

## URUGUAY.

### POLITICAL SITUATION.

*Mr. Finch to Mr. Sherman.*

LEGATION OF THE UNITED STATES,  
*Montevideo, February 10, 1898.*

SIR: The following is a correct copy of a cablegram sent you this afternoon:

SHERMAN, *Washington:*

Chambers dissolved. Provisional government proclaimed. Cuestas President.  
Quiet. FINCH.

The following circular<sup>1</sup> was distributed in all parts of the city during the afternoon, but the people remained unexpectedly quiet and only a few stores closed their doors.

Your obedient servant,

W. R. FINCH.

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### MILITARY SERVICE OF JOHN BAKER DICK.

*Mr. Finch to Mr. Day.*

No. 82.]

LEGATION OF THE UNITED STATES,  
*Montevideo, October 7, 1898.*

SIR: The within correspondence refers to the case of John Baker, colored, who claimed to be a citizen of the United States, and to have been pressed into the Uruguayan army.

Having no evidence to support Baker's claim to United States citizenship, other than his verbal affirmation, I was not able to make a very impressive showing to the foreign minister of this Republic.

Respectfully,

WILLIAM R. FINCH.

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[Inclosure 1 in No. 82.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Montevideo, October 7, 1898.*

Hon. WILLIAM R. FINCH,

*Minister Plenipotentiary and Envoy Extraordinary of the  
United States to Uruguay and Paraguay.*

SIR: I have to report the following case to your attention:

Last evening a negro who gave his name as John Baker met me at my door and claimed that he was an American citizen, having come from the South with a circus some three years ago.

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<sup>1</sup> Not printed.

That about two years ago was picked up on the streets and impressed into the army, and was in the corps whose officers were in the July revolt.

That he now belongs to the Fifth Cavalry, but has been absent from the command for several days. If he returns he will be severely and, perhaps, brutally flogged.

He claims that he had his birth papers when he came to this country, but that they were stolen from him by a deserting comrade.

He speaks English in a broken way and is apparently about 20 years of age.

The case presents features that at least call for an inquiry at the War Department. If the man is, as he claims, an American born citizen, this country has no claim on his services as a soldier.

The matter is referred to the legation for such action as may be deemed by you proper.

I am, with great respect, your obedient servant,

ALBERT W. SWALM,  
*United States Consul.*

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[Inclosure 2 in No. 82.]

MONTEVIDEO, *October 7, 1898.*

His Excellency JACOBO A. VARELA,  
*Minister pro tempore for Foreign Affairs,*  
*the Republic of Uruguay, Montevideo.*

SIR: John Baker, a colored man, states that he is an American citizen and resided in the United States until about three years ago, when he left there and came to South America with a traveling circus. Baker further states that about two years ago he was picked up on the street in Montevideo and pressed into the military service of Uruguay, and was in the corps whose officers revolted on July 4 last, but that he now belongs to the Fifth Cavalry, and has been absent from his command for several days. He asks to be relieved from further service in your army.

Please look into the case, and if Baker is, as he claims, a citizen of the United States, please discharge him from further service.

Pending this investigation kindly have instructions given that Baker be not punished for being absent from his command without leave.

You will greatly oblige, your obedient servant,

WILLIAM R. FINCH.

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[Inclosure 3 in No. 82.]

MONTEVIDEO, *October 6, 1898.*

Col. ALBERT W. SWALM,  
*United States Consul, Montevideo, Uruguay.*

DEAR SIR: Received your communication, dated the 7th instant, just a few minutes ago and have written Minister Varela asking for an investigation of the case of the colored man John Baker.

Having remained in the Uruguayan army for about two years, without protest, as you state, and having no passport and no way of establishing his claim to the protection of the United States except his verbal statement that he came from the South with a traveling circus

about three years ago (I am quoting from your letter), it will be difficult for me to set up a very strong presumption in his favor, particularly now since he is a deserter and makes the claim to United States citizenship apparently to avoid punishment.

However, I will do the best I can, and if I can not get him discharged I may possibly save him the pain of a flogging.

Truly, yours,

W. R. FINCH.

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*Mr. Finch to Mr. Day.*

No. 85.]

LEGATION OF THE UNITED STATES,  
Montevideo, October 13, 1898.

SIR: On the 13th instant I received the inclosed communications from the acting minister for foreign affairs, the Hon. Jacobo A. Varela.

No. 1 \* \* \*

No. 2 refers to my representations in behalf of the colored soldier, John Baker Dick, a member of the Fifth Cavalry, Uruguay army, who claims to be a citizen of the United States, and to have been pressed into the military service of this Republic.

Respectfully,

WILLIAM R. FINCH.

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[Inclosure in No. 85.—Translation.]

MONTEVIDEO, October 10, 1898.

Mr. WILLIAM R. FINCH,

*Envoy Extraordinary and Minister Plenipotentiary of the  
United States of America.*

Mr. MINISTER: I have the honor to acknowledge the receipt of your excellency's note, dated the 7th instant, soliciting release of the soldier, John Baker Dick, from the Fifth Cavalry Regiment, if on investigation it shall be found that he is a citizen of the United States.

In answer to your note I have to say that your excellency's communication has been referred to the war office, and that I will take pleasure in informing you of the decision of that department at the earliest moment after its receipt.

I salute your excellency with my distinguished consideration.

JACOBO A. VARELA.

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*Mr. Finch to Mr. Day.*

No. 84.]

LEGATION OF THE UNITED STATES,  
Montevideo, October 14, 1898.

SIR: I inclose herewith copy of a letter from Albert W. Swalm, United States consul at Montevideo, addressed to me; also copy of a statement from and by him, and one from his consular clerk, in support of the claim of the colored soldier, John Baker Dick, who asks to be discharged from the Uruguay military service on the ground that he is a bona fide citizen of the United States.

I inclose herewith my communication to the Hon. Jacobo A. Varela, acting minister for foreign affairs of Uruguay, dated the 13th of October, inviting his attention to these supporting affirmations of Messrs.

Swalm and Garcia. I have taken the ground that the Government of Uruguay is bound to accept as true the claim of Dick that he is a bona fide citizen of the United States, supported as he is by reputable persons in his contention, unless that Government is able to show that Dick's claim is false.

Respectfully,

WILLIAM R. FINCH.

[Inclosure 1 in No. 84.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
Montevideo, October 9, 1898.

Hon. WILLIAM R. FINCH,  
*Envoy Extraordinary and Minister Plenipotentiary of the  
United States to Uruguay and Paraguay, Montevideo.*

SIR: In an interview with the colored American citizen had yesterday, I found that his name was John B. Dick, the "B" being for Baker. I made notes of his statement and they are herewith submitted to you. He is a typical Alabama negro—no doubt about that whatever—and his story seems to hang together from top to bottom.

Submitting these notes, I am, with great respect, your obedient servant,

ALBERT W. SWALM,  
*United States Consul.*

[Subinclosure.]

In the matter of the claim of one John B. Dick for American citizenship.

Comes now John B. Dick, a private soldier in the Fifth Regiment of Cavalry of the Uruguay army, and says and declares under examination as follows:

1. That he is an American citizen, and was born at or near the town of Citrus, in the State of Alabama, in the United States, on or about October 25, 1875.
2. That he came to South America in this way: First he joined with others by railway to the Pacific coast, and there joined Worth's American circus, which sailed from there to Australia, and from thence to South America. That he continued in the employ of said circus at Montevideo until the circus was destroyed by fire, when he lost his employment, but remained in the city, and soon went to work in a livery stable on Calle San Jose.
3. That while so engaged in said work at Montevideo, about two years ago, that is to say, in the month of September or October, 1896, he was arrested in the streets of said city, at night, he being regularly at work in the daytime, and was taken and impressed into the military service of the Republic of Uruguay, contrary to his will and desire, and for which service he had not at any time entered into any contract, nor had he committed any offense against the laws of the said Republic of Uruguay, whereby and by reason of such offense he could be sentenced to imprisonment, and thence into the army.
4. That he has been compelled to render military service, as aforesaid, always contrary to his will and desire; that he has had no opportunity to present to the American representatives here his claim as an American citizen heretofore, as a private soldier, he having but few liberties, and those of a very confined character. That as a soldier he was made to serve in the artillery, and was present at the engagement between the army and the Nationalists at Cerros Blancos, being one of the men mounted with a gun squad.
5. That when he left his home in the State of Alabama he had with him his papers showing his birthright, parentage, and baptism, and such other facts to such form belonging, the said papers being signed by a minister of the gospel by the name of Clark, of the Methodist Church (colored). That he had preserved and had with him when arrested and pressed into the army these papers, but that the same were taken and carried away by another soldier, and the whereabouts of the said papers or soldier are not now known to him.

6. That the members of the circus company with whom he came from the United States to Australia, and thence to Montevideo, are widely scattered and gone, and he has seen none of them since his impressment into service. That during his service with the circus at Montevideo he had charge of a herd of zebras, which attracted much attention, and wherein he met many people of the city, some of whom would recognize him by reason of his color and his inability then to speak the language of the country—Spanish. That his service in the livery stable on San Jose street may also be established by proper examination by the representatives of the United States.

7. That his sister, Annie Dick, and his brother, Thomas Dick, are now and were then residents of Citrus, Ala. and that one Andrew Knight there resident, a painter, is also named as being acquainted with, and many others could be named by the petitioner.

Wherefore the said John B. Dick prays that his rights as an American citizen be established, that he be discharged from the military service of the Republic of Uruguay; so held in contravention of the rights and privileges of an American citizen, humble though he may be, and that he may be permitted to go his way in peace, and earn his livelihood where it may honestly come to his hand.

Respectfully submitted on behalf of petitioner Dick.

[SEAL.]

ALBERT W. SWALM, *United States Consul.*

Mr. Roroteo Garcia Lagos, clerk in the consulate of the United States, says that he recognizes the colored man who gives his name as John B. Dick as being the same man who was in charge of a herd of zebras, shown in connection with the circus, some three years ago in this city. He was looking at the herd, and spoke English, in a beginner's way, to the man now before him. His personal characteristics—being very black, round headed, and decidedly African in face, form, and features, makes his recognition easy as being the same man in charge of the herd, as stated. To which fact other young man who was with him would cheerfully attest.

[Inclosure 2 in No. 84.]

MONTEVIDEO, *October 13, 1898.*

His Excellency JACOBO A. VARELA,  
*Minister pro tempore for Foreign Affairs,*  
*The Republic of Uruguay, Montevideo.*

SIR: Herewith please find a declaration of the colored soldier, John B. Dick, now belonging to the Fifth Cavalry of the Uruguay army, setting forth a series of facts in support of his claim that he is a bona fide citizen of the United States and entitled to recognition as such. His declaration was made before United States Consul Swalm in this city, and is in part corroborated by the clerk at the consulate.

Dick makes out a plausible case, and I trust you will give his representations due weight, recognizing the principle which obtains in matters of this character that what is alleged as true is to be taken and accepted as truth unless it can be shown to be false.

I have the honor to be, your excellency's obedient servant,

WILLIAM R. FINCH.

[Inclosure 3 in No. 84.]

MONTEVIDEO, *October 13, 1898.*

Col. ALBERT W. SWALM,  
*United States Consul, Montevideo.*

DEAR SIR: I have translated into Spanish your communication dated the 9th of October, setting forth the facts in which the colored soldier, John Baker Dick, relies to establish his assertion that he is a bona fide citizen of the United States, and forwarded the same to the

Hon. Jacobo A. Varely, minister pro tempore for foreign affairs of the Republic of Uruguay. With your communication I also forward to Minister Varela the statement of the consular clerk, Garcia Lagos, who certifies that he recognizes Dick as the man who was in charge of a herd of zebras that were exhibited in Worth's American circus.

Very truly, yours,

WILLIAM R. FINCH.

*Mr. Finch to Mr. Day.*

LEGATION OF THE UNITED STATES,  
*Montevideo, October 22, 1898.*

SIR: The within correspondence refers to the case of the colored soldier John B. Dick, a member of the Fifth Regiment, Uruguay Cavalry, who recently deserted. Later he solicited the assistance of the United States consul here, claiming exemption from military duty on the ground that he is an American citizen and had been "pressed" or conscripted into the Uruguayan army and there held against his will.

The consul referred the case to me, and I presented it to the minister for foreign affairs. The result was an honorable discharge for Dick and full pay.

Respectfully,

WILLIAM R. FINCH.

[Inclosure 1.]

[Translation.]

MINISTRY OF FOREIGN AFFAIRS,  
*Montevideo, October 17, 1898.*

Mr. WILLIAM R. FINCH,  
*Envoy Extraordinary and Minister  
Plenipotentiary of the United States.*

MR. MINISTER: I have the honor to inform your excellency, in response to your notes dated the 7th and 13th instant, that the minister of war and marine has given the necessary orders for the dismissal of the man John B. Dick from the Fifth Regiment of Cavalry, Uruguayan army, together with full pay and proper discharge papers.

I avail myself of this opportunity,

JACOBO A. VARELA.

[Inclosure 2.]

LEGATION OF THE UNITED STATES,  
*Montevideo, October 19, 1898.*

Señor JACOBO A. VARELA,  
*Minister pro tempore for Foreign Affairs,  
The Republic of Uruguay.*

SIR: I have much pleasure in acknowledging the receipt of your communication dated the 17th instant, in which you state that the honorable minister of war and marine has ordered the dismissal of the colored soldier John B. Dick from the military service of Uruguay with full pay and proper discharge papers. Your excellency's note advising me of the action of the honorable minister came to hand this forenoon, and I hasten to thank you for so promptly responding to my representation in Dick's behalf, and through you, if you will allow

me, permit me to thank the honorable minister of war and marine for so cheerfully and promptly releasing the soldier the moment he was convinced that his claim to United States citizenship was fairly well founded. Dick's discharge by the Uruguayan Government, under circumstances not calculated to inspire a sentiment of generosity, is additional evidence that it never hesitated to act the part of honor and magnanimity toward the deserving individual, no matter how humble or insignificant he may be.

Allow me also, your excellency, to assure you that I attribute to your high sense of honor, fairness, and justice the happy termination of this case, which has resulted satisfactorily to all concerned.

Your obedient servant,

WILLIAM R. FINCH.

[Inclosure 3.]

UNITED STATES LEGATION,  
Montevideo, October 19, 1898.

Col. A. W. SWALM,  
*United States Consul, Montevideo, Uruguay.*

DEAR SIR: Monday, the 17th instant, you were at the legation, and in speaking of the colored soldier John B. Dick, who deserted from the Uruguayan army, I understood you to say you had supplied him with an "underground railroad" ticket or pass to Buenos Ayres, Argentina, for which you paid \$300, and \$10 for pocket money. This is the man who claimed exemption from service in the Uruguayan army on the ground that he is an American citizen. His claim was duly presented to Hon. Jacobo A. Varela, minister pro tempore for foreign affairs, and on the 19th instant I had the honor to receive a note from Mr. Varela, stating that Dick had been honorably discharged from the service, given his proper papers, and pay in full. This was an example of generosity not to have been expected, the man having deserted before presenting his claim to United States citizenship, after a service of two years in the army without, so far as I could learn, making so much as a simple protest.

I have thanked the Uruguayan Government through Mr. Varela for its liberality and forbearance, and write you as I do now since you were, apparently, at the time you fitted Dick out with the "underground railroad" ticket to Buenos Ayres, and the loan or present of \$10 pocket money, not aware that he had been duly discharged from the Uruguayan army and given his pay in full.

Very truly,

WILLIAM R. FINCH.

*Mr. Finch to Mr. Day.*

LEGATION OF THE UNITED STATES,  
Montevideo, October 24, 1898.

Hon. WILLIAM R. DAY,  
*Secretary of State, Washington.*

SIR: On the 22d instant Colonel Swalm called at the legation and said, substantially, in response to mine of the 19th instant, that when the colored soldier John B. Dick applied to him (Swalm) for protection,

he (Swalm) took the man under his care and placed him in a boarding house, becoming security for his board.

After getting the colored man safely settled he (Swalm) called upon Vice-Consul Howard and directed him to go to the Uruguayan secretary of war and say to him that Dick was undoubtedly an American citizen and unless he was released the United States Government would file a reclamation and demand damages for unlawful detention. The consul further stated that he had previously satisfied himself that Dick was an Alabama negro and that he should be immediately released.

Colonel Swalm then placed the facts and the case in my hands, with the result heretofore stated.

Colonel Swalm also further stated that he paid the colored soldier the amount due him from the Uruguayan Government, taking his receipt therefor and turning it over to the Uruguayan minister of war, at whose instance and request he acted.

Possibly I have embodied in my report of this case to the Department more phases and detail than is usually customary or necessary, but the circumstances and incidentals seem to warrant placing all the facts and phases before you for convenient reference, in the event that the matter should at any future time be the subject of further correspondence.

Respectfully,

WILLIAM R. FINCH.