídas la conclusión y dictamen del referido fiscal, y las ilustraciones ver-

bales del Dr. D. Manuel González del Valle, Asesor interino del tribunal. El Consejo, atendida la naturaleza de los cargos, y habida consideración a la calidad de las pruebas en que se fundan, ha condenado y condena por unanimidad absoluta de votos á Don Ambrosio José González, D. José María Sánchez Izaguirre, D. Cirilo Villaverde, D. Juan Manuel Macías y Ldo. D. Pedro de Agüero, á la pena ordinaria de muerte en garrote vil; y á D. Victoriano de Arrieta, D. Gaspar de Betancourt y Cisneros y D. Cristóbal Madáns, á la extraordinaria de diez años de presidio ultramarino, con perpetua prohibición de volver á esta Isla y la de Puerto-Rico; condena asimismo á todos los reos nombre dos en el pago de cuotas de mancomun y su solidum, y al resarcimiento de los daños y perjuicios causados a los particulares y al Estado con motivo de la invasión en Cárdenas, con cantidad de cincuenta si se presentan ó son aprehendidos, excepto á Villaverde; mediante lo que habiéndole condenado á igual pena en anterior causa que se le siguió por el mismo delito en que ha ido sitiado, donde hizo sus alegaciones y fugó de la prisión señalado el juicio, ejecutoriado que sea el de este procedimiento, se pondrá en aquelrollo compulsa de esta sentencia para que se corrobore la justa imparcialidad de su primera condenación. Habana diez y cuatro de Agosto de mil ochocientos cincuenta.—Fulgencio Salas.—Francisco Ruiz de Apodaca.—Joaquín Casariago.—Lorenzo Cremata.—Jacobo Araoz.—Pedro Treviño.—Camillo Gonzalez.

Extract from a letter of M^r. Cristóbal Madan dated
Caraca 22nd June 1851.

"Enclose the 'Gaceta de la Habana' of the 7th Sept. 1850 containing the sentence by which I was condemned by default, a document which I beg you, to remit to the Secretary of State, it being very important to have it among the other documents in the department."

"I have been condemned by the last sentence of the Military court given on the 26th ulto. to the "pecuniary penalties" imposed in the former, herewith enclosed. It is evident from the language of this, and from a comma which separates the phrase de mancomun et in solidum; from, the liabilities for damages and injuries, that in these items I am only made responsible for my portion, whereas for the costs of the suit, I am condemned to answer for other parties not solvent."

"I have made a petition on the 17th instant requiring the administration and delivery into my hands of my property, substituting to the present sequestration a mortgage of six thousand dollars on the estate, which is more than enough to cover my part in the exaggerated estimates formed for the purpose of indemnification by the claimants themselves: by which mortgage the payment is insured of all my dues whenever they shall be reduced to the true impost and called for. To deprive me of

the knowledgs and management of my own business in the mean time is to subject me and my family to wanton and illegal injury and oppriation not authorized by either sentence, and especially hurtful while expecting to be sent to Spain.

2 July.

Mr. Webster

Edward Stiff

Havana July 7th 1857

J. Weller

Dr. Sir.

My business at Washington as you were informed, in March last, was to lay before you a detail of the things to and otherwise connected with my instrumented calling, and until now nothing has transpired on me, & the Government in the place of the hasty and whose incomplete letter sent to General Beauregard, and in place of the false and curiously denied versions of affairs in Cuba and at home furnished you of this hoping to escape the consequences of their own acts of the surprising of all sorts.

All I should have accomplished the object of my visit to Washington last year the unexpected display of an act in this drama, which induced me to suddenly return home, but I shall shortly present you all the documents testimony through one of the Alabama delegation in Congress, in which time, and until such as God send is impartially examined, & so you will turn a deaf ear to the Rebels affair, and thus decide the upon what is due to me as an American citizen, and thus at home and abroad combine together to prevent any such fair and manly just result.

Ranking the letter sent from Havana to the Executive Committee, and find you as therein stated to be laid before you, I am aware that you might it impossible that such letter had been found in and passed through a Spanish Prison. Such being the case I could scarcely be expected to copy all the facts of the case, which are somewhat voluminous, if I in should have known them all at a time, when neither time, place or prudence permitted them to be told, and such letter now given.

will readily admit must have been imperfect, and liable to be carried
under erroneous opinions at the time, in other ways besides the great
mistake about the place where written, for I did pen it and pass it from
the Prison, and thus performed afeat that never was, nor never will be
performed again at the same Bastile.

In order however to complete the documentary details now nearly completed,
I ask for your commands. The brief synopsis handed you at Washington
was related to me by your chief clerk, who directed that it be elaborate
and embrace every thing relevant at all, and also state your command
was further that I should get a respectable number of reputable gentle-
men to endorse my reputation for veracity, in view of a known fact that
the Spanish Government do not make records to convict itself, nor per-
mit individuals to testify against it, unless under pain of non doing
anything than I should subject them to, or would be likely to inflict
the truth which some individuals might know of, in my own case and
that of others too. Did I understand the Clerk correctly? If so my num-
ber of such names can be had, and I await your commands to oblige
them and send them on with other proofs.

If there be other commands please send them, and they shall be obeyed,
unless foreseen by your command not to drop the subject. This I will
never do while life lasts, unless I am indemnified to the full amount
of \$150,000, and for which and the whole Islands of Cuba, I would not
encounter what I was compelled to bear, with the single consolation
that I deserved it not, and with the single hope that I should live
make such fact manifest to the world, and be supported by my
country alike in justice to my own acts, and to check outrages upon
Americans when in foreign lands, unfamiliar with diplomatic pro-
ceedings, and unwilling to become the tools of such, as was the case
with me, and the only office I committed.

Soon after my return hence, I sent you No 1. of my paper the "Cuban
Sentinel," and another to the "Advertiser," and I have since sent you also
a printed Circular headed "Biographical Sketch of a man of
rank of which is in full explanation of events in the Cuban Annex
and permit me here to remind you that a constant correspondence in

Lent Red

As I was in Cuba, and since I left there, between so called Americans at home, and the Foreign Despot - in Havana, and that fact illustrates well enough for my present purpose, why you was willing to give Alabama which I was in a foreign land a Captain for demanding my freedom here, and why I was called on at Washington, told a pack of falsehoods which induced me to return home, or purpose to have me started in the back the moment I left your City, by falsely heralding me to the world as a "fugitive" and a "prisoner"!! This too through the claims of the Republic & why false as I can prove.

This too of the Censured Organ of the Government, in purpose to propagate the present all indemnity from Spain - in Government which perhaps no man in Alabama deserves to clothe with authority more than I did, for I published a Whig paper in a Democratic community, and was the first Editor in the United States, who invited the horrid named Gen Taylor, as can be proven & referring to Dr. C. D. George of Selma who has my files, and still an Editor now as before who would never do me any thing on party grounds, but with his claims to protection on the broad ground of being an American citizen who has never forfeited any of his rights, and knows how to protect them when the Constitutional authorities fails so to do. Did you in your legal practice ever know a man to be made a legal prisoner on a Writ Bond never forfeited, and have in the City of Washington beyond the jurisdiction taking such Bond? Did you ever know a fugitive publish his whereabouts - where he went, and voluntarily return home to allow such Trial as had been made with a foreign tyrant to produce his return? If not you cannot be misled by the Republic's Libel, which might have been inspired in that paper but which has formed the base of other still more vicious calum-

ries and has not upon request, attended for the wrong of insulting a
country to follow the poison. This is treason and piracy of Spain
Countryside over the American Rep, set on foot of the Captain General
of Cuba to white wash himself at my expense, before I left the Island
and hoping thereby to fasten off opinion and prevent all satisfaction
from the wrongs done to me & hence.

I cannot show the documents to day before you until I am in posses-
sion of copies of all letters sent from Havana to you touching the
case, and copies of the letter sent before you by the Law Commissioner
from me when in Havana, and in this, and also your Commu-
nication to the Government of Cuba or the American Consul there
(if any) together with other papers sent to you from Havana by
any one upon the subject. Hoping I shall be promptly furnished with
all these, and soliciting your indulgence to imperfections in both
language and detail in this note, as well as your compliance with
all requested above, I am honored Sir, with much deference.

Your Ob Servt

Edward Duff

James Brooks

June 6

Righting & etc.
May 8, 1861

Dear Dr. May 6 1861

To A. Daninger by the
Georgia to day, also talked with
a friend of his in Havana;
(in the Cuba business,) says, the
Expedition will fit out from
New Orleans. This information may,
or may not be true to you,
but, judging from the character of
the Havana information, I
think it very reliable.

Yrs affecly,

James Brooks

Recd 31 July.

J. W. D. Deacon

Mobile July 23rd 1851.

To the
Hon. Daniel Webster
Secretary of State
Washington

Sr

I have the honor
to acknowledge the receipt of the letter of H. J.
Derrick Esq^r Acting Secretary of State, last
inclosing copy of the note of the Spanish Minister
in relation to the claim of the master, owners
and crew of the Schooner Roseine for services
rendered the Spanish War Steamer Colon, and
informing me that the claim was held under
consideration.

The object of this is to beg that I
may be informed if any disposition has been
made of the claim.

I avail myself of this
opportunity to remark that the note of the
Spanish Minister, and the Commander of the
Colon, in his report to the Admiral of the
Havana ^{published} published in the "Morning" and transmitted
herewith, both admit that the Roseine performed
all the services required during the five days
she was employed, but claim that they
were performed under a contract, which is
totally denied by the claimants. They also

state that the vessel was yet afloat by the
Privy Palms and Steamer Don Isidro de Austria
which is in part admitted by the claimants
but neither of them state the additional
facts that the Rosini not only performed all
the services for which her assistance was
asked by the Commander, but that the
Master was the means, and is entitled to
the full credit of the ship being ultimately
saved - that but if the Rosini no anchors
could have been laid out to keep the ship
from going further on the reef - that when
Master went on board the Colon, she had
thirteen feet water in her, was supposed to be
salvaged; no exertions had been or were being
made to save her, that she was in fact
abandoned, and that but for the urgent
recommendations of the master no exertions
would have been made by the Commander
to save the ship. The Master is advised
that for suggesting measures to free the ship
of water for stimulating the Commander to
make exertions to get her afloat and for
the services demanded by the Commander
have performed, in which both his vessel and
the lives of himself and crew were in imminent
peril he is entitled to large reward in the
proportion of salvaged, that being the means
of this ship being ultimately saved, he

Services are of the class considered highly
meritorious and are to be paid for accordingly.

I am

Very respectfully

Yours ob^r servt

P. S. Scott Attorney
of the Claimants

Recd. 26 July.

J. Prescott Stiles
Pittsfield, Aug 25.

Southern District of New-York,
U. S. DISTRICT ATTORNEY'S OFFICE.

July 35. 1857.

Dear,

I was called upon yesterday by Mr Sanchez, and another Spaniard (whose name is to me unknown) upon the subject of their proposed return to Cuba, - of which Island they are, as they inform me, both natives.

They consider the outbreak near Principe, as the beginning of a revolution which will not go backward, and the Spanish Creoles here in the number of an hundred or two, are very desirous of taking part in the contest. They do not intend as they say to violate any law, but desire to charter a vessel to take them as passengers back to their native country.

To this course there is no

as I informed them, any objection in law, provided that no military expedition be set on foot, etc for greater caution & referred them over to the President and Secretary of State, and they left me without intention, as they said, of applying to the Government upon the subject.

My duty requires me as I suppose to address to you this short note upon an important matter.

Mr Sanchez was engaged as we think in O' Sullivan's expedition

With the highest respect

Your obedient servant

J. Prescott Stiles

U. S. Atty

From W. H. Seward
Secretary of State

[Copy]

United States Attorney's Office,
Tieckshurg, July 28th 1851.

Dear —

I ask your attention to the accompanying copy of a letter from the State Department, and an extract from the note of the Spanish Minister, therein referred to.

If you are in possession of any information bearing on the subject, I will thank you to communicate it to me, as soon as possible.

You will, no doubt, see the importance of keeping a vigilant look-out, for any organization designed to operate against the Island of Cuba. The government will expect its officers to use all "proper means" to frustrate attempts to violate the neutral obligations of the United States.

I am Your Obedt Servt,
Horatio J. Harris,
United States Attorney.

Tieckshurg, David, Esq.
Marshal of Justice Dist.
East Wisconsin,
Milw.

Racine 8 Augt.

Horatio J. Harris
Received 25 July

United States Attorney's Office.
Vicksburg, Miss., July 28th 1851.

Sir:

I acknowledge the receipt of your letter of the 17th instant, inclosing a translation of Mr. Calderon's communication to the State Department, in which he says, he has been informed that a new expedition is being organized, in the State of Mississippi, for the purpose of invading the Island of Cuba, from Florida or Texas.

I am not apprised, nor have I any reason to believe, that any persons are engaged in organizing such an expedition, in Mississippi; nor do I think it likely that any organization, such as the government would be authorised to interfere with, will take place here. If a new invasion of the Island of Cuba is in contemplation, from the coast of Florida or Texas, it is not probable that such of our citizens as have been or may be induced to join it, will assemble together or organize, at any point in this State. They will proceed, without any thing like military array, either to New Orleans, or Mobile, or directly to the place of embarkation.

The Marshal of this district has been spending the summer on our Gulf coast; and if any movement against the Island of Cuba were on foot, in that quarter, it could not easily have escaped his notice, and I presume he would, at once, have notified me of it. I shall immediately forward him a copy of your letter, and ask him to give the matter his particular attention, and furnish me with such intelligence as he may be able to acquire.

Should I receive any information, in reference to this matter, which may be considered important and reliable, it will be promptly communicated.

I am very respectfully,
Your obedient servant
Horatio J. Harris,
U. S. Attorney.

Mr. W. J. Berwick,
Acting Secretary of United States,
Washington,
D.C.

Rec'd 12 Augt. '51.

Horatio G. Davis

J. A. Wright

United States Attorney's Office.

Vicksburg, Miss., August 1st. 1851.

Sir:

The news brought by the steamer ~~Izat~~ of the progress of the revolution in Cuba, has produced much excitement in this State, as I presume it has done through the South generally. Large and enthusiastic meetings, of those sympathizing with the revolutionary party, have been held at different points on our Gulf coast, and similar ones will doubtless take place in all our principal towns.

My inquiries, so far, have not led me to change the opinion expressed in my letter of the 28th ulto., that no military expedition against Cuba will be prepared or set in fort, or the means therefor provided, in this State. Should the event give promise of permanence, I consider it certain that large numbers of our citizens will attempt to make their way to the scene of action, though I do not anticipate that they will, before reaching the place of final embarkation, take any steps in violation of the neutrality laws - at least, none

that could be established by evidence, in a criminal prosecution.

I am not prepared to say what point will be fixed upon for the general rendezvous and sailing of any expedition composed, in part or in whole, of Mississippians. The leaders, it is probable, will first assemble at New Orleans, and then make a selection. It is scarcely possible that any point on our own coast would be preferred.

I forward you a copy of a letter addressed by me to the Marshal of this District:

I am very respectfully,
Your obedient servant,
Horatio J. Harris,
United States Attorney.

Hon. William D. Dennett,
Acting Secretary of State,
Washington,
D. C.

Recd 12 Augt.

"Helding Davis
On the Coast. 4 Augt.

Cost Pascagoula Miss.

August 4th 1857

Monit.

Dan'l Webster

Sec'y U.S.

Sir

I am in receipt of H. S. Harris U.S. Sec'y not atly Letter of the 28th ult. but a Copy of a Letter from your Departmental dated the 17th July 1857. And also an Extract from the Spanish Minister's Letter alluding to an intended Invasion against the Island of Cuba - after a careful Examination I Convey ston is no Expedition organizing on the Coast of Miss. and if any such organization takes place within my District, You may be assured I will take prompt Measures to arrest all those who attempt to Violate the Neutral Obligations of the U.S. I have information this Morning of a steamer sloop shot the Steamer Pampera left N Orleans yesterday Morning for the Coast of Cuba. bound from 5 to 6000 all well armed and loaded on board "I am also informed that there is now in N.O. from 3 to 4000 men in the City ready to embark. If anything should occur within within my Districts borders of notice the Department may be assured that the Laws of the U.S. shall be promptly executed. I am Sir

Your affec't Servt

Helding Davis - Monit.
to Dist. of Miss.

August 26, 1851.

Horatio J. Harris

J. W. [unclear]

United States Attorney's Office,
Vicksburg, Miss., August 26th, 1851.

Sir:

Herewith, I forward you a copy of a letter just received from the Marshal of this district.

A company of men, said to be from Cincinnati, passed here yesterday, on their way to New Orleans; and we have rumors that additional numbers are on their way, to that city, from points above.

I am very respectfully,
Your obedient servant

Horatio J. Harris,

United States Attorney.

Hon. Daniel Webster,

Secretary of State,

Washington,

D.C.

[Copy]

"On the Coast"

East Pascagoula, Miss.

August 24th 1851.

H. J. Hunt, Esqr.

U. S. Atty.

Sir:

Your favor of the 28th ulto., I have received; and in obedience to your instructions, I have made a full and entire examination, on the coast of Miss., and find no organized force within my district. I can say to you, however, that they are daily concentrating in New Orleans, and the Parapluie left yesterday morning for the Island of Cuba, with from 5 to 600 men on board, together with Gen. Lopez; and I am also informed that there are now from 3 to 4000 men ready to embark. How is it that our federal authorities have omitted to protect the neutral obligations of the U. S.?

You may be assured, if any thing of the kind should occur on the coast of Miss., that I will test the strength of the laws of the Union.

Respectfully, Your obt Servt.

Fielding Davis,

Marshal, U. S. of Miss.

Recd 21 Aug. 7

Horatio J. Murray

9 Augt

United States Attorney's Office.
Picksburg, Miss., Aug. 9th 1851.

Sir:

A number of young men, probably some thirty in all, have left this place, at different times, within the last week, whose destination is announced to be the Island of Cuba. No enlistment or organization took place here; those steps will be taken at New Orleans; where, also, the officers will be chosen and arms supplied.

From the feeling which seems to pervade the whole country, I think the government would find it extremely difficult to arrest expeditions, in aid of the Cubans, until they have put to sea, or are ready to sail.

It is scarcely possible that evidence, which would authorise the arrest of individuals, can be had, before the expedition embarks.

I am very respectfully,
Your obedient servant,

Horatio J. Murray, U.S. Atty.

Hon. Daniel Webster.

Rec'd 11 Augt.
21st 11th Augt.

Wll: A. Graham

11th Augt.

Navy Department
August 9th 1857

Sir

I have the honor to sub=

mit herewith, for your consideration, copy

of a letter from his Excellency Don Angel

Calderon de la Barca, and its enclosure, in

relation to the Medals struck, to be presented

to the Officers and Crew of the Boat, which

assisted in saving the lives of the Somers

on the 8th of December 1846.

I have the honor to be

With high respect

Your Obedt servt

Wll: A. Graham

Hon: David Weller
Secretary of State

Copies

Newport (R.I.) 7th August 1807

Dear Sir

The enclosed is a translation of a letter which I have received from my friend and colleague in the Spanish Senate, the Count de Baldívar. I trust you will excuse the liberty which I take in forwarding it to you, and in requesting you to be kind enough to let me know at your convenience what answer I may give to this letter. The politeness which I have always received from you, and my desire to oblige my friend the Count, will I hope plead my excuse for giving you this trouble.

Believe me dear Sir

Faithfully yours

A. Calderon de la Barca

To the Honble

Mr. Graham

Rec'd 16 Augt.

M. Mackay Shippards

Answer 28 Augt. New York Aug 15, 1851

Hon. Daniel Webster

Secretary of State of the United States

Sir

A late resident of the
Island of Cuba, and subject of the
Queen of Spain, has come to reside
in this city, and has taken the
preliminary steps to become a
citizen of the United States, by
properly declaring his intention
under the acts of Congress.
He has also taken such pro-
ceedings as are necessary to enable
him to hold real estate within
the State of New York; and in
consequence, is subject to the
duties, taxes and burdens
of ordinary citizens here.

He is still the owner of real
and personal property in the
island of Cuba; and before
leaving, was a civil and military
magistrate there.

He has taken no part in the
recent outbreak.

He wishes to know whether, in
the event of further political
or national disturbance there
the Government of the United
States, in view of his declare-
d intention to become one of its
citizens, would be disposed
to protect his property on the
island from confiscation by the
Spanish Government; or to interfere
by way of protest or otherwise,
in secret or no remedy such a
disturbance.

He is a Creole by birth, and is apprehensive that some measures may be taken against him, in consequence of his change of abode and allegiance. His property in Cuba cannot be immediately disposed of without immense loss; and as he designs to be a permanent resident here, and to use all due diligence to become a citizen, he wishes to throw himself upon the protection of our Government.

Any information which can be given on the above points, consistently with the duties of your office, would be gladly received, and would confer a great favor on the party concerned.

The subject is an important one, and an early attention to it is solicited.
With much respect, I remain

Your ob't Servt
D. Shephard
14 Grace St.

Rec'd 18 Augt.

J. P. Pierpont Hall
E. M. Dyer

Southern District of New-York,

U. S. DISTRICT ATTORNEY'S OFFICE.

August 15th 1851

Sir,

I had the honor to receive in due course of mail your letter, and its enclosures relating to the Spanish War steamer "Pizarro".

I have communicated with the Spanish Consul, and the Counsel for the Libellants and will take such course in the matter as may be consistent with the duty of the Government and the exigencies of the case.

Very truly

Your Obedt Servt.

J. Pierpont Hall

C. A. Kelly

W. S. Derrick Esq.
acting Secy of State.

Rec'd 17 Augt. 1850.

Country Prisoners
August - 1850

Ex. Doc. 83, Banque Georgiana, 113-115

Statement relative to the seizure
of the Convoy prisoners by the
Steamer of War Pizarro and Brig.
Habano, as follows: Having all
an hour at the Bay of Convity, these
vessels arrived at our anchorage on the
18th May at or about 4 P.M.
having come aboard of the
Barque Georgiana & Brig Pisa Land
and having after a brief parley with
the Captain of the Georgiana, and Mate,
(or acting Capt.) of Brig Pisa Land
ordered us on board of the above
mentioned ship of War, and after direc-
ting a few inquiries to a few of us
they ordered us part to return on board
of Barque Georgiana, and made such
persons turn to work at filling boats
with Coal, (which was used as ballast)
and during this occupation by us
urged us on to work to such their
desires by Sunday blows, and abusive
language, so this we submitted with
good grace, having finished the filling
of boats with Coal, they proceeded to
put us aboard of the Pizarro & Habano
placing the rest of us on board the Pizarro

And firstly, I am on board of Brig Haban
at this critical moment, there, Seemed to
exist a great deal of excitement on board of
these vessels, among the officers a continuo
bustling and consultation was visible;
they had already decided, the Captain of the
Georgiana and another to be hung, con-
cerning the Captain, they proceeded
so far as to place a rope around his neck
readily quashed, and from twenty to
one hundred pounds of lead to each
leg, which they did not carry their threat
into execution we are unable to say, for
they had declared to the first two
(that had been carried on board as
allegedly related in our statement of
the day preceding or before, the 1st
Sesame) that they should be hung and
also all hands Considering it as situated on
affording the best as the Camp for us
they said they intended, hanging
Having as stated, changed the
mode of procedure, as regards the han-
gards, they set to work binding the
main masts to light, that it caus-
ed many to complain of the signature
of blood, this practice and were
considered to be the third decade of Sep-
(till the thirteenth) and the thirty ninth

2

were placed in similar situation on board
of the Brig Habanero once secured
in this way, their next move was to get
underway for Havana at which an officer
had arrived on the 20th May and from
our custody on the Pizano in the Pizano
party were removed onboard of the Ship
of the Line Soferano, with the exception
of one, A. J. Moore, arriving on
board said Soferano we were placed
in him on the top Deck, whom thus
placed our persons were searched, to see
if we had concealed weapons. The same
policy had been pursued at the time of
seizing us at Portroy, and was here again
ostensibly reprobated; after having rifled
our persons of whatever articles of value
found with us, it were ordered in the
most brutal manner to descend both
third Gun Deck, and having arrived
there, orders were issued to chain on stock
le us two by two, i.e. placing a shackle
on one leg of each party, while was an
iron bar of eighteen inches long, and
brighten. In circumference, placed in said
shackles so as to connect the parties
together, being manacled in this manner
were placed on the floor and ordered to
lay down and keep silence and in this

And if you will be on board of Brig Haban
at this critical moment there, I expect to
find a great deal of excitement on board of
these vessels; among the officers a continual
bustling and consultation was visible;
they had already decided, the Captains of the
Georgian and another ship being, con-
cerning the Captain, they proceeded
so far as to place a rope around his
neck already quitted, and from twenty to
one hundred pounds of lead to each
leg, which did not carry their thun-
derous execution we are unable to say, for
they had declared to the first ships
(that had been found on board) as
already related in our statement of
the (they may regard on board the Ell-
erton) that they should be hung and
also all hands. Considering its situation on
affording the enemy as the camp for us
they said they intended, hanging.

Having as stated changed the
mode of procedure as regards the han-
dars, they set to work binding the
hands. Having so tight that it caused
many to complain of the stagnation
of blood; this managed and were
considered to the third deck of the
(till the thirteenth) and the thirty ninth.

was added the vigilance of two Sentinels; to this may be added the various modes they exercised of tormenting us, such as would be too lengthy to give in detail, we the party of two thus manacled remained until the two fourth in the almost-pending; but knowing what course they were going to pursue to obtain us; finally on this date we were informed of their intentions of trying us by our affidavits which was to be given by us and according to their import, to implicate or clear us of the accusation pending at the time; the pl. pursued during the whole of this farce, was boisterous Spanish profanity, arrogant and vindictive looks and threats used from time to time during the examination of the Captain; and further to impose on this state of procedure a further mark of ignominy, the prisoner was led manacled by both hands in the presence of his Honor the Fiscal and his ~~two~~ interpreter, who pret-
ning to be a thorough English Scholar proceeded with his angloines, as dictated by the Fiscal and in his efforts to use the figurative and flowing speech of Mr. Fiscal plunged himself deeper and deeper into a labyrinth that already appeared to them insurmountable.

they continued to pursue this course during the investigation of the twelve; and on the arrival of the thirty nine from on board the Brig Habanero on to said Potosano, pursued further acts of cruelty such as Capitaining us not to speak to each other, &c. for if we did we would bring down their ire, in such a manner as to cause just to be double pronounced, and sent to the Puntilla: this is a solitary place of confinement, where the rod and other modes of inflicting punishment is recurred to, and from whence the prisoner seldom, if ever, returns to the light of day.

In their investigation they pursued the lowest cunning that a man of such pretensions as the Fiscal could be guilty of, exposing to his intended victim, the variousness of pretended intellect and unbounden knowledge, in so audacious a manner that the most despising, and probably the least quick to discern, took courage, and looked on the heretofore tame and dreary picture, with lightsome hearts and unclouded brows. It is useless to state the various subtle pug made use of by these two worthies

a detail, in full would be too long;
since that to follow them through
will their intricate road would afford
matter to die many a sheet.

You, as regards our treatment
with regard to food &c we will give a
short detail; in the morning we were now
from our couch of soft splints, and
shifted from one side to the other, and
these remained (with our manacles) during
the scribbling of the Dates, at the con-
clusion of which we were marched to
our former place, and there made to lay
on the wet Deck, surrounded with ~~and~~
to spread on the wet Deck to keep the
dampness from us, in the first place
they took all our clothing & other necessi-
ties, and thus deprived of what little
comfort we might have enjoyed, in
the possession of these articles, which
are so essential; even if, for no act of
luxury, for one's own comfort, the result
of this state of things was that we
became loath to go man, and remain
mystified with us to such a degree
that they finally permitted some clothes
to be brought to us, which was presented
to us, in our distress, by (the ever memora-
nus, to us). James Foulhouse.

Having as we say sanctioned this gift
to us they represented that it was
done through the Clemency & magnan-
imity of his Excellency, Count of O'Reilly
Capt: General of the Island of Cuba.

To the undersigned Henry Stevens
I hereby certify to the foregoing facts: Thos H. Armstrong
O. B. Davis
John H. Hinckley
John W. Gable
William C. Smith
John Winter
William Pennington
William S. Lake
James Martin
David Holgate
John Johnson
Alexander Miller
William Mcintosh
Levi Brown
James MacGowan

Rec'd 1 Sept.

P. Hamilton

23 Aug

J. Office U. S. Atto.

Mobile Augt 23rd 1857

Sir

This revolutionary movement in Cuba, is assuming in this part of the Country a great deal of importance. In New Orleans, it has shown itself in acts of violence, in the destruction of a Spanish Newspaper office, in attack upon several Spanish Coffee Houses, and in coercing the Spanish Consul to deliver letters & documents that had come to his possession.

The feeling in Mobile is not of so warm a character, still I fear it is not of that character that becomes our citizens. Aid and encouragement to the Cuban rebels, not be passed upon - and some, if not most of our leading citizens do not hesitate to countenance & sympathetic feelings expressed by the more thoughtful. A large meeting was held here last night, to sympathize with the movement - so far I have heard of nothing having been done, except the passage of Resolutions: but it is rumored a band of men is organizing to proceed to Cuba. I am not in the position of any evidence on which I can act, even if action were to be sustained by the Judicial Authorities, or by the opinion of the community. Still there is so much danger to be apprehended, that whatever can be done shant be done.

We have no authentic news of any vessel having left this Country, save the Steamer Pompeo from N. Orleans, with ^{from} 450 to 500 men. No vessel has left this port. I am pretty well satisfied of that. But a number of men have gone from this place to N. Orleans, in fact.

small parties of men, 5 t. 8, at a time are almost daily, passing thro' this city to New-Orleans, on their way to Cuba: at least such is apparently their object. The failure of the prosecution against Lopez & others, seems to have emboldened men to the belief, that nothing can be done to punish them, or prevent the embarkation of men. A large number of men are said to be at New-Orleans ready to go forward. Our coast is of such formation, as much to facilitate the shipment of men; in the absence of a number of vessels to keep a general watch.

We have information now of the landing of Lopez, and of two or three skirmishes, in which he is said to have been successful, and also of the capture and death of some ⁵³ of the party on the Pampers, by the Spaniards. Other men will doubtless be taken by the Pampers from some part of the Coast. & our duties as neutrals will be violated -

I have been desirous to suggest to the Government that two or three or more small vessels, steamers if practicable, cont. be well employed, in watching the mouth of this Bay, and the several passes to the gulf, from the lakes, and lagoons upon our coast. Many lives cont. perhaps be thus saved, and I view it as deep reproach, to the Country saved.

I would also suggest that some naval officer with authority to call for and direct the movements of vessels might be stationed at Mobile, or on some part of the S. West Coast with advantage - Pensacola is so much int. of the way, that an expedition cont. proceed so little, before information of its cont. be known the world over. I view this subject with deep anxiety & per-

have thus transcended my line of duty

Very Respy

John C. Frémont

Admiral

U.S. Navy

To Hon. Danl. Webster
Secy of State
Washington

Recd. 25th Augt.

Geo. N. Battell

W. Mass. July

Boston, Augt 23, 1851

The Hon. Secy of State, of the U.S.

Dr Sir

Your attention to the Subjoined, is respectfully
requested.

On the 5th of May, 1851 I made
application to you, through Chas. W. F. Adams,
of Boston, for a Passport, which I received, and
for which I paid to him, Two Dollars.

I proceeded to Havana, Cuba, and was there
informed of my Passport, by the Capt. General,
on the first day of June, the day of my arrival.
I was subjected to a fine of Thirty Five Dollars,
which I had Receipt. Upon my Departure,
was obliged to procure a Passport, at an expense
Six Dollars 57 cents.

I claim from the U.S. G.
overnment, a return of Thirty Five Dollars, on
a ground that the Passport was no Protection
whatsoever.

Yours Respectfully Geo. N. Battell

Fax

Cecil 11 Sept.

W. R. Hackley

23. Augt.

Key West Fla August 22^d. 1857

Mr

I have the honor to inform you that on the 10th Inst. The Steamer Lampião of New Orleans came to anchor just outside of the Harbor about sunset where she remained four or five hours. She had on board 450 men with Lopez at their head, but as far as I can learn none of the principle men of the Creole expedition except Bell, and Lewis who commands the Boat were on board. I did not see the Boat and it was late in the night before I knew of her being anchored near us, and I had no means of arresting her. The Revenue Cutter, on this station not having men enough to set her under way and I am sorry to say the greater part of the Citizens of the place sympathize with the party and could not be depended on for assistance in making the arrest. Upon the 13th early in the morning the Lampião returned bringing a certificate from Francisco Lopez that she was a Cuban vessel commanded by the Cuban citizen Lewis, and Lewis informed the Inspector of Customs, who advised her that her Papers of the Steamer were in the Custom House at New Orleans. The Inspector reported the fact to the Collector and before he could get back to seize her Lewis slipped his line and ran out of the Harbor. Lewis reports that Lopez landed at Cubanas without protestation and that he was bound to Savannah; I have since heard that the Lampião remained joining the rebels until the 15th at which date she was seen near Cape Florida under full

Steam boated North. I have heard that several men joined her while up the Reef they were men of no character. Allow me Sir to suggest the necessity of an armed Steamer being stationed here to prevent the Keys being made a rendezvous by Lopez' Gang & Sail Vessels their being no benefit in the summer months and the Reefs and Keys will be used of aggressive purposes unless they are guarded by Steamers. I give the liberty I have taken in making these suggestions and also in reporting to your Department if it should not be the proper one.

Your Obedt Servt.

The Memorial

Daniel Webster

Chief of State Dept.

W^m R. Hickley

U.S. Dist^t Atty
S^t dist^t filo.

Recd 3 Sept.

Collector's Office
Custom-House, New-Orleans

the Spanish Subjects, and to Commerce
in general).
The instructions are received from His Excellency the
Minister of Her Catholic Majesty, at Washington, and
at the time that the Consulate under my charge is closed,
my duty, and I hereby give notice to all Spanish subjects,
I place their persons and property under the protection of
authorities of this country, and of the representatives in
city of the nations allied to the Government of Her Catholic
Majesty; and to commerce in general, that all business con-
cerning to my official capacity, will be attended to, and dis-
patched indifferently by the Consul of Her British Majesty
and French Republic residing in this city.
JUAN IGNACIO LABORDE Y RUEDA,
Consul, protest.
New Orleans, August 23, 1851.

Custom-House, New-Orleans,

Collector's Office, Aug 23 1851.

SIR:

I have the honor to enclose an
advertisement of the Spanish Consul which
appears in this morning's paper.

I am etc
With the highest regards
Wm. F. Foyet.

Wm. F. Foyet
Treasurer of State
Washington.

Collector.

Foxhall A. Parker.
26 Aug

Rec'd. 28 Augt.

Dear Sir,

U. S. Flag Ship Saratoga
Norfolk, Aug. 26, 1851

Mr.

I have the honor to acknowledge the receipt of your communication of the 23 Inst. in regard to certain transactions which have lately taken place in the Island of Cuba, and, in obedience to orders from Her Hon. Secretary of the Navy, shall immediately proceed to Havana, and carry out the views of the State Department, as expressed in your letter.

I am very respectfully
Yrs. Obedient Servt.

Foxhall A. Parker
Commanding Home Squadron

U. S. Merrick Esq.
Actg. Secy. of State,
Washington,
D.C.

2d. 6 Sept.

Mr. Justice J. Prescott Hale
30 Augt

Confidential.

Southern District of New-York,

U. S. DISTRICT ATTORNEY'S OFFICE.

August 30th /837.

Saturday - three o'clock

Sir,

The subjoined paragraph from the Journal of Commerce has doubtless been presented to your observation.

Upon the strength of it, I caused this day an affidavit to be made upon which I signed a subpoena and brought before Commissioner Mr. William H. Hallcock; the author of the paragraph referred to. He is the son of the principal Editor of the Journal of Commerce and one of the proprietors of that paper, and had declined to explain anything to Mr. Maxwell which he had published in his Journal.

Upon the examination before the Commissioner his testimony was

was substantially this, and no more,
namely, that some few days ago
he was in the shop of a trunk
maker on the corner of Pearl St.
and Maiden Lane, for the purpose
of making a purchase and was
then and there informed by the
trunk maker that a certain
Spanish Havana Merchant had
ordered eighty trunks to be made
of certain dimensions, in which
articles were to be shipped to
Havana; said as they had been
before, and this form of package
was adopted, to elude the vigilance
of the Spanish officers. Mr. Halloran
saw one sample trunk of small
dimensions made of sole leather,
and no more. He saw no
arm., did not know the
name of the trunk maker nor that
of the merchant, nor had he
any information upon the subject
beyond that above stated.

Now there is no law to prevent
the shipment of arms abroad by
a merchant, to be sold or used
in a foreign land & if they make
up no part of a military
expedition to be carried on from
this country; nor is there any
authority for the seizure of such
arms conferred upon the civil
officer of the United States. The
sixth and eighth sections of the
act of 1818 are the only ones
under which we can act
with any effect, for the provisions
of the eleventh section seem to be
confined to the case of vessels
"built" for warlike purposes and
intended as cruisers, altho' the
10th authorizes the extraction of a
bond in certain cases, like that
of the Framer United States, detained
here in 1849.

Respectfully referring
to my letters of yesterday and
the

the day before I remain
Your obedient servant
C. Prescott Ball.

S. J. Atty

Hon. William A. Graham
Acting Secretary of the Interior
Washington.

ARMs FOR CUBA.—We were yesterday in an executive trunk warehouse that has been busily engaged, during the last week or two, in filling an order for about eighty trunks, for a wealthy merchant of Havana, in which pistols are packed, designed for the use of those favorable to the Lopez cause. Each trunk is calculated for about fifty revolvers, which are to be distributed among such as will use them in the manner desired.
[Journal of Commerce.]

With great respect & affection
John Galt Sedgwick

The relation & the movement
of Cuban revolution
figures as the C. S. in Memphis.

Recd. by
H. G. to the Adj'tant
Min. of War
Sept. 1st, 1861
A. G. S.

Rec'd 30 Augt 51.

Dear Mr. D.C.

30 Augt

M. L. Parker

Treasury Department
August 30th 1851.

Mr. ——
I acknowledge receipt of your letter
of this date, with the accompanying copy of
a letter from the Spanish Minister, stating
that as no exceptions were about leaving
the ports of New York & Savannah for the
Plates of Cuba, & in reply, I have the honor
to state, that the most rigid instructions had
already been issued by the Department to the
Collector on the subject of exports of this
kind, & that, immediately on the receipt of your
above letter those instructions were reinforced
peremptorily to the Collector of the two above ports
both by Telegraph & mail, in the most emphatic
manner & can only add, that nothing within
the means of the Department will be omitted to
check & break up all evasions of the same.

Very respectfully

W. S. Burritt Esq.
act. Sec. of State

James A. Garfield
Off M. S. George
Ass't Sec. of the Treasury