report that I addressed a communication to the Government of Nicaragua on the subject and have received a reply, in which it is stated that as long as the said persons devote themselves strictly to a mission of Christianity and civilization, refraining from infringing upon the laws of Nicaragua or jeopardizing the peace of the country, they will be fully protected.

Copies of the above correspondence are herewith inclosed

I have, etc.,

LEWIS BAKER.

[Inclosure 1 in No. 415.]

Mr. Baker to Mr. Baca.

No. 76.] LEGATION OF THE UNITED STATES,
Managua, Nicaragua, October 18, 1894.

MR. MINISTER: As you are aware, the Moravian Church has, for the past forty-six years, carried on mission work among the Indians of the Mosquito Reserve, under the protection of the Government which has heretofore existed in that territory.

It is believed that this work has done much to improve the condition of the Indians and to develop the country. There are, I am informed, some thirteen stations, with a membership of nearly 6,000. These stations are located at different places along the coast from Bluefields to within the vicinity of Sandy Bay. There are fourteen day schools, with between 600 and 700 scholars, under the care of the missionaries.

I am frank to say to you that I do not share in the apprehensions expressed to me that the change in the Government of the country will injuriously affect these missionaries and their work; but it will be a satisfaction to them to know from your honor that they will be as completely protected in the future as they have been in the past.

With high respect, etc.,

LEWIS BAKER.

[Inclosure 2 in No. 415.—Translation.]

No. 514.] MINISTRY FOR FOREIGN AFFAIRS,
Managua, Nicaragua, October 22, 1894.

MR. MINISTER: The day before yesterday I had the honor of receiving your note of the 18th instant.

Your excellency states that for many years past missionaries of the Moravian Church have resided on the Atlantic coast of this Republic, and that you desire to know if, contrary to the fears which have been expressed to you, but to which you do not give credit, my Government intends to observe toward them a conduct of protection.

I must state to your excellency, with the same frankness with which you spoke to me of the matter, that my Government being in duty bound to maintain peace, respect for the laws, and the absolute supremacy of our national sovereignty, has taken, and shall take, only such measures as are imposed upon it by duty; therefore, those who devote themselves to a mission of civilization and Christianity may count, without reserve, upon the ample protection of our laws.

And thus satisfying your excellency's desires, I take pleasure, etc.,

F. BACA, H.

PERSIA.

TAXATION OF FOREIGNERS ENGAGED IN TRADE.

Mr. Sperry to Mr. Gresham.

No. 60.] LEGATION OF THE UNITED STATES,
Teheran, Persia, July 3, 1893. (Received August 11.)

SIR: I have the honor to report that I have received from the minister for foreign affairs a communication in regard to the taxation of foreigners, resident here, who are engaged in trade. This communication was received at this legation about ten days after the Persian date of it. A copy of this communication is herewith inclosed, with the translation. I have forwarded copies of this communication to each of the several groups of American citizens residing in Persia, with an explanatory note, a copy of which is inclosed. It is only in regard to their medical operations that the American missionaries could be brought under the terms of this new order. As both medical services and drugs are furnished by them without cost in those cases where the patient is unable to pay, I am of the opinion that they will not be held by the Persian Government to be engaged in trade, within the meaning of the new order.

I have, etc.,

WATSON R. SPERRY.

[Inclosure 1 in No. 60.—Translation.]

Minister of Foreign Affairs to Mr. Sperry.

TEHERAN, PERSIA, *27th of the month Zee Radah, A. H. 1310.*

YOUR EXCELLENCY AND KIND FRIEND: It will be evident to your mind that when any foreigner proposes to engage in any business, such as the weaving of woolen fabrics, the sale of dry goods, medicines, and haberdashery, or take up the trade of a tailor, in any of the provinces in the Kingdom of Persia, he must participate with his fellow-tradesmen in the payment of the Government dues.

If this incident of taxation should not fall on all alike, foreigners being exempt from payment, that which has been remitted from them will fall upon the native trader and render his business unsafe and unprofitable.

Following on the repeated complaints of the native traders, the imperial foreign office has for several years past brought this matter to the notice of the foreign legations resident in Teheran, and has requested that they will give orders to all their subjects that whenever they shall engage in any local trade they shall pay the Government dues the same as others.

As some of the foreign legations have made representations to the effect that their subjects might enjoy the most-favored-nation privileges, this matter has just been discussed with the imperial Russian

legation, and it has been concluded and established that the subjects of that state shall pay their taxes in the same proportion as the natives of Persia.

I beg to trouble your excellency with this information and respectfully request that you will communicate this matter to all citizens of your Government, and inform them that should any one of them from henceforth engage in any trade he must pay the Government taxes to the administrative officials of the Government of Persia. The officers appointed to carry out these duties will collect the usual trade taxes from your citizens forty days from the date of this letter, on the same assessment as that made against the subjects of other nations enjoying the most-favored-nation privileges.

I take this occasion to renew, etc.,

[Seal of Kavam ed-Dowlah.]

[Inclosure 2 in No. 60.]

Mr. Sperry to American citizens in Persia.

LEGATION OF THE UNITED STATES,
Teheran, Persia, June 27, 1893.

MY DEAR SIR: I send you herewith, for the information of all concerned at your place, a copy of note recently received by me from the minister for foreign affairs. This note was not sent to me by the foreign office until ten days after its date. My personal opinion is that it will be made to apply only to those who are actually engaged in trade or business for the purpose of making money. Where, as in your case, drugs are handled for benevolent purposes, and not for personal profit, I think that there will be no attempt made to collect a tax.

Sincerely yours,

WATSON R. SPERRY.

Mr. Gresham to Mr. McDonald.

No. 11.] DEPARTMENT OF STATE,
Washington, August 15, 1893.

SIR: I have received Mr. Sperry's dispatch No. 60 of the 3d ultimo, diplomatic series, in relation to the order of the Persian Government for the taxation of foreign residents engaged in trade in Persia. He states that he has submitted a copy of this order to each of the American missionaries in Persia and has expressed to them the opinion that where, as in their case, drugs are handled for benevolent purposes and not for personal profit, no attempt would be made to collect the tax.

Consideration of the question would have been facilitated had Mr. Sperry reported the basis upon which native traders are taxed, and the manner in which it would affect the missionary dispensers of drugs, if applied to them. It would seem from Mr. Sperry's statements that the gratuitous practice of medicine and supply of drugs is confined to indigent patients. If the missionary doctors receive fees from those able to pay and furnish drugs to them for a price, there will be no valid objection to their being taxed for engaging in trade to the extent of their operations.

The question is whether the tax is scaled according to the amount of trade, or takes the form of a fixed license tax. If the latter, and it should be disproportionate to the limited feed practice of the missionaries, it is probable that the Persian Government would allow their gratuitous practice, if they should agree to confine themselves to that and abandon competition with natives who practice medicine for gain.

Awaiting such observations as you may think prudent to offer in regard to the matter,

I am, etc., W. Q. GRESHAM.

Mr. McDonald to Mr. Gresham.

No. 15.] LEGATION OF THE UNITED STATES,
Teheran, September 21, 1893. (Received October 27.)

SIR: I have the honor to acknowledge the receipt of your No. 11 of August 15, 1893, in reply to Mr. Sperry's No. 60, diplomatic series, in regard to the order of the Persian Government for the taxation of foreign residents engaged in trade in Persia. The word trade as used in its general sense hardly expresses the term used in the Persian Government circular, which formed the subject of Mr. Sperry's dispatch. "The trades" would be the more correct form, meaning thereby such kinds of occupation as carpentry, tailoring, blacksmithing, shoemaking, hatmaking, drapery, etc. Wholesale exporters and importers are exempt from these taxes, on the ground that they pay their proportion of the general taxation in customs duty. Men engaged in professions, such as doctors, lawyers, and the priestly class generally, are also excluded.

The taxation of the trades is one of the oldest methods of raising revenue, and dates from about the time of the Mohammedan conquest of Persia, or upward of one thousand years ago; and, notwithstanding revolutions and the changes of dynasties, the amount collected from each trade has been rarely altered. Each trade is taxed according to some general computation of the profits gained in the course of the year. For instance, all the shoemakers of Teheran pay a tax of 12,000 krans, or about $1,500 a year; the sellers of native medicines (herbs), who also keep in their shops a few other articles, such as sugar, tea, tobacco, etc., pay a tax of 6,000 krans, or about $750 a year. The payment of these taxes has to be made during ten months of the year—two holy months, the months of Ramazan and Muharram are excluded. The levying and collecting the taxes are somewhat peculiar, although they secure to each person a certain degree of protection from unjust exactions. Once in six months a meeting of all the members of the trade is called at some appointed place, when the position and standing of each individual is inquired into, and the amount that each person is to pay is determined by themselves, in such proportion as to make up the full amount due to the Government. One person, generally the chief of the trade, is appointed, with an officer on the part of the Government, to collect the tax from each individual according to his assessment. Thus, it appears, that no one engaged in any trade is taxed without his having first had an opportunity of being heard on the subject.

I have not yet heard of any claim being made against an American citizen for the payment of these taxes, and I do not think that any will be made.

I have, etc., ALEX. MCDONALD.

Mr. McDonald to Mr. Gresham.

No. 57.] LEGATION OF THE UNITED STATES,
Teheran, Persia, January 11, 1894. (Received February 17.)

SIR: I have the honor to transmit herewith a copy of the translation of the memorandum sent from the foreign office respecting the taxation of foreigners engaged in various trades in Persia, and a copy of the translation of the reply thereto.

I am, etc.,

ALEX. MCDONALD.

[Inclosure 1 in No. 57.]

Memorandum from the Persian foreign office.

It has been decreed that all subjects of foreign powers engaged in the different trades and businesses of and residing in Persia shall pay the ordinary assessed taxes, in the same proportion as the natives of the country.

As the various legations of foreign countries have sent in the names of their subjects employed in the trades, it is respectfully requested that the legation (the United States) will also send into the foreign office a list of its subjects, that regulations may be issued regarding them.

[Seal of the Kavam-ed-Dowlah, minister of foreign affairs.]

[Inclosure 2 in No. 57.]

Memorandum from United States legation in reply to the above.

LEGATION OF THE UNITED STATES,
Teheran, January 10, 1894.

In reply to the memorandum of the imperial foreign office, dated the 28th of Jamadi-es-Sani, corresponding to the 5th of January, respecting the taxation of foreigners engaged in the various trades of Persia, this legation begs to report, for the information of the foreign office, that, having made careful inquiries, it finds that throughout Persia there are no citizens of the United States engaged in any of the taxable trades referred to in the memorandum.

ALEX. MCDONALD.

ASSIGNMENTS OF CLAIMS BY PERSIAN SUBJECTS TO FOREIGNERS.

Mr. McDonald to Mr. Gresham.

No. 21.] LEGATION OF THE UNITED STATES,
Teheran, September 25, 1893. (Received November 3.)

SIR: I have the honor to inclose for your information a copy and translation of a circular memorandum, received from the Persian foreign minister on the 22d instant.

The practice to which the memorandum refers is of long standing. When a Persian subject fails to recover a claim from a fellow-citizen to which he thinks he has a bona fide right, he very often transfers the

documents relating to the claim to the citizen of a foreign state for some valuable consideration or on the pretext that the transferee has some counter claim against him to the full or even a greater amount. The purchaser or transferee then presses the claim through the intermediary of his legation, and, rightly or wrongly, very often succeeds in recovering the whole of the claim.

I have no reason to think that any United States citizen has ever resorted or will ever resort to this practice, either to prevent an injustice or to make profit; yet I have nevertheless sent a copy of the memorandum to each of the missions in Persia, so as to prevent misunderstanding.

I have, etc.,

ALEX. MCDONALD.

[Inclosure in No. 21.—Translation.]

Memorandum from the minister for foreign affairs.

In consequence of certain persons, subjects of Persia, negotiating and transferring some of their old, unjust, and irrecoverable claims to citizens of foreign Governments, causing loss and damage to traders, and producing confusion in the proceedings of the courts of justice and disorganizing trade, besides violating the solemn rights of the Government and otherwise causing annoyance and inconvenience, His Majesty has ordered that these negotiations and transfers are to be considered as groundless and entirely null and void until, according to international engagements, the papers or documents have the indubitable seal of the foreign office, and on the faith of that security the legation legalizes them. It is therefore evident that the honorable legation will give strict injunctions to its subjects that this matter may be unquestionably complied with and by no means allowed to continue, lest the claim (by the foreign citizen) be refused.

It is furthermore hoped that the honorable legation will have this subject in mind and so help to put a stop to the irregularity. We give no further trouble at this time.

Dated 9 Rubi-ul-avval (20th of September), A. H. 1311.

[Seal of the Kavam-ed-Dowlah, minister for foreign affairs.]

Mr. Gresham to Mr. McDonald.

No. 26.] DEPARTMENT OF STATE,
Washington, November 11, 1893.

SIR: I have received your No. 21 of 25th September last and the copy therewith of a memorandum of the Persian foreign office on the subject "of Persian subjects transferring their claims" to subjects of other powers in order that the claims may be recovered through the legation of the transferees. I have to say with reference thereto that this Government will never recognize an assignment of a claim against a foreign country made by a citizen or subject of that country to a citizen of this for the purpose of invoking diplomatic aid in the recovery thereof. Still less will it undertake to aid in the recovery of claims against subjects of foreign countries which originally accrued in favor of their fellow-subjects and have been assigned by the latter to American citizens. Your action is therefore approved.

I am, etc.,

W. Q. GRESHAM.

ESTABLISHMENT OF A MISSIONARY SCHOOL AT KERMANSHAH FORBIDDEN.

Mr. McDonald to Mr. Gresham.

No. 61.] LEGATION OF THE UNITED STATES,
Teheran, Persia, January 22, 1894. (Received March 5.)

SIR: I beg leave to transmit for your information copies of two letters I have quite recently received from the Rev. James W. Hawkes, an American missionary stationed at Hamadan, asking me to use my good offices with the Government here to procure from the Shah permission to rent premises and open a school for the benefit of the Jews and Christians in the town of Kermanshah, a city a little more than midway between here and Bagdad.

I also inclose a copy and translation of my letter to the prime minister on this subject, to which there has yet scarcely been time for a reply.

I have, etc.,

ALEX. MCDONALD.

[Inclosure 1 in No. 61.]

Mr. Hawkes to Mr. McDonald.

KERMANSHAH, PERSIA, *December 19, 1893.*

DEAR SIR: In reply to a request from a number of Jews of this city several times preferred in writing, and at the expressed desire of the Christians residing here, my wife and I are here for the purpose of starting a school for their children. On my second visit to his excellency the Ameer-i-Nizam, governor of this province, he informed me that his Government is not willing we should establish a school here without first obtaining, through you, permission from the central Government at Teheran.

Being ignorant that such a permission would be required, I did not take the precaution to arm myself with said document before coming down. Now I will be greatly obliged if you will make request in my name, from the prime minister, for the necessary papers to meet the case. Should it be demanded, I have no objection to restricting the attendance of Moslem pupils to such as shall first obtain permission of their own Government.

Hoping for a favorable answer,

I remain, etc.,

JAS. W. HAWKES.

[Inclosure 2 in No. 61.]

Mr. Hawkes to Mr. McDonald.

KERMANSHAH, PERSIA,
January 9, 1894.

DEAR SIR: We have been here six weeks and all our efforts to rent a house for the winter were ineffectual. Finally we succeeded in effecting the lease of the house of Mirza Ahad, Scrishtadar of the custom house, for a term of three years in consideration of 50 tomans per year, one-half cash down and the other half to be used in repairing the property next summer. I send you herewith the papers pertaining to this lease.

Now the said Mirza Ahad affirms he has sold the house and wishes us to vacate. I tell him I will do so when the lease has expired. Will you kindly obtain a line or two from the central Government establishing us in our rights in this case, since I understand the governor here, his excellency the Ameer-i-Nizam, is not likely to sustain us without authority from the capital.

Hoping for a favorable reply,

I remain, etc.,

JAS. W. HAWKES.

[Inclosure 3 in No. 61.]

Mr. McDonald to the Sadi Azam.

LEGATION OF THE UNITED STATES,
Teheran, January 24, 1894.

YOUR HIGHNESS: The Rev. James W. Hawkes, an American missionary, residing in Hamadan, having received several very pressing invitations from the Jews and Christians in Kermanshah to visit that city and open a school for the education of their children, has now, accompanied by his wife, been in Kermanshah for about six weeks, making inquiries into the condition and wants of the children of these people, and he has come to the conclusion that a school would be a great benefit and advantage to them.

Mr. Hawkes is now prepared to accede to the desire of these religious bodies, and will undertake to provide the necessary funds and means for the equipment and maintenance of the school; and he has asked me to bring this matter to the notice of your highness, and on his part most respectfully request that you will have the kindness to obtain His Imperial Majesty's gracious permission and sanction to rent suitable premises, and to open the school.

Your highness will so readily admit that this is a most useful work in satisfaction of a great need, that it is not, on my own part, necessary to urge any plea on behalf of this proposal of Mr. Hawkes, but I feel confident that I am justified in saying that the privilege, now asked for by Mr. Hawkes, when granted will in no sense be abused.

Permit me to renew, etc.,

ALEX. MCDONALD.

Mr. McDonald to Mr. Gresham.

No. 64.] LEGATION OF THE UNITED STATES,
Teheran, Persia, February 8, 1894. (Received March 22.)

SIR: In continuation of my dispatch of the 22d of January, transmitting copies of two letters from the Rev. James Hawkes, an American missionary residing in Hamadan, asking me to obtain permission from the Persian Government for him to open a school for the education of Jewish and Christian children in the town of Kermanshah, and my communication to the Grand Vizier preferring Mr. Hawkes's request, I now have the honor to transmit for your information a copy and translation of the prime minister's reply refusing permission to allow the school to be opened, on the ground that it might be the cause of trouble and dispute.

As Mr. Hawkes appears to have gone to some trouble and incurred considerable expense, and as the work he proposes to undertake would be of practical benefit and utility to the Jewish and Christian communities in Kermanshah, I propose to have an interview with the prime minister as soon as possible, to speak with him on this and one or two other subjects; but as his highness is unwell I may not be able to obtain it for a few days at the least.

I have, etc.,

ALEX. MCDONALD.

[Inclosure 1 in No. 64.]

The Prime Minister to Mr. McDonald.

YOUR EXCELLENCY: The contents of your letter dated the 12th of the month Rajah, A. H. 1311, with reference to the opening of a school in Kermanshah for the instruction of the children of the Jewish and Christian communities in that city, have been understood.

In considering the objections to this institution in Kermanshah it is evident that it would result in trouble and disputes. I wish to bring these objections plainly to the mind of your excellency, and to state that the Imperial Persian Government begs to be excused from granting the permission for Mr. Hawkes to start a school in Kermanshah.

I take, etc.,

Dated the 22d of the month Rajah, 1311, the 30th of January, 1894.

Mr. Gresham to Mr. McDonald.

No. 51.] DEPARTMENT OF STATE,
Washington, March 29, 1894.

SIR: I have received your No. 64 of the 8th ultimo, reporting the denial of the application of the Rev. James Hawkes, a citizen of the United States, for permission to open a school for the education of Jewish and Christian children at Kermanshah.

In his reply to your note submitting Mr. Hawkes's application, the prime minister states that "it is evident" that the establishment of the proposed school "would result in trouble and disputes;" wherefore the Imperial Persian Government begs to be excused from granting the solicited permission.

The vagueness of the minister's reply presents a dilemma, either aspect of which is unsatisfactory. If his excellency charges the projectors of this benevolent school with a purpose to raise trouble and disputes, it would be but fair to state the grounds of so serious an aspersion against men whose humane profession and law-abiding record are well known. If, on the other hand, his excellency apprehends trouble and disputes being raised by Persian subjects against these peaceable doers of good among their fellow-men, his statement amounts to an admission of either inability or unwillingness to enforce in Persia the guarantees of the treaty of 1856, the third article of which stipulates that—

The citizens and subjects of the two high contracting parties—travelers, merchants, manufacturers, and others—who may reside in the territory of either country shall be respected and efficiently protected by the authorities of the country and their agents, and treated in all respects as the subjects and citizens of the most favored nation are treated.

The anticipated violation of Persian law, by persons amenable to that law, is no ground for denying treaty rights of residence and calling to the menaced alien when he himself shall conform to law.

Moreover, the fifth article of our treaty provides for the orderly and legal settlement of all suits and disputes between Persian subjects and citizens of the United States before the competent tribunal. What "trouble and disputes" not comprehensible under this article are intended by his excellency I am unable to conjecture. It is regretted that his excellency did not "bring these objections plainly to the mind of" the diplomatic representative of the United States, as he expressed a wish to do. Under any circumstances, however, it is clear that nothing in the treaty contemplates the avoidance of such disputes by the restriction or prohibition of the residential rights of American citizens.

Dr. Hawkes has given the best proof of his intention to respect the law and peace of Persia by the form and manner of his application.

The result of your intended supplementary appeal to his excellency the prime minister is awaited with interest.

I am, etc.,

W. Q. GRESHAM.

Mr. McDonald to Mr. Gresham.

No. 83.] LEGATION OF THE UNITED STATES,
Teheran, April 4, 1894. (Received May 9.)

SIR: In regard to the Kermanshah school his highness, as will be seen by the inclosed note, adheres to his previous decision not to grant permission for the opening of the same. In pressing this matter on his highness I spoke in the highest terms of the character and accomplishments of my countrymen, the missionaries; of the good they are doing by their disinterested and self-sacrificing labors through the media of their schools, their hospitals, and churches; of the seeming inconsistency of allowing schools at other places (where they were working smoothly and well) and denying one for Kermanshah, where there was loud call for it—all of which his highness admitted, saying the humane work of the missionaries in Persia was fully appreciated by the Government; but still for some reason he has seen proper to withhold the permission asked for in this instance. I think there is some secret history about the matter which is not understood—perhaps some interference by rival and jealous religious propagandists. Our missionaries had secured property and made other arrangements for opening the school at Kermanshah, and are disappointed and placed at inconvenience by this decision of the Government; but I think I have pressed the matter as far as is advisable for the present and will, therefore, let it drop unless there are new developments.

I am, etc.,

ALEX. MCDONALD.

[Inclosure in No. 83.—Translation.]

The Prime Minister to Mr. McDonald.

YOUR EXCELLENCY: I beg to inform you that the contents of your letter of the 7th of the month of Ramazan (15th of March), 1894, with reference to the opening of a school at Kermanshah, at the request of the Jews and Armenians of that city, have been understood.

At another time, if it should be advisable to open this school, there would be no objection to the issue of the order granting permission, but to open a school of this kind at the present in Kermanshah is open to objection.

I beg to trouble you with these few lines in reply to your letter.

I hereby renew, etc.,

[Seal of the prime minister.]

Mr. Tyler to Mr. Gresham.

No. 95.] LEGATION OF THE UNITED STATES,
Teheran, May 7, 1894. (Received June 8.)

SIR: I have the honor to report that in the absence of Mr. McDonald I have taken the liberty to open your No. 51, diplomatic series, dated March 29, 1894, commenting on the refusal of the Persian Government to allow the Rev. James Hawkes, a citizen of the United States, to open a school for the education of Jewish and Christian children in the town of Kermanshah.

The result of the further negotiations with the prime minister on this subject was communicated in Mr. McDonald's dispatch of the 4th of April.

If a favorable opportunity should present itself for reopening this question I shall not fail to take every advantage of the very pertinent and forcible arguments contained in your dispatch.

I am informed that Mr. Hawkes has returned to the mission station at Hamadan.

I have, etc.,

JOHN TYLER,
Vice-Consul-General in charge.

Mr. Tyler to Mr. Gresham.

No. 108.] LEGATION OF THE UNITED STATES,
Teheran, June 18, 1894. (Received July 19.)

SIR: In reverting to the decision of the Persian Government on the application of the Rev. James Hawkes, of Hamadan, for permission to open a school for the education of Christian and Jewish children at Kermanshah, I respectfully beg to report that on the 15th instant I received a friendly visit from the Mushir-ul-Mulk, the official charged with the foreign business in the department of the prime minister.

In the course of conversation with his excellency, who is a friend of mine, I took advantage of the opportunity to introduce the subject of the proposed school. I told him that the Department of State, in view of the entirely benevolent and unselfish feelings which had prompted Mr. Hawkes, who was a gentleman of the most blameless character and superior intelligence, to accede to the pressing invitation of the Christians and Jews of Kermanshah, regretted very much the prime minister's decision; and I added that I should be very glad if he would give me the reasons which had induced his highness to come to this adverse conclusion.

He told me that the application had been laid before His Majesty the Shah, who, in consequence of the distance of Kermanshah from the capital, and the turbulent and fanatical character of the people and the tribes in that neighborhood, was afraid that some evil-disposed persons might stir up opposition and strife which would jeopardize the safety of those in charge of the school, and be a source of trouble to the state, and he, therefore, did not think it would be advisable to open a school there at the present.

The Mushir-ul-Mulk said that they all recognized and admitted to the fullest extent the civilizing and beneficial work of the missionaries; and that when, from a more extended intercourse with the outside world, more liberal views pervaded the population, there would be no objection offered to the work of the missionaries in Kermanshah. I remarked that I was under the impression that the Catholics were already, in some character or other, established there. He said he was not aware of it, but if I could prove that a mission of any kind was already in existence it would be an argument in favor of the application, and he would see what further could be done. I promised to make the necessary inquiries and let him know the result.

As the final decision had been given by His Majesty I did not think it prudent, in my position, to discuss the rights and obligations of the treaty.

In consequence of some maladministration and tyrannical exactions on the part of the late governor of Kermanshah, at the end of last year there was a serious rising of the populace against that official, and the Government was obliged to recall him. This circumstance may possibly have had some influence on the mind of the Shah, when this proposal was laid before him, and inclined him to an adverse decision.

I have, etc.,

JOHN TYLER,
Vice-Consul-General in charge.

Mr. Tyler to Mr. Gresham.

No. 118.] LEGATION OF THE UNITED STATES,
Teheran, August 6, 1894. (Received September 6.)

SIR: In my No. 115 of July 25 I had the honor to transmit a copy and translation of a letter which I had addressed to the Mushir-ul-Mulk regarding the proposal of Mr. Hawkes, a missionary in Hamadan, to open a school in Kermanshah for the instruction of Jewish and Christian children in that city. I now beg to forward his excellency's reply, which, it will be observed, is still unfavorable.

Whether the troubles in Hamadan have had anything to do with this refusal I do not know, but at any rate the Government seem to have made up their minds on the subject, and I think that any further application would be useless at the present.

I am, etc.,

JOHN TYLER,
Vice-Consul-General in charge.

[Inclosure in No. 118—Translation.]

Mushir-ul-Mulk to Mr. Tyler.

22D OF MUHARRAN, A. H. 1312. (JULY 26, 1894.)

SIR: I have to acknowledge the receipt of your esteemed favor of the 15th of Ramazan, A. H. 1312, in regard to the proposal of Mr. Hawkes to open a school at Kermanshah for the instruction of Jewish and Christian children, and have understood its contents. I have reported the matter to the proper quarter, but in view of the unfavorable surroundings in connection with this proposal, and which have already been communicated to the legation, and which, should a favorable opportunity present itself, I may report in more detail to you personally, it seems that to open a school of this kind in that city would unquestionably give rise to troubles and disputes; and the Persian Government apologizes for not being able to concede the permission to Mr. Hawkes to open a school in that city.

I take, etc.,

MUSHIR-UL-MULK.

RELIGIOUS PERSECUTIONS AT HAMADAN AND DOMICILIARY RIGHTS OF AMERICANS.

Mr. Tyler to Mr. Gresham.

No. 113.] LEGATION OF THE UNITED STATES.

Teheran, Persia, July 12, 1894. (Received August 15.)

SIR: I have the honor to forward for your information copies of (1) a letter from the Rev. James Hawkes, an American missionary at Hamadan, relating to the renewed persecution of the Jews by a certain ecclesiastical dignitary in that city, and the forcible removal of a man who had taken refuge in Mr. Hawkes's house; (2) a letter from Dr. Holmes, the medical missionary at that station, in regard to the same subject; (3) extract from a letter from Dr. Holmes reporting the arrest of some of their teachers and pupils, probably Jews, who were, however, speedily released; (4) a letter from myself to Dr. Holmes expressing my views of the situation, and requesting to be informed by telegraph in case affairs in Hamadan should assume a more serious aspect; (5) a letter from Mr. Conyingham Greene, the English chargé d' affaires, to myself affirming his belief that Mullah Abdullah, the author of all these troubles, who was ordered up to Teheran by the Shah, was, before he was permitted to return, obliged to give securities for his future good behavior, and stating that the Sadr Azem had informed him that orders had been sent by the Shah which would have the effect of putting an end to these oppressions.

It appears from what I have been able to gather from various sources that for some time past there has been a considerable movement amongst the Jewish population in Hamadan towards Christianity. This may or may not be a reaction against the persecutions and indignities which they have suffered at the hands of the ecclesiastical and ruling authorities. It may also be, and on which I do not profess to offer an opinion, the result of religious convictions. Whichever may be the active cause, or it may even be both, it is quite evident that the Akhund, Mullah Abdullah, considers it a reflection on himself and the Moslem

religion as well. He is a violent bigot and fanatic, and this phase of his character, in the eyes of the common people, throws a halo of sanctity around his person. It is satisfactory to find from Mr. Greene's letter that the Shah has again asserted his authority in favor of peace, order, and good government.

I have, etc.,

JOHN TYLER,
Vice-Consul-General in charge.

[Inclosure 1 in No. 113.]

Mr. Hawkes to Mr. Tyler.

HAMADAN, *June 28, 1894.*

DEAR MR. TYLER: Having received your favor of the 19th instant, I am pleased to learn that you still interest yourself in our efforts to establish a school at Kermanshah. I hope you may be eventually successful in obtaining the necessary permit.

The Catholics have no mission at present in Kermanshah, but I understand they are making preparations to open one shortly. Last winter during our stay there the Catholics gave us a separate petition, which I forwarded to our U. S. minister. You can no doubt find it in its proper place. The Christian community at Kermanshah numbers about six or eight families, almost entirely Catholic, and the Jewish community about four hundred families, or more.

As a matter of information I wish to report the following particulars of a little encounter with the Akhund, Mullah Abdullah.

On Sunday last he caused to be arrested a former pupil and teacher of our school, Mirza Salazar Faraj, who, since his older brother's death, has been carrying on that brother's business as a merchant When he was present the Ahkund reviled him for accepting Christianity instead of Islam, and ordered him to be taken to the said Akhund's house. The attendants beat him in the Akhund's presence. On his way to the Akhund's he slipped out of the hands of the attendants as he was passing near my house and came into my yard.

The attendants followed him, and after a contest, in which I tried to rescue him from their hands, they carried him off by force. I, being single-handed on account of the absence of my servants who were eating their dinners, was not able to effectually resist so many. Some of the number turned upon me, but a neighbor and a sayed helped me to put them out and close the door. Shortly afterwards the Akhund's servant returned, ordering me to appear before the Akhund immediately, and threatened violence in case I did not respond. This I refused to do, and again closed the door in his face; (he is an exceedingly impudent sayed and the cause of almost all the Akhund's contests).

Dr. Holmes, who had arrived before this sayed's return, went out by another door and pacified him and brought him in. After considerable talk Dr. Holmes went with him to see the Akhund and talked the whole matter over with him. He attempted to make me out a transgressor, which Dr. Holmes denied, asserting that I had only asserted my right within the bounds of my premises.

Among many things which were said, the Akhund virtually defied the Shah, etc., but the interview ended in a friendly parting and the promise of another interview. That evening the missionaries called upon Hussein Khan Sarteeb, Beglar Begi (who has always proved a

faithful friend on such occasions), and he afterwards arranged for a meeting between the Akhund and the missionaries. On Tuesday morning we went to the house of Hadji Mirza Mehde, where we understood we were to meet the Akhund, but we found that they had not so arranged, expecting us to go from thence to the Akhund's house. At this we demurred but we finally consented to go for a friendly call on condition that these two men would take charge of our case. We asked but two things of them: First, that those Jews who had been free from wearing the patch and suffering other indignities on account of their relation to the missionaries should continue to enjoy this liberty; and second, that while we had nothing to say about their relations with the Jews of this city we reserved the right to report to our own and other foreign Governments any violence or indignities which may be imposed upon them. They accepted these conditions, and we made a call on the Akhund, at which time nothing but good will was expressed.

In this connection I would ask two favors: First, that you would kindly give the above report to the English legation as a matter of information; and second, that you would let us know on what conditions Mullah Abdullah returned to Hamadan. We understand, through English papers, that he gave bonds to keep the peace, and we would be glad to know if this is true.

Yours, very sincerely,

JAS. W. HAWKES.

[Inclosure 2 in No. 113.]

Dr. Holmes to Mr. Tyler.

HAMADAN, *June 29, 1894.*

DEAR SIR: Mr. Watson and Mr. Hawkes are writing you to-day in regard to the renewal of the persecution of the Jews, which we have anticipated ever since the Akhund Abdullah returned from Teheran. The forcible entry of Mr. Hawkes's premises in pursuit of one of our Christian converts, who was taken by the Akhund's men literally out of Mr. Hawkes's hands, and severely beaten for his failure to wear the red patch which the Akhund has decided that the Jews, whether Christian converts or not, should wear, gave us an opportunity of making a vigorous protest against the imposition of such insignia of dishonor upon Christians; and also against the renewal of the cruel persecution of the Jews which was carried out by his orders last year. We have satisfied him that we propose to keep our own and the European Governments advised of any unusual acts of oppression perpetrated upon the Jews, and of any demonstrations menacing their lives or property.

We have, however, had a very pleasant interview with the Akhund himself, and also with Hadji Mirza Mehde, who is in sympathy with him, and we have assurances from the latter that our rights and those of the Jews shall be respected.

Mirza Hussein Khan, the Beglar Begi, who has just recently been promoted to Sarteeb, has in this matter, as at all times, shown himself a warm and efficient friend. We called to-day upon the vizier of the governor, Mirza Mahomet Reizza Khan, the prince himself being absent, and had a very pleasant interview. We have no doubt of his disposition to protect us; also the Jews, to the extent of his power; though if an emeute should occur, he could probably do little. Mehdi Khan Sertib Mansur-ed-Dowleh sent to me yesterday to inquire about the affair, and Ali Islam Serhaug, his lieutenant, intimated that the city was in a

ferment, and that we were in danger of mob violence. I told him that we were in no danger at all if the Sertib and his friend the Zea-ul-Mulk, and the other men in authority and influence, did their duty in asserting the authority of the Shah, and not allowing a hostile demonstration to gain headway. We have seen a statement from the British foreign office that the Akhund was not permitted to return to Hamadan until the assent of the British minister had been obtained, and this was not given until he had given bonds to keep the peace. If this is correct, as I doubt not it is, he should be required to respect the conditions of his release. I sent word to Mansur-ed-Dowleh and to the Zea-ul-Mulk that we had every confidence in their desire to protect us, but that, if they expected to do so, they must exert their influence and authority, they having the command of the most of the troops, I believe, to keep the peace; particularly as the Moharem is approaching, and the disorderly and fanatical elements are easily acted upon then by designing men. We do not feel that the situation is as yet at all critical, and hope that the excitement will entirely quiet down.

I had a personal interview with the Akhund after the affair at Mr. Hawkes's, and though everything was said pleasantly, I made it plain that the violation of our premises must not be repeated.

My purpose is not to invoke any assistance from Teheran, but to keep you advised of the situation, so that on receipt of a letter you would know how to act, and could, if necessary, advise the British and other legations.

It has been reported that Sayed Ali, the servant of Akhund, had two ribs broken in the affair at Mr. Hawkes's. This was absurd, as Mr. Hawkes was alone at the time and no blows were struck; but it was evidently believed by the native physician in attendance. At the request of Sayed Ali, I visited him and found him suffering from an attack of asthma to which he was subject, and for which I had previously treated him. He had a pleuritic pain, which was thought to depend on a fracture of the rib. It is needless to say that the sayed had no fracture, nor did he make any pretense that he had been hit by anybody.

Everything is now quiet and we come and go as usual. We do not wish to have any special action taken in the matter unless we should be compelled to do so by the action of the Akhund.

Yours, very truly,

GEO. W. HOLMES.

[Inclosure 3 in No. 113.]

Dr. Holmes to Mr. Tyler.

HAMADAN, *July 6, 1894.*

DEAR SIR: I wrote you last week about the trouble here, which I thought then was quieted down. Soon after this other of our teachers and pupils were arrested, but on our application were promptly released by the Akhund. It turns out that the aggressor in this instance, and the instigator in the other case, was a former servant of Miss Schenck's, who used this method of revenging himself for his dismissal from her service and her unwillingness to meet his demands for more pay, etc. We hope to have the man punished, as he has made threats of violence to our missionary ladies. But the authorities are disposed to protect our interests, and the Akhund has done nothing about which we care to make complaint since I wrote you last week.

Yours, etc.,

GEO. W. HOLMES.

[Inclosure 4 in No. 113.]

Mr. Tyler to Dr. Holmes.

LEGATION OF THE UNITED STATES,
Teheran, July 10, 1894.

DEAR SIR: I wrote a few lines on the 3d instant, to inform you that Mr. Hawkes's letter of the 28th and yours of the 29th ultimo had just arrived; and I have now to acknowledge the receipt of yours of the 6th instant.

It appears from what you report concerning the persecution of the Jews of Hamadan, and the forcible removal from Mr. Hawkes's premises of a former pupil and teacher of your school, that these are matters requiring serious consideration. They may not be of very grave import in themselves, but it is possible that if they are allowed to go on unchecked and unredressed, time after time, they may eventually assume alarming proportions. You are, no doubt, being on the spot, better able than I am to judge of the actual state of public feeling and the general position of affairs in Hamadan, and therefore, in accordance with your expressed wishes, I shall, at the present time, make no official representation to the central authorities on these irregularities. I think, however, that it would not be advisable to allow too many repetitions of this lawlessness or too frequent threats to be used toward the ladies of the mission without some remonstrance being made, if the local governor is powerless to act effectively. I feel it, therefore, my duty to ask you, that in case the position should assume a more threatening aspect, you will let me know by telegraph.

I trust you will be able to get the instigator of these acts of aggression and indignity, Miss Schenck's late servant, punished by the authorities. If this is carried out in an exemplary manner, it will probably have the effect of deterring others in the future. * * *

Any complaint that you may feel it necessary to make to this legation will be attended to with the utmost expedition.

I have already communicated Mr. Hawkes's report to the English legation, where, I have no doubt, it will receive due attention.

I remain, etc.,

JOHN TYLER.

[Inclosure 5 in No. 113.]

Mr. Conyngham Greene to Mr. Tyler.

SULHEK, *July 9, 1894.*

SIR: In reply to the inquiry contained in the last paragraph of your letter of the 7th instant, I beg to state that I believe it is the case that Mullah Abdullah gave securities for his good behavior before his return to Hamadan, but whether at the instance of Sir Frank Lascelles or not, I can not say. Sir Frank, I know, made strong representations to the Persian Government on the subject of the action of the Mullah.

I myself received a petition last month purporting to come from the Jewish community of Hamadan, complaining of the oppression of Mullah Abdullah, but, as it was neither signed nor sealed, I do not know if it was authentic.

I spoke to the Sadr Azem on the subject, who told me that orders have been sent by the Shah which would have the effect of putting an end to the oppression complained of by the Jewish community of Hamadan.

I am, etc., CONYNGHAM GREENE.

Mr. Gresham to Mr. Tyler.

No. 72.] DEPARTMENT OF STATE,
Washington, August 18, 1894.

SIR: I am in receipt of your No. 113 of the 12th ultimo, inclosing correspondence relating to renewed persecution of Jews at Hamadan and the forcible removal of a man who had taken refuge in the house of the Rev. James Hawkes, an American missionary at that place.

With regard to the invasion of Mr. Hawkes's premises by the Persian authorities and the forcible arrest of a fugitive therein, it is regretted that this act should have been brought about by an untenable assertion of asylum for a Persian subject. This Government does not claim that its official agents have the right to afford asylum.

By the seventh article of the treaty of 1856 between the United States and Persia, it is stipulated that—

> The diplomatic agent or consuls of the United States shall not protect, secretly or publicly, the subjects of the Persian Government, and they shall never suffer a departure from the principles here laid down and agreed to by mutual consent.

The domiciliary rights of citizens of the United States in Persia may not be expanded to embrace the protection by them of Persian subjects, when such protection is explicitly disclaimed by the Government of the United States, and when its assertion by their diplomatic and consular representatives is positively inhibited.

I am, etc.,

W. Q. GRESHAM.

Mr. Tyler to Mr. Gresham.

No. 122.] LEGATION OF THE UNITED STATES,
Teheran, Persia, August 23, 1894.
(Received September 27.)

SIR: In continuation of No. 116,[1] diplomatic series of the 6th instant, relating to the religious persecutions in Hamadan by the fanatic, Akhund Mullah Abdullah, and the danger to the lives and property of American citizens and their dependents by his reckless, cruel, and wanton proceedings, I have the honor to transmit copies of further local correspondence on this subject.

* * * * * * *

I have inclosed the whole of the correspondence up to date, so that the Department might be put into possession of all the material facts. At one time it appeared as if the situation was becoming grave, and that the missionaries were in real danger. I had, however, the satisfaction of knowing that they would do nothing to complicate matters or infuse a bad spirit into the disputes.

The immunity from severe punishment which members of the priestly class enjoy always makes them insolent and reckless, and they can generally depend upon the support of the lowest and most dangerous part of the population. They are not generally liked by intelligent and independent people, and very uncomplimentary terms are used of them, but, on account of their great numbers and their wide influence, outward deference and respect are observed toward them.

[1] Not printed.

It is satisfactory to find that Mullah Abdullah has not altogether allowed his fanaticism to outrun his discretion, and I hope that he will in the future be kept effectually in check by the Government.

I have, etc.,

JOHN TYLER.

[Inclosure 1 in No. 122.]

Mr. Tyler to Mr. Holmes.

LEGATION OF THE UNITED STATES,
Teheran, August 7, 1894.

DEAR SIR: I beg to acknowledge the receipt of your and Mr. Hawkes's letters of the 26th ultimo, which reached the legation on the evening of the 1st instant.

From your detailed, though unimpassioned, account of the general unsatisfactory state of affairs in Hamadan, and of the cruel and oppressive conduct of the Akhund Mullah Abdullah and his bribed and irresponsible minions in particular, I think the time had come, nay, more than come, for the central Government to be put into possession of the facts of the case, and an opportunity afforded them of exercising their authority in the interests of peace, order, and good government.

I have reason to believe that the executive authorities, both here and in Hamadan, are averse to the Akhund and all his proceedings; and if he had been a lay instead of an ecclesiastical offender he would have suffered the full penalty of his misdeeds. But you, as well or even better than I, have observed that within the last four or five years the priestly class has assumed pretentions and authority probably never before aimed at since the days of the caliphate. Mullah Abdullah would never, after his recent visit to Teheran, have been permitted to return to Hamadan but for the intervention (I won't say intercession) of the religious dignitaries of this city.

* * * * * * *

There is evidently in Persia at the present time a progressive and a reactionary party, but neither appears as yet to have imbibed the genuine spirit of patriotism, but on the contrary the ideas of both, I am afraid, are sadly adulterated with selfishness. If the ruling authorities felt confident of their position and strength, and could compel the obedience and good behavior of all classes, I believe they have intelligence enough to discern and prudence to foresee that the work in which you are engaged, if extended a hundred times, would be the best guaranty and safeguard of the liberty of the subject and the permanence of the Kingdom. The party of reaction sees, as it always has and I suppose always will see, that the elevation and enlightenment of the masses mean not only the curtailment of power but of emolument as well.

This is a state of affairs which we are obliged to contemplate every day, and these two sets of opinions are freely expressed at every private and social meeting. It is a question of supreme importance to Persia at the present time, and one that the Government will have to face, as to whether they shall control the destinies of the country on their own responsibility and by their own methods, or whether they shall subordinate their views and policy to the dictation of others.

* * * * * * *

It would possibly at the present stage be rather early to assume

that the movement in Hamadan has anything more than a local significance. * * *

I have, in my letter to the Sadr Azem, which was sent from here shortly after midday the day after yours arrived, used the word missionaries advisedly, so that in case of discussion it may be conducted on clear and unmistakable issues.

The Shah is now away on an excursion, in Mazenderan, and I hardly think in connection with a telegraph line, so I am afraid we must be prepared for a litle delay. I hope, nevertheless, that you will not be kept long in suspense.

Rest assured that I shall not let the matter drop, but I hope that no further communication will be necessary.

I remain, etc.,

JOHN TYLER.

[Inclosure 2 in No. 122.]

Mr Hawkes to Mr. Tyler.

HAMADAN, PERSIA, *August 3, 1894.*

DEAR MR. TYLER: Since last week, when Dr. Holmes and I wrote to you how Mullah Abdullah had disturbed the peace here and bastinadoed Mirza Salazar Faraj, we have had lively times here, but fortunately for us the brunt of it all did not fall upon us.

It seems that a certain Abdullah, known as Kusaj, a servant or dependent of Hadji Mirza Mehdi, mentioned in former letters as a co-worker with Mullah Abdullah, has been talking loudly and badly against Aga Mohammed, one of the acting Mushtaheds of the city, and went so far as to strike Hadji Sadr, a prominent man. The "Agayans" (priests), a strong part of Sayeds, with the Imaum-i-Jumah (high priest) at their head—also known as Kabadians from the name of their quarter in the city—took up the matter and sent a request to Hadji Mirza Mehdi to curb in said Abdullah. He replied: "He is my man and it is proper for him to do so." Upon hearing this the Agayans sent a mob of their adherents with a number of Sayeds at their head, to fight it out with Hadji Mirza Mehdi and his party. When they arrived at his house they found the door shut and no one prepared to meet them. The party of Hadji Mirza Mehdi and Mullah Abdullah had the shops of the bazaar closed, for they are mostly shopkeepers, and came to look on, but not prepared to fight. Somehow a little skirmish took place and some on each side were hurt. One man on Hadji Merza Mehdi's side came to Dr. Holmes to have his hand dressed, which had been badly cut.

In the meantime the ferash bashi at the head of a number of Government ferashes arrived to restore peace. And at the same time Hadji Mirza Hassan, a brother of Hadji Mirza Mehdi, who is on the side of the "Agayans," arrived and publicly cursed his brother for espousing the cause of a good-for-nothing Burujerdi, the Akhund. "Oh, that my father had not given existence to such an unworthy son," etc. He also cursed the governor and the ferash bashi for not keeping the peace, etc. He then tried to turn back the "Agayan" crowd, but they refused to go without word from the Imaum-i-Jumah. He obtained their writing and, showing it, prevailed upon the crowd to return to their own quarters. All this occurred on Tuesday, and for the rest of the day and the next both parties were in conclave as to the next move. Wednesday afternoon the prince governor prevailed on some one (I

have not his name just now) to make peace between the contending parties. He succeeded to the extent that there have since been no hostilities. But no one believes that the peace is permanent.

The Akhund's party alienated the "Sheikhees" (a sect) by putting one of their young men out of a school under most humiliating circumstances, thus renewing the quarrel of 1892. Thereupon the "Sheikhees" petitioned the Shah for the Akhund's removal from the city. I also understand they telegraphed the Shah about the bastinadoing of Mirza Salazar Faraj, mentioned last week. And I also hear that the Akhund is interfering with the collecting of the revenue. He sent word to Faraj Ullah Khan, Sarteeb, "Why do you commit this oppression?" The Sarteeb replied: "It is none of your business." Then the Akhund appealed to the prince governor to take away the sword of said Sarteeb. He replied, "I did not give the sword to the 'Sarteeb' that I should take it away; that is no business of mine."

This whole matter has been reported to Teheran by telegraph and doubtless there are petitions going up from all sides to-day. I have given you the brief facts as I have been able to gather them, in the hopes that you will be able to use them in your efforts to obtain redress for us. It seems to us and all the natives we see that only the wisest and most summary action on the part of the Government will be of any use to restore peace and quiet. We hope that you will put forth the most strenuous efforts in this direction.

Very truly yours, JAS. W. HAWKES.

[Inclosure 3 in No. 122.]

Mr. Tyler to the Mushir-el-Mulk.

LEGATION OF THE UNITED STATES,
Teheran, August 11, 1894.

SIR: On the 2d of this month I had the honor to forward through your excellency a letter addressed to the Sadr Azem with reference to the state of lawlessness prevailing in the city of Hamadan. As the state of the city is becoming worse every day, and no reply having been received to my communication, our citizens residing in the midst of these proceedings are becoming anxious.

I have therefore to request that you will inform me of the views of the Persian Government on the situation and of the measures that have been adopted for putting a stop to these proceedings.

I avail, etc.,

JOHN TYLER.

[Inclosure 4 in No. 122.—Translation.]

The Mushir-el-Mulk to Mr. Tyler.

TEHERAN, PERSIA.

SIR: In reply to your letter just received regarding events in Hamadan, I beg to inform you that stringent orders have been issued and will be telegraphed to the authorities in Hamadan to-day.

A formal reply to your previous letter on this subject will be sent later on.

I take this opportunity, etc.

Dated the 9th of Safar, 1312. (11th of August, 1894).

[Seal of Mushir-el-Mulk].

[Inclosure 5 in No. 122.—Translation.]

The Sadr Azem to Mr. Tyler.

TEHERAN.

SIR: I beg to inform you that the contents of your letter, dated the 29th of Muharram (corresponding to the 2d of August, 1894), relative to events that had taken place in the city of Hamadan, have been understood.

Stringent orders have been sent to the authorities of Hamadan with strict injunctions to have them put into execution. Orders have also been sent for a thorough investigation to be made into the affair, and measures to be taken for the tranquillity of American citizens.

These matters are set forth for your information.

I take this opportunity, etc.

[Seal of the Sadr Azem.]

Dated 18th of Safar, A. H. 1312 (20th August, 1894).

[Inclosure 6 in No. 122.]

Mr. Hawkes to Mr. Tyler.

HAMADAN, *August 13, 1894.*

DEAR SIR: I trust you received my letter of last week giving you particulars of the state of affairs here. There has been no change in the situation since then and all is quiet. I learn that Mullah Abdullah had a message proclaimed in the bazaars to the effect that no one must beat or hurt the Jews. If any are found without the "vasleh" (patch), they are to be brought before him, but without violence. We are awaiting a reply from our former letters to you, but trust that no further efforts need be put forth.

* * * * * * *

Yours, etc.,

JAS. W. HAWKES.

[Inclosure 7 in No. 122.]

Mr. Tyler to the Sadr Azem.

LEGATION OF THE UNITED STATES,
Teheran, August 20, 1894.

YOUR HIGHNESS: On the 2d instant I had the honor to address a letter to you on the subject of the unsatisfactory state of affairs in Hamadan, and the danger to the lives and property of United States citizens, and those connected with them in that town, through the lawless and unjustifiable proceedings of the Akhund, Mullah Abdullah, and a set of dangerous and irresponsible characters whom he employs to execute his orders. At the same time I most respectfully requested that your highness would take prompt and efficient measures to restore order and afford effective protection to our peaceful and law-abiding citizens and their dependents in Hamadan. As I have not yet received from your highness any reply to my communication, I beg to be informed as early as possible what steps have been taken to secure those objects.

I take this opportunity, etc.,

JOHN TYLER.

[Inclosure 8 in No. 122.]

Mr. Tyler to the Sadr Azem.

LEGATION OF THE UNITED STATES,
Teheran, August 21, 1894.

YOUR HIGHNESS: I have the honor to acknowledge the receipt of your letter of the 18th of Safar, A. H. 1312 (corresponding to the 20th of August), informing me that stringent orders had been sent to the authorities of Hamadan to preserve the peace of the town and to afford all protection to the lives and property of American citizens.

I beg to tender on the part of the U. S. Government and the missionaries their sincere thanks for this action of your highness, which I trust will have the effect of curbing the turbulent elements and of permitting the missionaries to carry on their work of charity in the future, free from anxiety and annoyance.

I take this opportunity, etc.,

JOHN TYLER.

Mr. Tyler to Mr. Gresham.

No. 123.] LEGATION OF THE UNITED STATES,
Teheran, Persia, August 29, 1894.
(Received October 3, 1894.)

SIR: I have the honor to inclose a copy of a letter, dated August 24, which I have just received from the Rev. James W. Hawkes, of Hamadan, conveying the gratifying intelligence that the Shah, in the exercise of his authority, had telegraphed to the governor insisting that he preserve order in the town and prevent any further molestation of the Jews and Christians, and that the missionaries be permitted to live in peace, that no occasion be given to the U. S. legation to make representations of this character.

It is a source of satisfaction to learn that the Shah took the matter into his own hands, and in his orders to the governor has given it to be understood that he looks with undisguised displeasure at the persecution of the Jews and Christians, whilst at the same time he conveys the sanction of his approval at the work of the missionaries.

I have, etc.,

JOHN TYLER.

[Inclosure 1 in No. 123.]

Mr. Hawkes to Mr. Tyler.

HAMADAN, PERSIA, *August 24, 1894.*

DEAR MR. TYLER: Your favor of August 14 was received by our last mail, and I wish to thank you in the name of my fellow-missionaries for the prompt measures you have taken to secure our safety and prosperity. This morning the Beglar Begi, Hussein Khan, Sarteeb, showed me two long and explicit telegrams sent in the name of the Shah to our governor, insisting that he preserve order and see to it that the Jews and Armenians of Hamadan be not molested, reciting the occurrences of the past month or so, and insisting that the missionaries be in peace, so that the U. S. legation have no further need to make

representations of this character. This is the substance of the telegrams so far as I can recall them. I did not think to ask for a copy of them just then, and when I asked for a copy they had gone back to the governor.

There has been perfect quiet here since I wrote you last week, and we have expressed our thanks to the governor for his timely aid and our gratification at its success. The Hessam-ul-Mulk arrived here about a week ago, and he took pains, during our call yesterday, to say that he holds himself ready to summarily quiet any further disturbances. We trust there may be no need for his carrying this determination into effect.

With many thanks,

JAS. W. HAWES.

Mr. Gresham to Mr. Tyler.

No. 77.] DEPARTMENT OF STATE,
Washington, September 29, 1894.

SIR: I have to acknowledge the receipt of your No. 122, diplomatic series, of the 23d ultimo, and to commend your action in the matter of the religious persecution in Hamadan.

The Department learns with pleasure that the measures taken by the Sadr Azem for the protection of American citizens residing in Hamadan have proved effectual, and it confidently hopes that no further trouble will occur there.

I am, etc.,

W. Q. GRESHAM.

Mr. Tyler to Mr. Gresham.

No. 130.] LEGATION OF THE UNITED STATES,
Teheran, Persia, October 3, 1894.
(Received November 6, 1894.)

SIR: I have the honor to inform you that I have just received your dispatch No. 72, of the 18th of August, regarding the forcible removal, by the authorities in Hamadan, from the Rev. James Hawkes's house in that city, of a Persian Jew who had taken refuge there; and also pointing out that the "Government does not claim the so-called right of asylum for its official agents, and discourages it on all proper occasions." Furthermore, that "according to the seventh article of the treaty of 1856 the domiciliary rights of citizens of the United States may not be expanded to embrace the protection by them of Persian subjects."

In offering a few remarks on this subject, I beg most respectfully that it may be understood that I by no means wish to oppose my views to the decision of the Government, so clearly enunciated in your dispatch.

The case under consideration is somewhat unusual and peculiar, and I am afraid I have rather complicated the question by using the phrase "taken refuge" instead of "seeking protection," which would have more correctly conveyed the significance of the facts as set forth in Mr. Hawkes's letter.

The Akhund Mullah Abdullah, whose name has been so prominent in connection with these proceedings, holds no position, either admin-

istrative or judicial, directly from the Government, consequently, when he ordered the arrest and punishment of the person who sought Mr. Hawkes's protection he was putting into action an entirely assumed, arbitrary, and illegal authority, and the men who had charge of Mirza Salazar were executing an unjustifiable and unwarranted order, and which was later on repudiated and condemned by both the Shah and his Government.

If, therefore, Mr. Hawkes, probably ignorantly, acted in contravention of the treaty, from humane motives, the opposite party willfully, knowingly, and cruelly, by the assumption of undelegated power, violated the constitution and laws of his country. It would almost seem, although I should not like to affirm the principle in opposition to the treaty, that Mr. Hawkes was justified in the action he took on that occasion. It is no doubt difficult, when the feelings and sentiments are excited, to observe the exact line which should separate the exercise of the sympathy of the individual from the submission of the will to judicial or international obligations. * * * Up to the present, however, it is satisfactory to observe that, so far as my knowledge extends, no complaint has yet been made by the Persian Government against our missionaries for infringing the provisions of the seventh article of the treaty.

I should like, in order to afford the means of possibly forming clearer conceptions of what the right or privilege of asylum, refuge, or sanctuary means, to offer a few observations on the present state and operation of this ancient custom.

It might possibly be inferred that it mainly or generally implied the protection which the domicile of the foreigner, whether official or not, gave to fugitives from the penalties attaching to their misdeeds. This, however, is but a very small fraction of the question, and is almost entirely given up.

Previously to the date of the treaty between the United States and Persia, especially during the period that the British legation in Teheran was under the direction of the Indian administration, the right of asylum possessed by the foreign legation was scarcely ever called into question. The treaty of 1857 between England and Persia abrogated that right so far as that legation was concerned, and I am not aware that it has been exercised since. The right in those days had, doubtless, political advantages, securing the services and support of influential and well-known personages.

At the present time, when intrigues are rife and competition between rival legations for political advantages is unduly keen, the right of asylum is of more than doubtful value. Notwithstanding all this, it is not more than three or four months since a Persian of considerable distinction claimed, and received, asylum in a foreign legation.

Although the right of granting asylum has been practically relinquished by foreign legations, yet it is, nevertheless, in full vigor and operation in the country, and is recognized as a very important part of the national polity. It is probably a survival, transmitted through the Arabs, of the Jewish cities of refuge and the protection afforded by the sanctity of the altar. It is not necessary to argue on the expediency or necessity of the custom, for in by far the greater majority of cases it shields the transgressor instead of affording justice to the sufferer.

It is, moreover, the general impression, founded, no doubt, on the commands of the Hebrew law, that the asylum or sanctuary is intended to protect the offender from the summary, and often cruel and unjust, vengeance of the person aggrieved. It is, however, more than this, and in

its alternate character is more effective for good than in the object of its original constitution.

There are various places where persons can claim protection or asylum, but those most sacred and inviolable are the shrines of the early leaders of the Moslem faith. Those most accessible to the people of this city and vicinity are the shrine of the venerated Masuma at Koom, about 100 miles from Teheran, and that of Shahzadeh Abdul Azim, about 6 miles south of the city, and to which the tentative and only railway in Persia is constructed. The others are the Imaum zadehs, or inferior shrines, the houses of the expounders and administrators of the Islamic law, called Mudjtaheds; the principal mosques, although the Shah's mosque in Teheran is excluded; the Shah's stable; a cannon; the Shah's harem, and sometimes the houses of the principal ministers of the Crown. These latter, however, are not considered as offering more than a temporary and rather a precarious protection, inasmuch as the asylum depends upon the will of the person responsible for the safety of the refugee; but to forcibly remove a person from the two shrines first mentioned until his guilt or innocence had been clearly proved would be considered an indignity and an assumption of unlawful power against the dead saint. When the guilt of the refugee is established on clear evidence it is not usual to screen him from the penalties of the law, for that would be tantamount to encouraging defilement and using the shrine for unlawful purposes. A strict surveillance, however, is not always kept over the refugees, and they not infrequently, when it is convenient to do so, make good their escape. It is in this respect that the asylum system fails, for while it affords an offender a ready and easily accessible place of safety, it often enables him, by gaining his liberty, to altogether avoid making satisfaction to the sufferer or the laws of the State.

The asylum is frequently taken advantage of by persons who have tried other means and have failed to obtain a hearing or a redress of their grievances by the ordinary methods. As the localities or places well known and recognized as asylums either belong to or are under the direction or control of influential persons, the complaint of the individual making this formal protest very soon reaches either the ears of the Shah or one of the responsible ministers. In the course of a long connection with the Persian law courts I have known great numbers of cases of this kind. On one occasion, being obliged to press for the settlement of a claim which had been standing over for a long time, the defendant brought his bedding and claimed asylum in the court, where he stayed for some time. About three and a half years ago I was intrusted by one of the foreign legations here with the conduct of a very complicated case; and as it did not move quite so rapidly as some of the parties expected, a large family with all their relations, numbering upward of thirty persons, threatened that unless the case was settled within a certain time they would all take asylum in my house. As my accommodation was of the most moderate dimensions, an invasion of such proportions was a serious matter, and I had to inform them that they would find very indifferent lodgings and treatment, and that they had better seek an asylum in the legation which employed me. I mention these cases as not more typical than many others that have come under my notice, to show for what various purposes the asylum can be taken advantage of.

It is generally conceded to the subjects of all foreign states that their servants and permanent employés shall not be arrested and forcibly removed from their premises without first obtaining their consent.

And so far as my experience has gone there has not been much complaint on that account, and I have known many instances where foreigners' servants have been arrested in the public thoroughfares they have been liberated as soon as it became known to whom they belonged.

In order, however, that there may be no misapprehension on the subject of asylum in the minds of the United States citizens in Persia, I propose to send a copy of the inclosure to each mission station in the country.

I have, etc.,

JOHN TYLER.

[Inclosure 1 in No. 130.]

Mr. Tyler to Mission Stations.

LEGATION OF THE UNITED STATES,
Teheran, October 4, 1894.

SIR: In connection with recent events in Hamadan the honorable the Secretary of State, in a recent dispatch, has directed my attention to a clause in the seventh article of the treaty between the United States and Persia, which stipulates that:

The diplomatic agent or consuls of the United States shall not protect, secretly or publicly, the subjects of the Persian Government, and they shall never suffer a departure from the principles here laid down and agreed to by mutual consent.

And in concluding adds:

The domiciliary rights of citizens of the United States in Persia may not be expanded to embrace the protection by them of Persian subjects when such protection is explicitly disclaimed by the Government of the United States, and when its assertion by their diplomatic and consular representatives is positively inhibited.

In order, therefore, that there may be no misunderstanding as regards this question, I have to request that in your dealings with Persian subjects you will be good enough to conform to the provisions of the treaty and the interpretation given thereof by the Secretary of State.

I remain, etc.,

JOHN TYLER.

P. S.—Please show this to the members of your station.

J. T.

Mr. Uhl to Mr. McDonald.

No. 88.] DEPARTMENT OF STATE,
Washington, November 13, 1894.

SIR: I have received and read with great interest Mr. Tyler's No. 130, diplomatic series, of the 3d ultimo, in relation to the forcible removal of a Persian Jew from the Rev. James Hawkes's house in Hamadan by the Persian authorities, and generally in relation to the custom of asylum and the domiciliary rights of American citizens.

As the Persian Government had made no complaint of any misuse of protection by Mr. Hawkes, the Department's instruction was intended rather by way of comment and caution than as a rebuke. Nevertheless, Mr. Tyler's circular letter calls timely attention to the general subject, and will doubtless conduce to the avoidance of any cause of complaint on this score.

I am, etc.,

EDWIN F. UHL,
Acting Secretary.

MURDER OF AGA JAN KHAN.[1]

Mr. McDonald to Mr. Gresham.

No. 62.] LEGATION OF THE UNITED STATES,
Teheran, January 22, 1894. (Received March 5.)

SIR: I have the honor to forward, herewith inclosed, a copy of a letter I have received from Dr. J. P. Cochran, of Oroomiah. * * *

It is satisfactory to observe from Dr. Cochran's letter that during the time of great anxiety following the murder of Aga Jan, and on the occasion of the outrage on Mr. St. Pierre, the missionaries have acted with most commendable self-control and circumspection, and in their communications with the Government authorities relative to these crimes they have been very careful and discreet.

I also inclose my reply to Dr. Cochran's letter.

I have, etc.,

ALEX. MCDONALD.

[Inclosure 1 in No. 62.]

Dr. Cochran to Mr. McDonald.

OROOMIAH, *December 29, 1893.*

DEAR SIR: I am in receipt of Mr. Tyler's letter of December 18.

* * * * * * *

A few days ago the governor sent asking me if I could help in bringing about a quiet settlement of the Aga Jan murder affair by some means which would heal rather than aggravate the present strained relations of the more fanatical Moslems and the roughs toward the Christians, reporting that strong orders had come from Tabriz for the arrest of three men supposed to be implicated. One is arrested. One has taken refuge in the house of the chief, Muztahed, who refuses to give him up, and the other is not to be found. The one at the ecclesiastic's is known positively to have been the man who made the first stab on Aga Jan. The Mullahs, Sayyeds, and roughs are reported to be bound together by an oath to take revenge should anything be done to the leaders of the mob.

After getting the opinion of the Christians as far as I am able in two days—Armenians, old Nestorians, Catholics, and Protestants—I replied that the Christians simply begged for protection. If that would be more secure in the future by having one or two of these men killed, that was what they wished. If, on the other hand, this punishment was going to bring on more hatred and blood, they wished the matter dropped. Mr. Governor, in response, asked that I write to our missionaries in Tabriz asking that they urge Aga Jan's wife to accept such redress as the Government might communicate to her. It is the plan of the governor to give out of his own pocket about 150 tomans to Laya Khanum, and get the Government to give her two sons a pension, if the authorities in Tabriz are willing to settle it in this way. I am writing to Mr. Whipple, on whose premises this Laya Khanum is, telling him of what has been suggested here.

The governor and other Oroomiah Khans insist that it will create a great disturbance should these men be all taken and sent off or pun-

[1] See Foreign Relations, 1893, pp. 502, 504, 505, 507.

ished here; if not a mob, murders in underhand ways would be perpetrated on the Christians. I thought it best to report this to your excellency and to say that for the present, at least, it seems wise to let the Government pursue this course if they choose.

Respectfully, yours,

J. P. COCHRAN.

[Inclosure 2 in No. 62.]

Mr. McDonald to Mr. Cochran.

LEGATION OF THE UNITED STATES,
Teheran, January 18, 1894.

MY DEAR SIR: I have received your favor of the 29th ultimo. I had previously been informed, through a telegram to the prime minister, of the capture and killing of the four outlaws, two of whom I was left to infer were the ruffians who assaulted Mr. St. Pierre. It is encouraging that the Government has acted so promptly and so thoroughly in this matter, and the effect, it is reasonable to believe, will be salutary on similar characters.

In regard to the Aga Jan case, you are on the ground and can act more intelligently than I can advise. It seems to me, however, that your reply to the governor was discreet. What the Christians want is peace, quiet, and good will, so far as they are attainable. While the criminals ought to be punished, that is a matter between the Persian Government and its guilty subjects. All the parties to the affair were Persians and not Americans, and I think the authorities should not seek to shove the responsibility of extreme measures on the missionaries, to their detriment no doubt; nor should they allow it. The Government should take care of its own criminals.

I repeat, therefore, that in my opinion your response to the governor was judicious in that it is in the line of conciliation and better feeling between yourselves and the natives. It is also in accord with the religion which you teach, which is not one of blood. In a contest of violence and hatred you have all to lose. In conciliating the good will and friendship of the people you have all to gain. Without these your work must be futile and fruitless and bring only grief to yourselves. At the same time do not misunderstand me as saying that the wretches who committed the atrocity should not be punished, but that you should not be led into the attitude of judge and executioner. The good of yourselves and your cause rather than a vengeance that will stir up fanatical strife and conflict is, it seems to me, what you want.

I am sorry to say that I still continue quite unwell.

Very truly yours,

ALEX. MCDONALD.

PERSIAN REPRESENTATION IN THE MIXED TRIBUNALS OF EGYPT.

Mr. Sperry to Mr. Gresham.

No. 62.] LEGATION OF THE UNITED STATES,
Teheran, Persia, July 5, 1893. (Received August 11.)

SIR: I have the honor to transmit to you herewith a copy and translation of a note which I have just received from the minister for foreign affairs in regard to the representation of Persia in the "mixed

tribunals" of Egypt. The note fully explains itself. Assuming the facts to be as stated by the Kavam-ed-Dowlah, I beg to add that his note appears to me to be an appropriate and just statement of the matter, while the matter itself is evidently of serious importance to the Persian Government. I am assured that the request for assistance from the Government of the United States is made with confidence, and I sincerely hope that due consideration by the Department of the request will show that the way is clear to render this assistance.

I have, etc.,

WATSON R. SPERRY.

[Inclosure 1 in No. 62.—Translation.]

Minister for Foreign Affairs to Mr. Sperry.

YOUR EXCELLENCY: It will be in your recollection that the present agreement between the great powers of Europe and the Government of the Khedive of Egypt relating to the judicial business in the mixed tribunals will expire in February next.

In connection with this subject I beg to inform your excellency that the Persian embassy in Constantinople has frequently protested through the Persian diplomatic agent, resident in Egypt, against the refusal of the Government of the Khedive to allow of the appointment of a Persian member to sit in this court. Your excellency is already aware that there is a large colony of Persians in Egypt who, on account of the wide extent of their business and the variety of their occupations, have very important matters requiring consideration.

The Government of the Khedive has admitted to this tribunal the representatives of countries whose subjects, residing in Egypt, are few in number, and consequently their business is of no serious account.

Up to the present moment the Government of the Khedive has neither given any reason nor produced any convincing arguments in support of its policy and behavior toward Persia regarding this subject.

A formal treaty now subsisting between Persia and Turkey provides for the attendance of a Persian member on all the mixed tribunals throughout Turkey.

It is requested, with the greatest respect, that when the treaty relating to the reappointment of the mixed tribunals shall be under discussion you will endeavor to direct the particular attention of your excellency's Government to the refusal of the Government of the Khedive to recognize the undoubted right of Persia to participate in this arrangement. I feel sure that your excellency's Government will appreciate, with the greatest facility, and also admit, the evident right of Persia in this matter.

I take advantage of this opportunity, etc.

Dated the month Zilhejjeh, A. H. 1310.

[Seal of the Kavam-ed-Dowlah.]

Mr. Gresham to Mr. McDonald.

No. 13.] DEPARTMENT OF STATE,
Washington, August 17, 1893.

SIR: I have received a dispatch from Mr. Sperry, No. 62, of the 5th ultimo, accompanied by a note in which the Persian Government requests the aid of that of the United States to secure the representation of Persia in the mixed tribunals of Egypt.

While this Government sympathizes with the desire of Persia to see the interests of its numerous subjects in Egypt duly respected, this Government is not so situated with regard to the mixed tribunals as to intervene with a view to securing an enlarged representation of the non-European element in the constitution of the tribunals.

Our representative at Cairo will be advised of the desires of Persia, and instructed to report upon the subject when the question of reorganization comes up.

I am, etc.,

W. Q. GRESHAM.

Mr. McDonald to Mr. Gresham.

No. 20.] LEGATION OF THE UNITED STATES,
Teheran, September 25, 1893. (Received November 3.)

SIR: I have the honor to acknowledge your No. 13, diplomatic series, replying to Mr. Sperry's No. 62, concerning the desire of the Persian Government to be represented in the mixed tribunals of Egypt and asking the intervention of the U. S. Government to that end.

The reason assigned by the Department for declining at present said intervention will be duly communicated to the Persian Government.

I am, etc.,

ALEX. MCDONALD.

Mr. McDonald to Mr. Gresham.

No. 77.] LEGATION OF THE UNITED STATES,
Teheran, March 26, 1894. (Received May 2.)

SIR: My predecessor, Mr. Sperry, on the 5th of July, 1893, transmitted to the Department of State a copy and translation of a letter from the Persian foreign minister, asking for the friendly intervention and cooperation of the Government of the United States with the European governments in securing for Persia a representative to take part in the deliberations of the mixed judicial tribunal in Egypt on the reappointment of that body by the Khedive's Government. I have now the honor to forward for your information a copy and translation of another letter I have just received from the minister for foreign affairs relating to the same subject.

In consequence of the presence of a number of Persian merchants engaged in trade in Egypt, and of a still larger number who every year pass through that country on their pilgrimage to the shrine at Mecca, a member to represent their interests on the tribunal might be of advantage. Any steps taken by the U. S. Government to secure that end would, I am sure, be highly appreciated by the Shah and his minister.

I have, etc.,

ALEX. MCDONALD.

[Inclosure in No. 77.]

The Minister for Foreign Affairs to Mr. McDonald.

TEHERAN, *the 12th of Ramazan (March 20), 1894.*

YOUR EXCELLENCY: On the 15th of the month Zilhejzeh, A. H. 1310, I addressed you on the subject of the necessity for the presence of a representative of Persia on the mixed tribunals of Egypt. The

substance of the response of the Khedive's Government on this subject, made through the Italian consul-general in Egypt, is to the effect that as the citizens of Persia resident in the Ottoman Empire do not, as do the subjects of other countries, participate in the benefits of treaty rights, they can not, therefore, in Egypt, which is one of the provinces of that Government, partake of the same privileges which are accorded to other nations. Perhaps the intention of the Khedive's Government in this reply may be construed to mean that the Persian Government has no "capitulations" with the Turkish Government. If that is so, then its contention and argument are faulty, and contrary to the facts of the case, inasmuch as there are now treaties and conventions between the two governments, the stipulations of which are, throughout the whole of the provinces of the Ottoman Empire, in active operation, and as Egypt forms a part of that state they ought to take effect there. At the present time, in conformity with recent treaty rights, in most of the commercial courts throughout the Turkish Empire, representatives of Persia, in the same manner as those of other favored nations, or two Persian merchants in the capacity of members, sit to adjudicate on mercantile matters.

If the Persian Government had not these treaty privileges, it is manifest that the Turkish Government would never have admitted the representatives of Persia to seats in these tribunals. Leaving these considerations out of the question, it is evident from the fourteenth article of the existing treaty, concluded by the Persian embassy of this Government (in Constantinople) and the Ottoman department of foreign affairs, a translation of which into French I send for your excellency's perusal, that whatever rights and privileges are granted to the most favored nations in the Ottoman Empire have in their entirety been secured to the Persian Government, and Persian subjects in all parts of Turkey ought to be partakers of those rights and privileges to their fullest extent. Therefore the reply of the Government of the Khedive of Egypt to the consul-general of Italy is contrary to the stipulations existing between the governments of Persia and Turkey and the clear meaning of the aforesaid treaty.

Furthermore, the Persian Government has more subjects in Egypt than most other countries, and it can not therefore relinquish its clear and undoubted rights in that country.

It is therefore very respectfully urged upon your excellency's attention that on the occasion of the renewal of the convention for the reconstruction of the mixed tribunals of Egypt your Government will take into its serious consideration the injustice of the Khedive's Government in setting aside the confirmed rights of the Persian state. There is no doubt that your Government, in its enlightened sense of justice and a sincere regard for what is right, will not fail to take such steps as may appear just and necessary.

I have nothing further to trouble you with on this occasion.

[Subinclosure in No. 77.—Translation.]

Fourteenth article of Turko-Persian treaty.

Persian subjects in Turkey and Turkish subjects in Persia shall enjoy exactly the same rights as the subjects of the most favored nations in all matters which are not mentioned in the present treaty, and in case the Persian Government shall not fulfill any one of the clauses of this treaty, the Turkish Government will act, on its part, in the same manner.

The 21 Zegadé, 1292, corresponding to A. D. 1875.