

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microcopy No. 179

**MISCELLANEOUS LETTERS
OF THE DEPARTMENT OF STATE**

Roll 312

November 1-15, 1869



**THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION**

Washington: 1964

Philadelphia. Nov. 4. 69.

Emilio J. Catada.

Cuban Commission

Jan. 1872.

M. Chilton
Treasury Department, _____

November, 6 1869.

DEPT. OF STATE
NOV 10 1869
Sir:

I have the honor to acknowledge receipt of your letter of the 3rd instant, to the Secretary, requesting the admission free of duties and charges, of two barrels Spanish Wine. Four cases Wine and Marmalade and one case Cigare marked "N. S. R. 117" as per bill of lading herewith returned

~~imported for the use of the Spanish Ministers~~
in the "Columbia" at the port
of New York, from Havana

The Collector of Customs at that port has been instructed accordingly.

I am, very respectfully

J. D. Macey
Assistant Secretary of the Treasury.

Hon. Hamilton Fish
Secretary of State
Washington D.C.

Philadelphia, Nov. 10. 1869.

J. Gonzalez. (T. L. Aguir)

Cuban Commission

Jan. 1872.



Executive.

Nov 13 1869

Case of Ogier Tho L.
Phila Pa.

Calls attention of the Govt
to a naturalized citizen of
the U.S. imprisoned in Spain

Respectfully referred to the Hon.
the Secretary of State

By order of the President,

Amos Porter
Secretary.

495

U.S. Marshal's Office,

Southern District of New York.

New York Nov. 10.

2 copies wanted

1869

SAB

copy to [unclear]
and [unclear]

Hamilton Fish,
Secretary of State:
Sir,

From the activity which seems to pervade Cuban circles, and from information gathered from the Junta by my detectives, I am inclined to the opinion that measures are on foot to get off another expedition.

I have enjoined extra vigilance upon all the detectives, and shall use every endeavor to stop any expedition which may try to sail from this port. The only sources from which I can get information relative to Cuban matters, are from the Spanish Consul, and the Superintendent and two detectives connected with Pinkerton's agency, whom I continue to employ the same as my predecessor.

I have only one Revenue Cutter at

my command - the Seaward. If any emergency arises, I shall do the very best that can be done with the means at my command.

I have the honor to make the following inquiries:

Have I the power, as Marshal, to stop any vessel laden with arms and ammunition, which are supposed to be intended for the Revolutionists in Cuba?

If a party of men, supposed to be ^{volunteers,} Cuban, intending to sail from some other port, leave this City by Rail, shall I arrest and detain them on suspicion, without warrants?

As I am not acting under a Commission from the President, as was my predecessor, I desire to be informed on points which are not entirely clear to me.

Very Respectfully

Your obt servant

S. R. Harlow

U. S. Marshal.

S. D. of N. York

and

Recommendation

D. Love

to Mr Nelson with request
to see your office

Paris 12 Nov. 1869.

did in Vane 26th

✓
Hon. Mr Hamilton Fish. ✓

Dear Sir,

I have just received a copy of the letter & Memorandum that the Minister of the United States in Mexico transmitted to you with date of the 30th August last & I can assure you I feel most indebted & grateful for the kind interest you have taken in my behalf in recommending this affair to Mr Nelson. I beg you will permit me to again intrude in asking you to use all your influence in order to efface many obstacles which said Memorandum contains for my personal interest.

In the first place, you can state that the House n^o. 16 Bridge of San Francisco was not purchased by my ever lamented Husband General Almonte, said house having been bought by

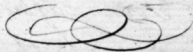
me this request as the situation in which I am
left with my family is most painful & the
only resource I can look forward to, are these Houses.

Please at the same time express to Mr Nelson
my gratitude for the active part he has taken in
obtaining all the informations respecting this affair.

Hoping that you will excuse all the trouble
I am giving you, but at the same time feel
assured you will not refuse to aid me, on
account of the sincere friendship that existed
between you & my departed Husband, allow
me dear Sir, to express to you the sentiments
of my deep gratitude & esteem

Very truly,

Dolores Quisada de Almonte



Copy to be retained



Mr. Chilton ✓
Navy Department.
Washington Nov 13th 1869

Sir:-

I have the honor to acknowledge the receipt of your communication of the 11th Inst, enclosing a transcript of a communication from the U. S. Marshal for the Southern District of New York.

Copies of the said communications have been transmitted to Rear Admiral Stringham, Port Admiral at New York, and he has been directed to render the Marshal every assistance in his power in preventing the departure from New York or that vicinity, of any unlawful expeditions in aid of the Cuban insurgents.

Very Respectfully
John Robeson
Secretary of the Navy.

Hon. Hamilton Fish
Secretary of State. }

Continued

Nov 22 28 Jan 1

No: 3 B 10

V

Nov Hamilton Fish
Secy of State U.S. A



Sir 13 Nov 69

I have the honor to bring under your notice the fact that a great many of our most influential citizens with myself are very desirous of annexation to the "United States", and would be delighted and proud to see the stars and stripes floating over our heads. The interests of the Bahamas, at the present day are allied to those of the United States, and their future prosperity and welfare will in my opinion be only secured by annexation to them. If the United States Government is favorable and will offer to purchase the "Bahamas" from the Br Govt I will pledge myself to do all in my power to assist in its accomplishment, and I will promise to draft a Petition & get it numerously signed by the inhabitants praying for this event.

I need not remark upon the advantages accruing to any Govt

by the possession of this group of
Islands; the Keys to the Gulf. Their
past history proves their importance.
The frequent struggles made by the English
and Spaniards at various times
to possess them clearly show that
they were considered valuable acqui-
sitions, but more particularly would
they be of value to the United States
of America. All her large carrying
trade to the Gulf Ports Mexico, Cuba
and even some of the West Indies
passes over the Bahama waters,
while at the same time Nassau can
be made a very fine Naval Station.

And remain Sir
very respectfully
Yours &c &c

Wm R Saunders
refer to Thos Kirkpatrick Consul for
your Govt who will acquaint you
Mr Saunders is, his former services
to your Government &c &c

Nassau N P
13th Novr 1869

Recd at Boston
Did to 16 Nov.

Mr. Hamilton



Navy Department.

Washington 15th Nov 1869

Sir:

I have the honor to
acknowledge the receipt of your
letter of the 13th Inst with its enclosure
and to inform you that the U.S. Army
Public at New York will be held
in readiness to assist the Marshal
in thwarting the departure of any
unlawful expedition in aid of the
Cuban insurgents.

Very Respectfully

Your Obedt Servt

Wm. H. Hamilton
Secretary of the Navy

Wm. Hamilton Dist
Secretary of State

DEPT. OF STATE
NOV 18 1869

Take to [unclear] - return original to [unclear] Secy.
[unclear] to [unclear] [unclear]

Enclosures returned
22 Nov wrote to [unclear]
22 [unclear]

2 copies. Enclo-
sures wanted. ✓

Attorney General's Office, SA 13

Washington, November 15th, 1889.

Hon. Hamilton Fish,
Secretary of State.
Sir.

I have the honor to transmit
herewith, (with request for its return after
perusal,) a letter from the United States District
Attorney at Philadelphia, enclosing a report of
the United States Marshal there, relating to
the Steamer "General Dulce".

Very respectfully,
Your obedient servant

C. K. Har-
Attorney General.

copy enclosure
[signature]

Office of United States Attorney;
Eastern District of Pennsylvania.

Philadelphia, November 13th 1869.

Hon. E. R. Hoar
Attorney General.

Sir,

The Marshal of this District in accordance with instructions to him contained in a letter from the Assistant Attorney General bearing date the 5th of November 1869 visited and examined the Steamer General Dulce now lying in this port. He took with him Capt. John H. Young, who is an old and experienced ship master, well acquainted with such matters, and received from him a statement in writing relating to the character and condition of the vessel, a copy of which he has lodged with me. I have the honor to enclose you a copy of this

and of a memorandum annexed
signed by the Marshal showing
his concurrence with it.

Very Respectfully
Your obed^t Serv^t
Gubrey H. Smith
U.S. Attorney.

J. E. M. Gregory,
United States Marshal
Eastern District of Pennsylvania.

The undersigned at your request visited the "Steamer General Dulce" now about ready for sea, and after a careful examination respectfully reports the said Steamer is in good order - of small capacity and power - say about 150 horse - with large deck accommodations for passengers. The Coal bulkheads are full of coal and contain 87 tons, with the intention of putting 50 tons more in the forehold, for the purpose of bringing her in trim; as her coal consumption does not exceed 10 tons per day it will be observed that the above quantity will give her about 13 days steaming.

The quantity of stores on board, is perhaps not more than sufficient for 20 days consumption for her ordinary crew. In fact the outfit (excepting coal) is under rather than over the usual

necessities for such a vessel.

Being entirely unsuited for anything else than passengers and a very small amount of cargo, I respectfully submit that there is nothing whatever of a suspicious character either in the vessel or her outfit.

Respectfully

John H. Young

Philada Nov. 10th 1869.

United States Marshal's Office
Eastern District of Penna.

Philadelphia Nov. 11/69.

I fully unite and agree with Captain Young in the foregoing report, having accompanied him in the examination of the ship.

E. M. Gregory J
U.S. Marshal.

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**MISCELLANEOUS LETTERS
OF THE DEPARTMENT OF STATE**

Roll 313

November 16-30, 1869



**THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION**

Washington: 1964

Santiago - De Crespigny / Mr. J. Smith

Treasury Department,

Fifth Auditor's Office,

Washington, November 16th, 1869.

Sept 17
Sir:
Mr. Richard J. De Hart United States
Counsel at *Santiago de Cuba* having
transmitted to this Office, for adjustment, his Account for time occupied
receiving his instructions,

I have the honor to inquire for what period I am to credit him therefor?

He charges from *July 15th, 1869, to August 13th*
1869, Thirty days.

Yours

I am, very respectfully,
Your obedient servant,

Henry D. Barron,

Auditor.

To Hon. **HAMILTON FISH,**
Secretary of State.

Brocklyn Nov 19th 1869

Wm. H. Fish,
Dear Sir.

Abr. 22.

Havana.

I in April last addressed a letter to you in regard to my sister Mrs del Rio at that time residing in or near the City of Puerto Principe Cuba being anxious that she should return home on the first opportunity as myself and family were apprehensive for the safety of herself and three children as the insurgents at that time were rendering the transit from Principe to Newitas hazardous and difficult for travelers between those points unless they might be provided with proper military escort. This state of the country here we learned from various trustworthy and reliable sources viz from one or two parties who succeeded in getting from Principe to Newitas but not without placing their lives in great jeopardy. From statements of the press here and elsewhere and correspondence from that country. I received a copy of a letter from Vice Consul General H C Hall dated Havana May 6th last enclosed in one from your Secretary Mr Wm B Davis dated Washington May 19th last.

This letter from Vice Consul Mr H C Hall states that General Dulce had informed him that in the beginning of April last that he had sent instructions

to the military and other Authorities at Newitas and
Punto Principe to facilitate in any way in their power
the escape of such of our Citizens as desired to leave
the latter place". And also that the U S
Proconsul had been ordered by Admiral Hoff ~~to~~
~~send~~ from Remedios to Newitas to bring away such
of our Citizens as desired a passage to Havana.

Mr Hall kindly promised to send a copy of my letter
to the Agent at Newitas with a request to him to commu-
nicate with my sister Mrs Risco and ascertain her
wishes but up to this date we have no information
from Mr Price that he has been able to commu-
cate with Mrs Risco ^{and} my sister has through other
sources informed our family of her distressed
and dangerous condition and long cherished
desire to return home with her children if she
^{could} do so with safety or could have done so ^{she} would
have been with us long since. The information
from Newitas prior to our present Consul Mr Price
going there was that the life of any American even
not suspected was in great jeopardy from the Militia
or volunteers in or about that place who were without
discipline and set at defiance the authority of the
government and I believe that my sister and her
children would have been massacred should they
have attempted to have reached Newitas even if
should the government have tendered an escort as the
best authority informed us that the regular troops were

here stationed there and were in service in that
unity were insufficient in numbers to quell and keep
down acts of violence and disorder the volunteers then
in the service of the government. Mr Gibbs our former
Consul there called upon us here and stated that such
was the condition of affairs when he left Havanas
and that he considered his life in danger from causes
I have here mentioned and I presume made similar
statements at Washington on going there soon after
his arrival here. I have not heard from our
present Consul Mr. Price since June last and do
not know what may be the condition of affairs
there at present but I hope that there is a U. S. Ship
of war there and that one will remain ~~there~~ const-
antly to give protection to our citizens desirous of
availing themselves of it. I speak not only for my
own relatives but for others whom I know to be in
that country under similar circumstances of distress
and peril.

If it may not be improper for me to
suggest I should suppose that the Spanish Government
in Cuba would permit some of our naval officers to
pass through their lines into the territory near or
in the country about "Principe" or wherever my relatives
and other American ladies and their families may
be found and bring them to the nearest seaport
that they may embark for home upon some U. S. vessel
as I hope that the vessels of our Squadron are very often
looking into the different ports of Cuba at the present

As my sister informed us in August last that she was nearly destitute of proper clothing and that her children were in rags and as there are no freighting vessels now bound to the port of Newitas which is the nearest harbour I believe to Puerto Principe being only about 60 miles distant I wish to be informed if I may be permitted to place on board of any U.S. Ship or vessel that may go to Newitas a suitable quantity of necessary clothing for my sister and her children to be left with Mr Price U.S. Consul to be given to her if she should be so fortunate as to arrive at Newitas to embark for home,

And I would also ask our naval officers should be permitted to pass into the country occupied by the insurgents that they may take with them articles of wearing apparel for my sister and her family which we know must be absolutely necessary for her to appear in the presence of our officers should they succeed in reaching her. The articles for this purpose shall be put up in such a manner as make them portable and easy of transportation and in the smallest possible compass and in such manner as shall be directed by yourself or the naval authorities. If I am granted this favour I would also ask that I may be permitted to send some Spanish money through the same medium as I see no other manner at present that it will so quickly reach her.

The principal part of the clothing can be left with our Consul Mr Price at Newitas who is well acquainted with Mrs Price my sister but has been unable to communicate with her or he would have written. I believe that the Spanish government are so desirous of being on friendly terms that they will grant the favour of letting the officers of our navy pass through their lines to the rescue of our American ladies and restore them to us. May some male member of our family go with the ship and accompany these officers. Can a ship go direct from this or some other Northern port or any port in the United States. They go in the name of humanity. I implore you to do so having ties as dear to me as my sister is to me to act immediately and save her and her innocent children from perishing. I am your obedient servant J. Thompson Jr 203 Henry St Brooklyn

Nov 20th 1869
Nov 27/69
DEPT. OF STATE
NOV 27 1869
ST. LOUIS

Mr. C. P. Smith

17 Pemberton St.

Boston November 19th 1869

Hon. William Fish, Sec^y of State

Sir: Messrs Riggs & Co. as agents of the Department of State have given notice to the holders of certificates that an annual installment of interest on certificates of Spanish Indemnity will be paid, on demand, at their office.

The Convention of Feb^y 17th 1834 (8, U. S. 460) and the inscription annexed to it, pursuant to which this interest is paid, stipulate that interest is payable in pesos fuertes (i.e. hard money) noting each "peso" at five francs forty centimes.

The holders of the certificates have always claimed and demanded their interest in coin but have been informed by Messrs Riggs & Co. and the Department of State that the legal tender Act applied to this claim and that their interest was payable in currency - against which rulings many protests have been respectfully made. These protests are now substantially sustained by the decision of the Supreme Court, declaring that contracts for the payment of a particular kind of legal tender must be performed according to the terms of the contract.

The certificate holders supposed that after that decision their interest would be paid in coin, and I had the honor of directing the st-

tion of the affairs of the U. S. government
to this point by a letter to the Sec^y of the Treasury
of April 4th '69, which was referred by him to the
department of State.

The agents of the department however
continue to neglect the plain rights of the holders of
these certificates and are now offering to pay in
currency and not in coin - whether they have
received it from the Spanish Government in coin
or in currency I do not know, but if in currency,
(incredible as it seems) they have done so without lawful
authority, and are of course liable to the government
for which they act, to make good the difference.

To holder of certificate No 401 - I respectfully
request that the interest due me and now in the
control of the department of State for distribution
may be paid in coin and that the agents of the
department may be instructed accordingly
Very Respectfully
Samuel Snow



20 Nov 69

file

The undersigned, a citizen of the United States, for many years resident in the State of New York and engaged in the City of New York in the business of Manufacturing Engineer and Ship Builder, begs respectfully to lay before the Secretary of State of the United States, the following statement of facts:

That in the ordinary course of his business, he, on or about the third day of May in the year 1869, undertook and contracted with Captain Rafael de Aragon, on the part of the Government of Spain, to construct, build and completely furnish, thirty Steam Gun-boats ready for sea, within eight months from the date of said contract.

That by the express terms of such undertaking and contract, the aforesaid boats remain the property and in the control of, the undersigned until all payments therefor are completed, and that as yet, large sums, amounting to more than three hundred thousand dollars in gold, remain unpaid thereon, whereby the undersigned has great pecuniary interest therein.

And the undersigned begs leave further to represent to the Secretary of State, that he is informed and believes, that certain persons in this city, of the insurrection in the island of Cuba, are plotting the annihilation of the aforesaid ships of war by fire or

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other means and the consequent destruction of the large amount of property which the undersigned has therein; that the crowded and exposed condition in which the said boats lie in the harbor of New York, excites serious apprehensions on the part of the undersigned, that such threats can and will be put into practical operation, and the more so in view of the desperation of these Cuban partisans in the United States, of their persistent disregard and violation of the laws of the United States, heretofore in the matters of recruitment and military expeditions from this port against a nation with which this Government is on terms of peace and amity, and of the policy of incendiarism which now is said to characterize the acts of the insurgent Cubans in Cuba.

That in the month of August last, the undersigned was informed by General Barlow, then Marshal of the United States for the Southern District of New York, that he had been empowered and directed, by the President of the United States, to seize the aforesaid boats; which seizure he thereupon proceeded to make but subsequently permitted the work thereon to proceed as aforesaid, and that the undersigned was at that time informed, and now believes, that such action on the part of the Executive was based on a representation

of the Minister of Peru, resident in Washington, that the said boats were to be fitted out and armed, within the limits of the United States to cruise and commit hostilities, ~~in the service of the Government of Spain,~~ against the subjects, citizens or property of the Government of Peru, which representations the undersigned has reason to know, had no basis in fact, the aforesaid boats having been ordered, constructed and adapted as the undersigned has been informed and believe, to be used as guard boats around the island of Cuba, in protection of the authority of the Government of Spain in that island, and for no other purpose whatever, and are so peculiarly constructed, by their light draft of water, small size and incapacity of carrying the sufficient amount of fuel, provisions and stores as to render them unsuited to make a voyage to Peru.

That in making the seizure of the boats aforesaid, Marshal Barlow neither exhibited, or pretended to have, any process or warrant of attachment issued by any court of the United States, authorizing him to make the said seizure, but justified his conduct upon the Executive order transmitted to him as aforesaid, by order of the President of the United States.

That although the aforesaid

seizure was made many months since, no judicial proceedings have, to the knowledge of the undersigned, been begun in any court of the United States, to enforce or execute the prohibitions and penalties of the ~~Seizure~~ by Act of April 20. 1818, the provisions of which the Minister of Peru, asserted to the Government of the United States, as the undersigned is informed and believes, had then, or were about to be violated by the aforesaid boats, but immediately after their seizure, the boats were held by the Marshal and more recently by the Navy of the United States, acting under the orders of the President thereof.

That on account of the failure of the seizers to file a Libel against the said boats, in any court of the United States, as is usual in cases of seizure for violation of Municipal laws, the undersigned has not had an opportunity to meet in a tribunal of Justice, the representations made by the Minister of Peru, upon which the undersigned is informed, the said boats have been seized, and to this day detained.

And the undersigned is further informed by counsel and believes, that there is nothing now in the existing relations of Spain and Peru to justify the

detention of these boats. His attention has been called, to the persistency and length of argument with which in the official volume of diplomatic correspondence for 1868, Part 2nd, the representative of Peru, endeavored to prove, nearly eighteen months ago, that a state of belligerency had virtually ceased between his country and Spain and therefore the United States Government was not entitled to detain the Peruvian monitors "Oreota" and "Catawba". The claim that the war between these two countries had ceased, Mr Garcia, in his note of July 18. 1868 states, was fully concurred in by the allied Republics, as manifested by numerous letters. It is not the province of the undersigned to enter into an elaborate argument upon this point. It will suffice for his purpose here, to note, that both the Governments of Spain and the United States eventually accepted the position as defined by the Peruvian Minister, and that both, in consequence of that fact, as well as of ^{the} formal pledges exchanged on the occasion, the monitors referred to were suffered to proceed unmolested to their destination. The undersigned would therefore simply ask, how can the United States Government with any deference to justice, or consistency, now deny to Spain

a privilege, for the concession of which, in favor of Peru, they labored so strenuously, eighteen months ago - under circumstances too, which are all to the advantage of the former nation.

And the undersigned has the honor further to inform the Secretary of State, that the aforesaid thirty gun-boats are now nearly completed and ready for delivery by him.

Wherefore, as a citizen of the United States, he respectfully asks the Secretary of State, that the seizure thereof may be abandoned, in order that the undersigned may be enabled thereby to protect and secure the large amount he has invested in said boats, by delivering the same to the contractor in behalf of the Government of Spain, according to the terms and provisions of his aforesaid contract of May last.

Genl H Delamater

New York 20 Nov^r 1869



W. Jefferson

United States of America file
State of New York }
City and County of New York } ss.

20 Nov 69.

To All to whom these Presents shall come - I, H. J. Beahm, a Notary Public in and for the State of New York, duly commissioned and sworn and Oathing:-

Know Me, that on the twentieth day of November in the year 1869, before me appeared Cornelius H. Delamater, and being by me duly sworn according to law, voluntarily, freely and solemnly declares and deposes as follows, that is to say: —

First - That the undersigned is a citizen of the United States for many years resident in the State of New York, and is engaged in the city of New York in the business of manufacturing Engineer and Ship Builder.

Second - That in the ordinary course of his business, he, on or about the third day of May in the year 1869, undertook and contracted with Captain Rafael de Aragon, on the part of the Government of Spain, to construct, build and completely furnish, thirty steam gun-boats ready for sea, within eight months from the date of said contract.

H. J. B.

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Third - That by the express terms of such undertaking and contract, the aforesaid boats remain the property, and in the control of the undersigned until all payments therefor are completed, and that as yet large sums amounting to more than three hundred thousand dollars in gold, remain unpaid therefor, whereby the undersigned has great pecuniary interest therein.

Fourth - That he is informed and believes that certain partizans in this city, of the insurrection in the island of Cuba, are plotting the annihilation of the aforesaid ships of war by fire or other means and the consequent destruction of the large amount of property which the undersigned has therein; that the crowded and exposed condition in which the said boats now lie in the harbor of New York, excites serious apprehensions on the part of the undersigned that such threats can and will be put into practical operation, and the more so, in view of the desperation of these Cuban partizans in the United States, of their persistent disregard and violation of the laws of the United States, hitherto, in the matters of recruitment and military expeditions from this port against a nation with which this government is on terms of peace and amity.

and of the policy of incendiarism which now is said to characterize the acts of the insurgent Cubans in Cuba.

Fifth—That in the month of August last, the undersigned was informed by General Barlow, then Marshal of the United States for the Southern District of New York, that he had been empowered and directed by the President of the United States to seize the aforesaid boats, which seizure he thereupon proceeded to make, but subsequently permitted the work thereon to proceed as before, and that the undersigned was at that time informed and now believes that such action on the part of the Executive was based on a representation of the Minister of Peru, resident in Washington that the said boats were to be fitted out and armed within the limits of the United States to cruise and commit hostilities, in the service of the Government of Spain, against the subjects, citizens or property of the Government of Peru, which representations, the undersigned has reason to know had no basis in fact, the aforesaid boats having been ordered, constructed and adapted, as the undersigned has been informed and believes to be used as guard boats around the island of Cuba in protection of the authorities of the Govern-

must of Spain in that island and for
 no other purpose whatever, and are so
 peculiarly constructed, by their light draft
 keels, small size and incapacity of
 carrying the sufficient amount of fuel,
 provisions and stores to render them
 unsuited to make a voyage to Peru.

Sixth - That in making the
 seizure of the boats aforesaid, Marshal
 Barlow neither exhibited, or pretended to
 have, any process or warrant of attachment
 issued by any court of the United States,
 authorizing him to make the said seizure,
 but justified his conduct upon the Executive
 order transmitted to him as aforesaid by
 order of the President of the United States.

Seventh - That although the
 aforesaid seizure was made many months
 since no judicial proceedings have to the
 knowledge of the undersigned, been begun
 in any court of the United States to enforce
 or execute the prohibitions and penalties
 of the Neutralities Act of April 20. 1818, the
 provisions of which, the Minister of Peru,
 assented to the Government of the United
 States, as the undersigned is

~~the undersigned is not a party to the~~
~~by the undersigned to the~~
~~the undersigned to the~~
~~the undersigned to the~~

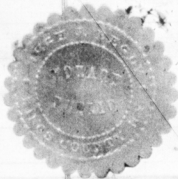
1440

informed and believes had been or were about to be violated by the aforesaid gun boats, and therefore the undersigned has been unable, by a judicial investigation such as is usual in cases of seizure for alleged violation of municipal laws, to show how untrue is the aforesaid allegation of the Minister of Peru, and so obtain a release of his property aforesaid by an order of Court.

Whereupon the said Cornelius H. Delamater does by these presents solemnly and publicly protest against the aforesaid seizure and against the further detention of the said gunboats and he hereby warns all persons interfering therein, in behalf of the Government of the United States or the Government of Peru to enforce the said seizure and detention and prevent the delivery of the said boats to the Contractor in behalf of the Government of Spain, That he shall hold them, and each of them responsible for all losses, costs, charges, expenses, damages and injury which to the said Delamater has already sustained incurred or been put unto

or may hereafter pay, sustain, incur
or be put unto by or on account of
the premises.

Com^d H. Delamater.



In witness whereof I have
hereunto set my hand and
official seal the day and
year just above written

Steph B. Lytle
Notary Public
State of New York



U. S. Marshal's Office,

Southern District of New York.

Mr. T. J. Mason

New York Nov. 20. 1869

Hon. Hamilton Fish,
Secretary of State:

Sir,

According to instructions contained in your letter, under date of Nov. 15th I have the honor to report:

That I have now engaged one Superintendent and eight Detectives. Two men are kept employed in watching the movements of Steamers in this Harbor; Two men, in the confidence of the Junta, to report their movements; One man to keep in with the parties who fitted out the Hornet, as it is likely that if any other vessel be fitted out, these same parties will have control of her; two men to keep track of straggling Cubans throughout the City, and watch their boarding houses and haunts, and gather

general information; One man to watch the shipment of arms and ammunition.

Although, as I understand the matter, we cannot stop the shipment of arms and ammunition, except they are accompanied by men & yet it is possible that, in this manner, we may obtain a clue to an expedition.

This force will be increased or decreased, as circumstances may seem to require.

I am, Sir,

Very Respectfully,

Your Obedient Servant

S. R. Hearlson

U. S. Marshal.



✓

New York Nov 21, 1869.

Sir,

M^r. C. H. Delamater, the contractor, who has furnished the 30 Spanish gunboats now nearly ready for delivery at this port, has requested me to inform the State Department whether these vessels are capable of being employed for aggressive or any other purpose, on the Coast of Peru.

I have no hesitation in assuring the Department, that these gunboats which, agreeable to the special request of the Agents of the Spanish Government, I have planned solely with a view of being employed for Coast defence, are wholly incapable of being employed on the Peruvian coast. In support of this statement, I beg to submit the following principal reasons: The internal dimensions of these vessels are very small viz. length 103 feet, width 20 feet, depth of hold 8 feet 6 inches. Within this limited space are applied 4 double acting steam engines of an aggregate power of 160 indicated horse power actuating two separate propeller shafts. The boiler necessary to generate steam for such a large power, is so bulky that the capacity of

the coal bunkers is only sufficient for six days steaming at a moderate rate. In addition to the great amount of motive power thus applied, these small vessels carry a 100 pound rifle gun, the weight of which, including the gun carriage and slides, exceeds 16000 pounds.

Owing to the peculiar duty of these defensive vessels, that of guarding an open coast subjected to severe gales, their small carrying capacity is further reduced by being provided with very heavy ground tackle. And owing to their want of capacity to carry coal they have to sustain the weight of a full rig. I need hardly add, that being thus heavily engined and equipped, but a very small amount of water and stores can be carried. On this point it will suffice to state, that the contract calls for only 30 days provision, the capacity of the water tanks being limited to 900 gallons. A "fresh water maker" has been applied to make good the want of capacity of the tanks, but as this apparatus can only be operated when the engines are at work, it will be evident that the water supply is only sufficient for a short run. Much might be added with reference to the cramped quarters of the crew, and other disadvantages attending the application of the large engine power, heavy equipment

and powerful armament, which make the Spanish galleons efficient coast defence vessels; but which at the same time render the same absolutely unfit for making a long voyage such as that to the Peruvian coast, which indeed, would be a physical impossibility.

I have the honor to be

Sir

Your most obed^t Servant.

J. Ericsson

Hon. Hamilton Fish

Secretary of State

Washington



M. Schiller ✓
Navy Department.

Washington 23^d Nov 1869

Sir:-

I have the honor to acknowledge
the receipt of your letter dated the 20th
Inst, relative to the destitute condition
of a number of misguided citizens of the
United States who have been abandoned
in Nassau, N.P., by the steamer
"Lillian" alleged to have been engaged
in the service of the Cuban insurgents.
Rear Admiral Chas H. Poor,
Commanding the North Atlantic Fleet,
has been instructed to send one of his
vessels to Nassau for the purpose
of receiving on board and conveying
to Key West such of the men referred
to

4 me copy of Secretary's letter and of this answer
to Mr. Schiller -
Copies sent
24

to as wish to avail themselves of
the passage and will agree not to
violate hereafter the neutrality laws
of the United States.

Very Respectfully
Your Obedt Servt
Geo. M. Adams
Secretary of the Navy.

Honorable
Hamilton Fish
Secretary of State.

Philadelphia Nov. 23, 69

Gregorio Gonzalez. (J. L. Ogier)

Cuban Commisfion

Jan'y. 1872.

OFFICE OF
THE ATTORNEY OF THE UNITED STATES,
FOR THE
SOUTHERN DISTRICT OF NEW YORK.

41 CHAMBERS STREET,

Nov 23^d 1869. ✓

Hon. Hamilton Fish
Secretary of State.
Dear Sir.

The
libels for the Gunboats, being
thirty in number, cannot be
drawn with the necessary copies
so as to be served earlier than
to morrow morning, at which
time, the Marshal will take
possession.

I have personally seen Admiral
Godon and made all the
necessary arrangements. I
shall proceed on the sole ground
that the United States are at
peace with Peru and I have
an affidavit stating that these

vessels are going to make war upon the citizens of that State.

We shall, of course, fail when the trial comes.

There is another political question to which I call your attention. If for political reasons, you wish to detain these boats longer, I can proceed by an amended libel and raise the question whether this Government will permit war to be made, upon "any colony, district or people" with which we are at peace, by a foreign power fitting out its ships of war in the port of New York.

I shall raise no such

question unless the Gov't
desire to have it raised.
If they do, I call your
attention to the fact that
the neutrality act which
existed from 1794 until
1817—18. did not
contain the words "any
colony, district or people."
but only the words "foreign
prince or state", and that
the case of Gelston v. Hoyt
(3 Wheaton 247) was decided
in New York in 1816. and
that between that time
and 1820, to wit; in 1817-18
the above amendment was
made adding the words
"any colony, district or
people" after the words, "foreign
prince or state".

4

In 1830, the *Josefa Segunda*
(5 Wheaton 335) was decided,
and the question of bellig-
-erent rights of an un-rec-
-ognized colony, district or
people was there discussed,
and on pp. 356 to 358 of that
case, the views of the Court
are given. These suggestions
will attract your notice
if there is any desire
to detain the vessels
longer than they are
likely to be detained
under what we may call
the Peruvian libel.

I may add
that since my return
to New York, it appears
to me that it would not
be unwise to detain these

Gunboats until after the
meeting of Congress, but
whether the Government
may desire to raise any
question under the neutrality
laws other than that growing
out of the relations of Spain
towards Peru. I have no
advice, and shall not raise
any other question unless
so instructed.

Very Respectfully

Yours,

Edwards Pierpont
U. S. Attorney



OFFICE OF
THE ATTORNEY OF THE UNITED STATES,
FOR THE
SOUTHERN DISTRICT OF NEW YORK.

41 CHAMBERS STREET,

Nov. 25th - 1869.

an? 26 Nov.

Hon Hamilton Fish
Secretary of State
Sir:

Your letter of the 23rd
inst enclosing copy of Delamater's
protest and your Telegram of
this date are received.

The Gun Boats were
libelled, as I stated on the 23rd
inst, they would be, and upon the
ground mentioned in that letter.

I suppose a Motion
will soon be made to release them
on bond.

As a matter of course,
they will be so released, provided the
bonds are satisfactory, unless the
Government for some reason

or without reason except its will,
desire that they should not be bonded.

If the Government
oppose their release on bond, I wish
to be advised at an early date, -
as this will be an important question
to be determined on a motion.

If the Government
are willing that they should be
released on bond, then my course
will be very different from the
course which I shall take if the
Government do not wish them so
released.

I think I can get
a special Admiralty term appointed
for an early trial of the libels,
and thus dispose of the whole
question by an early trial without
any bonding. I respectfully await the
expression of your views in the premises.

Yours very respectfully

Edwards Dyer

file



Barcelona Mr. J. Smith ✓

Nov 25th 1869.

CONSULADO

de los Estados Unidos
de America
en Barcelona.

My dear General:—

I wrote to you on the
7th instans about a personal
matter, since which I have
no more to add except that
on the 23rd Nov. I sent a
draft to the U.S. Vice Consul
to pay the vicious furman,
who has been playing me
such a nasty trick as to
complain that I have wronged
him. The unsold furs
are of little import to me.
The Vice Consul will make
him sign a retraction of

all that he may have
said derogatory to C. & T. &
and which Senator Osborn
reported to the Department
in its fourth edition.

I have the U. S. S. Richmond
Capt. Mullany commanding in
port with three hundred country-
men,

Spain is very quiet now
after the rising of Sept.
Five thousand volunteers have left
this country for Cuba in the
last few days from the
three ports of Barcelona
Cadix & Santander.

With best compliments
I am faithfully & fraternally

Yours
Wm. H. Hunt
Member of Congress
Washington

Chas. A. B. B. B.

file

OFFICE OF
THE ATTORNEY OF THE UNITED STATES,
FOR THE
SOUTHERN DISTRICT OF NEW YORK.

Mr. Chilton

✓



41 CHAMBERS STREET,

Nov 26th 1869.

The Honorable

Hamilton Fish

My dear Governor

Yours marked

"Confidential" is recd. I have made all the suggestions in my letter of the 23rd which occurred to me as of any value. I do not think there is any judicial ground for the libel, which will stand the test of investigation. A motion will be made next week to discharge the gunboats on the ground that Spain is not at war with Peru - This is not a legal question but rather a political question - If I am advised by the Secretary of State that there is war it will end the motion, however much proof of no war may be given. If I am advised by the Secretary that there is not sufficient evidence of war to justify the

Government is saying, that there is
war then the prime fact evidence
which will be brought, that there
is not war, will discharge the
Gun Boats -

If the motion to ~~discharge~~
is not granted then a trial in
Admiralty will be had & that can
not take place earlier than the
middle of next month.

I hope at a very
early day to learn whether there
is or is not war between Rome
& Spain - I need the information
in such official form that I
can justify myself in saying
that there is or is not such
war, when the motion comes
up in Court. I think that the
public have such confidence in
the Government that the public will
be satisfied when the Government have
decided.

Ever truly yours Edwards Pierpont

Report - Will not the authority given in the Past. to the Dist. Atty. & Marshal (last July) be sufficient to arrest the escape of these boats?

U. S. Marshal's Office,
Southern District of New York.

New York November 26th 1869

Hon. Hamilton Fish,
Secretary of State;

Sir:

I have the honor to report: - That on the evening of the 24th Instant, by order of the U. S. District Court of the Southern District of New York, I seized, and now have in my custody, Thirty vessels, known as "The Spanish Gunboats", now lying at foot of 13th Street, North River.

I have five watchmen engaged night and day, and have hired a tug boat, which is in charge of one of my Deputies, with a gun, gunner and ammunition on board, kindly furnished by Admiral Godon, commanding the Navy Yard at Brooklyn.

I have arranged a code of signals between my tug boat, and the U. S. Gunboat "Trolie"

lying in the Harbor, in case any attempt should be made to get the Spanish vessels to sea.

The utmost vigilance shall be exercised by myself and deputies, to prevent the escape of these Gunboats. In this matter, I am incurring an expense of \$35 per day.

For perfect security, I should prefer that a Revenue Cutter or Navy Gunboat should be detached to lie alongside these vessels, in place of the improvised Gunboat which I now have. Admiral Godon cannot furnish me one, without an order from the Department.

Very Respectfully

Your Obedient Servant

S. R. Harlow

U. S. Marshal

Red from 10 Roberts Avenue. Nov 27/69

Pinkerton's National Police Agency

ALLAN PINKERTON, Principal,
G. H. BANGS, Gen'l Sup't.

OFFICES

J. P. LLOYD, Sup't.
NEW YORK, 66 Exchange Place, ~~66~~ Sup't.

PHILADELPHIA, 45 South Third Street, H. E. Thayer, Sup't.

CHICAGO, 92 and 94 Washington Street, G. H. Thiel, Sup't.

Clarence A. Seward, Attorney and Counsel for the Agency, No. 29 Nassau St., New York

Dr. Chilton

Mr. Jeffery

New York. Nov. 24th 1869

Messrs Herbert & Craig
29 Nassau St. N.Y.

Gentlemen

During the last week or ten days copies of the enclosed circulars have been hawked around the city by impecunious Cubans and Americans. The Santa Fe pays \$4.00 for every thousand names that are signed to these circulars. I think if the matter was traced up a great many of the names which will be presented to the Congress of the United States, i.e., if these circulars ever reach that body, will be found to be bogus.

Yours respectfully
Henry W. Davis.
Supt.

E. F. Sanike
Apt. Apusom

Authentic from
J. F. Daily
collection

5 Nov 1869.

TO THE HONORABLE THE CONGRESS OF THE UNITED STATES.

We, CITIZENS of the UNITED STATES of AMERICA, in behalf of the principles written in our CHARTER of NATIONAL INDEPENDENCE, in the name of LIBERTY and the SOVEREIGNTY of peoples struggling to be FREE, respectfully Petition that your HONORABLE BODY do accord TO **CUBA** THE RIGHTS OF A BELLIGERENT POWER, and at once recognize the INDEPENDENCE of her sons from the tyranny of a foreign yoke which for more than a year they have MAINTAINED (unaided) by the TRIUMPH OF THEIR ARMS.

The above

Mr. B. H. O.
State of Wisconsin



EXECUTIVE DEPARTMENT

Madison November 22 1844



Sir,
Referring to your communication of date 21st September last requesting that, if practicable, I cause you to be furnished with the information applied for by the Ministers of France and Great Britain in their notes to you of date Sept. 6th, 1844, copies of which were inclosed, I have the honor to state that upon some of the subjects of inquiry, viz: "the cause of mortality of children of tender age" &c &c, and also, "the present prevalence of Venereal disease" &c &c, we yet, in this comparatively new State, statistics or aggregated facts, sufficient to throw light, I am therefore unable to furnish the information desired.

I have the honor, Sir, to be

Very respectfully

Your obedient servant
Lucius Fairchild

Hon. Hamilton Fish
Secretary of State,
Washington D.C.

Santiago de Cuba - I Smith
Treasury Department,

Fifth Auditor's Office,

November 29, 1869.

Sir: I have the honor to inform
you, in answer to yours of the 27th
instant, that no Compensation has
been paid by this Department to Gen-
eral Steadman, for any services rendered
by him as United States Consul at Santiago
de Cuba; nor have any accounts been received
from him, for receiving Instructions, transit to
or salary at his post of duty.

I am, Sir,

Your Obedient Servant.
H. D. Barron
Auditor,

To Hon. Hamilton Fish,
Secretary of State,

55 Bond Street

J. W.



New York 30 November
1860
W. L. Garrison

His Excellency
Hamilton Fish
Secretary of State

In a conversation held
with General Dix late U. S.
Minister to France he told
me of your Excellency to
look on the files of your Depar-
tment where there are some
letters written by mine from
Paris concerning myself.

With Great Respect I remain
of your Excellency

Respectfully
Casar E. Rogers