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**MISCELLANEOUS LETTERS
OF THE DEPARTMENT OF STATE**

Roll 378

September 1-30, 1872



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

Washington: 1964

W. F. Pratt
Treasury Department,

Washington, D. C., 5th September, 1872.

1575
D.L.
Sir -



I have the honor to acknowledge receipt of your letter of the 4th Inst. covering for the information of the Treasury Department, a copy of a dispatch of the 16th Ult^o from General Sickles and of the accompanying translation of a note from Mr. Morelos in relation to the abatement by the Spanish authorities of the severe penalties heretofore imposed on shipmasters for unimportant informalities in ships' manifests.

I have to inform you that the contents of these documents have been given to the press for publication.

Chas Hale
Acting Secretary of State.

Very respectfully,
Wm A Richardson
Acting Secretary

Ans^d Sep 14



Mr. Archibald Roberts, Manager of the
September 6th 1872
to the Hon. Sec. of State

I herewith en-
close you a letter from my
son Archibald Roberts, who
is a Negro, and now in England.
By some means entirely unknown
to me, he got to England during
the late war. I don't know
what he means by "free papers"
and no one can tell me. Will
you be kind enough to inform
me what steps it is necessary
for me to take in order to
get the necessary papers to him
that he may come home. I
am informed that it is probably
possible he needs. He was
born and reared in this
country, was never a slave.
And all necessary proof on
that point can be obtained.
Please return at once
and return his letter to me.

By giving this your immediate
attention you will oblige me
old, infirm, ^{friendless} ~~poor~~ colored woman
Yours truly
Anne Roberts

Ipswich 1st Augt

Dear Mother 8. 1842

I now write these few lines
to you let you know that I am
well at this time and I hope
when these lines reach you that
they may find you in good
health as it leaves me at this time
I have sent 8. 3 letter to Sister
Sarah and got now answer
so I now send to you to send
me my free papers so that
I may show them to the
Mexican counsel
I want 30 dollars if you
have not got 30 dollars you
try and get it and write to
Sister Sarah and tell her to
let me have the money
and I will repay her when
I come in January 1843

I will leave London on the
10 day of January 1843
if the Lord will spare me to see
it and you will send the 30
dollars dear Mother this is
it is the only chance that I will
meet for so if you do want to see
me again you must get
me assistance by the first of
January if you start the money
in the 10 day of December it will
get here by January so that if you
will not help me to get home I
will be obliged to go to Egypt at
once for there is nothing that
keeps me in this miserable country
is so I am in much trouble at
this time I am single again
and will remain so for the time
to come I have sent 3 letter
and got no answer 2 to Sarah
and 1 to you write by post as I
am waiting to see whether you
will send me any help that
I may come to Mother if you
only knowed how bad I want
to come home you would send
me help to do so it is all my
longe Night should be to get

known how to address my letters it will only safe sent

dear mother you must
excuse my bad writing & that am
so troubled that I can not write
as I would if ever thing had been
well with me I could write a letter
better to you I will say more to
mother you must not mind
why I did not but you now
know I must not for you are getting
old and can not hear all that
I know at this time write and the
lord will tell you all that is your
comfort in your old age I will
never leave you as long as I live if
the lord will send me home at the
time a friend write to Alice and
to Sarah and say to them send
me 30 dollars between them and
when I come home in January I
will not forget them in all the good
that I can do for them give my
to all the family and write to
Sarah and give my love to Henry
and Riley Charles and Rachel and
Sisters and brothers in law all and
till brother James and Siman to
take good care of mother till I come
and the lord will bless them
till then I long to be with them
all

Dear C Mother I will write
in October if you will send
my free papers so that I can
show them to the Mexican consul
which is in London to be born and
send them in your next letter
and what those people said about
the Governor of England sending me
home is not so I say any thing to
them the say we did not send for
you for the do not like us because of
the American war the are great
because the south lost the day I tell
them that the south were wrong
and that beat me I will never leave
my country he show and me some
help and my free papers or you
will never see me in this trouble
I would if you refuse me I will
give it up Goodby and God remember
me in your prayers to the lord as I do
you all in my own I am your dear
son Archibald Roberts until death
write as soon as you can to M. R.

O Mother this is my hair in box
Direct. Archibald Roberts
Care of Mr W Buco
St Helens Street
Inverness

till sister Sarah when she write and all her address to S



American and Spanish Commission
Washington. September 7th 1872.

Hon Charles Hale.
Acting Secretary of State.
Sir:

I have the honor to acknowledge the receipt of your communication of date the 6th instant. Together with the accompanying papers relating to the claim of Mr John F. Cahill against the Spanish Government, and to inform you that the said papers have been filed in the case in conformity with the request contained in your note.

Very respectfully,

Your obedient servant,
George O. Moore,
Secretary.

Mr. Wood
Custom House, New Bedford, Mass.,

Collector's Office, September 11. 1872



Bel
City
148
Sir.

I am requested to forward to you the
the enclosed document, representing that the
interests of American Commerce require that
Mr. Domingo, Dias Machado, be retained
as Consular Agent of the United States at
St. Michaels, Azores.

I beg to say that the names subscribed
therein are those of our leading merchants and
entitled to consideration.

I am Respectfully
Yours Obt. Servant
J. A. P. Allen
Collector

Wm Hamilton Fish
Secretary of State
Washington
D.C.

To the Honourable
Hamilton Fish, Secretary of State -
Washington -
Sir -

The undersigned, Merchants and ship-owners,
doing business at New Bedford, Massachusetts,
respectfully represent that the interests of American
Commerce would be promoted by retaining as
Consular Agent of the United States in St. Michael,
Azores, Mr. Domingos Dias Machado, who
has discharged the duties of that office for the last
three years. Mr. Machado after much
personal expense and trouble has obtained permission
from the Portuguese Government for our whaling vessels
to land their oil and deposit their outputs in all the
Islands of the Azores, where there is a Custom House,
instead of the single port of Fozal, as formerly.
In consequence of the efforts of Mr. Machado, the cost
of transshipping and sending oil home to ~~the~~
American ports has been greatly reduced.

We consider it but an act of justice that
Mr. Domingos Dias Machado should be
retained as Consular Agent of the United
States at St. Michael, and respectfully

request the same.

New Bedford,

Aug 1872

New Bedford,
Aug 1872 }
Dear Mr. Garrison }
My S. Hathaway }
John B. Terry }
Chas. Deane }

St. Dennis
Gen. O. Crocker
Dennis Woods
Chas. Seabury

J. & H. Howland
 Charlestown
 Capt. J. C. Smith
 A. H. Bantlett Boat.
 Wm. O. Bunker
 C. L. Thayer

Taber, Andrew J.

Chas. F. Randall

Swift & Allen

E. J. Mayfield
Gideon C. Allen & Son

Henry Thomas
Spencer Knowlton

A. A. Vetter
Lounis Snodson
D. B. Lyman
Matthew Howland
Richard S. Howland
Wm Watkins
Julia Reed & Co

John R. King
 Wm. Phillips & Son
 Chas. R. Tucker & Co.
 Lorenzo Pierce
 Simon J. West
 Wm. Roar
 Charles, Lucas
 John W. Knowles

Re: Mrs. C. H. 24 1872

Mr Wood

United States Senate Chamber,
Huntingdon, Pa
Washington, Sep. 13th 1872

Sir:

Enclose a letter just received, relating to a claim of Mary de la Rose Boone against certain parties in Havana. In March last I referred certain papers to the Department of State, for the purpose of having inquiry made by the U. S. Consul at Havana, and getting such information as will enable the Claimant's Guardian to look after her interest in Cuba. Was any information been obtained?

Respectfully,

Johnston

Hon. Hamilton Fish.

Secretary of State.

Washington, D. C.

See letter to Mr. Scott 27th Dec.

Philad^a Sept 9. 1872

Hon^d Geo Scott

Dear Sir

On the 20th
of March last, I sent you
a statement of Mary delo
Rose Boon's claims, against
certain parties in Havana
Cuba, who refuse to pay
to her the money decreed
to her, by the Court of Havana.
On the 24th of the same
month, I received a letter
from you, stating that you
had forwarded the statement
to the Secretary of ~~State~~
State at Washington, since
which time I have heard
nothing more about the
claim, and as she is in

very straitened circumstances
and really suffering for
the necessaries of life, I am
compelled to trouble you
again in her behalf, and
to use your influence in
collecting her money.

Very Respectfully, Yours

H. J. Boone

Edward House

Philad^a

In the matter of the claim
of Mary de la Rose Roone vs.
parties in Havana, Cuba.

Sept. 1872

Hon. John Scott states that
in March last he opened
certain papers relating to the
above mentioned claim to this
Department for the purpose of
having inquiry made by the U.S.
Consul at Havana

On examining the records of
the 1st Consular Bureau it does
not appear that any instruction
has been sent to the Com. Genl at
Havana upon the subject, or that
Mr. Scott's letter has been acknowledged.

Draft submitted

A. B. Wood.

14th Sept.

Mr Scott's letter does not appear to
have been returned to the Index
Room. It was received March 23rd
and handed to the Chief Clerk.

Sevellon T. Browne

4 Sept 72

W
Ex
to Wood
Treasury Department,



Fifth Auditor's Office,

Washington,

Sept. 13

1872

Sir:

Mr.

E. J. Schmitt

United States

Vice Consul at Santiago de Cuba, having

transmitted to this Office for adjustment, his Account for time occupied

while at his post of duty

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

He charges from

April 1

, 1872, to

June 30th

1872,

91

days.

Respectfully, yours,

J. M. Blaine

Auditor.

To the Secretary of State,

Washington, D. C.

D

Sw

Ans
Sep 17



Mr Pratt

Washington September 13th 1872

In 15th Street

Hon

Hamilton Fish

Secretary of State

As counsel for the
claimants in the cases of
Joaquin Garcia Buganza N
13, and Joaquin M. Velgado
N 21, before the American and
Spanish Commission, I beg
that you cause copies of
the diplomatic correspondence
in those cases to be filed
in the said Commission.

With the highest respect

Wm T. Paige

SEP 19 1872
OF STATE

To Mr. C. C. C. C. C.
Ct. Sep 19

New York Sept-17th 1872
Hon Hamilton Fish
Sec'y of State
Washington

Sir

In a civil cause depending
in a State Court of the 4th Judicial
District of Florida between San-
chez and Sanchez admors, pl'ts
and V. Sanchez et al, defts
it is desired to take the testimo-
ny of witnesses residing in
the island of Cuba and in
the Republic of New Grenada
For this purpose and in fur-
therance of justice I herewith
enclose Interrogatories and
Letters Rogatory authenti-
cated by a certificate from the
Sec'y of State of Florida and
respectfully ask that they

1 be sent to the proper representatives of the United States in Cuba and New Grenada with instructions to take such action as may procure the desired testimony

I deem it necessary to take this course to obtain the testimony as requested from the State Courts and Governments directly may not be recognized by the Governments or officials of foreign countries

Be good enough to acknowledge the receipt of this communication by addressing me to the care of Earle & Perkins
136 Pearl Street New York

Respectfully
E. W. L'Engle
Counsel for Sanchez adms

State of Florida Fourth Judicial
Circuit

St. John's County

The State of Florida

To any

Judge or tribunal having Jurisdiction
of Civil Causes in the Island of
Cuba Greeting

Whereas a certain Suit is
pending in our Circuit Court for the
Fourth Judicial Circuit in the County
of St. John's wherein James P. Sanchez
as Administrator and Margaret Sanchez
as Administratrix of the Estate of James R.
Sanchez deceased are the Plaintiffs and
Venancio Sanchez and others are the
Defendants and it has been sug-
gested to us that there are witnesses
residing within your jurisdiction without
whose testimony Justice cannot com-
pletely be done between the said parties
We therefore request you that in further-
ance of Justice, you issue by the proper
and usual process of your Court causing
such witness or witnesses as shall be
named or pointed out to you by the said
parties or either of them, to appear
before you or some competent person

by you for that purpose to be appointed and authorized at a precise time and place by you to be fixed, and there to answer on their oaths and affirmations, to the several interrogatories hereunto annexed: That you will cause their depositions to be committed to writing and returned to us under cover duly closed and sealed up together with these presents And we shall be ready and willing to do the same for you in a similar case when required

Witness the Honorable
Francis J. Wheaton Judge
of our said Court and the
Seal of said Court at the
Court House in the City of
Augustine State of Florida
United States of America on
the 24th day of July A.D.
1872.

Chas D. Lincoln

Clerk

The State of Florida
I, Jonathan C.
Gibbs Secretary of State of the
State of Florida, one of the United
States of America, do certify that
Francis J. Wheaton is the Judge,
only commissioned and qualified,
of the Circuit Court of the Tenth
Judicial Circuit of the said State and
that Chas. D. Lincoln whose
signature appears above is the Clerk
of said Court in and for the County
of St. Johns and that the Seal af-
fixed to the foregoing Letters Rogatory
is the Seal of said Court and that
the said Court is one of original and
general jurisdiction

In testimony whereof
I have hereunto affixed the Great
Seal of the State of Florida whose
Keeper I am and have hereunto
subscribed my name the
Ninth day of August

1882

Jonathan C. Gibbs
Secretary of State
State of Florida



In the Circuit Court 4th
Judicial Circuit, St John,
County State of Colorado
United States of America

James P. Sanchez adm'r +
Vicargant Sanchez adm'r
of the Estate of James R. Sanchez
Deceased —

vs
Vicencio Sanchez, Ramon
L. Sanchez, Edmundo A. Sanchez
Charles De Hornan et al.

Cross Interrogatories to be
propounded to Rafael Lucas Sanchez
and Edmundo A. Sanchez

Do you know of any matter
or thing that may tend to the benefit
and advantage of Vicencio Sanchez
one of the defendants in this cause?
If yes, declare the same as
fully as if you had been there to
participate in investigation.

Witness my hand
Atty for Def
Vicencio Sanchez

filed Aug 9th 1872

C. D. Lincoln

By F. D. Dunham

OK

In the Circuit Court St John, County Florida
James Sanchez administrator and
Margaret Sanchez administratrix of the
Estate of James R Sanchez deceased
versus
Venancio Sanchez Ramon Leon Sanchez
and others

Interrogatories to be propounded to Rafael
Lucas Sanchez and Edward A. Sanchez
material witnesses for the plaintiffs who
reside beyond the jurisdiction of this Court
to wit in the City of Matanzas in the Island
of Cuba

Int. 1

Did you know James R Sanchez of
St Augustine Florida, U.S.A. lately deceased
Do you know Venancio Sanchez of the same
place one of these defendants Now, if at all,
are you related to them

Int 2

Did you during the late civil war between
the Northern States of North America (under the
name of the "United States") and the Southern
States of North America (under the name of
the "Confederate States") or at any time after
its termination that is to say between the
1st day of January 1861 and the 1st day
of January 1872 receive from the said
Venancio Sanchez or from Ramon Leon Sanchez
or any one else for said Venancio Sanchez

any money, bills of exchange or other paper convertible into money to be held for the benefit of said Venancio Sanchez or subject to his drafts or orders. If you, state the amounts of all such money, bills of exchange or other paper convertible into money that you so received and when you received same. State the dates when received by you and the amounts received at each time and from whom received and with what instructions received. State the whole amount of money that during said time has been in your hands subject to the order of said Venancio Sanchez. State how much money is now in your hands subject to his order.

Int 3

Do you know to whom the said funds belonged. If you state same and state how you know it. Did any of it belong to James R Sanchez deceased and does any of it belong to his estate. If you how much and how do you know it. Did and does any of it belong to a fund called the Ineranty Funds. If you how much and how do you know it.

Int 4

If you say that you have any such funds in your hands state what became of them. Have you them or any

of them, and if any how much still
in your hands or under your control
and if so where are they If any of
them have passed out of your hands
or control state how they passed out-
and when, and how much each time

Did Venancio Sanchez draw on you for
any of said funds or did you pay any
out under his orders If yes, state
the several times that he drew on you or
that you paid out money under his
orders State the times, that is the dates,
of such transactions; the amount of
money paid each time and to whom paid
Describe particularly each draft or
bill of exchange drawn on you by said
Venancio Sanchez during said periods

State particularly in whose favor
drawn and the indorsements, date and
amount of each and to whom finally
paid

Int 5 If the whole of said funds are
not now in your hands state, if you know,
where any portion or portions of them are
and how much State all you know on
this subject

Int 6 Do you know any thing further
that may benefit the plaintiffs
If you state the same as particularly

as if specially interrogated thereto

E. M. L'Engle
Atty for Plaintiffs

Circuit Court St John Co.
Florida

James P Sanchez adm
et al

vs

Venancio Sanchez et al

Interventors for R. L. &
E. A. Sanchez of Matanzas
Cuba

Service of copy acknowledged
July 19/72

Flaming & Dune

John Miller

Filed July 21st 1872

Chas Lincoln Clerk

By Fatio Dunham

D.C.

State of Florida Fourth Judicial Circuit
St. Johns County

The State of Florida
To any

Judge or tribunal having Jurisdiction
of Civil Causes in the Republic of
New Grenada Greeting

Whereas, a certain Suit is pending
in our Circuit Court for the Fourth Ju-
dicial, ^{Circuit} in the County of St. John's wherein
James P. Sanchez as Administrator and
Margaret Sanchez as Administratrix of
the Estate of James P. Sanchez dec.
are the Plaintiffs and Vincent Sanchez
and others are the Defendants, and it has
been suggested to us that there are
witnesses residing within your Jurisdiction
without whose testimony Justice cannot Com-
pletely be done between the said parties

We therefore request you that, in furtherance
of Justice, you will by the proper and usual
process of your Court cause such witness
or witnesses as shall be ~~named~~ or poin-
ted out to you by the said parties or either
of them, to appear before you or some
Competent person by you for that pur-
pose to be appointed and authorized at
a precise time and place by you to be fixed

and then to answer on their oaths, and affirmations, to the several interrogations hereunto annexed; And that you will cause their depositions to be committed to writing and returned to us under cover duly closed and sealed up together with these presents. And we shall be ready and willing to do the same for you in a similar case when required.

Witness the Honorable Francis
J. Wheatons Judge of our said
Court and the Seal of said
Court at the Court House in
the City of Washington, State
of Florida United States of
America on the 24th day July.
A.D. 1872

Chas D. Lincoln
Clerk

The State of Florida

I, Jonathan C. Gibbs
Secretary of State of the State of Florida
one of the United States of America,
do certify that Francis D. Wheaton
is the Judge duly Commissioned and
Qualified of the Fourth Judicial Circuit
of the said State and that Chas. B.
Lincoln whose Signature appears
above is the Clerk of said Court in
and for the County of St. Johns and that
the Seal affixed to the foregoing Letter
Rogatory is the Seal of said Court and
that the said Court is one of original
and general Jurisdiction

In Testimony whereof I
have hereunto affixed the Great Seal
of the State of Florida whose Keeper
I am and have hereto Subscribed my
name the ninth day of August
A. D. 1872

Jonathan C. Gibbs
Secretary of State
State of Florida



In the Circuit Court 4th
Judicial Circuit, St. Johns
County, State of Florida
United States of America

James P. Sanchez, Admin-
istrator and Sanchez Admin-
istrator of the Estate of James R. Sanchez
Deceased -

vs
Venancio Sanchez, Ramon L.
Sanchez, Edward A. Sanchez &
Charles M. Furman et al.

Cross interrogatories to be propounded
to Ramon Leon Sanchez.

1st Interrogatory:

Did you ever visit, at
any time between the 1st of January 1861
and 1st of January 1872, either address
of both James R. Sanchez and Venancio
Sanchez in regard to the papers in your hands
in regard to which you have been
interrogated in the direct questions?

2nd : State how many and
whether the same were received and
if so by whom, or what became of them.

3rd : Did Manuel Sanchez
at any time from Jan^y 1st 1861 to
Jan^y 1st 1872. make you
complain^g of your long silence in
not answering his letters. And
keeping him advised of the Collection of the
drafts from and for you for that
purpose?

4th : Did James R. Sanchez or
James P. Sanchez ever draw any
drafts or bills of Exchange on you
at any time from 1st of January 1861
to 1st January 1872 paid^g on
drawn in your hands to the Credit
of Manuel Sanchez? If Yes -
Please state the number of times
that drafts or bills of Exchange
have been so drawn on you?
by whom drawn? in whose favor
they were drawn? the amount
that each draft or bill of Exchange
was drawn for? And the date of
each of them as near as you can?

5th : Did you ever pay any
drafts or Bills of Exchange drawn
on you by James R. Sanchez or James

P. Sanchez at any time from
1st of January 1861 to 1st of January
1872. If you have ever paid
any such drafts or Bills of
Exchange ^{dramong} to James R. Sanchez or
James P. Sanchez, please state
particularly your reason, why you
did not know them.

6th Do you know of any other
matter or thing that may tend to
the benefit and advantage of Francisco
Sanchez one of the defendants in this
Cause? If yes, declare the same as
fully as if you had been there to
particularly interrogated.

Alving & Daniel
Attorneys for deft
Francisco Sanchez

Counsel for the Plaintiffs except to the above except
interrogatories numbered 1, 2, 3, 4, & 5 - the
because they are not responsive to
the direct interrogatories & founded upon
them

E. M. L. Engle
Counsel for Plaintiffs

filed Aug 19th 1872

CD Lincoln CLK

By F. Dunham

D. C.

In the Circuit Court of the United States for the District of Florida
James F. Sanchez administrator
and Margaret Sanchez administratrix
of the estate of James R. Sanchez deceased

vs

Venancio Sanchez Ramon L. Sanchez
Edward A. Sanchez Charles W. Freeman
et al.

Interrogatories to be propounded to
Ramon Leon Sanchez a material
witness for the plaintiff who resides beyond
the jurisdiction of this Court - to wit: City
of Carthagena in the Republic of New
Grenada in South America

Int. 1. Did you know James R. Sanchez of
St. Augustine Florida U.S.A. lately deceased?
Do you know Venancio Sanchez
of the same place, one of the defendants?
How, if at all, are you related to them?

Int. 2. Did you during the late civil war between
the Northern States of North America (under
the name of the "United States") and the Southern
States of North America (under the name
of the "Confederate States") receive from the
defendant ^{or from any one for him} Venancio Sanchez bills of
exchange drawn by him on Reynolds
Smith and Company of Baltimore in
the State of Maryland U.S.A. and on

the Exchange Bank of New York in the City and State of New York N.Y. and on Jewett Tibbells and Company of Boston in the State of Massachusetts N.Y. or on any of said parties, payable to your order?

Did you receive from said Venancio Sanchez any other bills of exchange or other remittances of money or of paper convertible into money, between the year 1861 (including that year) and the 1st of January 1872

If you state the amounts of all bills of exchange or remittances of money or of paper convertible into money that you received from him during said time or time State the dates when received by you On whom the bills of exchange or other convertible papers were drawn and ^{and where} when payable and when paid Describe them in every particular State the whole amount of money that went into your hands during said time subject to the drafts or orders of Venancio Sanchez

Int. 3

Do you know to whom said funds belonged If you state same and state how you know it Did any of it belong to the said James R Sanchez deceased and does any of it belong to his estate If yes, how much and how do you know it

Int. 4

If you say that you had any such funds in your hands State what became of them

Have you them or any of them (and if any how much) still in your hands or under your control and if so where are they. If any of them have passed out of your hands or control state how they passed out and when and how much each time. Did Venancio Sanchez draw on you for any of said funds or did you pay any out under his orders. If you state the several times that he drew on you or that you paid out money under his orders. State the times, that is the date, of such transactions; the amount of money paid each time and to whom paid. Describe particularly cash draft or bill of exchange drawn on you by said Venancio Sanchez during said period. State particularly in whose favor drawn and the indorsements and the dates and amounts and to whom finally paid.

Int. 5 If the whole of said funds are not now in your hands. State if you know, where any portion or portions of them are. State all you know on this subject.

Int. 6 Do you know any thing further that may benefit the plaintiffs. If you state same as particularly as if specially interrogated thereto.

E. W. L'Engle
Counsel for Plaintiffs

Barcent Court St John
County Florida

James P Sanchez admr.
etal

v

Vernando Sanchez etal

Interrogatories for Ramon
Leon Sanchez of New Grenada
Service of copy acknowledged
July 19/72 Filing & return

Filed July 22^d July By
Chas. D. Lincoln Clerk
By Fats Dunham
S.L.

Write Note to Spanish Minister
dated 21 Sept, mentioning what here says here
in the message marked.
CH Sept 21
New York Sept 20th 1872
21 Sept.



Hon Charles Hale
Acting Secretary of State
Washington D.C

Mr Pratt

Sr.
Referring to your valued favor of the 27th of August.
which you state that the Department was informed
by a note from the Spanish Minister dated the 24th
that he had addressed the Captain General with
regard to the restoration of my property. I beg to inform
you that a copy of your letter was sent to my Atty at
Havana, who on calling on the Government officials,
was informed that no communication had been received
here.

The government requires proofs of ownership of the
property embargoed, but at the same time refuses to

allow any certified copy of Mortgages to be sent
to me, and as the property claimed is principally
a mortgage securing my share in my father's estate
during my minority I cannot furnish the required
proof. It is evidently their intention to postpone
indefinitely the release of my property under any
trifling pretext unless urged to an immediate and
favorable action by your Department. Allow me
then to trouble you once more and beg your coopera-
tion to that end.

I am dear sir
Your most obedient servant
Thomas A. Moran
Box 5091



Mr. Pratt
Department of Justice
Washington Sept 26 1872.

ackn to atty general
file the papers

CH Feb 27
Dir to 27 5/5

Hon Charles Hale,

Acting Secretary of State,
Sir.

I have the honor to return
herewith the papers enclosed in
your letter of the 24th instant, in
relation to the case of the steamer
"Pioneer"

Very respectfully,
Your obedient servant,
Geo Williams
Attorney General.

To facilitate the agreement I have taken the liberty to enclose a statement of the items of service, with such amounts earned out as seem to me just and reasonable. The first two items were solely at the request of your Department, and involved a great portion of the nights as well as days. The 4th and fifth appeared to me to be required in view of the correspondence exhibited; and the 3^d, 6th, 7th and 8th, though more especially called for by letters from the Attorney General, after reports to your De-

-partment, evidently relate to the subject of the original service, in which his answer in the employment was stated in the telegram from your Department. At least you will perceive that none of them have any necessary relation to the prosecution of the Libel of Information, for which a docket fee of \$30- only is provided by law, inasmuch as no such service, without request, would have been necessary until the entry of appearance by some claimant. Should you regard it ever however to include these items in the account to your Department please advise me that I may render the same to the Department of Justice.-

I have the honor to be Sir

Very respectfully

Your Obedt Servant

John A. Cairnes
U.S. atty R.I. Dist.

Wm Hamilton Fish

Secretary of State

Washington D.C.-

Mr. Barton

To Gardner

10 Decr 1872

Gardner

district attorney

(Providence R. I.)

Mr Gardner makes a claim for
compensation for services rendered in
connection with the (so-called) Auburn
"Pioneer" under a telegram
from me as acting secretary of state
His account is at the bottom
of these papers

I concur in Mr O'Connor's opinion that
an allowance may ^{fairly} be made
for ~~the~~ out in respect of the
services charged in the three
items which he has marked -
It would seem that it might properly
be made from the appropriation
for the execution of the neutrality
act,

C# Dec 6

Bureau of Claims
December 6th 1872

Subject

Claim of John A Gardner
U S District Attorney for the
District of Rhode Island for
services rendered in connection
with the seizure of the Steamer
"Pioneer" near Newport R I
July and August 1872

1
Mr. Gardner was called upon
by this Department by telegraph
and letter, to proceed immediately
to Newport and investigate
the facts connected with the
seizure of the "Pioneer", which vessel
had been then recently seized by
the Revenue Steamer "Moccasin"
and to report to the Department.

He performed the service
promptly and as the ultimate
result of the proceedings shown efficiently.

Mr. Gardner claims that this
special service is outside of his
regular duties as District Attorney
and presents an account to this
Department for compensation.

The account was presented by
Mr. Gardner in a letter to the
Department of September 26th 1872
which was received by the Dept.
on the 28th and on the same day
referred to the Attorney General
chiefly with a view of having
the account audited by the
Department of Justice and paid
out of the judiciary fund

On the 30th of September the
Attorney General (Mr. Hill acting)
renders his opinion to this Dept
stating that.

"Provision is made
by statute (Act of July 26th 1853
10th Stats p 161) for the fees of
District attorneys and I do
not think any service has been
rendered by Mr. Gardner in this
case the fees for which are not
provided by law."

Act 1st Mr. Gardner was
advised by letter from Department
of the nature of the case entertained
by the Attorney General and in a
letter to the Dept Oct 4th Mr. Gardner
replying by an elaborate & careful

argument in support of his claim
citing the opinion of Attorney
General in the case of Wingate
Hays Dist Attorney for Rhode Island
(9th opinions 124 Bates), and also
Attorney General's opinion in the
case of Joyner's District Attorney
for the Eastern District of Virginia
(6th opinions 299. Cushing)

The two opinions above cited
clearly sustain Mr. Gardner's
position. He also relies on a
provision of the act (Feb 26-1853)
cited by Acting Attorney General Hill
which reads as follows.

For the services
" of counsel rendered at the request
" of the head of a department such
" sum as may be stipulated or
" agreed on "

I think the three items
of Mr. Gardner's account 1-2 and 4
are embraced within the spirit
and letter of the provision of the
statute just cited. It is not intended
by this to express any opinion as to
the correctness of the amount of the
1st item, (\$500). Respectfully submitted
Henry O'Connor

ack'd



Wm Pratt

American and Spanish Commission.
Washington. Sept. 27th 1872.

Hon Hamilton Fish.
Secretary of State.
Sir:

In compliance with a request
of Mr H. D. J. Pratt, Chief of First
Diplomatic Bureau, I have the
honor to herewith transmit copies
of all the papers on file in the
office of this Commission, in the
case of Ramon Martinez Hernandez,
versus the government of Spain.

I am, Sir, very respectfully,
your obedient servant,
George O. Moore,
Secretary.

See memo
ask 28 Oct
New York September 25th 1872
Hon. Hamilton Fish
Secretary of State.
Washington D. C.



Sir:

It is with the greatest reluctance that I come again to interfere with the many and very important cares of your Department, and to ask of you a moment of attention to my case against the Government of Spain.

You know as well as myself, that since the 6th of April 1870, (the date of my first memorial to your Department,) until the 17th of May instant, (the date of the last decree issued in my case by the Spanish authorities of Cuba,) nothing was omitted by Spain to put off the restoration of my property, in spite of justice, and notwithstanding my character of American citizen. Twenty five months of a protracted diplomatic correspondence between this Government and the Government of Spain, in which Spain exhausted every possible means of delay, ended at last in the decree of the 17th of May ultimo, officially communicated to you by the Spanish Minister in that City, — releasing the embargo and ordering the restoration of my property. But the Spanish officials, true to themselves, subjected this order to the approval of the Government of Madrid, to which they sent the papers.

As I am an American citizen since 1848, as the Spanish Government has never raised any doubt about my national character, but on the contrary has always recognized it. —

as the 7th article of the treaty of 1795 is plain and does not admit but one construction, viz: "that no embargo can be placed upon the property of American citizens:"—as every charge and accusation made by Spain was fully and satisfactorily answered:—as the decree of the 17th of May closed the proceedings, as far as the Colonial authorities were concerned;—and as the sending of the papers to Spain, para aprobacion definitiva, for final approval, in obedience to the Royal Order of the 27th of April 1871, seemed to be a simple matter of form:—your Department as well as myself were confident that nothing more was to be done, and that in two, three, or four months, the property should be finally restored, without further examination and discussion.—

The object of my former solicitude was therefore confined to the designation of a proper person to take possession of said property, when actually released, since Hon. Charles Hale officially advised me not to appoint any person who might be obnoxious to Spain.

Senator Henry Wilson, the Republican candidate for Vice-President, wrote to Sen. Sickles to Madrid, and requested him to obtain a speedy disposition of my case.

But all was in vain. The fruitless mind of the Spanish officials at Madrid did find a means enabling them to abstain from any action in my case, and in some others of similar character, and to send them back again to Cuba, to be subjected there to new proceedings and new trials. This means is the Royal Decree dated August 31st 1872, and the

Royal order completing it, of the same date, which you will see in extenso in the copy of "El Cronista" of the 18th inst, appended to this letter. A full translation of the Royal order, and of the 7th article of the Royal Decree, are also appended to—

The Supreme Government of Madrid instead of approving the release of the embargo, and the restoration of property already directed by the Colonial authorities at Havana, left the papers untouched for nearly four months, at the end of which, it sent them back to Cuba, to be again examined there, by the newly created body named Sunta de la Deuda del Fisco (Board for the debt of the Treasury) according to a very complicated and truly Spanish system of proceedings.

The Supreme Government of Madrid in doing so, has made a kind of ex post facto law by applying the provisions of the Royal Decree of the 31st of August to cases, the discussion of which was closed long before and had been laid before it, merely pro forma, for the final approval of what had been ordered by the Colonial authorities.—

I do not think it probable that the Spanish Government will be permitted to act in such an arbitrary way against American citizens.

Now my papers are again in Havana, where they will be reviewed by the Sunta.—The Sunta will give its opinion in each case, and then the Captain General, except in certain cases, will submit the case to the Courts of justice, where the embargo will be either released or confirmed. Every body knows at the first sight, that one of the aims of this Decree is to

mingle the Courts of justice in these embargo's matters, and try by such an attempt a posteriori to make lawful what was from the beginning unlawful and unjust.

The Spanish Government can do as it pleases in regard to its own subjects; but in regard to American citizens it has to respect and comply with the existing treaties and ^{its} international engagements.

As an American, I have nothing to do with the Punta de la Jecuda, or with the Courts of Justice of Havana, or with any other Board or Corporation—My right is clear as the sunlight.

I protest against all these proceedings, and I expect that I do not ask of you any unreasonable or extraordinary thing, in requesting you, as I earnestly do, to demand from the Spanish Government the immediate release of my property according to the decree of the 17th of May of this year.

I am, Sir, very respectfully

Your Obedient Servant

Martin Mueses

N. 305 West 44th St. New York

Royal Order.

Most Excellent Sir:

The 7th article of the decree issued at this date by His Majesty, relating to property embargoed in Cuba by means of executive orders, (gubernativamente), provides that all the papers belonging to the applications made for the release of said property be joined to the other papers forming the record of the embargo itself, and classified and reviewed according to the provisions of the 3^d and the 5th article of the same Decree. — In anticipation of this measure, His Majesty had already been pleased to direct me, since I entered the Cabinet, to suspend all the cases which in compliance with the Royal Order of April 27th 1841, had been forwarded to this Department to be finally disposed of.

Now, it being necessary for the faithful execution of said Decree, that all those papers should be sent back to you, His Majesty has been pleased to direct me to return to you, as I do, at present, all the papers on file in this Department in regard to those matters. —

All of which I transmit to you by order of His Majesty.

May God preserve you &c. —

Madrid August 31st 1842.

Gasset.

His Excellency the Superior Civil Governor of Cuba. —

7th article of the Royal Decree.

7th — All the papers relating to the applications made to obtain the release of property, in those cases in which no decision has been yet given, shall be filed with the other papers forming the record of the embargo itself, and shall be submitted to the classification and revision spoken of in the 3^d and the 5th articles.

El real decreto que antecede en nuestro número anterior ha llegado anteayer á nuestras manos, y prescindiendo del preámbulo, que no contiene nada que no pueda encontrarse en los artículos, está redactado como sigue:

En vista de las razones que me ha expuesto el ministro de Ultramar, y de acuerdo con el consejo de ministros, vengo en decretar lo que sigue:

Artículo 1.º Los bienes que están ó en adelante sean embargados por providencia gubernativa á los insurrectos ó indelentes en la isla de Cuba, serán administrados por la Junta de la deuda del Tesoro, creada por decreto de 9 de este mes.

Art. 2.º La administración de estos bienes será llevada por la Junta con sujeción á las bases prescritas en el artículo 13 del mismo decreto para la de los bienes embargados por providencia de los tribunales.

Art. 3.º Los bienes gubernativamente embargados se clasificarán en dos categorías.

La primera comprenderá los de personas que estén en la insurrección ó de cuya complicidad con los insurrectos haya pruebas bastantes.

La segunda comprenderá los de personas de cuya complicidad con los insurrectos no haya pruebas bastantes, aunque haya presunciones fundadas.

La clasificación será hecha por la Junta y aprobada por el gobernador superior civil, con audiencia de los interesados si la pidiere.

Art. 4.º Hasta la clasificación de los bienes, el gobernador superior civil pasará á los tribunales correspondientes los datos relativos á los dueños de los bienes comprendidos en la primera categoría.

Si los tribunales confirmasen el embargo, seguirán los bienes administrados por la Junta. Si los desahucen, se devolverán los bienes á sus dueños.

Art. 5.º Respecto de los bienes comprendidos en la segunda categoría, el gobernador superior civil dispondrá que la Junta de la deuda del Tesoro, oyendo su parecer, así como las reclamaciones de los interesados, decretará el alzamiento ó alzamiento de los embargos.

Art. 6.º Cuando decretase la clasificación, el gobernador superior civil dispondrá que sigan abiertos los expedientes, á fin de llevar á ellos cuantos datos se adquirieran sobre la inocencia de los dueños de los bienes ó su complicidad con la insurrección.

La misma autoridad, con audiencia de la Junta y examinadas las reclamaciones que hubieren hecho los interesados, decidirá que pague á la primera categoría los bienes de que trata este artículo, y remitirá los expedientes á los tribunales siempre que se hayan adquirido pruebas suficientes de la criminalidad de los dueños.

Art. 7.º Los expedientes gubernativos sobre desembargos que estén pendientes de resolución se unirán á los de embargo de los bienes respectivos, y se someterán á la clasificación y revisión de que hablan los artículos 3.º y 5.º.

Del mismo modo se unirán, á fin de ser tramitadas con ellos á los expedientes de embargo, las solicitudes de desembargo que se hagan en lo sucesivo.

Art. 8.º Los embargos que en adelante se decreten, serán inmediatamente pasados á los tribunales, si el gobernador superior civil, oyendo á la Junta, estimare que hay pruebas bastantes respecto de la criminalidad de los dueños de los bienes.

Cuando no sean pasados á los tribunales, se observará en cuanto á ellos lo prevenido en el artículo 5.º.

Art. 9.º El gobernador superior civil tomará las medidas convenientes para que la Junta se encargue, en cuanto esté instalada, de la administración de los bienes embargados por providencia gubernativa.

Art. 10. La Junta entregará mensualmente en las arcas del tesoro los productos que recaude de estos bienes.

Art. 11. Los productos de los bienes correspondientes á la primera categoría, cuyo embargo sea confirmado por los tribunales, será aplicado á la amortización de los billetes, con arreglo al decreto de 9 de este mes; y para ello entrarán de nuevo en poder de la Junta, si esta los hubiese entregado al Tesoro.

Art. 12. Los demás productos serán devueltos á los dueños de los bienes ó á sus herederos en los siguientes casos:

Los de bienes de la primera categoría, cuando los tribunales llamados á conocer con arreglo á los artículos 4.º, 6.º y 8.º decretan el alzamiento del embargo por falta de méritos para proceder contra los dueños.

Los de bienes de la segunda categoría, cuando el gobernador superior civil disponga al alzamiento del embargo conforme al art. 5.º.

Art. 13. La Junta redactará una instrucción para llevar á efecto lo prevenido en este decreto, y la someterá á la aprobación del gobernador superior civil. Si éste la aprueba, se pondrá en vigor desde luego, y sin perjuicio de la resolución que sobre ella se adopte por el ministerio de Ultramar, al que será remitida para su definitiva aprobación.

Art. 14. Quedan derogadas todas las disposiciones vigentes sobre bienes embargados en Cuba por providencia gubernativa, en cuanto se opongan á las prescripciones de este decreto.

Dado en palacio á treinta y uno de agosto de mil ochocientos setenta y dos.—Amadeo.—El ministro de Ultramar, Eduardo Gasset y Artime.

Como complemento del anterior decreto, se ha expedido la siguiente real orden:

Excelentísimo señor: El decreto sobre bienes gubernativamente embargados en Cuba que S. M. se ha dignado expedir con fecha de hoy, previene en su art. 7.º que los expedientes sobre desembargo pendientes en la actualidad se unan á los de embargo de los bienes respectivos, y se sometan á la clasificación y revisión de que hablan los artículos 3.º y 5.º del mismo decreto. Ya en la prevision de esta medida se sirvió S. M. disponer á mi entrada en el ministerio, la suspensión de todos los expedientes de desembargo, que, en cumplimiento de lo mandado por real orden de 27 de abril de 1871, habían sido elevados á este ministerio para su resolución definitiva.

Y siendo preciso á fin de que el decreto tenga cabal ejecución, devolver á V. E. los expedientes citados, S. M. ha tenido á bien mandar que se remitan á V. E., como de su orden lo ejecuto, todos los que existen en este ministerio.

De real orden lo digo á V. E. para su cumplimiento y efectos consiguientes. Dios guarde á V. E. muchos años. Madrid 31 de agosto de 1872.—Gasset.—Excmo. señor gobernador superior civil de la isla de Cuba.

ack'd
W. A. C. 10/1

Department of Justice
Washington

W. Pratt

Sept 100 1872.



Hon. Charles Hale,
Act'g Sec'y of State.

Sir: I have the honor
to acknowledge the receipt
of your letter of the 25th
instant, enclosing a letter
addressed to your De-
partment under date
of the 20th by John
A. Gardner, Esq, the
United States Attorney
for the District of
Rhode Island, accompanied
by

2
by a statement of his account
for services rendered
by him as counsel in
the matter of the steamer
"Pioneer". The account
is rendered for the
sum of \$724.²³.

Provision is made by
statute, (act of Feb'y 26th, 1853,
10 Stats, p. 161,) for the fees
of District Attorneys,
and I do not think
any service has been
rendered by Mr. Gardner
in this case the fees
for

for which are not provided by law.

As at present advised, I do not see why he is entitled to any greater compensation than that provided by the act above referred to.

I return herewith the papers as requested

Very respectfully,
Hewitt Hugh Hill
Actg Atty General.

ackd



Sept

Washington D.C. 30 September 1872

J. Comrable (Charles J. Hale) (atty. Gen.)
Respected Sir:

Your favored copy of 27th is regular at hand
for which I am thankful
I notice therein the force of argument as the reason
that you cannot return me my vouchers, as for cause
this Government having assumed in keeping them by
binding them in a volume, and retain such as
the effects for the Department of State.

Now my dear Sir I have no objection to
your Department retaining them for their use if at any
time required by it, but say nevertheless that I did not
send them to this Government to keep, but for only to
examine them, and for your consideration of its subject
matter as appertains between Citizions of different
governments, "now almost settled, but requiring
only some official pen" authorized to its finish, they are my property
Therefore as you cannot return me them for reason
by you given, I very respectfully ask of you
to furnish me with the English Copies thereof and
certified as my papers reserved by your Department
and is in common justice due me, and is all
that I will require as my right from you, not
doubting for a moment as I have explained
that the prompt integrity of the U.S. government
my adopted country in which I have placed
and pledged my faith, and of which I am a
Naturalized Citizen this 18 Years, will

hesitate or shrink to supply me with my request.
I have no use at present for the French parts thereof
that I sent you, but if it is your pleasure and not
too much trouble to furnish me both as English and
French it might be a benefit to me hereafter, either
for use or to enlighten to others the true merits of
my case.

I suppose such will be furnished me without
charge, as I have no ready money any more
loose, and by your present Archives control over
them as seeing fit to keep them. I hope to be furnished
with their exact Copies without further great
delay as I am exhausted in purse and
nearly so in years.

Please answer me how soon I shall expect
them from your Department, so as to govern
my affairs and to endeavour to relieve my
distressed situation as I am burdened with
heavy expences and debts, and when I have sued
and exhibit to those that have aided me, would
establish the confidence they have placed in me,
otherwise I might as well be dead, and then most
persons would without doubt still continue
to aid me this approaching winter, otherwise
~~I would have to depend on the cold charity of~~
the world, if not the Poor house, excuse me for
being thus explanatory.

Remain every humbly

Your Obedt. Son &c

Charles Augustin Savé

(Edinburgh Nov. 17th 1755)

Sick.
Hon Hamilton Fish

Mr. P. Pitt
18 E. 35. New York Aug 20th 1872.
ack 25 Sept

Dear Sir, - I have recd from

My correspondent in Madrid, information that the U.S. Legation had recd instructions from the State Department, to present the case of Hernandez to the Spanish Govt according to the wishes expressed by me in my former letters,

My correspondent also says "If you have a brief or any testimony that has been taken, it may be well to send these to the Legation through the Dep of State"

This remark induces me to trouble you with an Enquiry - Have copies of all the papers connected with the claim of Ramon Martinez Hernandez been sent to the Legation at Madrid?

The papers were sent by you to our Consul Genl in Cuba, - and by him were placed in the hands of the hands of the Authorities in that Island, - Subsequently, these papers were referred by the Spanish authorities to the Spanish Minister in Wash^g, and said Minister notified the State Dept that he had ^{sent} them to Madrid for action on the part of the Spanish Government,

Will you please inform me what papers, if not all, have been sent to Genl Sickles, with the instructions that he has lately received, to present the case of Hernandez to the Spanish Government,

Respectfully Yours

A.S.

Wm. M. Stilwell

Wm. M. Stilwell is
C.H.
and 31