*Mr. Uhl to Mr. McDonald.*

No. 57.] DEPARTMENT OF STATE,
*Washington, May 4, 1894.*

SIR: I have received your No. 77 of the 26th March last and the copy which you inclose of a note of the Persian minister of state, and have to say in reply that the Department in its No. 13 of August 17, 1893, has already expressed its sympathy for Persia's desire to see the interests of its subjects in Egypt duly respected, but is now, as when the above instruction was written, unable to intervene to secure the desired representation in the mixed tribunal in Egypt.

I am, etc.,

EDWIN F. UHL,
*Acting Secretary.*

# PORTUGAL.

## SUSPENSION OF DIPLOMATIC RELATIONS WITH BRAZIL AND PROTECTION OF BRAZILIAN CITIZENS IN PORTUGAL.

*Mr. Souza Roza to Mr. Gresham.*

LEGATION OF PORTUGAL,
*Washington, May 29, 1894.* (Received June 12.)

SIR: Referring to the different interviews I have had with you in regard to the question that has been raised between the Brazilian and Portuguese governments, I note the following points as the principal ones, which will give an exact idea of the question referred to:

The intervention of Vice-Admiral Castilho, commander of the Portuguese naval force at Rio de Janeiro, as a mediator in the capitulation of the insurgents, and the asylum which was afterwards given to them, were effectuated without the authorization of the Portuguese Government. The instructions given by the Portuguese Government to Mr. Paraty, its representative in Brazil, were, with respect to the mediation, that it should be authorized only if it were accepted by the Brazilian Government; and, with regard to the asylum of the refugees, that it could be given only in concert with the commanders of the other foreign vessels. (Docs. Nos. 1, 2, 3, and 4.)

As soon as the Portuguese Government knew that the Brazilian Government declined to accept the capitulation of the rebels it gave positive instructions to Mr. Paraty not to have anything to do with this act. (Docs. Nos. 5 and 6.)

Asylum was finally granted by Admiral Castilho on the 14th of March, the Portuguese Government being ignorant that all the insurgents had taken refuge exclusively on board of the Portuguese ships. (Docs. Nos. 7, 8, 9, and 10.)

The Brazilian Government protested against the right of Portugal to give asylum to the insurgents; but on March 17, by amicable agreement, it consented that the vessels might depart from Rio de Janeiro. (Doc. No. 11.)

On March 19 the Portuguese corvettes *Mindello* and *Alfonso de Albuquerque* did depart for Buenos Ayres, carrying on board all the refugees. The question raised by the Brazilian Government over the right of asylum remained pending, the Portuguese Government declining to deliver up the insurgents, guaranteeing, however, to the Brazilian Government that they should be disembarked only on Portuguese territory, subject to the vigilance of the proper authorities, so as to prevent them from intervening in the political struggle of Brazil. (Docs. Nos. 12 and 13.)

On March 24 the corvette *Alfonso de Albuquerque* arrived at Buenos Ayres, and on the 26th the *Mindello*, and the Portuguese Government insisted upon its orders to the commanders not in any event to disembark the refugees, who were to be conveyed to Portuguese territory on

a transport of war expressly sent from Lisbon for this purpose, since the commanders of the two corvettes declared most positively that it was impossible for them to put to sea, from lack of accommodations and from the condition in which the vessels were found to be. (Docs. Nos. 14, 15, 16, 17, 18, 19, 20, and 21.)

As it would take a long time for a transport to arrive, and the Portuguese Government wished to convey the insurgents to Portugal as speedily as possible, it endeavored to charter a special steamer for this purpose in Buenos Ayres. (Docs. Nos. 22 and 23.)

Meanwhile the hygienic conditions resulting from the accumulation of so many persons on board of the Portuguese vessels became extremely bad, and cases of yellow fever were not slow in appearing. A lieutenant who was asylumed on the *Alfonso de Albuquerque* died of this disease, and two soldiers of the *Mindello* were sent to the hospital. The Argentine Government, in consideration of the danger, urgently besought the Portuguese representative at Buenos Ayres to solicit instructions from the Government at Lisbon to disembark the refugees at the lazaretto, or that the corvettes would leave the Argentine waters immediately. The situation on board was extremely grave, the Portuguese representative declaring that it was impossible to await the arrival of the transport. (Docs. Nos. 24 and 25.)

This situation, already of itself so difficult, was aggravated by the circumstance of its being known that the friends and partisans of the insurgents were planning to bring about their disembarkation, which, being known to Admiral Saldanha da Gama, led him to beg for the disembarkation of the refugees by telegram directed to the Government of His Majesty. (Docs. Nos. 26 and 27.)

In spite of all these difficulties and demands, the Portuguese Government, faithful to the promise it had made to the Brazilian Government, declared most positively that under no circumstances whatever would it permit the disembarkation of the refugees, not even the sick; and it insisted that every endeavor possible should be made to charter a vessel which should carry the refugees to the territory of Portugal, under the Portuguese flag, as quickly as possible. (Docs. Nos. 28, 29, and 30.)

These orders of the Portuguese Government could have been carried into effect finally, the steamer *Pedro III* being chartered at Buenos Ayres on April 8 for £8,000 to carry the refugees to the Island of Ascension. (Docs. Nos. 31 and 32.)

At this juncture the Portuguese Government was informed that 110 refugees had escaped from on board the corvette *Mindello*, in view of which it immediately gave orders that an urgent request for their restitution should be made to the Argentine Government. This Government, however, not only declined to deliver them up, but protested against the fact of some of the fugitives having been recaptured at the time when they escaped on board of the schooner *Pepito Donato*, with the Argentine flag. (Docs. Nos. 33, 34, and 35.)

The Brazilian Government having been informed of this escape, protested, and the Portuguese Government explained the circumstances, and proved that it had been solicitous to comply with its promise to the Brazilian Government, employing to that end all means within its reach, and that no responsibility could be attached to it for what had happened.

On the 15th of April the Portuguese Government received exact and circumstantial information about the escape of the fugitives at Buenos Ayres, and the communication that the two Portuguese corvettes had departed for the coast of Montevideo, where the steamer *Pedro III*

was soon going to meet them to carry the refugees to the Island of Ascension. (Docs. Nos. 36, 37, and 38.)

On April 16 the Government of Uruguay asked for the disembarkation of a refugee severely attacked with beri-beri on board of the corvette *Alfonso de Albuquerque*, promising to be responsible for his restoration to the Portuguese Government dead or alive, a petition supported even by the minister of Brazil in Uruguay. The Portuguese Government answered this with a formal declination, because it had promised the Brazilian Government to allow the disembarkation of the rebels only in the territory of Portugal. The Portuguese Government informed its representative at Rio de Janeiro of this resolution, but in view of the certification of the physicians, transmitted by the chargé d'affaires of Portugal at Buenos Ayres, that the individual in question would die on the way if he went to sea, the Portuguese Government granted that he might remain a prisoner on board the corvette *Mindello*, under the responsibility of the commander thereof. (Docs. Nos. 39, 40, 41, 42, and 43.)

Various complications with the Argentine Government followed, in consequence of the diligence which was employed in the capture of fugitives at Buenos Ayres, so that the Portuguese Government decided to leave the refugees about whom there had been contention with the Argentine Government on board the corvette *Mindello* at Buenos Ayres, taking the remainder to sea on the *Pedro III*, convoyed by the corvette *Alfonso de Albuquerque*. (Docs. Nos. 44 and 45.)

Nevertheless, in spite of all the precautions and good will of the Portuguese Government yet new complications arose. On April 28 the Government at Lisbon received word that 133 refugees had escaped from on board the steamer *Pedro III*, who had been placed upon it to be taken to Portugal, and amongst them was Admiral Saldanha da Gama. The Government immediately charged its representative at Rio de Janeiro to testify to the Brazilian Government the great regret with which it received this entirely unexpected news, and to declare that the commanders of the two corvettes had been deposed from their commands immediately, and would be court-martialed, so that those who were responsible for failure to carry out the promises so many times given and so often insisted upon should be punished. (Doc. No. 46.)

After so many mishaps and complications, the steamer *Pedro III* finally left Buenos Ayres for Portugal with 170 refugees, being convoyed by the corvette *Alfonso de Albuquerque*. After this, on May 14, the chargé d'affaires of Portugal at Rio de Janeiro received a note from the Brazilian Government, complaining that the Portuguese Government had taken the responsibility of asylum granted to the refugees, and had let them escape, and at the same time sending to the personnel of the legation of Portugal its passports. (Docs. Nos. 47 and 48.)

This note caused the greatest surprise to the Portuguese Government, because no communication had been made to it by the Brazilian Government after the most complete explanations had been given by it about the escape of the refugees, the endeavors made to keep the promises it had given, and the steps taken to punish those who were responsible. (Doc. No. 49.)

This is the explanation which I outlined to you, and submit to your appreciation. In view of the short time that I have had to make this résumé, I have been obliged to pass over entirely some circumstances which it would have been fitting to mention.

Nevertheless the main facts are here sketched, and from the careful reading and consideration of these I have not the least doubt that you

will be convinced of the extreme fidelity and complete rectitude with which the Portuguese Government has acted throughout this lamentable occurrence.

THOMASO DE SOUZA ROZA.

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[Document No. 1.—From the legation of Portugal.]

RIO DE JANEIRO, *March 11, 1894.*

Asylum granted without my authorization. I request orders.

PARATY.

[Document No. 2.—To the legation of Portugal at Rio de Janeiro.]

MARCH 12, 1894.

Portuguese Government does not wish its agents there to do any act which can be disagreeable to the constituted Government; therefore we must know how the Brazilian Government will accept the intervention of Commandant Castilho to treat of capitulation. You will please, therefore, ascertain, informing me immediately, so that proper instructions may be given you. In order that asylum for Gama and officers may be effectuated, it is indispensable for Castilho to reach an understanding with commanders of foreign vessels.

HINTZE RIBEIRO.

[Document No. 3.—From Rio de Janeiro to Lisbon.]

MARCH 12, 1894.

*Navy:*

Saldanha begs with utmost urgency that I be charged with effecting negotiations for capitulation with most favorable conditions; withdrawal of the officials to go to foreign parts under protection of Portugal, guaranty of life of inferior officers, soldiers, and volunteers; delivery of fortress, ships of war, and material of every kind, and restitution of prisoners. Counting from yesterday Government fixed the term of forty-eight hours for beginning to fight with all its force. In view of great urgency in consequence of the distance from the chargé d'affaires, I decided with the greatest possible haste to visit the President of the Republic at 11 o'clock last night. President of Republic declared immediately that the importance of the subject required consultation with minister of war and minister of marine, and promised to send reply to-day if it were possible. Chargé d'affaires arrived safely; disapproved my proceeding. I ask to be relieved of command.

CASTILHO.

[Document No. 4.—From Lisbon to Rio de Janeiro.]

MARCH 12, 1894.

*Command of corvette Mindello:*

You should proceed there in harmony with the chargé d'affaires of Portugal, who receives instruction from the Government. Chargé d'affaires has already telegraphed to the Government about the asylum and mediation sought by Gama. Chargé d'affaires will proceed according to instructions of Government, which he will communicate to you for due performance. In the present state of affairs there it is essential for each one to do his duty, laying aside all personal feeling. I can not at this moment grant release to one who, like you, occupies a post of importance and confidence.

NEVES FERREIRA.

[Document No. 5.—From the legation of Portugal at Rio de Janeiro.]

MARCH 12, 1894.

Minister of foreign affairs says Federal Government can not accept condition proposed in behalf of military rebels.

PARATY.

[Document No. 6.—To the legation of Portugal at Rio de Janeiro.]

MARCH 13, 1894.

In view of answer of Brazilian Government, we must not mediate directly in the capitulation, merely being able to cooperate with representatives of other powers in any nonofficial action. As to asylum, the petition should be communicated to the

represented powers so that the asylum to be effectuated may be by agreement of all, Castilho for this purpose coming to an understanding with the commanders of other foreign ships, as I said yesterday.

HINTZE RIBEIRO.

[Document No. 7.—To the legation of Portugal at Rio de Janeiro.]

MARCH 15, 1894.

As to the refugees, we should act exactly like the other nations which have there important interests and ships of war in which the vanquished revolutionists may have been gathered.

HINTZE RIBEIRO.

[Document No. 8.—From the legation at Rio de Janeiro.]

MARCH 16, 1894.

Only Portuguese vessels will give asylum. Brazilian Government disputes over right. I ask if they can and should be carried away. Excitement against Portuguese.

PARATY.

[Document No. 9.—To the legation of Portugal at Rio Janeiro.]

MARCH 16, 1894.

Your telegram surprised me after instructions given by Portuguese Government about asylum sought by insurgents. Consult immediately representatives of nations which have there ships of war and which therefore ought to have instructions about the case of asylum. If these understand international laws of asylum to be applicable in the present case, and if they will therefore lend support to asylum in our ships of war, maintain asylum, combining Castilho with commanders of foreign ships of war.

HINTZE RIBEIRO.

[Document No. 10.—From the legation of Portugal at Rio Janeiro.]

MARCH 17, 1894.

Formerly all were ready to give asylum; considered the right sacred. Now representatives of foreign nations reserve opinion in the case, but at my instance seek instructions of their governments.

PARATY.

[Document No. 11.—From the legation of Portugal at Rio Janeiro.]

MARCH 17, 1894.

Arranged in a friendly manner with Brazilian Government that corvettes should depart to-morrow at 4:30, if before that no other order came from your excellency.

PARATY.

[Document No. 12.—From the legation of Portugal at Rio Janeiro.]

MARCH 21, 1894.

Corvettes departed with Brazilian Government disputing right to sail; but pending claim against right of asylum, I promised to keep the fugitives on board until claim was settled. France, England, Russia, Austria, Montevideo, minister of foreign affairs; he personally recognized right of asylum; United States equally, if it has not changed. I seek instructions for moral support. Brazil exercised this right many times. I have written by steamer *Nilo* urgent instructions; Buenos Ayres, commander *Mindello*. I ask if I shall propose arbitration. All fugitives were received; said to be followed by Brazilian steamer.

PARATY.

[Document No. 13.—To the legation of Portugal at Rio Janeiro.]

MARCH 22, 1894.

I received telegram of yesterday; difficult to decipher. I answered to-day to chargé d'affaires of Brazil here. Portuguese Government can not deliver refugees, nor therefore make corvettes return with them to Rio Janeiro, since duties of humanity, principles of international law, naval regulations common to all nations do not permit delivery of all individuals received on Portuguese ships of war, under shadow of Portuguese flag, being there as on Portuguese territory, so much the more as our treaty of extradition with Brazil expressly says that individuals shall not be delivered for political crimes. Portuguese Government gives to Brazilian Government

assurances that fugitives shall only disembark on Portuguese land, being there guarded in military depots and subject to vigilance of competent authorities, so as to prevent their taking part in the internal political struggle of Brazil. Portuguese Government trusts Brazilian Government desist from its claim in virtue of their assurance and declaration.

HINTZE RIBEIRO.

[Document No. 14.—From the legation of Portugal at Buenos Ayres.]

MARCH 24, 1894.

Corvette *Alfonso de Albuquerque* arrived to-day at quarantine Island Flores Montevideo; transport of war asked of your excellency.

FARIA.

[Document No. 15.—From Lisbon to Buenos Ayres.]

MARCH 25, 1894.

*Chargé d'affaires of Portugal:*

Please send following telegram to commander of *Mindello* as quickly as possible; as the arrival of the transport would take a long time, it is well to try to put in at Loanda, or at least at St. Helena, where Bartholomen Dias will probably arrive the same day. In no case whatever disembark fugitives without having received orders.

NEVES FERREIRA.

[Document No. 16.—To the legation of Portugal at Buenos Ayres.]

MARCH 25, 1894.

In accordance with my former telegram, it is absolutely necessary not to disembark fugitives. Corvettes *Alfonso de Albuquerque* and *Mindello* should not stay there, and should depart as quickly as possible for a Portuguese port, where then a war transport will go, in conformity with the direction of the minister of marine to the commander in the telegram sent you to-day.

HINTZE REBEIRO.

[Document No. 17.—From Buenos Ayres to Lisbon.]

MARCH 26, 1894.

*Ministry of Marine:*

The corvette *Mindello* is expected to-morrow; I will carry aboard your telegram.

FARIA.

[Document No. 18.—From Buenos Ayres to Lisbon.]

MARCH 26, 1894.

*Secretary of Admiralty:*

The corvette arrived to-day safely. Ten days of quarantine. I await orders from our Government to disembark 251 passengers.

TEVES.

[Document No. 19.—From Lisbon to Buenos Ayres.]

MARCH 26, 1894.

*Commandant of Portuguese corvette Alfonso de Albuquerque:*

Do not disembark fugitives in any case whatever without order of the Government.

SECRETARY.

[Document No. 20.—From the legation of Portugal in Buenos Ayres.]

MARCH 27, 1894.

Corvette *Alfonso de Albuquerque* ten days' quarantine. I carried your excellency's orders on board; commander declared me impossible to go on to a Portuguese port, for lack of capacity and provisions. Says it is indispensable transport of war come here. *Mindello* is expected to-morrow. Fugitives have not disembarked.

FARIA.

[Document No. 21.—From the legation of Portugal in Buenos Ayres.]

MARCH 28, 1894.

*Mindello* arrived to-day. I delivered your excellency's orders to the commandant, who says also it is absolutely impossible to continue the voyage to a Portuguese port. Corvette needs repairs. I belive it is urgent that a transport of war come. The council of hygiene wants the passengers to make their quarantine at the hospital. I insisted that commandant should not consent to disembark.

FARIA.

[Document No. 22.—From the legation of Portugal at Vienna.]

MARCH 29, 1894.

In reply to your excellency's telegram I have the satisfaction of informing you that the Austrian Government has given a telegraphic order to the chargé d'affaires at Rio Janeiro to take the proper steps to get the Brazilian Government to consent to desist from its claim for the political refugees on board of Portuguese ships of war.

VALMOR.

[Document No. 23.—To the legation of Portugal at Buenos Ayres.]

MARCH 31, 1894.

Received your telegram now. I confirm absolutely the order given not to disembark the Brazilian refugees there. Minister of marine telegraphed to this effect to Commander Castilho and now repeats his order, ending in telegram directed to you to immediately communicate with Castilho, making him responsible for not complying. It is necessary to carry the refugees to Portuguese territory as quickly as possible. For this the minister of marine has already telegraphed to Castilho, asking if it is possible to charter a ship there which can assist in conveying the refugees under the Portuguese flag. I recommend this also to you, an answer being urgent, so that if there be a steamer there the minister of marine may give necessary instructions for the conveyance, and if there be not, a transport may go from here promptly.

HINTZE RIBEIRO.

[Document No. 24.—From Buenos Ayres to Lisbon.]

APRIL 3, 1894.

*Navy:*

It would be better to buy Italian steamer on prompt payment and depart for its destination, San Vincent, without the least delay with the Italian crew and my officers.

It is known officially that a lieutenant asylumed on the *Alfonso de Albuquerque* has died. Two soldiers from the *Mindello* were sent to the floating hospital with the fever.

The situation is very grave when it rains.

CASTILHO.

[Document No. 25.—From the legation of Portugal in Buenos Ayres.]

APRIL 4, 1894.

Epidemic yellow fever corvette *Mindello:*

Argentine Government in diplomatic note of to-day asks me to solicit with the greatest urgency instructions from the Government either to disembark the passengers for the lazaretto or to remove the corvettes from Argentine waters without the least delay. General indignation against the retention of the refugees on board is raised in the press. Under such conditions I beg of you orders to answer the note. The situation on board can not be more desperate. It has become impossible to wait for a war transport here.

FARIA.

[Document No. 26.—From the legation of Portugal in Buenos Ayres.]

APRIL 2, 1894.

I have secured the Italian packet *Norte America*, 18 miles speed; carries refugees directly to a Portuguese port for 200,000 francs, but formalities of changing the flag take at least twenty days. Company can sell this steamer for £200,000 sterling. Then depart immediately with officers, marine, and flamula. Quarantine *Mindello* ends April 6; *Alfonso Albuquerque* April 3. Commandant of *Mindello* wants to draw up to wharf for a concert. Say if I shall forbid it. I believe in this case it will be impossible to keep the refugees on board. If the Government does not wish to buy a ship, immediate orders should be given by all means for the corvettes to go from this port to the Canaries, to wait there for the Portuguese war transport. All sorts of suggestions are made for the disembarkation of the refugees here, the permanence of this situation being perilous.

FARIA.

Document No. 27.—To the legation of Portugal in Buenos Ayres.]

APRIL 2, 1894.

Considering the time necessary for changing the flag, the Government is going to order a transport to go from here which will reach there in a few days more than the twenty necessary for changing the flag. In no event allow drawing up to wharf. If it be necessary, time permitting, the ships can go out along the coast for a few days to avoid difficulties there.

HINTZE RIBEIRO.

[Document No. 28.—From Lisbon to Buenos Ayres.]

APRIL 4, 1894.

*Command of Corvette Mindello:*

There is no possible contingency in which the Government will permit the disembarkation of the refugees. Also it can not buy the ship for £200,000. In any case depart, saying where you are going, where a transport will go which will relieve you. Telegraphic orders to this effect go to San Vincent.

NEVES FERREIRA.

[Document No. 29.—From Lisbon to Buenos Ayres.]

APRIL 5, 1894.

*Chargé d'Affaires of Portugal:*

Please transmit to Commander Castilho the following order:

Do not in any event disembark any refugees. The Government promised that the refugees should only be disembarked in Portuguese territory. You assume the gravest responsibility if you fail to comply with this order. With the aid of the chargé d'affaires see if you can charter a vessel there to convey the refugees to a Portuguese port under a Portuguese flag. If you can not do so a transport will go from here.

NEVES FERREIRA.

[Document No. 30.—From Lisbon to Buenos Ayres.]

APRIL 7, 1894.

*Commandant Corvette Mindello:*

Disembarkation of sick impossible. Dispense all possible comfort; you will charter transport which will be convoyed by *Alfonso de Albuquerque* to island of Ascension, where it will meet transport proceeding from Lisbon. *Mindello* will go to St. Thomas and await orders.

NEVES FERREIRA.

[Document No. 21.—From the legation of Portugal at Buenos Ayres.]

APRIL 8, 1894.

Commandant of *Mindello* thinks the project of being towed in acceptable. By agreement with the financial agent I have contracted for the steamer *Pedro III* for £8,000, which goes as a Portuguese ship of war. I ask of your excellency authority to sign a contract in the name of the Government and that I have funds necessary to pay for the charter.

FARIA.

[Document No. 32.—To the legation of Portugal in Buenos Ayres.]

APRIL 8, 1894.

Received your telegram to-day. You may sign the contract; to-morrow I will make provision of money.

HINTZE RIBEIRO.

[Document No. 33.—From the legation of Portugal in Buenos Ayres.]

APRIL 9, 1894.

I have just learned on good authority that several refugees escaped last night from the corvette *Mindello* on launches which had brought coals and provisions. Both corvettes will go this morning to the waters of Maldonado to await the transport. There is more reason to insist upon the necessity of having the corvette *Alfonso de Albuquerque* accompany the transport at every cost. I am waiting for details which I will forward. The refugees were sent to the lazaretto.

FARIA.

[Document No. 34.—To the legation of Portugal at Buenos Ayres.]

APRIL 10, 1894.

If any refugees escaped from the Portuguese corvette, make urgent endeavors to have them restored by the Argentine Government and go to sea with the rest of the refugees, using to this end the means most appropriate there.

HINTZE RIBEIRO.

[Document No. 35.—From the legation of Portugal at Buenos Ayres.]

APRIL 11, 1894.

As ordered by you, I requested the delivery of the fugitives in the most cordial terms; the Argentine Government declines in a note to-day. Minister of foreign affairs has just sent me another note informing me a boat from on board the corvette *Alfonso Albuquerque* took by armed force 30 Brazilian refugees who were found to have escaped from that corvette on board of a schooner, *Pepito Donato*, carrying the Argentine flag, and carried them back to the corvette in violation of territorial sovereignty; that, proceeding in accordance with the instruction of the President of the Republic, he addressed me so that a formal complaint against the unjustifiable conduct of the commander of the corvettes might be conveyed to the Government of His Majesty, asking satisfaction for this deed and consequently for the surrender of the persons seized on the schooner, relying upon the cordial relations and the bonds of friendship and sympathy which bind the Argentine Republic to the Kingdom of Portugal for assurance that a prompt response will be given. I answered that I would inform the Government earnestly, and that trusting in these good relations to which he referred, I hoped that with the good will of all we should arrive at a satisfactory and honorable settlement. I await your excellency's instruction.

FARIA.

[Document No. 36.—From the legation of Portugal at Rio Janeiro.]

APRIL 12, 1894.

The Brazilian Government is informed that some refugees have disembarked at Buenos Ayres. If this news is confirmed diplomatic negotiations will probably be broken off.

PARATY.

[Document No. 37.—To the legation of Portugal at Rio Janeiro.]

APRIL 13, 1894.

The Portuguese Government gave the most definite orders that the Brazilian refugees should be disembarked only on Portuguese territory. In spite of the corvettes being overloaded with people, and of their therefore not being able to undertake any long voyage, of yellow fever manifesting itself on board, and of the Argentine Government requiring a disembarkation to the lazaretto or a prompt departure, the Portuguese Government never, in spite of all the difficulties, authorized any disembarkation. The Government denied the position of Saldanha da Gama and the King denied the petition of the Argentine Masonic lodges. In order that the refugees might reach Portuguese territory promptly, the Government chartered a steamer at Buenos Ayres to take its refugees to the island of Ascension under the Portuguese flag and with our officers and sailors, accompanied as far as possible by the corvette *Alfonso Albuquerque*, and it chartered another steamer here, which has already gone, also with our flag, officers, and sailors, to the island of Ascension, so as to bring the refugees from there to Portugal. It is said that some refugees have tried to escape, but they were recaptured and carried aboard. The Argentine Government complains because our corvettes have retaken some of those who escaped and hid themselves on an Argentine schooner. I ask for information so as to answer the complaint. At all events the Brazilian Government can not complain of our lack of endeavor to carry the refugees aboard our ships to Portuguese territory.

HINTZE RIBEIRO.

[Document No. 38.—Chargé d'affaires of Portugal at Rio Janeiro.]

APRIL 15, 1894.

I have just received official and exact information as to the occurrences at Buenos Ayres. Some refugees escaped treacherously from the corvette *Mindello*, but amongst them were only four combatant officers of low rank. Some refugees also tried to escape from the corvette *Alfonso de Albuquerque*, but were retaken; hence the demand of the Argentine Government. Both corvettes are now in the waters of the coast of Montevideo, whither a steamer chartered in Buenos Ayres is going without delay to convey the refugees to the Island of Ascension, where the steamer *Angela*, already chartered, will be, which will bring them to Portugal.

HINTZE RIBEIRO.

[Document No. 39.—From the legation of Portugal at Buenos Ayres.]

APRIL 16, 1894.

Government of Uruguay asks authorization to disembark fugitive Antonio Santos Abren, severely ill with beri-beri, on board corvette *Alfonso de Albuquerque*, making itself responsible to restore him to the Portuguese Government alive or dead. I beg

the speedy decision of your excellency. Transport leaves to-night, intending to leave Ponta India with refugees to-morrow night.

FARIA.

[Document No. 40.—To the legation of Portugal at Buenos Ayres.]

APRIL 17, 1894.

Portuguese Government feels that it can not accede to the petition of the Government of Uruguay; but having declared to the Brazilian Government, when that Government demanded surrender of refugees and the Portuguese Government refused it, that it would disembark them only on Portuguese territory. It can not default from the declaration it made.

HINTZE RIBEIRO.

[Document No. 41.]

APRIL 17, 1894.

*Chargé d'affaires of Portugal at Rio Janeiro:*

According to information received to-day, the steamer chartered at Buenos Ayres to carry refugees to Portugal leaves the waters of Uruguay to-day, where our corvettes are. Government of Uruguay petitioned Portuguese Government for authorization to disembark a refugee ill with beri-beri, making itself responsible for his restoration to the Portuguese Government, dead or alive; in spite of this, I answered that I could not grant the petition in view of my declaration to the Brazilian Government that we would disembark them only in Portuguese territory.

HINTZE RIBEIRO.

[Document No. 42.]

BUENOS AYRES, *April 17, 1894.*

*President of Ministers, Lisbon:*

Physicians declare that if Santos Abren, who is sick, goes to sea he will die on the way. Could your excellency permit him to remain a prisoner on board corvette *Mindello*? The minister of Brazil in Uruguay himself asks this. I believe it would not be improper.

FARIA.

[Document No. 43.]

APRIL 17, 1894.

*Chargé d'affaires of Portugal at Buenos Ayres:*

In view of your telegram of to-day, the refugee, Santos Abren, may remain on the corvette *Mindello* under the responsibility of the commandant. It is urgent that the chartered steamer leave with the refugees for the Island of Ascension, whence the *Angela* will carry them to Portugal.

HINTZE RIBEIRO.

[Document No. 44.]

APRIL 19, 1894.

*Chargé d'affaires of Portugal at Buenos Ayres:*

It is necessary that the steamer chartered by the Portuguese Government and now under the Portuguese flag leave that port without delay. When the steamer chartered, as is our right, has departed, you will reply to the demand of the Argentine Government, showing it what your telegram refers to, that the schooner *Pepito Donato* being, without any flag, attached to the corvette *Alfonso de Albuquerque*, in the service of that corvette, a service directed by a Portuguese officer and performed in the schooner itself by sailors of the Portuguese Navy, and morever under our authority; refugees who had surrendered to our jurisdiction, and were under the guard and responsibility of our naval force, having tried to escape by deception, leaping into the schooner; having there struggled with our naval sailors and used force, attacking them with knives and trying to cut the fastenings and to detach the schooner, against our legitimate authority; the attack having been suppressed under these circumstances a continuous act, and without the refugees having succeeded in getting out of our jurisdiction and control, and our authority over them having been maintained; the corvettes not being at Buenos Ayres even but in the open sea, where the jurisdiction of the Government to which they belong is absolute over everything which is in them; and this not being a case of extradition, it is evident that no valid reason would oblige the Portuguese Government to order such refugees delivered to the Argentine Government, even in the absence of the declaration which it made to the Brazilian Government that it would disembark them only in Portuguese territory. You will close your note with the assurance that the Portuguese Government maintains the most cordial regards for the Argentine Government.

HINTZE RIBEIRO.

[Document No. 45.—From Lisbon to Buenos Ayres.]

APRIL 26, 1894.

*Chargé d'affaires of Portugal:*

Please transmit to Commander Castilho:

The refugees about whom there is no dispute remain on the *Mindello*, the rest going in the *Pedro III*, conveyed by the corvette *Alfonso de Albuquerque* until beyond danger, when the corvette will return there and the fugitives will be transferred from the *Mindello* to it. I ask definite instructions.

NEVES FERREIRA.

[Document No. 46.]

APRIL 28, 1894.

*Chargé d'affaires of Portugal at Rio Janeiro:*

The Government has to its great surprise just received word from Buenos Ayres that the Brazilian refugees who were on board the steamer *Pedro III* have escaped, the Government having chartered that steamer to carry them to Portuguese territory, as it declared to the Brazilian Government that it would do. I send you by mail a detailed account of all the endeavors which the Portuguese Government made; in spite of innumerable difficulties, they assure the coming of the refugees to Portugal, where supervision of them would have been easy and efficaciously exercised. The Government is collecting all the indispensable information it can as to the circumstances of this escape. Call upon the minister of foreign affairs immediately and testify to him the great regret with which the Portuguese Government has received this unexpected news, and tell him that the Government has immediately removed the commanders of the corvettes *Mindello* and *Alfonso de Albuquerque* from their commands, and will have them court-martialed, so that those who are shown to be responsible for failing to carry out the definite and rigorous orders which have been given and repeated by the Portuguese Government may be punished.

HINTZE RIBEIRO.

[Document No. 47.]

PETROPOLIS, *May 14, 1894.* (Received afternoon of 14th.)

I have just received a long note complaining that the Portuguese Government took the responsibility of asylum granted and did not hold the refugees, and have received the passports of the personnel of the legation of Portugal.

PARATY.

[Document No. 48.]

PETROPOLIS, *May 14, 1894.* (Received morning of 15th.)

Résumé of note: Reminds of promise to hold refugees on Portuguese territory; that President to answer note will await result of voyage to Rio Plata; result foreseen was to resume liberty of action and to be able to enter Rio Grande do Sul. There was lack of vigilance, aggravating asylum, considered as offense against territorial sovereignty; history of revolt follows; strange that Commander Castilho should support capitulation of deserters; that asylum was granted in front of fire of batteries; that humanitarian principles are not applicable to barbarous rebels; that the right of asylum is ill defined; that extradition is not applicable to territory of fiction against territorial authority; that the proceeding degenerates into a common crime; that asylum was granted when besieged; that President makes demand without hopes, but to give occasion to disapprove of commandant; that from asylum to flight the Portuguese Government takes the responsibility in spite of dismissing the commanders; the marshal is obliged with great regret to suspend diplomatic relations; sends personal passports of legation of Portugal.

PARATY.

[Document No. 49.]

PETROPOLIS, *Rio de Janeiro, May 14, 1894.*

CONDE DE PARATY: Your communication of to-day confirmed by Costa Mota, surprised the Government completely, since nothing else had been communicated to me neither from there nor from here since the explanations which you gave by order of the Government in regard to the escape of the refugees and the measures taken to fulfill the promises made to punish those who were responsible. Therefore I wish you before you depart to inform me by telegraph if any cause of which we are ignorant brought about so unexpected and lamentable a result.

The Portuguese Government is conscious of having proceeded with scrupulous correctness during the whole pendency of this affair.

HINTZE RIBEIRO.