GREAT BRITAIN.

PRISONERS OF WAR, AMERICAN CITIZENS, HELD IN BRITISH COLONIES.

Mr. Hay to Mr. Choate.

No. 468.]

DEPARTMENT OF STATE,
Washington, October 16, 1900.

Sir: The Department is advised by the United States consul at Colombo, Ceylon, that a number of prisoners captured by the British troops in South Africa have been deported to an encampment at Diyalalawa, in that island, among them 22 men claiming American citizenship. As the consul was denied access to these men, I am without confirmation of their alleged American status, but the report is so circumstantial that it is due to ascertain the facts, if possible, and I have therefore to instruct you to ask an early inquiry into the truth of the statement.

If it be confirmed, the Government of the United States could not view without concern the risk of life and health involved in sending any unacclimated American citizens, taken under the circumstances described, to so notoriously insalubrious a place as the island of Ceylon. The principles of public law which exclude all rigor or severity in the treatment of prisoners of war beyond what may be needful to their safety imply their nonsubjection to avoidable danger from any cause. These admitted principles have found conventional expression in treaties, as in article 24 of the treaties of 1785 and 1799 between the United States and Prussia, and the enlightened practice therein specified to be followed with respect to the custody of prisoners of war is believed to represent the general view of modern nations, as it certainly does the sentiment of humanity and the law of nature on which it claims to rest.

If it prove that citizens of the United States, captured while temporarily serving in the armies of the South African Republic and the Orange Free State, have in fact been transported to distant andnoxious places, you will represent the expectation of this Government that they be at once removed to some more healthful station, if indeed the situation at this time shall not permit their discharge, freely or on parole. The number of these Americans who have taken temporary service under another flag is represented to be small.

I am, etc.,

John Hay.

Mr. Hay to Mr. Choate.

No. 469.]

DEPARTMENT OF STATE,
Washington, October 16, 1900.

Sir: In connection with my instruction of even date concerning the reported imprisonment of some 22 American citizens as prisoners of
war in the island of Ceylon, I send you copy of a letter received to-day from the Hon. George P. Lawrence, a member of Congress from the State of Massachusetts, commending a request addressed to him by Mr. John J. Hearn, of Westfield, Mass., that the Department of State move to obtain the release of his brother, F. M. Hearn, now confined at Diyatalawa camp, in Ceylon. It is inferred that the prisoner is a citizen of the United States, but that no misapprehension may exist in this regard Mr. Lawrence will be asked to procure substantiation of that fact.

You will do what you properly can toward the release of Mr. Hearn, in company with the other American citizens confined in Ceylon, and to this end you may make such use as you may deem appropriate of the consideration that the present time, when hostilities in the Boer country are practically ended, is propitious for the relief of these men.

I am, etc.,

JOHN HAY.

[Inclusion.]

Mr. Lawrence to Mr. Hay.

HOUSE OF REPRESENTATIVES,

MY DEAR SIR: I inclose herewith a letter from Mr. John J. Hearn, of Westfield, Mass., a constituent of mine of character and standing, who writes to me with reference to the release of his brother, F. M. Hearn, now a Boer prisoner of war in the hands of the British. Will you please inform me if anything can be done by your Department for Mr. Hearn? I shall be glad to have you do all that you can.

Very truly yours,

GEORGE P. LAWRENCE.

[Subinclusion.]

Mr. Hearn to Mr. Lawrence.

WESTFIELD, MASS., OCTOBER 12, 1900.

DEAR SIR: As a citizen and voter in your Congressional district, I respectfully request you to use your influence with the State Department at Washington to obtain the release of my brother, F. M. Hearn, now a Boer prisoner of war in the hands of the British.

He has been a prisoner several months, and is at present at Diyatalawa camp, Ceylon.

As the war in the Transvaal is practically ended, the United States Government should have no difficulty in securing his release, in which event sufficient funds will be forthcoming to bring him back to this country.

I have been in business in Westfield for several years and can give you prominent references if you so desire.

Thanking you in advance, etc.,

JOHN J. HEARN.

Mr. Choate to Mr. Hay.

No. 418.]

AMERICAN EMBASSY,
London, October 27, 1900.

SIR: With reference to your instruction No. 468, of the 16th instant, I have the honor to inclose herewith a copy of a note which, on the 25th instant, I addressed to Her Majesty’s Secretary of State for Foreign Affairs.

I have, etc.,

JOSEPH H. CHOATE.
GREAT BRITAIN.

[Inclosure.]

Mr. Choate to Lord Salisbury.

American Embassy,
London, October 25, 1900.

My Lord: I have the honor to inform your lordship that my Government has been informed by the United States consul at Colombo, Ceylon, that among the prisoners captured by the British troops in South Africa and deported to an enclosure at Diyatalawa, in the island of Ceylon, are 22 men claiming to be American citizens, but as the consul was denied access to these men my Government is without confirmation of their claim to citizenship. The consul’s report is, however, so circumstantial that my Government deems it its duty to ascertain the facts. From Mr. John J. Hearn, a man of business residing in Westfield, Mass., and vouched for as a man of character and standing by the Hon. George P. Lawrence, a member of Congress from that State, it has been ascertained that one of the prisoners mentioned is his brother, F. H. Hearn. The names of the others are at present unknown.

I am therefore instructed to ask at your lordship’s hands an early inquiry into the correctness of the consul’s report, and am prepared, if it turns out that the prisoners referred to are American citizens, to present to your lordship considerations which would probably lead to their removal to a more healthful station, and perhaps to their discharge, either freely or on parole.

I have, etc.,

Joseph H. Choate.

Mr. Hay to Mr. Choate.

No. 482.]

Department of State,
Washington, November 1, 1900.

Sir: I inclose copy of a correspondence the Department has had with Hon. Frank E. Wilson, M. C., and Mr. Andrew J. Mulcare, touching the desired release on parole of the latter’s relative, a deported Boer prisoner.

You may bring the matter informally to notice in the proper quarter, not as a request of this Government, but rather by way of kindly personal aid to an American citizen to enable him to bring his petition for relief of a relative to attention for consideration and such action as circumstances may make proper.

I am, etc.,

John Hay.

[Inclosure 1.]

Mr. Wilson to Mr. Hay.

House of Representatives,
Brooklyn, N. Y., October 15, 1900.

Sir: I have the honor to inclose you herewith a letter received from one of my constituents which will explain itself. I would esteem it a great favor if you could secure the desired parole for Mr. William Smith, if it be consistent with the practice of your Department.

Very respectfully,

Frank E. Wilson.

[Subinclosure.]

Mr. Mulcare to Mr. Wilson.

Brooklyn, October 11, 1900.

Dear Sir: I respectfully ask your cooperation in an effort to secure the parole of a near relative who is now a prisoner of war on the island of St. Helena. A word from you addressed to the Department of State at Washington, D. C., may aid him greatly, and, I hope, would not inconvenience you.

F R 1902, PT 1——30
The young man was a member of the civil service of the Transvaal, and begs that we endeavor to secure parole, that he may return to the Cape Colony in order that he may make provision for his family. His state of mind is pitiful, as you may judge by the following, quoted from his last letter to me:

"Life here is very monotonous and I feel the confinement very much, having now been a prisoner since the early stages of the war. My wife, thank God, is well, but the two little daughters and the son are ill.

"The war may drag on for another six or eight months, and to stay here all that time will drive me mad.

"It is simply a desire on my part to return to the Cape Colony to make provision for my loved ones. Last year this time I was happy in the possession of a loving wife and children and a pretty home in Doornfontein, one of the suburbs of Johannesburg; now, how different. My home is looted and the wife and children are refugees among hundreds of others."

He closes his letter with an appeal to "not forget your kinsman, who is eating his heart out on the prison island of the South Atlantic."

This young man is about 30 years of age. His name is William Smith, and he is my first cousin, being a son of my father's sister.

I feel that I may approach you in this matter on the common ground of humanity. By granting my request you will not only confer a great favor on me, which I earnestly appreciate, but also upon over a score of this poor boy's relatives, who are, with me, interested in this matter.

Very truly, yours,

ANDREW J. MULCARE.

[Inclusion 2.]

Mr. Hay to Mr. Wilson.

DEPARTMENT OF STATE, Washington, October 16, 1900.

Sir: I am in receipt of your letter of the 15th, in which, referring to the letter you transmit from a constituent touching the release on parole of the deported Boer prisoner, a relative of the writer, you ask the Department's aid in the matter.

Pending consideration of your request, I have the honor to inquire whether the young man, Mr. William Smith, in whose behalf the interposition of this Government is solicited to obtain his release on parole from confinement on the island of St. Helena, is a citizen of the United States or was ever domiciled in this country. The statements in the letter of your constituent (Mr. Andrew J. Mulcare) do not make it clear whether Mr. Smith was a citizen of the South African Republic or an "outlander" employed at Johannesburg, who, on the outbreak of the war, took refuge with his family in the Cape Colony.

I have, etc.,

JOHN HAY.

[Inclusion 2.]

Mr. Adee to Mr. Mulcare.

DEPARTMENT OF STATE, Washington, October 20, 1900.

Sir: Your letter of the 11th instant addressed to the President has been referred to this Department. It refers to the case of William Smith, a deported Boer prisoner, whose release you seek on parole, and is a replica of the letter addressed by you to the Hon. Frank E. Wilson and by him sent hither with a request for the Department's aid in the matter.

Mr. Wilson has probably communicated to you the Department's reply \(^a\) of October 16, but in case he has not I enclose a copy for your information.

You will see that it is essential that Mr. Smith's American citizenship or domicile be established before the Department can give the matter consideration.

I am, etc.,

ALFRED A. ADEE,
Acting Secretary.

\(^a\) Printed, supra.
Mr. Mulcare to Mr. Adee.

Brooklyn, N. Y., October 23, 1900.

Sir: I have your esteemed favor of the 20th instant in the matter of obtaining parole for William Smith. Also copy of letter addressed to the Hon. Frank E. Wilson.

Prior to the receipt of your letter I had an interview with Mr. Wilson regarding the information required.

My cousin, William Smith, is not a citizen of the United States. He is a native of South Africa, but I do not know just when he was born. His mother was a native of Ireland and his father of Germany. He never resided here, and the only time he spent in this country was on a visit of several months' duration.

I am aware that his release can not be asked for in any sense as a right, but I do earnestly request, in behalf of over a score of his relatives who are citizens of this glorious country, the good offices of our Government toward securing his release.

I beg to emphasize the fact that he desires to return to the Cape Colony and not to the late scenes of the war.

At the outbreak of the war Mr. Smith was employed in the post-office department at Johannesburg, and was commandeered (believe that is the term) into service.

I beg to express my sincere thanks for the prompt consideration which the Department of State has given this matter, and I hope sincerely that there is some way in which the desired end can be attained.

Yours, very truly,

Andrew J. Mulcare.

Mr. Choate to Mr. Hay.

[Telegram.]

American Embassy,
London, November 21, 1900.

Have received note from Lord Lansdowne stating no objection to American consul at Colombo communicating with the 22 prisoners of war referred to in your instruction No. 468, but all communications should be made either through governor of Ceylon or general officer commanding troops.

Choate.

Mr. Choate to Mr. Hay.

No. 431.]

American Embassy,
London, November 21, 1900.

Sir: Referring to my dispatch No. 418 of the 27th ultimo, I have the honor to inclose herewith a copy of a note which I have received from the Marquis of Lansdowne in relation to the American prisoners of war in Ceylon, together with a copy of a telegram ¹ which I sent you on the 21st instant, from which it will be observed that the American consul at Colombo can communicate with the 22 prisoners of war, but that all communications should be made either through the governor of Ceylon or through the general officer commanding the troops.

I have, etc.,

Joseph H. Choate.

¹ Printed, ante.
FOREIGN RELATIONS.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, November 17, 1900.

YOUR EXCELLENCY: The Marquis of Salisbury referred your letter of the 25th ultimo to the secretary of state for war, and I have now the honor to inform your excellency that a telegram has been received from the military authorities in Ceylon to the effect that there is no objection to the United States consul at Colombo communicating with the 22 prisoners of war referred to in your excellency’s note, but that all communications should be made either through the governor of Ceylon or through the general officer commanding the troops.

I have, etc.,

LANSIDOWNE.

Mr. Hay to Mr. Choate.

No. 500.]

DEPARTMENT OF STATE,
Washington, November 21, 1900.

Sir: I inclose a copy of a letter from the Hon. Thomas Hedge, a member of Congress from Iowa, with inclosure, from which it appears that Edward C. Janse, a native of Iowa, who was engaged in railroad building in South Africa, was captured by a British force at Machadodorp while engaged in his work, and was taken to Pretoria, where he is now held as a prisoner of war.

You will ask for an investigation of the matter and suggest that Mr. Janse be released, if the facts warrant it at this time.

I am, etc.,

JOHN HAY.

[Inclosure.]

Mr. Hedge to Mr. Hay.

HOUSE OF REPRESENTATIVES,
Burlington, Iowa, November 16, 1900.

Dear Sir: Mr. Edward C. Janse, a native of Fort Madison, Lee County, Iowa, some three years ago went to South Africa to engage in railroad building. His family has received word that he was captured by the British at Machadodorp, where he was engaged in railroad work, and was taken to Pretoria as a prisoner of war, and is now held there as a prisoner. I inclose a letter from Mr. George B. Stewart, the assistant United States attorney at Fort Madison, which tells all that the family knows of the situation. I desire very much to relieve their anxiety concerning this young man and know of no more direct or certain course to take than by applying to the State Department to obtain particular information of the case and do what it properly may toward obtaining young Mr. Janse’s release. May I ask your kind offices in this matter?

Respectfully yours,

THOMAS HEDGE.

[Subinclosure.]

Mr. Stewart to Mr. Hedge.

OFFICE OF UNITED STATES ATTORNEY,
SOUTHERN DISTRICT OF IOWA,
Fort Madison, Iowa, November 14, 1900.

Dear Sir: Mr. Edward Janse, son of Mr. Hector Janse, one of the old Republicans of this county and town, has been in South Africa for three years past, engaged with his brother in contracts for building railroads. Word has just come that Mr. Janse
was captured by the British at Machadodorp, where he was engaged on railroad work, and taken to Pretoria as a prisoner of war, where he now is. The family do not know the particulars or any more about it than I have given you. They are very much alarmed, and would greatly appreciate it if you would take the matter up with the State Department and have it ascertain the facts and do what it can for Mr. Janse. Mr. Edward Janse was born here; his family is a prominent and well-to-do one, and he is an upright, sober young man, with a large circle of friends, who would greatly appreciate anything you could do for him.

Yours, very truly,

GEORGE B. STEWART.

Mr. Choate to Mr. Hay.

No. 434.]

AMERICAN EMBASSY,
London, November 24, 1900.

SIR: Referring to your instruction No. 482, dated the 1st instant, relating to the desire of the American friends of Mr. William Smith, a prisoner at St. Helena, to procure his release, I have the honor to report that by means of unofficial inquiries I have reliably ascertained that no application for the discharge of any particular prisoner at St. Helena would be entertained; that requests for the discharge of other prisoners similarly situated, made by other nations, directly and officially, have been refused, and that it would therefore not be expedient to present an application in his case.

I have, etc.,

JOSEPH H. CHOATE.

Mr. Hay to Mr. Choate.

No. 506.]

DEPARTMENT OF STATE,
Washington, December 6, 1900.

SIR: I inclose for your information copy of a letter from the Hon. William Alden Smith, a member of the House of Representatives, in regard to the case of William Frederic Versluis, formerly a member of Company M, First Illinois Infantry, who served in the American Army through the Santiago campaign, receiving an honorable discharge therefrom.

You will observe that he is now, it is supposed, held as a prisoner of war by the British, by whom he was captured between Heidelberg and Standerton, in September last, in South Africa.

You are requested to make inquiry in regard to the man in question with a view to taking such action in regard to the matter as may be deemed proper.

I am, etc.,

JOHN HAY.

[Inclosure.]

Mr. Smith to Mr. Hay.

HOUSE OF REPRESENTATIVES,
Grand Rapids, Mich., November 30, 1900.

DEAR SIR: Inclosed I send you letter from Hon. G. J. Diekema, chairman of the Republican State central committee of Michigan, including memorandum from Dr. J. J. Huizingu, 100 State street, Chicago, Ill., relating to William Frederic Versluis, formerly a member of Company M, First Illinois Infantry, who served in the Amer-
FOREIGN RELATIONS.

ican Army through the Santiago campaign, receiving an honorable discharge. It is supposed that he is now held as prisoner by the British, by whom he was captured between Heidelberg and Standerton September last, in South Africa.

If you can save the life of this young soldier, his friends in this part of the State will esteem it a great favor, and I sincerely hope that you may be able to do so.

With great respect, etc.,

WILLIAM ALDEN SMITH.

[Subinclosure.]

Mr. Dickema to Mr. Smith.

HOLLAND, MICH., November 28, 1900.

MY DEAR FRIEND: I have just received from Dr. J. J. Huizinga, of Chicago, the inclosed note relating to a William Frederick Versluis. The young doctor is very anxious to have me interest you in this matter. He says that Congressman Mann has been seen and will do what he can in the matter, and that whatever is done must be done quickly if the life of this young American captured by the British in South Africa is to be saved.

It is feared that he is in great danger of death by a process of drumhead court-martial.

He fought under Colonel Roosevelt at Santiago and belonged to Colonel Turner's regiment.

Do what you can in the matter, for you can do much in any matter.

Very truly, yours,

G. J. DIERKEMA.

Mr. Hay to Mr. Choate.

No. 525.]

DEPARTMENT OF STATE,
Washington, January 3, 1901.

SIR: I inclose, for such kindly consideration as you may be able to obtain for his request, a letter from Arie Dubber, stating that his brother, Dirk J. Dubber, is a prisoner of war on parole at Pretoria, and asking that he may be sent to some British or Dutch port whence the writer states, he will guarantee payment for his brother's transportation to Cleveland, Ohio.

I am, etc.,

JOHN HAY.

[Inclosure.]

Mr. Dubber to Mr. Hay.

CLEVELAND, OHIO, December 27, 1900.

DEAR SIR: Information has reached me that my brother, Dirk J. Dubber, is now a prisoner of war on parole at Pretoria, South African Republic.

I would hereby kindly ask the good offices of our Government to request the English Government to transport the said D. J. Dubber to some English, or if in order, better still, to some Dutch port, whence I will guarantee payment for his transportation to Cleveland, Ohio.

Very respectfully,

ARIE DUBBER.

Mr. Choate to Mr. Hay.

No. 473.]

AMERICAN EMBASSY,
London, January 7, 1901.

SIR: With reference to your instruction, No. 500, of the 21st of November last, inclosing a copy of a letter from Mr. Thomas Hedge, of Iowa, respecting the case of Mr. Edward J. Janse, I have the honor

*Not printed.*
to inclose a copy of a note from Lord Lansdowne, dated the 3d instant, from which it appears that Mr. Janse was released on parole on the 5th of October last and is reported to have returned to America.

I have, etc.,

JOSPEH H. CHOOATE.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, January 3, 1901.

YOUR EXCELLENCY: With reference to my note of the 8th ultimo respecting the case of Mr. E. J. Janse, I have the honor to inform you that I learn from Her Majesty's secretary of state for war that the gentleman in question was released on parole on the 5th October last, and is reported to have returned to America.

I have, etc.,

LANSDOWNE.

Mr. Choate to Mr. Hay.


SIR: With reference to your instruction No. 525, of the 3d ultimo, relating to the case of Mr. Dirk J. Dubber, a prisoner of war on parole at Pretoria, I have the honor to inclose herewith the copy of a note which I have just received from Lord Lansdowne, in which it is stated that there is no reason to believe that Mr. Dubber is seriously or dangerously ill, which at present constitutes the only reason for extending exceptional treatment to prisoners of war, and that in these circumstances His Majesty's Government regret that they are unable to order the release of the person referred to.

I have, etc.,

JOSPEH H. CHOOATE.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, February 6, 1901.

YOUR EXCELLENCY: I referred to His Majesty's secretary of state for war your note of the 15th ultimo inclosing a copy of a letter from Mr. Arie Dubber, of Cleveland, Ohio, stating that his brother, Mr. Dirk J. Dubber, is a prisoner of war on parole at Pretoria, and asking that he may be sent to the United States of America from a British or Dutch port.

I have the honor to inform your excellency that there is no reason to believe that Mr. Dubber is seriously or dangerously ill, which at present constitutes the only reason for extending exceptional treatment to prisoners of war, and that in these circumstances His Majesty's Government regret that they are unable to order the release of the person referred to.

I have, etc.,

LANSDOWNE.

Mr. Hill to Mr. Choate.

No. 620.] DEPARTMENT OF STATE, Washington, April 30, 1901.

SIR: I inclose a copy of a letter from Frank Lawrence, from which it appears that Harry Wood, a native American citizen, is now a pris-
foreign relations.

oner of war, held at Ragama Camp, in Ceylon, and is sick with enteric fever and not able well to bear the rigors and restrictions of the life of a prisoner.

You will inquire whether, in view of Mr. Wood's health, it may not be possible to release him on parole on condition that he return to the United States, his family furnishing the passage money.

I am, etc.,

DAVID J. HILL,
Acting Secretary.

[Inclusion.]

Mr. Lawrence to Mr. Hay.

NEW YORK, April 26, 1901.

DEAR SIR: Mr. John Elderkin, of this city, has very kindly consented to give me a letter of introduction to you, which I enclose with this letter, requesting your aid in my efforts to procure the release of my friend, Harry Wood, late of Washington, who is a son of the late John Thornton Wood of that city, who is now a British prisoner of war at the Ragama camp, in Ceylon. As my friend, Mr. Elderkin, explains, Mr. Wood was taken prisoner while sick in the hospital at Barberton, in the Transvaal, in September last. He was then suffering from enteric fever, and is in consequence in a very debilitated condition and totally unfit to endure the rigors of even the best camp life. His family informed me that his treatment is very far from good, although, as his letters are censored, he is unable to enter into the details of his hardships. He does write, however, that the food supplied is quite unfit for one in his condition, and that he was unable for seven weeks to obtain a stamp for the purpose of writing home.

He is an American citizen of native birth. It is not known definitely whether he was bearing arms against the British nor whether they are prepared to maintain this. If his release upon parole can be obtained, his family will be very glad to deposit sufficient money with the British authorities to defray the expense of his return home. Mr. Wood is a gentleman, and his word can be relied upon.

I do not know just what may be done in the matter, but if your excellency can inform me as to the best course to pursue, and will make such representations to the proper British authorities as your excellency may deem most advisable, it will be a great favor both to me and to Mr. Wood and a great relief to his family, who are sorely troubled as to his condition.

Respectfully yours,

FRANK LAWRENCE.

[Subinclusion.]

Mr. Elderkin to Mr. Hay.

NEW YORK, April 26, 1901.

DEAR SIR: I take the liberty of giving this letter to my friend, Mr. Frank Lawrence, of this city, who is desirous of obtaining the release of Harry Wood, an American citizen, late a resident of Washington, D. C., and son of John Thornton Wood, who at the time of his death was one of the editors of the North American Review. Probably Mr. John Thornton Wood was known to you, as he was a resident of Washington.

The son, Harry Wood, who is about 26 years of age, joined a body of Americans who went from New York to Delagoa Bay and from there crossed to the Transvaal and joined the Boers. He was made a prisoner by the British when sick of enteric fever in the hospital at Barberton in September last and was taken to Colombo, Ceylon, and is now in the Ragama camp, near that city. He is still sick and suffering for want of many necessities for one in his debilitated condition. His family are anxious to secure his parole and release, and are willing to furnish money to pay his passage to America. Mr. Frank Lawrence, who is a friend of Mr. Wood's family, has asked me to write and ask you for such assistance as the State Department can render in the case. If you will be so good as to interest yourself in the matter and inform Mr. Lawrence what steps are necessary in order to obtain Mr. Harry Wood's release, you will confer a personal favor upon me.

Sincerely yours,

JOHN ELDERKIN.
Mr. Hill to Mr. Choate.

No. 636.]

DEPARTMENT OF STATE,
Washington, May 22, 1901.

Sir: With reference to the Department's No. 482, of November last, you are instructed to report what action you have taken in the matter of the request that Mr. William F. Smith, an American citizen, detained on St. Helena as a prisoner of war, be released on parole.

In consequence of a letter from the Hon. Frank E. Wilson, M. C., of the 10th instant, you are instructed to recall the matter to the attention of the British Government.

I am, etc.,

DAVID J. HILL,
Acting Secretary.

Mr. Hill to Mr. Choate.

No. 641.]

DEPARTMENT OF STATE,
Washington, May 27, 1901.

Sir: I inclose herewith copy of a letter from Hon. J. N. W. Rumble, a member of Congress from Iowa, in regard to one Francis Connelly, a native of Davenport, Iowa, who is said to be held by the British Government as a prisoner of war on the island of Ceylon.

You may inquire whether it is possible for this young man to be released on parole on condition that he will return to the United States.

I am, etc.,

DAVID J. HILL,
Acting Secretary.

[Inclosure.]

Mr. Rumple to Mr. Hill.

HOUSE OF REPRESENTATIVES,
Marengo, Iowa, May 22, 1901.

Dear Sir: One Francis Connelly, a native of Davenport, Iowa, when 19 years old, went to Johannesburg, South Africa, to reside with his brother, in 1890; was there when the war broke out between England and the South African Republic; joined the Boer Army, and was captured and is now a prisoner on the island of Ceylon. He has a brother who resides in Davenport, who, with many other friends, is very desirous that he should be released and allowed to return to the United States.

I do not suppose that the Department could make a demand for his release on account of his being an American citizen, but that the Department might use its good offices in asking that he be paroled on condition that he would return to the United States.

If you can give me the modus operandi necessary to bring about this result and assist me in any way in asking this favor of the English Government, I would consider it a great favor.

The parole of this young man will be greatly appreciated by the people of Davenport, and the Administration will receive their gratitude.

Yours, truly,

J. N. W. RUMPLE.
FOREIGN RELATIONS.

Mr. Hay to Mr. Choate.


SIR: I inclose herewith copy of a letter from Hon. James R. Mann, a member of Congress from Illinois, who desires inquiry to be made with a view to ascertain whether William Frederick Versluis, who is held as a British prisoner of war on the island of Ceylon, may not be released on parole on the understanding that he will return to the United States, his brothers furnishing the passage money.

You may make the inquiry.

I am, etc.,

JOHN HAY.

[Inclosure.]

Mr. Mann to Mr. Hill.

HOUSE OF REPRESENTATIVES, Chicago, Ill., May 21, 1901.

DEAR SIR: Referring to your kind favor of the 22d instant relating to the case of William Frederick Versluis, who is held as a prisoner of war by the British Government, permit me to request that you make proper representations to endeavor to obtain the release of Mr. Versluis on parole on the understanding that he will return to the United States. His brothers here are willing to furnish the passage money for his return home, and will do so at such time and in such manner as may be indicated by you or required.

May I specially request that an effort be made to obtain the release on parole of Versluis? I have, etc.,

JAMES R. MANN.

Mr. Choate to Mr. Hay.


SIR: Referring to your instruction, No. 620, of the 30th of April last, in relation to the case of Mr. H. Wood, a native American citizen, at present a prisoner of war in Ceylon, I have the honor to inclose a copy of a note from Lord Lansdowne, dated the 13th instant, from which it appears that Mr. Wood is in good health.

Lord Lansdowne states that it would not be in accordance with the practice hitherto followed to release Mr. Wood, and that Mr. Brodrick regrets that the circumstances are such as to prevent him from complying with the request to that end.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, June 19, 1901.

YOUR EXCELLENCY: With reference to my note of the 21st ultimo, respecting the case of Mr. H. Wood, at present a prisoner of war in Ceylon, I have the honor to inform you that, as according to a telegram recently received from the governor of that colony, Mr. Wood is in good health, it would not be in accordance with the practice hitherto followed to release Mr. Wood.

Mr. Brodrick regrets that the circumstances should be such as to prevent him from complying with the request made in your note of the 14th ultimo.

I have, etc.,

LANSDOWNE.
Mr. Choate to Mr. Hay.

No. 610.]

AMERICAN EMBASSY,
London, July 3, 1901.

SIR: With reference to your instructions, Nos. 636 and 641, of May 22 and 27 last, I have the honor to inclose herewith a copy of a note which I have received from the Marquis of Lansdowne, stating that His Majesty's secretary of state for war is unable to make any exception in respect to prisoners of war, unless they are suffering from serious or dangerous illness, and that he does not see his way to ordering the release of Messrs. Connelly and Smith.

I had previously, upon the receipt of your instruction No. 636, approached His Majesty's Government in respect to Mr. W. F. Smith, but without success.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, London, June 28, 1901.

YOUR EXCELLENCY: I referred to His Majesty's secretary of state for war the copies of dispatches addressed to your excellency by the United States Government, asking for the release of two United States citizens, Messrs. F. Connelly and W. Smith, who are detained as prisoners of war in Ceylon and St. Helena, respectively.

I have the honor to inform your excellency that I learn from Mr. Secretary Brod- rich that he is unable to make exceptions in the cases of individual prisoners of war unless they are suffering from serious or dangerous illness, and consequently regrets that he does not see his way to ordering the release of Messrs. Connelly and W. Smith.

I have, etc.,

LANSDOWNE.

Mr. Choate to Mr. Hay.

No. 621.]

AMERICAN EMBASSY,
London, July 11, 1901.

SIR: With reference to your instruction No. 647, of the 4th ultimo, and to my dispatch No. 610, of the 5th instant, I assume that you will have inferred from Lord Lansdowne's note of the 28th ultimo, stating that His Majesty's Government is unable to make any exception in respect to prisoners of war unless they are suffering from serious or dangerous illness, and that the secretary of state for war does not see his way to ordering the release of Messrs. Connelly and Smith, that it would be neither advisable nor of any use to ask for the release on parole of Mr. William Frederick Versluis.

I have, etc.,

JOSEPH H. CHOATE.

Mr. Adee to Mr. Choate.

No. 735.]

DEPARTMENT OF STATE,
Washington, September 30, 1901.

SIR: On November 1, 1900, you were instructed to present informally a petition for the release of William Smith, an American citizen held as a prisoner of war at St. Helena, and you replied in your No.
of the 24th of that month, that you had reliably ascertained that such a petition would not be entertained, and that similar requests in behalf of prisoners of war of other nationalities had been refused.

In your No. 473, of January 7 last, you reported that Edward C. Janse, who had been taken prisoner, had been released on parole. In that case, however, the correspondence does not show that Mr. Janse had been taken with arms in hand or that he had violated in any way his duties as a neutral.

In your Nos. 504, 592, and 610, of February 9, June 15, and July 3, respectively, you report in each case that the British Government is unable to release the American citizens, prisoners of war, named in the dispatches, because it would not be in accordance with the practice followed by His Majesty's war office, under which prisoners are only released if "they are suffering from serious or dangerous illness."

Upon this question I now inclose a copy of a dispatch from the consul at Colombo, from which it appears that three prisoners of war held at Ragama Camp, Ceylon, were recently released on parole and allowed to return to Germany. If it prove true that prisoners of war of other nationalities are being released, you may sound the Government of His Majesty as to the reopening of the cases of the American citizens whose release has heretofore been refused. It may be that the persons named in Mr. Morey's dispatch were released on account of sickness, although the letter to him, inclosed with his dispatch, says that the men were well.

The consul will be instructed to forward to you directly any proof he may be able to obtain regarding the circumstances of the liberation of the German prisoners.

I am, etc.,

ALVRY A. ADEE,
Acting Secretary.

[Inclosure.]

Mr. Morey to the Department of State.

CONSULATE OF THE UNITED STATES,
Colombo, August 27, 1901.

SIR: I inclose herewith a copy of a letter received from Messrs. Harry McGaw Wood, F. M. Hearn, John P. Doherty, and John Riley, prisoners of war, interned at the Boer prisoners' camp Ragama, propounding three inquiries respecting the propriety of their continued detention in Ceylon as prisoners of war, and stating that three prisoners captured in South Africa under similar conditions as themselves have lately been liberated and allowed to return to Germany.

I am, etc.,

W. MOREY, Consul.

[Subinclosure.]

Harry McGaw Wood et al. to Mr. Morey.

RAGAMA CAMP, August 12, 1901.

SIR: Whereas the British commander in chief in South Africa has made public proclamation and announcement of the annexation of the territories of the Orange Free State and South African Republic to the British Crown, and the same are daily referred to in the British official reports and in the British press as Crown colonies;

And whereas in the official parole, written and signed by the camp commandant in charge of Ragama camp, reference is made to "the late Government of the Orange River Colony,"
And whereas three prisoners of war, namely, C. Lavino, Wynburg, and R. Wilkie, who have taken an active part, under arms, in this war, and who, at the time of their release were in good health, have been allowed to return to Germany, either on parole or under no obligations;

We therefore beg that you will communicate with the home Government and advise us:

1. Whether the foreign governments recognize the extinction of the Governments of the Orange Free State and the South African Republic; and

2. Whether, if these governments have ceased to exist and their territories have been annexed to the British Crown, we can still be properly detained as prisoners of war; and

3. Whether, considering that we are properly so detained, we should not be allowed the same privilege of parole as has been granted to the three prisoners of war mentioned above.

Similar addresses are being forwarded by this mail to the various consuls in Colombo. You will greatly oblige by notifying us of your receipt of this.

Very truly,

HARRY McGAW WOOD.
E. M. HEARN.
JOHN P. DOHERTY.
JOHN RILEY.

Mr. Adee to Mr. Choate.

No. 736.]

DEPARTMENT OF STATE,
Washington, October 1, 1901.

SIR: I inclose herewith a copy of a letter of the 23d ultimo from the Hon. W. A. Clark, United States Senator, with inclosure from Mr. Patrick Lennon, who states that he is a citizen of the United States and was formerly resident in Montana, and after emigrating to South Africa was made a prisoner by the British at Johannesburg and is now detained as such at Camp Ragama, Ceylon.

Mr. Lennon claims to have been a noncombatant, "carefully observing all the terms of Lord Roberts's proclamation."

The Department would be pleased to have you inquire into the matter and report the facts in the case.

I am, etc.,

ALVEY A. ADEE,
Acting Secretary.

[Inclosure.]

Mr. Clark to Mr. Hoy.

UNITED STATES SENATE,
Washington, September 25, 1901.

MY DEAR SIR: Inclosed please find a communication dated at Ragama Camp, Ceylon, August 10, 1901, from Patrick Lennon, who alleges that he is an American citizen and a legal resident of Butte, Mont., and a constituent of mine. It will be observed that Mr. Lennon states that he has been a citizen of Montana for twelve years, voting regularly in Silverbow County, and that his wife and family are still residents of Butte. Also, details the circumstances under which he has become a prisoner of war and is detained in the camp at Ragama by the English authorities.

I respectfully refer to you Mr. Lennon's letter for your consideration and whatever action the Department of State may think proper to take.

Very respectfully,

W. A. CLARK.
DEAR Sir: I take the liberty of placing before you the circumstances under which I, a citizen of Montana, became and still remain a prisoner of war in the hands of the English, in the hope that you will be able to move the Government to interest itself for my release.

I had been a citizen of Montana for twelve years, voting regularly in Silverbow County, and my wife and family are still residents of Butte; but in March, 1897, I proceeded to the Transvaal mines, being employed at the Rose Deep Gold Mining Company. I was in the country at the time of the British occupation of Johannesburg and was, of course, compelled to secure a pass from the military governor authorizing me to pass freely to and from my work. This pass I duly paid for and received, continuing to observe carefully all the terms of Lord Roberts's proclamations; but notwithstanding all this, I was suddenly arrested some four months after the occupation of Johannesburg and thrown into the fort as a prisoner of war.

I presented my American citizenship papers, but the officer in command refused to recognize them and hinted that he did not believe them to be actually mine, so took them from me. I have since procured certified copies. Later on I was told that I might regain my liberty either by putting up £500 (£2,500) bail, or by taking the oath of allegiance to the British, but I refused both alternatives and was transported to Ceylon, where I am now detained in this camp at Ragama. I am thus deprived of my liberty and unable to attend to the requirements of my wife and family.

You would confer a great obligation upon me if you would interest yourself in repairing the injustice under which I am suffering.

I am, etc.,

PATRICK LENNON.

Mr. White to Mr. Hay.


SIR: Referring to your instruction No. 735, of the 30th ultimo, I have the honor to inform you that I attended the Marquis of Lansdowne's reception at the foreign office yesterday and called his attention to the cases of the three prisoners of war of German nationality who are alleged to have been released in Ceylon and allowed to return to their homes. I also left with him a copy of the dispatch from our consul at Colombo on the subject, with its enclosure. His Lordship naturally had no personal knowledge of the matter, but promised at my request to cause inquiry to be made on the subject and to let me know the result. I said to him that if it should turn out that prisoners of German nationality, in good health, had been released from Ceylon and allowed to return to their homes, I felt sure that my Government would expect the same treatment to be accorded our fellow-citizens similarly situated, and would doubtless reopen the cases of the American citizens whose release has hitherto been refused.

I shall no fail to transmit promptly to the foreign office any information which may reach this embassy from our consul at Colombo, tending to prove the circumstances under which the liberation of the German prisoners took place.

I may add that upon the receipt, several weeks ago, of urgent letters from Mrs. Wood, mother of Harry McGaw Wood, one of the signers of the letter to Consul Morey, and from his brother, asking me to bring any personal influence which I might possess to bear in favor of the release on parole—"parole of the island" they called it—of that
prisoner, I communicated on the subject with Mr. Secretary Brod- 
rick, who is a friend of mine, and afterwards wrote him a private letter, 
asking him to do what he could toward granting to Mr. Wood the 
desired privilege. He promised to have inquiry made on the spot and 
then to see what he could do in the matter, but there has not yet been 
time enough for him to hear from Ceylon, and I have consequently 
heard nothing from him yet in reply. 

I have, etc.,

HENRY WHITE.

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Mr. Hill to Mr. White.

No. 749.]

DEPARTMENT OF STATE,

WASHINGTON, OCTOBER 22, 1901.

SIR: I inclose, in original, the petition of Hugh B. Molloy, of Boston, 
who, stating that his brother, James L., served with the Boers in 
South Africa as a member of the Irish-American hospital corps, and 
that he was taken prisoner and is believed to be in Bermuda, asks 
whether his whereabouts can not be ascertained, and whether he can-
not be released.

The Department has, in several cases, instructed the embassy to 
learn whether American citizens, prisoners of war on Ceylon, might 
not be released on parole, and has been informed that His Majesty's 
Government could not accede to the request except in case the prisoner 
were seriously or dangerously ill. It is possible that the British Gov-
ernment may not apply such a stringent rule in the case of prisoners 
detained on Bermuda. You will ascertain whether the request for 
Mr. Molloy's release can be granted, and in any event you will ask 
whether His Majesty's Government will not be good enough to inform 
the inquirer of the prisoner's whereabouts.

I am, etc.,

DAVID J. HILL,

Acting Secretary.

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Mr. White to Mr. Hay.

No. 692.]

AMERICAN EMBASSY,

LONDON, OCTOBER 28, 1901.

SIR: With reference to my dispatch No. 687, of the 19th instant, in 
relation to prisoners of war in Ceylon, I have the honor to inclose 
herewith a copy of a memorandum, dated the 26th instant, which I 
have just received from the foreign office, setting forth the exceptional 
circumstances under which Messrs. Lavino and Wilke were released, 
and stating that the authorities are only prepared to entertain applications 
for the release of prisoners of war in those cases in which such 
prisoners are certified to be dangerously ill.

It further appears that nothing is known of the Mr. Wynburg 
referred to in your instruction above mentioned.

I have, etc.,

HENRY WHITE.
FOREIGN RELATIONS.

[Inclosure.]

FOREIGN OFFICE, October 26, 1901.

Memorandum.

On October 18 the United States chargé d'affaires communicated to the Marquess of Lansdowne a copy of a dispatch from the United States consul at Colombo, forwarding a letter from four United States citizens detained as prisoners of war in Ceylon, in which they state that three of their fellow-prisoners, Messrs. C. Lavino, Wynburg, and R. Wilke, have been released by His Majesty's Government, although in good health, and inquire whether they might not be allowed a like privilege.

Mr. Lavino was released at the request of Lord Kitchener, who, no doubt, had special reasons for recommending such an act of clemency.

The circumstances attending the release of Mr. R. Wilke were very exceptional. He was seriously ill, and his mother, who had a short while ago lost her husband, Mr. Wilke's father, was in a dying state.

Of Mr. Wynburg nothing is known in this department.

The only cases in which His Majesty's secretary of state for war is prepared to consider applications for the release of prisoners of war are those in which the prisoners are certified to be dangerously or seriously ill.

Mr. Hay to Mr. White.

No. 758.]

DEPARTMENT OF STATE,
Washington, October 30, 1901.

Sir: Your No. 687, of the 19th instant, regarding the reported release of three German prisoners of war who were detained on Ceylon, has been received.

The matter is commended to your attention.

I am, etc.,

John Hay.

Mr. White to Mr. Hay.

No. 699.]

AMERICAN EMBASSY,
London, November 6, 1901.

Sir: With reference to Mr. Hill's instruction No. 749, of October 22, I have the honor to inform you that I have been several times informed by officials of the foreign and war offices that the refusal of His Majesty's Government to release prisoners of war, except in cases of serious or dangerous illness, as set forth in Lord Lansdowne's memorandum of the 26th ultimo, forwarded in my dispatch No. 692, of the 28th ultimo, applies to those detained in any part of the British dominions, as well as in Ceylon. In accordance with Mr. Hill's instructions, I have, however, addressed a note to the Marquis of Lansdowne, asking whether the request for Mr. Molloy's release can not be granted, and in any case, that I may be informed as to his whereabouts.

I have, etc.,

Henry White.

Mr. White to Mr. Hay.

No. 710.]

AMERICAN EMBASSY,
London, November 22, 1901.

Sir: With reference to your instructions No. 749, of the 22d ultimo, which inclosed a petition from Mr. H. B. Molloy in relation to the
case of J. L. Molloy, an American citizen, now a prisoner of war in Bermuda, having been captured by the British military authorities at Schaalhaus on the 2d of June last, I have the honor to inclose herewith a copy of a note from the foreign office, stating that Mr. Brodrick is unable to sanction the release of Mr. Molloy unless it is shown that the latter’s life is endangered by the confinement.

I have, etc.,

HENRY WHITE.

[Inclosure.]

Mr. Bertie to Mr. White.

FOREIGN OFFICE, November 21, 1901.

Sir: I have been in communication with His Majesty’s secretary of state for war in regard to your note of the 6th instant respecting the case of the American citizen, J. L. Molloy, and I have the honor to state that Mr. Molloy is a prisoner of war at Bermuda. He belonged to the state artillery, and was captured at Schaalhaus on the 24 June, 1901.

Mr. Brodrick informs me that Mr. Molloy’s release can not be sanctioned unless it is shown that his life is endangered by continued confinement.

I have, etc.,

FRANCIS BERTIE.

Mr. White to Mr. Hay.


Sir: With reference to your instruction No. 736, of the 1st of October last, I have the honor to inclose herewith a copy of a note which I have received from Lord Lansdowne, embodying a report upon the case of Mr. Patrick Lennon, who is detained as a prisoner of war in Ceylon, and who would appear to have described himself, when he took burgher rights on the 1st of December, 1899, as a British subject, born at Armagh, Ireland.

I have, etc.,

HENRY WHITE.

[Inclosure.]

Lord Lansdowne to Mr. White.

FOREIGN OFFICE, December 23, 1901.

Sir: With reference to my note of the 17th of October last, respecting the case of Mr. P. Lennon, stated to be a United States citizen, at present detained as a prisoner of war in Ceylon, I have the honor to inform you that a report on the subject which I have received from His Majesty’s secretary of state for war shows that Mr. Lennon was undergoing a sentence of six months’ imprisonment at Johannesburg for assaulting his wife and that he was released by the Boer authorities in order that he might join their First Irish Brigade. On the occasion, however, of that brigade passing through Johannesburg in May, 1900, Lennon remained behind on the French Rand Mine, where he had obtained employment. He was arrested by the British authorities early in September and made a prisoner of war.

It appears that Lennon took burgher rights in the late South African Republic on the 1st of December, 1899, on which occasion he described himself as a British subject, born at Armagh, Ireland.

I have, etc.,

LANSDOWNE.
FOREIGN RELATIONS.

Mr. White to Mr. Hay.

No 748.]

AMERICAN EMBASSY,
London, January 18, 1902.

Sir: Referring to your instruction No. 736, of October 1 last, I have the honor to inform you that I lost no time upon its receipt in requesting the foreign office to furnish me with such facts as they might be able to obtain relative to the case of Mr. Patrick Lennon, in order that I might communicate them to you.

I have just received a note from Lord Lansdowne in reply, inclosing a copy, which I transmit herewith, of the oath taken by Mr. Lennon on December 1, 1899, as a burgher of the South African Republic, which has been forwarded by the general officer commanding in chief in South Africa.

I have, etc.,

HENRY WHITE.

[Enclosure.]

Copy of oath taken by Mr. Lennon.

I, Patrick Lennon, a native of county Armagh, Ireland, desiring to become a citizen of the South African Republic, with full right of suffrage, by virtue of the resolution of the noble and worthy first popular council (Volksraad), article 1442, bearing date of September 29, 1899, do hereby swear (or solemnly declare that the taking of an oath is not allowable according to my religious belief, and do solemnly promise) in all sincerity that I will be true to this State, will respect and uphold its independence, will obey the constitution and other laws and the lawful authorities of the country, and that I will conduct myself in all respects as becomes a loyal citizen of the State. So help me God Almighty; or (this I solemnly believe).

PATRICK LENNON.

Sworn before me, at Johannesburg, this 1st day of December, 1899.

T. M. MENTON, V. R.

Mr. Hay to Mr. Choate.

No. 839.]

DEPARTMENT OF STATE,
Washington, February 14, 1902.

Sir: I inclose a copy of a letter from Senator Gallinger stating that Harry McGaw Wood went to South Africa in 1900 for Collier's Weekly, later on became irregularly attached to the Boer forces, was taken prisoner while sick with enteric fever, and has been held a prisoner on Ceylon for over a year.

It is stated that detention on that island is seriously affecting his health, and that his widowed mother, who is 70 years of age, is greatly distressed about him, and asks for his release or his transfer to the Bermudas, which lie in a more healthful climate.

The Department's instruction of September 30 last and Mr. White's Nos. 687 and 692, of October 19 and 28 following, will show that Mr. Wood's release has been heretofore requested by this Government, and that that request has been denied. You will, however, do what you properly can toward Mr. Wood's transfer to Bermuda.

I am, etc.,

JOHN HAY.
Mr. Gallinger to Mr. Hay.

UNITED STATES SENATE,  
Washington, February 8, 1902.

Sir: My attention has been called to the fact that during the year 1900 Mr. Harry McGaw Wood went to South Africa with Mr. George Parson, staff artist of Collier's Weekly, to assist Mr. Parson in preparing sketches while with the Boer army for that publication. Some time afterwards both boys became irregularly attached to the Boer army, and it is represented to me that the affair was more in the nature of an escape than anything else. Later on Mr. Wood was taken prisoner while ill with enteric fever in the hospital at Barberton, and was sent to Ceylon, where he is now confined as a prisoner of war. Mr. Parson returned to this country.

Mr. Wood has a widowed mother over 70 years of age, who has made several efforts in London to secure her son's release, but without success. The young man has been confined in Ceylon continuously for over a year, and it is represented that the confinement is seriously affecting his health. As can well be imagined, his aged mother is full of anxiety for the welfare of her son, and I have been appealed to to do what I can to secure his release, failing in which it is desired that he be sent to the Bermudas, which is a more healthful place than Ceylon.

I beg to express the hope that through the good offices of the State Department this young man's release may be secured, and that he may be returned to his home and family.

I have, etc.,  

J. H. GALLINGER.

Mr. Choate to Mr. Hay.

No. 806.]

AMERICAN EMBASSY,  
London, March 11, 1902.

Sir: Referring to Mr. White's dispatch No. 687, of October 19 last, to your instruction No. 839 of February 14, and to previous correspondence, I have the honor to inclose herewith the copy of a note which I addressed to the Marquis of Lansdowne on the 3d instant relative to the case of H. McGaw Wood.

I also inclose the copy of a private note which Mr. White has received to-day from the Right Hon. St. John Brodrick, His Majesty's secretary of state for war, in reply to the appeal made by the former in Wood's behalf, and from which you will see that His Majesty's Government is not disposed to make any concessions with respect to this prisoner of war.

Upon receipt of Lord Lansdowne's reply to my note of the 3d I shall lose no time in communicating a copy of the same to you.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure 1.]

Mr. Choate to Lord Lansdowne.


My Lord: With reference to the memorandum of October 26 last, which you were good enough to communicate to Mr. White, and particularly to the final paragraph thereof, setting forth the circumstances under which His Majesty's secretary of state for war is prepared to consider applications for the release of prisoners of war, i. e., dangerous or serious illness, I have the honor to bring again to the attention of your lordship the case of Harry McGaw Wood, an American citizen, who is a prisoner of war in Ceylon, and in respect to whom I had the honor of writing to you on the 14th of last May.
It now appears from information received lately from Wood that his health has suffered seriously at Ragama, and during his detention at Wellikade convict establishment, where he would seem to have lost 6 pounds during a period of three weeks, and to be 25 pounds below his normal weight.

He asserts that for two months preceding and one month following his capture he was suffering from enteric fever and his condition was such that the medical officer at Barberton promised to recommend his release; that he was removed to hospital, Barberton, to hospital, Pretoria (general hospital No. 2), thence to barracks and thence to Cape Town, whence he embarked for Ceylon; that he was, from leaving general hospital No. 2 to his embarkation, continually being treated for stomach and mild dysentery; that he landed, after a week's illness on the Catalunia, in general hospital, Colombo, whence he was sent to Diyalatala and thence to Ragama; that two weeks' parole in June built him up very much; but he put in a week of August in Ragama hospital, and on recovering was sent to where he now is.

My Government's attention has been called to this case by one of the Senators from Wood's State, who appeals to me on behalf of Wood's widowed mother, who is over 70 years of age, and who is suffering great anxiety for him, and I am instructed by the Secretary of State to inquire of your lordship whether the condition of his health is not sufficiently serious to bring him within the category mentioned in your memorandum aforesaid of prisoners whose release the secretary of state for war is prepared to consider; and, if not, whether it may not at least be possible to cause him to be transferred from Ceylon to a more salubrious place of detention, such as Bermuda.

I have, etc.,

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JOSEPH H. CHOATE.

[Inclosure 2.]

Mr. Brodrick to Mr. White.

WAR OFFICE, March 8, 1902.

My Dear White: My appeal to Lord Kitchener on behalf of H. M. Wood, now a prisoner of war, has failed, as I feared it would.

He objects, as was to be expected, to making concessions to men in such a position as Wood's in contradistinction to those who are our bona-fide enemies.

Yours, truly,

________________________

St. John Brodrick.

Mr. Hay to Mr. Choate.

No. 856.]

DEPARTMENT OF STATE,
Washington, March 12, 1902.

Sir: I inclose a copy of a letter from Senator Mark A. Hanna, setting forth the circumstances under which Charles H. Toe Water was taken prisoner of war by the British forces.

You are instructed to ask that the matter be investigated, and to report the result.

It will be observed that Mr. Water's release from detention is asked for on parole. Should the circumstances turn out to be as stated in Senator Hanna's letter, however, you will at once, without awaiting further instructions, request that he be released unconditionally.

I am, etc.,

________________________

JOHN HAY.

[Inclosure.]

Mr. Hanna to Mr. Hay.

UNITED STATES SENATE,
Washington, March 8, 1902.

My Dear Sir: I have been asked to secure the good offices of the Government in a case which is stated to me as follows:

"On the 28th of May, Mr. Charles H. Toe Water, manager of the rolling stock, or
as some call it, traffic manager, of the South African Railroad, left Johannesburg, as
this town intended to surrender to the English, and went to Pretoria, and on the 5th
day of June Pretoria surrendered. Mr. Toe Water was asked to go to Johannesburg
as the traffic manager (for the English), who wished to ask him some questions con-
cerning the business of the road. He was willing to do this, and went, but the
questions asked were such that he could not answer. Some of them were questions
concerning other roads, and when he told them that he could not answer these, they
immediately threw him into the prison at the fort of Johannesburg, not even per-
mitting him to return to his house with a guard. They would not allow him to see
anyone, or permit him to send a letter to his wife or mother. He had never fought
against the English, but was arrested, or rather asked to return to Johannesburg in
order to oblige the English by enlightening them about the traffic of the road. From
Johannesburg he was sent as a prisoner of war to Ceylon, where he is at the present
time, at Ragama Camp, near Colombo, island of Ceylon. We are very anxious to get
him out by parole or by ransom."

Can you advise me what course to pursue in the matter?

Truly yours,

M. A. Hanna.

Mr. Hay to Mr. Choate.

No. 883."

DEPARTMENT OF STATE,
Washington, April 5, 1902.

Sir: Referring to Mr. White’s No. 710, of November 22 last, and
to prior correspondence, I now inclose copies of correspondence
relating further to James L. Molloy, detained as a prisoner of war in
Bermuda.

You will ask that the consul of the United States at Hamilton,
Bermuda, be afforded opportunity to obtain Molloy’s affidavit as to the
circumstances of his alleged compulsory enlistment with the Boer
forces.

I am, etc.,

John Hay.

[Inclosure 1]

Mr. Naphen to Mr. Hay.

HOUSE OF REPRESENTATIVES,
Washington, January 16, 1902.

My Dear Sir: The inclosed letter this day received from the brother of James L.
Molloy, who is now detained at Bermuda as a prisoner of war. From this you will
see that Molloy was forced to enter the Boer army. I feel that under the circum-
stances, especially in view of the fact that he is sick, he is entitled to be paroled.

Very respectfully,

H. F. Naphen.

[Subinclosure.]

Mr. Molloy to Mr. Naphen.

BRIGHTON, MASS., January 14, 1902.

Sir: In regard to my brother, who is an English prisoner of war on Morgans
Island, Bermuda, I have just been in conversation with Mr. Tearnney, a young man
who was with my brother in South Africa. He received a letter from him yesterday,
informing him that he was sick in the prison hospital. He also informs me that my
brother was very anxious to come home with the rest of the corps the time they
came, but that he was forced to join the Boer artillery or be shot. The letter that Mr.
Tearnney received from him has come through the British, and I have no reason
to doubt but it is true. Hoping that you will use your valuable influence, and
thanking you sincerely for what you have already done toward his release,

I am, etc.,

Hugh B. Molloy.
FOREIGN RELATIONS.

[Inclosure 2.]

Mr. Peirce to Mr. Greene, Consul at Hamilton, Bermuda.

No. 58.]  

DEPARTMENT OF STATE,  
Washington, January 20, 1902.

Sir: I inclose herewith a copy of a letter a from Hon. Henry F. Naphen, a member of Congress, transmitting a letter from Hugh B. Molloy in regard to his brother, who is detained in Bermuda as a prisoner of war and who is reported to be in a hospital there.

You will ascertain the condition of Mr. Molloy, and whether his illness is of such a nature that his life is endangered by continuous confinement, and report to the Department.

I am, etc.,

HERBERT H. D. PEIRCE,  
Third Assistant Secretary.

[Inclosure 3.]

Mr. Greene to Mr. Peirce.

No. 80.]  

CONSULATE OF THE UNITED STATES,  
Hamilton, Bermuda, February 12, 1902.

Sir: I have the honor to report, in answer to your dispatch No. 56, received on the 1st instant, concerning one Molloy, a prisoner of war in Bermuda, that I have received a letter from Maj. J. L. Edye, commandant of Port's Island Hospital—to whom I had written for information—that I herewith quote:

"As regards prisoner of war J. L. Molloy, he is in excellent health, with the exception of an indolent ulcer on leg, which is now healing satisfactorily. No anxiety need be felt whatever as to the condition of prisoner of war Molloy, who, though naturally chafing under his present inactivity, is in first-rate condition—the local affection stated above being the only thing wrong with him, and that, as I have said, is progressing satisfactorily, and he will be able to leave hospital in a few weeks."

This seems to cover the whole subject-matter of your dispatch.

I have, etc.,

W. MAXWELL GREENE.

[Inclosure 4.]

Mr. Hay to Mr. Naphen.

DEPARTMENT OF STATE,  
Washington, February 25, 1902.

Sir: Referring to your letter of January 16 last, in regard to James L. Molloy, a prisoner of war at Hamilton, Bermuda, I have the honor to inclose copy of a dispatch b from the consul at Hamilton reporting that Mr. Molloy is in the hospital, but will be able to leave it in a few weeks.

I have, etc.,

JOHN HAY.

[Inclosure 5.]

Mr. Naphen to Mr. Hay.

HOUSE OF REPRESENTATIVES,  
Washington, March 1, 1902.

Sir: I have the honor to acknowledge the receipt of your communication of the 25th ultimo, relative to the case of James F. Molloy, a prisoner of war at Hamilton, Bermuda, and to invite your attention to my letter to you under date of January 16 last.

a Printed, p. 485.  
b Printed, ante.
As you will notice, while I am grateful to you for your courtesy in furnishing me information relative to Mr. Molloy's present condition, I still feel that, as is claimed, Molloy was forced to enter the Boer army despite his wishes, he should be paroled. May I ask whether any action can be taken by the State Department looking to this man's liberation?

Very respectfully,

HENRY F. NAPHEN.

[Inclosure 6.]

Mr. Adee to Mr. Greene.

No. 59.]

DEPARTMENT OF STATE,
Washington, March 6, 1902.

Sir: I have to call your attention to instruction No. 56, of January 20 last, transmitting a letter from Mr. Hugh B. Molloy, in which the claim is made that James L. Molloy, a prisoner of war at Bermuda, was forced to join the Boer army under threat of being shot if he refused.

You will please procure Mr. Molloy's affidavit of the facts of the case. The affidavit of Mr. Molloy should contain a complete statement of the circumstances of his joining the Boer army.

I am, etc.,

ALVEY A. ADEE,
Second Assistant Secretary.

[Inclosure 7.]

Mr. Greene to Mr. Adee.

No. 84.]

CONSULATE OF THE UNITED STATES,
Hamilton, Bermuda, March 21, 1902.

Sir: I have the honor to acknowledge the receipt of your dispatch No. 58, dated the 6th instant, concerning a prisoner of war named J. L. Molloy, detained in this colony, requesting me to secure his affidavit, with all detail as to his joining the Boer forces.

After an exchange of letters with the colonial secretary, as representing his excellency the governor of Bermuda, I have sufficiently established the fact that the said Molloy is an American citizen (although this is not set forth in the dispatches received from the Department), by the prima facie evidence, that a series of dispatches had been exchanged between the Government of the United States, the embassy, and His Majesty's Government, as to this case, which would not have taken place in the case of an alien.

His excellency has replied to me this day, through the colonial secretary, that as a correspondence had already taken place concerning this prisoner, he prefers that the Government of the United States should make the application to allow the affidavit to be taken through the same channel that was used in the aforesaid correspondence. I am therefore unable to see the prisoner and take his affidavit at the present time. Awaiting instructions, I have the honor to be, etc.,

W. MAXWELL GREENE.

Mr. Choate to Mr. Hay.

No. 833.]

AMERICAN EMBASSY,
London, April 12, 1902.

Sir: With reference to your instruction No. 620, of the 30th of April, 1901, and to subsequent correspondence respecting the case of H. McGaw Wood, at present a prisoner of war in Ceylon, I have the honor to inclose a copy of a note dated the 11th instant, just received from the foreign office, from which it appears that in view of a report from the governor of Ceylon to the effect that Mr. Wood's health is in no
danger from his confinement, and that he is still capable of undertaking military service, the secretary of state for war has not found it possible to assent to Mr. Wood's release.

I have, etc.,

Joseph H. Choate.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, April 11, 1902.

YOUR EXCELLENCY: I have the honor to inform you that on the receipt of your excellency's note of the 3d ultimo, respecting the case of the United States citizen H. McGaw Wood, at present a prisoner of war in Ceylon, I placed myself in communication with His Majesty's secretary of state for war with a view to ascertaining whether he would be disposed to agree to this person's release.

It appears, however, from a report which has been received on the subject from the governor of Ceylon, that Mr. Wood's health is in no danger from his confinement. He is reported to be still capable of undertaking military service.

In these circumstances Mr. Brodrick has not found it possible to assent to the prisoner's release.

I have, etc.,

Lansdowne.

Mr. Hill to Mr. Choate.

No. 895.]

DEPARTMENT OF STATE,
Washington, April 14, 1902.

SIR: Referring to previous correspondence, and particularly to the Department's No. 735, of September 30, 1901, and to your Nos. 687 and 692, of October 19 and 28, 1901, touching the reported release on parole of certain prisoners at Ceylon and their return to their homes in Germany, and the refusal of the British Government to consider applications for release other than those in which the prisoners are certified to be seriously ill, I have now to inclose a further dispatch from Consul Morey at Colombo in which, advertting again to the release of the four German prisoners, he reported the grave condition of health of one of the American prisoners, F. M. Hearn.

The Department leaves it to your discretion whether, in view of the facts already in your possession and of the consul's present report of the illness of one of the American prisoners, you will again bring the matter to the attention of His Majesty's Government.

I am, etc.,

David J. Hill,
Acting Secretary.

[Inclosure.]

Mr. Morey to Mr. Hill.

No. 618.]

CONSULATE OF THE UNITED STATES,
Colombo, February 28, 1902.

SIR: Department instructions No. 251, dated November 11, 1901, regarding liberated German prisoners of war, have been received, and I have to further report on the subject.

I note that the British Government allows that prisoners of war, Lavino and Walkie,
referred to in my letter No. 599 of August 27 last, were released for special reasons, and I am assured that the same was the case with respect to John Winburg or Wyburn, another German liberated last year.

Thus it appears that the said three men were not ill, neither was Lieut. Thilo Von Trother, whom I mentioned in my letter to Ambassador Choate, and to the Department in my No. 611 of November 20, 1901. Accordingly, so far as I can learn, four prisoners of war of German nationality have been liberated here when not seriously ill.

Since the liberation of the four men aforesaid, F. M. Hearn, one of the Americans referred to in my letter No. 599 of August 27, 1901, has been for three months seriously ill in the Colombo General Hospital, of enteric fever, from which he is now convalescing. The first physician of the hospital (Dr. H. M. Fernando) is of opinion that this man's recovery will be permanent, and that his life will not be endangered by a continuation of his local captivity. I, however, with all due respect for Dr. Fernando's judgment, think differently, and believe that if Hearn is returned to the prisoners' camp he will be again ill and probably die, for he is very feeble constitutionally.

I am, etc.,

W. Morley, Consul.

Mr. Choate to Mr. Hay.

No. 841.]

AMERICAN EMBASSY,
London, April 18, 1902.

SIR: With reference to your instruction No. 856, of the 12th ultimo, respecting the case of C. H. Toe Water, I have the honor to inclose herewith a copy of my note to Lord Lansdowne, dated the 24th ultimo, together with a copy of his lordship's reply of the 17th instant, covering a copy of a memorandum on the subject by Lieutenant-Colonel Davies, who was chairman of the committee before which Toe Water was examined, from which it would appear that according to Mr. Toe Water's sworn statement he was a burgher of the late South African Republic and carried arms as such during the war.

Awaiting your further instructions in regard to the matter, I have, etc.,

Joseph H. Choate.

[Enclosure 1.]

Mr. Choate to Lord Lansdowne.


My Lord: I have the honor to draw your lordship's attention to the case of Charles H. Toe Water, an American citizen, who is now a prisoner of war at Ragama Camp in the island of Ceylon.

From information received by my Government it appears that on the 28th of May, 1900, Mr. Toe Water, manager of the rolling stock on, as some call it, traffic manager of the African Railroad, left Johannesburg, as this town intended to surrender to Her Majesty's forces, and went to Pretoria, and remained in that town until its surrender on the 5th of June. Mr. Toe Water was asked by the British authorities to go to Johannesburg as the traffic manager in order to answer some questions concerning the business of the road. He accordingly went, but some of the questions asked concerning other roads he could not answer, and upon his failure to do so he was thrown into prison at the fort of Johannesburg, not even being permitted to return to his house with a guard. He was not permitted to see anyone or to send a letter to his wife or mother. He had never fought against the British and it was only in order to oblige the British authorities by enlightening them with regard to the traffic of the road that he returned to Johannesburg. He was subsequently sent to Ceylon where he is at present, at Ragama Camp, near Colombo, in the island of Ceylon.

I have, therefore, the honor to ask that your lordship will be so good as to cause the matter to be investigated in order that I may report the result to my Government. I have, etc.,

Joseph H. Choate.
FOREIGN RELATIONS.

[Inclosure 2.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, April 17, 1902.

Your Excellency: With reference to my note of the 27th ultimo respecting the case of Mr. C. H. Toe Water, I have the honor to transmit to you a copy of a memorandum on the subject by Lieutenant-Colonel Davies, who was chairman of the committee before which Toe Water was examined.

Your excellency will observe that according to Mr. Toe Water's sworn statement he was a burgher of the late South African Republic and carried arms as such during the war.

I have, etc.,

LANSDOWNE.

[Subinclosure.]

Memorandum of Lieutenant-Colonel Davies.

C. H. TOE WATER.

I was chairman of the committee before which Toe Water was examined, and was in the chair when he gave his evidence.

A full text of his sworn deposition will be found on page 49 of Part III of the Report of the Transvaal Concessions Commission, 1901.

The following extracts from Toe Water's sworn statement show the true facts of the case:

"Charles Hermann Toe Water, being sworn, says: I am locomotive superintendent on the southeastern line, southern line, and southwestern line. * * * I am a burgher of the South African Republic. Became a burgher after the Jameson raid. * * * I carried arms during the war. I received my arms from the Government. * * * I was present part of the time when two engines in Johannesburg were rendered useless. I am responsible for the removal of the parts. I gave instructions that these parts are [sic] to be taken away. I am a burgher of the Republic and I decline to say where the parts were taken to. * * * I absolutely refuse to give any information which will lead to the recovery of these parts. * * * I know that bridges were blown up in Natal, and heard of the bridges at Bethulie and Norval's Point being blown up. I decline to say by whom these bridges were blown up."

Although the committee had power to commit any witness who refused to answer a question, it was held that as a burgher of the South African Republic Toe Water had a right to refuse to give any information which would be of assistance to the British troops. He was informed of this decision by me as chairman, and no further action was taken by the committee.

Toe Water was subsequently made a prisoner of war by order of the military governor of Johannesburg, who considered that he had taken a leading part in the war.

APRIL 4, 1902.

F. DAVIES.

Mr. Hay to Mr. Choate.

No. 909.]


Sir: Referring to the Department's No. 839, of February 14 last, and to your embassy's Nos. 806 and 833, of March 11 and April 12 last, I now inclose a copy of a letter from Mr. Abbot Low Wood, relating further to the desire of the friends of Harry McGaw Wood that, if he can not be released on his parole, he may at least be detained, pending the continuation of hostilities in South Africa, in a more salubrious locality than Ragama Camp appears to be.

Mr. A. L. Wood's letter contains some information in addition to
that heretofore sent you regarding the state of his brother's health, and it is thought that this additional information will warrant a renewed request on your part that the place of H. M. Wood's detention be changed.

I am, etc.,

JOHN HAY.

[Inlosure.]

Mr. Wood to Mr. Hay.

WASHINGTON, D. C., May 6, 1902.

Sir: In accordance with your direction that I give in writing the facts in the case of my brother, Harry McGaw Wood, a prisoner of war in Ceylon, in whose interest I called upon you this morning, I herewith respectfully submit them.

Early in February last you were good enough to request my brother's transfer to Bermuda on the ground of ill health, at the instance of my Senator, Mr. Gallinger. Lord Lansdowne, replying on April 11, says that "Mr. Brodrick has not found it possible to consent to the prisoner's release." Inasmuch as release was not asked, this is clearly a case of the grossest misunderstanding, and the matter is no further advanced than if no effort had been made.

All I desire is that my brother be permitted to live in a healthier part of Ceylon or be transferred to Bermuda, as his health has given way, notwithstanding the assurances to the contrary in the letter of Lord Lansdowne, who was apparently entirely misinformed regarding the matter. In proof of this, the records of Ceylon will show that my brother was in February last granted a month's parole on account of ill health, and made application in March for two months' additional on the same grounds, the application being indorsed by two surgeons of the British army.

My brother has been in Ceylon for eighteen months, and it is a well-known fact that Europeans going there voluntarily and living comfortably in their own homes, which are, of course, situated in cool and healthy spots, are obliged to return to Europe periodically to recruit their health.

Ragama, where my brother is confined, is known to be one of the most unhealthy spots on the island, situated practically on the dead sea level, but cut off from the sea breeze. It is surrounded on three sides by rice swamps and exposed to the full force of the tropical sun.

If Mr. Brodrick will have my brother transferred to Bermuda or permit him to live, on parole, at Kandy or some other place on high ground until the cessation of hostilities, it will, I think, be possible for him to regain his health. The request is just and reasonable, and I most earnestly pray that you may see fit to use your good offices to secure it.

Very truly, yours,

ABRAM LOW WOOD.

Mr. Choate to Mr. Hay.


Sir: With reference to your instruction No. 883, of the 5th ultimo, and to previous correspondence respecting the case of J. L. Molloy, a prisoner of war in Bermuda, I have the honor to state that upon information received from Lord Lansdowne the general officer commanding at Bermuda has been requested by telegraph to allow the United States counsel at Hamilton to interview Molloy and to obtain an affidavit from him.

I have, etc.,

JOSEPH H. CHOATE.
Mr. Hay to Mr. Choate.

No. 922.]

DEPARTMENT OF STATE,
Washington, May 21, 1902.

SIR: I inclose a copy of a letter from the Hon. Henry F. Naphe, M. C., asking for a list of prisoners of war of American nationality taken during the war in South Africa, together with a statement showing the States from which the prisoners come. You will endeavor to obtain the information desired. I am, etc.,

JOHN HAY.

[Inclosure.]

Mr. Naphe to Mr. Hay.

HOUSE OF REPRESENTATIVES,
Washington, May 14, 1902.

DEAR SIR: I shall be much obliged if you will kindly furnish me, as soon as practicable, a list showing the names of United States citizens who have been captured and are now held by the British authorities; and I would like such list to show also the States from which these captured prisoners come. Thanking you for your attention to this matter, Very truly, yours,

H. F. NAPHE.

[Inclosure.]

Mr. Choate to Mr. Hay.

No. 886.]

AMERICAN EMBASSY,
London, June 25, 1902.

SIR: With reference to your instruction No. 922, of the 21st ultimo, asking for a list of prisoners of war of United States nationality taken during the war in South Africa, together with a statement showing the various States of the Union from which such prisoners come, I have the honor to inclose herewith a note from Lord Lansdowne, dated the 24th instant, stating that Mr. Brodrick is not in possession of the complete information asked for, but that Lord Kitchener and other officers concerned have been instructed to furnish it as soon as possible. I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, June 24, 1902.

YOUR EXCELLENCY: I referred to His Majesty's secretary of state for war your note of the 4th instant asking for a list of prisoners of war of United States nationality taken during the war in South Africa, together with a statement showing the various States of the Union from which such prisoners come. I have the honor to inform your excellency that Mr. Secretary Brodrick is not in possession of the complete information asked for, but that Lord Kitchener and other officers concerned have been instructed to furnish it as soon as possible. I have, etc.,

LANSDOWNE.
Mr. Choate to Mr. Hay.

AMERICAN EMBASSY,
London, July 5, 1902.

Sir: I have the honor to inclose herewith a copy of a statement which I have just received from Lord Lansdowne, stating that the governors of the various British colonies in which prisoners of war are detained have been instructed by His Majesty’s secretary of state for the colonies that foreign prisoners who wish to leave at their own expense should be allowed to do so. The remainder may be handed over to the respective consuls if their governments desire to make special arrangements for their removal, but that if not, they will have to wait until His Majesty’s Government can conveniently repatriate them. Foreign prisoners of war, however, will not be allowed to return to South Africa.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

FOREIGN OFFICE, July 4, 1902.

The governors of the various British colonies in which prisoners of war are detained have been instructed by His Majesty’s secretary of state for the colonies that foreign prisoners who wish to leave at their own expense should be allowed to do so. The remainder may be handed over to their respective consuls if their governments desire to make special arrangements for their removal. If not, they will have to wait until His Majesty’s Government can conveniently repatriate them. Foreign prisoners of war will not be allowed to return to South Africa.

Mr. Hay to Mr. Choate.

[Telegram.]

DEPARTMENT OF STATE,
Washington, July 9, 1902.

British embassy advises me, in answer to an inquiry, that the governor of Bermuda has not yet received instructions as to how the Boer prisoners are to be dealt with. You will inquire when and how any American citizens held as prisoners will be released, and suggest that instructions be sent by cable to Bermuda.

Hay.

Mr. Choate to Mr. Hay.

[Telegram.]

AMERICAN, EMBASSY,
London, July 10, 1902.

Referring to your cablegram of the 9th instant relating to Boer prisoners in Bermuda, am informed that governor has been instructed. My dispatch No. 894, of the 5th instant, gives details to effect that foreign prisoners wishing to leave may do so at their own expense;
that remainder may be handed over to respective consuls if their governments desire to make special arrangements for their removal; if not, they must wait until the British Government can conveniently repatriate them.

Choate.

Mr. Choate to Mr. Hay.

No. 903.]

American Embassy,
London, July 28, 1902.

Sir: With reference to your instruction No. 922, of the 21st of May last, asking to be furnished with a list of prisoners of war of American nationality captured during the war in South Africa, together with a statement showing the various States of the Union from which such prisoners come, I have the honor to inclose herewith a copy of a note from the foreign office, dated the 28th instant, covering lists of citizens of the United States detained as prisoners of war in Ceylon and Bermuda. It will be observed that Lord Lansdowne states in the note just mentioned that lists of those detained in India and St. Helena have been called for and will be forwarded when received.

I am, etc.,

Joseph H. Choate.

[Inclosure.]

Mr. Bertie to Mr. Choate.

Foreign Office, July 26, 1902.

Your Excellency: I referred to His Majesty's secretary of state for war your note of the 4th ultimo, asking to be furnished with a list of prisoners of war of United States nationality captured during the war in South Africa, together with a statement showing the various States of the Union from which such prisoners come.

I have the honor to inclose lists of the citizens of the United States of America detained as prisoners of war in Ceylon and Bermuda and to inform your excellency that lists of those detained in India and St. Helena have been called for and will be sent to you when received.

I have, etc.,

Francis Bertie,
(For the Marquis of Lansdowne).

[Subinclosure 1.]

United States citizens, Bermuda.

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<th>No.</th>
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<td>Du Queene, F. J</td>
<td>Indian Territory</td>
<td>Editor of Petit Bleu; said he had no nationality.</td>
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<td>21229</td>
<td>Molloy, J. L</td>
<td>Massachusetts</td>
<td></td>
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<td>11266</td>
<td>Hallow, M</td>
<td>Nevada</td>
<td>This man's name was not included in roll sent you on 18th instant, No. 8, A. 7291, as he has only since given this information.</td>
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<tr>
<td></td>
<td>Rubino, Antonio</td>
<td>New York</td>
<td>Reported in House of Representatives as being a citizen.</td>
</tr>
</tbody>
</table>

Bermuda, June 24, 1902.

Le G. Geary,
Lieutenant-General, Commanding the Troops, Bermuda.
---

### GREAT BRITAIN.

[Subinclosure 2.]

**United States citizens, Ceylon.**

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<td>3343</td>
<td>Wood, Henry McGaw</td>
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<td>Doherty, John Patrick</td>
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<tr>
<td>3047</td>
<td>Miller, M.a</td>
<td></td>
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</tbody>
</table>

*Reported in addition in House of Representatives as being or having been prisoners of war.*

Camp Diyatalawa, June 22, 1902.

A. C. **Vincent,**

*Lieutenant-Colonel, A. A. G., Commandant P. O. W. in Ceylon.*

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**Mr. Choate to Mr. Hay.**

No. 914.]

**AMERICAN EMBASSY,**

*London, August 11, 1902.*

SIR: I have the honor to inclose herewith a copy of a note, dated August 8, which I have just received from the foreign office, stating that 10 prisoners of war of American nationality are still in the island of Ceylon, being unable to defray the cost of their passage home, and inquiring whether the United States Government wishes to let them remain to await their turn to be sent home or to make special arrangements for their conveyance.

I have, etc.,

JOSPEH H. CHOATE.

---

[Inclosure.]

His Majesty's Government have received information from the officer administering the government of Ceylon that 10 prisoners of war of American nationality are still there, being unable to defray the cost of their passage home.

In these circumstances, His Majesty's Government desire to ascertain whether the United States Government wish to let them remain to await their turn to be sent home or to make any special arrangements for their conveyance.

**FOREIGN OFFICE, August 8, 1902.**

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**Mr. Choate to Mr. Hay.**

No. 923.]

**AMERICAN EMBASSY,**

*London, August 21, 1902.*

SIR: With reference to my note of the 28th ultimo, I have the honor to inclose herewith a list of prisoners of war at St. Helena, who are citizens of the United States, which I have just received from the foreign office.

I have, etc.,

JOSPEH H. CHOATE.
FOREIGN RELATIONS.

[Inclosure.]

FOREIGN OFFICE.

Nominal roll of prisoners of war at St. Helena who are citizens of the United States.

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<th>No.</th>
<th>Name</th>
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<td>Colorado</td>
</tr>
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</table>

Mr. Adeo to Mr. Choate.

No. 999.]

DEPARTMENT OF STATE,
Washington, September 5, 1902.

Sir: I have to acknowledge the receipt of your dispatch, No. 914, of the 11th ultimo, reporting a communication received by you from the foreign office stating that 10 prisoners of war of American nationality are still in the island of Ceylon, being unable to defray the cost of their passage home, and inquiring whether the United States Government wishes to let them remain to await their turn to be sent home or to make special arrangements for their conveyance.

I have also your later dispatch, No. 923, of August 21, inclosing a nominal roll of 13 prisoners of war at St. Helena, who are citizens of the United States. While no inquiry is made in this letter as to the wishes of the United States Government respecting these men, it may be presumed that they are in identical case with these in Ceylon.

You do not explain what arrangements for the return of these men are contemplated on the part of the British Government, although the inquiry as to whether they are to remain to await their turn to be sent home would suggest that some arrangement of that character is contemplated.

The reports we have received from the United States consul at Ceylon indicate that no arrangements for the return of these persons have been made. The instructions of the Department, and the communication addressed to you by the consul at Ceylon will have acquainted you with the conditions thereof, showing that the most the consul has been able to obtain is scanty subsistence for the men until he can make arrangements to send back those who are unable to provide for themselves. In one instance the person's friends in the United States sent him money to defray his passage hither. This recourse, however, is not likely in the majority of the cases. The facilities on the part of the consulate for shipping these unfortunate men to their homes are very limited. I need scarcely suggest to you that they would be still more limited with respect to the persons at St. Helena, between which island and the United States there is practically no maritime communication.
The Government of Great Britain can not reasonably expect that the Government of the United States should provide transportation for these men to their homes, even if there were authority of law and appropriation available for such a purpose. It has not been able to do so in the case of men confined at Bermuda, although, happily, these latter, being near our shores, are not so hardly situated as those who, in accordance with the military interests of Great Britain, have been deported from South Africa to places remote from the scene of war and still more remote from the homes of the persons.

Under the circumstances, this Government deems it not unreasonable to entertain the hope that, as the present situation of these persons has been brought about in furtherance of the interested policy of the British Government, that Government will see its way to relieve them from the predicament which it has itself imposed and place the persons in some quarter from which they may enjoy the ordinary opportunities of returning to their homes, if, indeed, it be not equally reasonable to expect that their transportation home is contemplated in the communication made to you by the foreign office on the 8th instant. If the latter be the case, it is hoped that their turn to be sent home will not be long delayed, or, if delayed, that the delay shall not impose burdens upon the United States consulates for the maintenance and shipping of the men.

I have, etc.,

Alvey A. Adee,
Acting Secretary.

Mr. Choate to Mr. Hay.

No. 964.]

AMERICAN EMBASSY,
London, October 29, 1902.

SIR: With reference to your instruction, No. 999, of the 5th ultimo, in relation to the repatriation of the American citizens detained by the British Government as prisoners of war in Ceylon, I have the honor to inclose herewith a copy of a note from Lord Lansdowne dated the 27th instant, in which it is stated that it is proposed to send the prisoners in question to the United States by the first packet, and that until they arrive at their destination they will continue to receive subsistence from His Majesty's Government.

I have, etc.,

Joseph H. Choate.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, October 27, 1902.

Your Excellency: I referred to His Majesty's secretary of state for war your note of the 15th ultimo asking what arrangements His Majesty's Government proposed to make for the repatriation of the United States citizens who have been detained as prisoners of war in Ceylon.

I have the honor to inform your excellency that it is proposed to send these men to the United States by the first packet and that until they arrive at their destination they will continue to receive subsistence from His Majesty's Government.

I have, etc.,

Lansdowne.
SPECIAL EMBASSY OF THE UNITED STATES TO CORONATION OF EDWARD VII.

Lord Pauncefote to Mr. Hay.

No. 8.]

British Embassy,
Washington, January 13, 1902.

Sir: I have the honor, by direction of the Marquis of Lansdowne, to transmit to you herewith a copy of a proclamation by the King, my august sovereign, in which the date of His Majesty’s coronation is fixed for June 26 next.
I have, etc.,
Pauncefote.

[Inclosure.]

[Supplement to the London Gazette of Tuesday, the 10th of December—Published by authority—Tuesday, December 10, 1901.]

By the King.

A PROCLAMATION

For appointing a day for the celebration of the solemnity of the coronation of Their Majesties.
Edward, R. I.:

Whereas by our royal proclamation, bearing date the 26th day of June last, we did (among other things) publish and declare our royal intention to celebrate the solemnity of our royal coronation and of the coronation of our dearly beloved consort the Queen, upon a day of June next to be thereafter determined, at our palace at Westminster; and whereas we have resolved, by the favor and blessing of Almighty God, to celebrate the said solemnity upon Thursday, the 26th day of June next, we do, by this our royal proclamation, give notice thereof, and we do hereby strictly charge and command all our loving subjects whom it may concern, that all persons, of what rank or quality soever they be, who either upon our letters to them directed or by reason of their offices and tenures, or otherwise, are to do any service at the time of our coronation do duly give their attendance at the said solemnity on Thursday, the 26th day of June next, in all respects furnished and appointed as to so great a solemnity appertaineth, and answerable to the dignities and places which every one of them respectively holdeth and enjoyeth, and of this they or any of them are not to fail, as they will answer the contrary at their perils, unless upon special reasons by ourself, under our hand to be allowed, we shall dispense with any of their services or attendances:

Provided always, and we do further by this our royal proclamation signify and declare that nothing herein contained shall be construed to change or alter our royal determination as more fully declared in our royal proclamation bearing date the 26th day of June last, whereby we did signify it to be our royal will and pleasure upon the occasion of this our coronation to dispense with that part of the ceremonial which heretofore took place in Westminster Hall and that part thereof which consisted of the procession.

Given at our court at St. James’s this 10th day of December, A. D. 1901, and in the first year of our reign.

God save the King.

Mr. Hay to Mr. Reid.

No. 1.]

Department of State,
Washington, March 18, 1902.

Sir: The President having determined upon the appointment of a special embassy to represent the Government of the United States at
the ceremonies which are to take place at London on June 26 next, incident upon the coronation of His Majesty Edward VII, King of Great Britain and Ireland and of the British Dominions beyond the Seas, and Emperor of India, and you having indicated your acceptance of the same, I inclose herewith your commission as ambassador extraordinary of the United States on special mission for that purpose, and a letter (with office copy) accrediting you to His Britannic Majesty in that capacity.

I also inclose a letter of congratulation (with office copy) addressed by the President to His Majesty upon the occasion.

The office copies of the two letters you will forward to the minister for foreign affairs and deliver the originals in whatever manner may be most agreeable to His Majesty.

Your assistants on this special mission will be Maj. Gen. James H. Wilson, U. S. Army, as the representative of the War Department, and Capt. Charles E. Clark, of the U. S. Navy, as representative of the Navy Department.

Messrs. J. Pierpont Morgan, jr., of New York; Edmund Lincoln Baylies, of New York, and William Wetmore, of Rhode Island, will each attend in the character of secretary and attaché.

The President has directed that the actual and necessary expenses of the special embassy shall be borne by this Department, not in excess of the sum of $10,000. Such expenses within this amount as shall be incurred by you will be reimbursed upon receipt of your account therefor or upon your personal certificate.

Upon your arrival at London you may freely consult with His Excellency Joseph H. Choate, the ambassador extraordinary and plenipotentiary of the United States there, who will be able to fully advise you and will cheerfully render you all proper and necessary assistance and cooperation.

I am, etc.,

JOHN HAY.

Mr. Hay to Mr. Choate.

No. 861.]

DEPARTMENT OF STATE,
Washington, March 18, 1902.

SIR: The correspondence which has been exchanged between the Department and your embassy has acquainted you with the intention of the President to send a special embassy to represent the United States at the ceremonies which are to take place at London on June 26 next incident upon the coronation of His Majesty Edward VII.

The special embassy is composed of the following persons:

His Excellency Whitelaw Reid, as special ambassador.

Maj. Gen. James H. Wilson, U. S. Army, to assist Mr. Reid as the representative of the War Department.

Capt. Charles E. Clark, U. S. Navy, to assist Mr. Reid as the representative of the Navy Department.

Messrs. J. Pierpont Morgan, jr., Edmund L. Baylies, and William Wetmore will attend Mr. Reid each in the character of secretary and attaché.

*Not printed.*
It is not possible at this time to give Mr. Reid specific and detailed instructions. He has been instructed to freely consult with you upon his arrival in London. The President doubts not it will be your pleasure to cooperate with him in all possible ways in order to insure harmony of action in the important duty intrusted to him.

I am, etc.,

JOHN HAY.

Lord Pauncefote to Mr. Hay.

No. 74.]  
BRITISH EMBASSY,
Washington, March 21, 1902.

SIR: With reference to my note No. 8, of January 13 last, I have the honor to inform you that on the occasion of the King’s coronation it would be pleasing to His Majesty to receive as his guest a representative of the United States of America to attend the ceremony, and that I have therefore been directed by the King’s command to inquire of you whether it would be convenient and agreeable to the President of the United States to be represented on the occasion; and if so, whom he would propose to designate for the purpose, in order that the pleasure of my august sovereign may be taken in regard to the arrangements to be made for his reception.

I have the honor to inclose herewith the order of precedence which will be observed at the King’s coronation.

I have, etc.,

PAUNCEFOTE.

[Inclosure.]

Precedence at the coronation of the King.

1. Heirs to great powers (in order of consanguinity to their own sovereigns).
2. Princes representing sovereigns of great powers (also in order of consanguinity).
3. Heirs to kingdoms—other powers (in order of date of kingdoms).
4. Grand dukes being sovereigns.
5. Younger sons of kings.
6. Royal princes not sons of kings.
7. Heirs to reigning grand dukes and dukes.
8. Ambassadors, papal envoy, etc.

Mr. Hay to Lord Pauncefote.

No. 2401.]  
DEPARTMENT OF STATE,
Washington, March 25, 1902.

EXCELLENCY: I have the honor to acknowledge the receipt of your note No. 74, of the 21st instant, by which your excellency informs me that on the occasion of the King’s coronation, in the month of June next, it would be pleasing to His Majesty to receive as his guest a representative of the United States of America to attend the ceremony, and that you have been directed by the King’s command to inquire whether it would be convenient and agreeable to the President of the United States to be represented on the occasion; and if so, whom he would propose to designate for the purpose.

In reply it gives me pleasure to say that the President has decided
to send a special embassy to London on the auspicious occasion referred to, and has accredited Mr. Whitelaw Reid, of New York, as ambas-
dor extraordinary of the United States on special mission to His Majesty.

Mr. Reed will be assisted by Maj. Gen. James H. Wilson, U. S. Army, to represent the War Department, and Capt. Charles E. Clark, U. S. Navy, to represent the Navy Department.

Messrs. J. Pierpont Morgan, jr., of New York; Edmund Lincoln Baylies, of New York, and William Wetmore, of Rhode Island, will each attend Mr. Reid in the capacity of secretary and attaché.

I have, etc.,

JOHN HAY.

Mr. Choate to Mr. Hay.

No. 840.]

AMERICAN EMBASSY,

London, April 14, 1902.

SIR: With respect to your instruction No. 861, of March 18, I have the honor to inclose herewith a note from the foreign office, dated the 11th instant, in which Lord Lansdowne states that it will give His Majesty much pleasure to receive Mr. Whitelaw Reid as special ambassador to the coronation.

I have, etc.,

JOSEPH H. CHOATE.

[Enclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, April 11, 1902.

Yours EXCELLENCY: I have laid before the King, my sovereign, your excellency's notes of the 3d and 5th instant, in which you inform me that the Hon. Whitelaw Reid will represent the United States of America at the King's approaching coronation, and will be accompanied by the gentlemen named in your excellency's above-mentioned notes.

I have received the King's commands to inform your excellency that it will give His Majesty much pleasure to receive Mr. Whitelaw Reid in his capacity as special ambassador on this occasion.

I have, etc.,

LANSDOWNE.

Mr. Raikes to Mr. Hay.

BRITISH EMBASSY, June 24, 1902.

DEAR MR. SECRETARY: I deeply regret to inform you that owing to the illness of the King, my sovereign, the coronation ceremony and all festivities have been indefinitely postponed.

I remain, etc.,

ARTHUR RAIKES.
FOREIGN RELATIONS.

Mr. Choate to Mr. Hay.

[Telegram.]

AMERICAN EMBASSY,
London, June 24, 1902.

Coronation has just been indefinitely postponed owing to the King's indisposition.  *  *  *

CHOATE.

No. 1.]

Mr. Reid to Mr. Hay.

AMERICAN SPECIAL EMBASSY,
Brook House, London, July 14, 1902.

Sir: I have the honor to acknowledge your instructions of March 18, in pursuance of the commission issued to me on February 3, 1902, as ambassador extraordinary of the United States on special mission, representing the Government at the coronation of His Majesty Edward VII, and to report that in the absence of definite information as to the time at which the special representatives of other Governments would be expected in London, I decided to sail by the steamer St. Paul, of the American Line, on June 14, and advised the other members of the embassy of this purpose. A communication subsequently received from the vice-chancellor of the University of Cambridge, proposing to confer a degree upon me on the 10th, led me to anticipate that date and sail instead by the Umbria on the previous Saturday, May 31.

On arrival at Liverpool at 11 o'clock on the night of Saturday, June 7, I was met by the lord mayor and other dignitaries of the city. They presented Colonel Collins, of the British army, who informed me that he was one of the equerries assigned by His Majesty to the special embassy during our stay in England and that he had been ordered to conduct me immediately to London, where I should be met by Lieut. Col. Right Hon. Sir Fleetwood Edwards, G. C. V. O., K. C. B., long an equerry and one of the private secretaries to Her Majesty, the late Queen, and the chief of the three equerries assigned to the embassy, and that royal carriages would be in waiting.

Proceeding directly to London, I was there met by the secretaries of the embassy, Mr. J. P. Morgan, jr., Mr. Edmund Lincoln Baylies, and Mr. William Wetmore, and by Lieutenant-Colonel Borup, of the staff of the general attached to represent the War Department, and was taken at once to Brook House, which I had engaged for my own residence and as the headquarters of the special embassy. The next morning calls were received from Sir William Colville, the King's master of ceremonies, and from the equerries.

Mr. Choate advised me that Lord Lansdowne had named Monday afternoon for the presentation of my credentials at the foreign office. The reception was most cordial, and his lordship said that the King would receive me the next day. I assented immediately to this appointment, but Mr. Choate here kindly intervened with the explanation that it would prevent me from receiving the degree at Cambridge on the 10th, for which I had come over on an earlier steamer, and Lord Lansdowne assured me that His Majesty would not think of allowing the early appointment he had made to interfere with that engagement.
Within an hour after I had reached Brook House again a letter came from Lord Lansdowne saying that His Majesty had been glad to change the date for the audience to the following day.

At the time appointed I waited upon him at Buckingham Palace in company with Lord Lansdowne, and was received with every courtesy and much cordiality. The King talked freely of his relations with the United States, which he hoped might always remain on the present friendly footing, and made many inquiries showing his intimate acquaintance with American affairs and the public men of the country. He appeared in excellent health and spirits.

Rear-Admiral Watson, U. S. Navy, reported on June 13, accompanied by his staff officers, Commander W. S. Cowles and Lieutenant Watson; and General Wilson, U. S. Army, retired, the next day, accompanied by Major Biddle and Lieutenant-Colonel Borup.

Within the next week the arrangements for the coronation began to take clear shape, the details being generally communicated first by Sir Fleetwood Edwards, and coming afterwards in official form from the offices of the earl marshal and the lord chamberlain. The assignment of places in the abbey and in the royal procession the next day, as well as at the state banquets to be given by the King and Queen, by the Prince of Wales, and by the secretary of state for foreign affairs, so clearly showed the desire of His Majesty and the authorities of the court to manifest all possible respect for the representatives of the United States that a few details which it would not otherwise be thought needful to report are summarized in a memorandum hereunto attached.

While the arrangements for the coronation were thus completed down to the minutest details, some anxiety began to be manifested as to the condition of the King's health. It was said that he had over-exerted himself in the review at Aldershot. He had undoubtedly exposed himself in witnessing a torchlight parade there in a damp and chilly evening, and reports were current that an attack of lumbago had been brought on. The uneasiness was quieted for a time by the King's going from Aldershot back to Windsor and by newspaper statements that he was driving out there every day. When it was seen, however, that he did not attempt to attend Ascot, either on the opening day or on cup day, for both of which a royal procession was expected, the feeling deepened that the situation must be more serious than the guarded reports from the castle had implied.

But on the Monday of coronation week the King came up to London and proceeded at once to Buckingham Palace in an open carriage, accompanied by the Queen. Some of those who saw him thought that he looked ill, though the spectators generally, as well as the newspapers, seemed to unite in declaring that he appeared much as usual. The next morning I received at Brook House a telephone message from Buckingham Palace saying that the royal dinner for that evening would be postponed on account of His Majesty's health. A little later, as I was driving about with the royal equerry, Sir Fleetwood Edwards, completing the official calls upon the other special embassies, we were stopped on the street, near St. James's Palace, by an officer of the household under great excitement, who announced that the King was alarmingly ill, and that the coronation must be indefinitely postponed. We drove as soon as possible to Buckingham Palace to inscribe and make inquiries, and there learned that the situation had been found so
grave that an operation had just been performed, for appendicitis the court officials thought, and that the King seemed to be rallying from the shock.

It was soon ascertained that the disease for which the operation had been found necessary was not appendicitis at all, but peritonitis, resulting in a large abscess, some inches from the appendix, on or over the great intestine. It was currently believed that a surgical operation for this abscess should have been performed at Windsor Castle shortly after the first attack, but that the King's resolute desire to avoid the enormous disappointment and loss to his people involved in a postponement of the coronation led him to overrule his physicians, at the risk of his life, as they assured him, in a determined effort to keep up until the ceremony should be concluded. Palliatives were then resorted to and some of the physicians were supposed to believe that they had been more or less successful, while others insisted that the delay greatly increased the danger. One of the surgeons was credibly quoted as saying the next week, as he took a sheet of paper in his hand, "there was not the thickness of that between His Majesty and death when we operated." As late as Monday evening, however, the night before the operation, the King had still insisted that he would go through the ceremony on the following Thursday at whatever cost, and it was not till the peremptory declaration of the surgeon of greatest authority among those in attendance that without a prompt operation he would absolutely refuse to assume further responsibility or attend in the case that His Majesty finally consented even on Tuesday morning to submit to their demand. Then instead of allowing himself to be carried to the operating table he walked there, and it was said to be the opinion of some of the surgeons that this was possibly one of the circumstances contributing to the success of the operation, since, owing to the excessive distension of the abscess, the strain to which it would have been subjected in an effort to carry him might have proved fatal.

The great national ceremonial thus postponed had had no parallel in England for over sixty years, and its startling and dramatic interruption is probably without a parallel in history. The first effect on the public mind seemed to be simply stunning. Then the dogged disposition with which the English people receive reverses asserted itself. There was not a symptom of disorder, and while extraordinary disappointment and the keenest desire for the King's recovery were everywhere manifest, there was nowhere any sign of apprehension for the Government or for the secure maintenance of England's position, even in the case of a fatal termination. The composed and serious courage with which the people faced the sudden situation challenged the notice of all observers.

For the first week the anxiety was naturally intense, and the evidences of profound sorrow were visible everywhere throughout the capital. The mottoes and transparencies on the streets were in some cases changed. In many places fresh ones were strung across the streets or against prominent buildings with merely the words "God save the King." For the first forty-eight hours it is probable that the majority of the public expected a fatal termination and that even the professional opinion inclined that way. The King himself, however, seems never to have lost nerve or hope.

On the day after that which had been fixed for the coronation a
solemn service of intercession was held at St. Paul’s Cathedral, to be attended by those who had been provided with seats in Westminster Abbey for the coronation itself. The notice was so brief that Major-General Wilson and his staff officers did not find it practicable to attend, but all the other members of the special embassy were present, and the authorities took pains to seat them in the places of honor in the choir. A similar service was held in St. Paul’s on the following Sunday, attended by the general public, and others were held in nearly every church in London and almost everywhere throughout the British Isles.

No one then supposed that, in case of the King’s recovery, the coronation could possibly take place before the latter part of September or the first of October, and the special ambassadors at once prepared to take their leave. On communicating to Lord Lansdowne my desire to do this in whatever form might cause him the least inconvenience or loss of time, he replied that, instead of my coming to the foreign office, he preferred that Mrs. Reid and I should come in and take luncheon with Lady Lansdowne and himself the next day. He thought also I should not fail to go, the day following, as he phrased it, “to say good-bye to the Prince of Wales.” After the luncheon at Lansdowne House, on what was to have been coronation day, June 26, I briefly expressed to Lord Lansdowne my sense of the courtesy with which the President’s representative had been received, the earnest sympathy of the President and the whole American people with the Government and with the British nation in this trial, and their sincere hopes for the recovery of the King, and then took my official leave.

That evening a communication from St. James’s Palace (where the Prince of Wales was still residing) advised me of the hour at which I should be received the next day, and that Mrs. Reid also would be expected. We were met with the utmost cordiality by their Royal Highnesses the Prince and Princess, and during the interview the three royal children came in and were presented. The Prince spoke with the greatest confidence as to his father’s splendid physical condition and almost certain recovery. He entered into many details as to the nature of the operation and the manner in which it was borne. The Prince was also good enough, when I finally took my official leave, to say that he hoped I would be able to return to the coronation.

The same evening Gen. Sir Stanley Clarke, equerry to the King, came to Brook House with a letter for Sir Fleetwood Edwards, and in his absence communicated to me its contents. It surprised me by the intimation that Mrs. Reid and myself were to have the honor of a farewell audience with Her Majesty the Queen the next afternoon at Buckingham Palace.

In this audience Her Majesty expressed with even more emphasis the same confidence as to the recovery of the King which the Prince of Wales had shown the day before, saying repeatedly, “Thank God, the worst is over.” She spoke warmly of the way in which His Majesty had stood the shock of the operation, and of the keen interest he was already beginning to manifest again in public affairs, and mentioned particularly his pleasure at reading himself the cable dispatch in the newspapers reporting the President’s sympathetic remarks at Harvard. She was confident that the coronation would take place this year, and probably sooner than had been expected, and repeated gra-
ciously the invitation to return, saying: "You must be sure to come back. It will be a good omen. We shall count on you."

I then quitted London for a short time, after engaging passage for New York by the American Line for July 26, paid a promised visit to Rear-Admiral Crowninshield on board the flagship Illinois, and have since made several visits at English country places.

I have, etc.,

Whitelaw Reid.

[Inclosure.]

Memorandum of places assigned at the chief ceremonies.

Official cards of invitation for the coronation service in Westminster Abbey on June 28 were sent to the special ambassador and all the members of his suite, and when accompanied by their wives to them also. The memorandum sent with the cards assigned the special ambassador and his wife to seats on one side the choir, in full view of the altar and thrones, and in the same line with the Archduke Francis Ferdinand of Austria, Prince and Princess Henry of Prussia, the Crown Prince of Denmark, etc., while in front of them, on the lower seats on the same side of the choir, were Mr. and Mrs. Chamberlain, Mr. and Miss Balfour, Sir M. and Lady Hicks-Beach, etc. In the corresponding line on the opposite side of the choir were placed the Hereditary Grand Duke Michael of Russia, the Duke and Duchess d'Aosta of Italy, Admiral Gervais of France, etc.

The fact having been communicated that the wife of one of the naval staff officers attached to the embassy was a sister of the President, and that another sister accompanied her, places were voluntarily provided for them in the choir below the latter line and near the altar and thrones, between the Princess Henry of Pless and the Grand Duke Michael Michaelovitch.

The suites of the various special embassies were assigned to places in the nave and in the temporary addition to the floor by which the procession was to enter.

The official programme for the royal procession the next day was also communicated. It assigned the special ambassadors from the two Republics of the United States and France to the fifth carriage in the procession following the great officers of the court and preceding the royalties.

The dinner to be given by the King and Queen in the throne room at Buckingham Palace was to comprise 270 guests, while the suites of special embassies and others were to be seated in a large temporary dining room below; made by enclosing the floor and hanging it in stucco. The invitation to the dinner in the throne room was accompanied by a plan of the tables. On this the special ambassador of the United States was assigned to the table of the King, between the Earls Pembroke, Lord Stewart, and His Highness the Maharajah of Gwalior; while Mrs. Reid was assigned to the table of His Royal Highness Prince George of Greece, placed at his side, and to be taken in by His Royal Highness Prince Philip of Coburg, with the special ambassador of France at the same table.

The details would certainly seem too trivial to be reported to the Department, even in this detached memorandum, excepting that they may perhaps be taken as indicating the strong desire of the King and of the authorities of his court to omit nothing that could serve to show the highest appreciation of the President's action in sending the special embassy, as well as their estimate of the rank the country holds in the family of nations.

Mr. Choate to Mr. Hay.

No. 900.]

American Embassy,
London, July 19, 1902.

Sir: I have the honor to inclose herewith copy of a circular note, which I have received from the Marquis of Lansdowne, stating that this Government deprecates the sending of special ambassadors from
foreign countries to the postponed coronation, which is now fixed to
take place on the 9th of August; and that they will expect foreign
Governments to be represented by their ambassadors and ministers
accredited to this country.
I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

Lord Lismalorne to Mr. Choate.

FOREIGN OFFICE, July 17, 1902.

YOUR EXCELLENCY: I have the honor to inform you that, by the King's commands,
I have instructed His Majesty's representatives in states which had accredited envoys
to represent them at His Majesty's coronation, to express to those Governments the
profound regret which the King felt at being compelled, by his illness, to allow them
to leave this country without offering them his thanks in person for the compliment
which their appointment conveyed.
The improvement in the King's health gives reason to hope that his coronation
may take place in the course of a few weeks. It will not, however, be possible to
carry out the original programme, and the ceremony will be performed with as much
simplicity as the circumstances will allow.
His Majesty would, consequently, deplore any special missions being sent from
foreign countries to attend it, and would prefer that they should be represented on
the occasion by their resident ambassadors and ministers at this court.
I have, etc.,

LANSDOWNE.

Mr. Adee to Mr. Reid.

No. 6.]

DEPARTMENT OF STATE,
Washington, September 23, 1902.

SIR: Your dispatch of the 14th of July last, with its inclosures, was
duly received.
The Department appreciates the dignity, efficiency, and intelligent	act with which you represented the President on the historic occasion of the proposed coronation of King Edward VII.
I am, etc.,

ALVEY A. ADEE,
Acting Secretary.

TITLE OF KING EDWARD VII.

Lord Pouncefote to Mr. Hay.

No. 24.]

BRITISH EMBASSY,
Washington, January 30, 1902.

SIR: I have the honor to transmit to you herewith, by the instructions of my Government, a copy of a proclamation by the King, my august sovereign, declaring his intention in virtue of powers given to His Majesty by an act passed in the last session of Parliament, to add to the style and titles heretofore appertaining to the Imperial Crown of the United Kingdom and its Dependencies the words "and of the
British Dominions beyond the Seas” after the words “of the United Kingdom of Great Britain and Ireland.”

This addition to His Majesty’s titles having to be made in all documents emanating in future from the foreign office, His Majesty’s Government consider that the Governments of those foreign countries where His Majesty has diplomatic representatives should be officially informed thereof.

I have, etc.,

PAUNCEFOTE.

[Inclosure.]

Supplement to the London Gazette of Friday, the 1st of November—Published by authority—Monday, November 4, 1901.

BY THE KING.

A PROCLAMATION.

Edward, R. I.:

Whereas an act was passed in the last session of Parliament, entitled “An act to enable His Most Gracious Majesty to make an addition to the royal style and titles in recognition of His Majesty’s dominions beyond the seas,” which act enacts that it shall be lawful for us, with a view to such recognition as aforesaid of our dominions beyond the seas, by our royal proclamation under the great seal of the United Kingdom issued within six months after the passing of the said act, to make such addition to the style and titles at present appertaining to the Imperial Crown of the United Kingdom and its dependencies as to us may seem fit; and

Whereas our present style and titles are, in the Latin tongue, “Edwardus VII Dei Gratia Britanniarum Rex, Fidei Defensor, Indiarum Imperator,” and in the English tongue, “Edward VII, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, Emperor of India,” we have thought fit, by and with the advice of our privy council, to appoint and declare, and we do hereby, by and with the said advice, appoint and declare that henceforth, so far as conveniently may be, on all occasions and in all instruments wherein our style and titles are used, the following addition shall be made to the style and titles at present appertaining to the Imperial Crown of the United Kingdom and its dependencies—that is to say, in the Latin tongue, after the word “Britanniarum,” these words, “et terrarum transmarinarum quae in ditione sunt Britanniae;” and in the English tongue, after the words “of the United Kingdom of Great Britain and Ireland,” these words, “and of the British Dominions beyond the Seas.”

And our will and pleasure further is, that all gold, silver, and bronze moneys, now current and lawful moneys of the United Kingdom, and all gold, silver, and bronze moneys which shall, on or after this day, be coined by our authority with the like impressions, shall, notwithstanding such addition to our style and titles, be deemed and taken to be current and lawful moneys of the said United Kingdom; and further, that all moneys coined for and issued in any of the dependencies of the said United Kingdom and declared by our proclamation to be current and lawful money of such dependencies, respectively bearing our style or titles, or any part or parts thereof, and all moneys which shall hereafter be coined and issued according to such proclamation, shall, notwithstanding such addition, continue to be lawful and current money of such dependencies, respectively, until our pleasure shall be further declared thereupon.

Given at our court at St. James, this 4th day of November, 1901, in the first year of our reign.

God save the King.
PROTECTION OF BRITISH INTERESTS IN COLOMBIA BY UNITED STATES OFFICIALS.

Lord Pauncefote to Mr. Hay.

No. 36.]

BRITISH EMBASSY,
Washington, February 8, 1902.

Sir: I have the honor to inform you that reports have reached His Majesty’s Government from the acting British consul at Panama respecting the concerted action taken by the officers commanding the British, United States, and French vessels of war in Central America, which resulted in preventing much bloodshed and in restoring order in the towns of Panama and Colon during the recent insurrection in Colombia.

It appears that the threatened bombardment of the town of Colon by the Government gunboat Pinzon was averted by the tact and hearty cooperation of the naval commanders and consular officers of the three powers, and I have the honor to transmit to you herewith a copy of a letter addressed to the Marquis of Lansdowne by Messrs. Harrison, of Liverpool, a firm of steamship owners interested in trade to Colon, bearing testimony to the happy results of the prompt and decisive action of these gentlemen.

Later, at the time of the threatened attack on Panama, when the insurgents and Government troops came into contact within 10 miles of that place, Captain Perry, of the U. S. S. Iowa, took charge of the Panama Railway and refused to permit armed forces of either side to be conveyed on the trains.

At this stage Captain Perry and Commander McCrea, of the U. S. S. Machias, together with Captain Galloway, of H. M. S. Tribune, and His Majesty’s acting consul, were instrumental in bringing about a meeting between the leaders of the opposing forces on board the U. S. S. Marietta, when the revolutionary general De la Rosa agreed to surrender to Governor Alban, of Panama. It was arranged that Colon should be handed over to the commanding officers of the foreign warships, and by them to the Government troops, which was done in an orderly manner.

I have the honor, by direction of the Marquis of Lansdowne, to express to you the gratification with which His Majesty’s Government have received these reports, bearing testimony to the good feeling existing between the naval and consular officers of the two powers and recording the appreciation of their joint action felt by the British commercial firms.

I have, etc.,

Pauncefote.

[Inclosure.]

Messrs. Harrison to the Marquis of Lansdowne.

LIVERPOOL, December 31, 1901.

My Lord: We are advised by our agent in Colon that it is owing entirely to the cooperation between the American consul and his British and French colleagues, and the commanders of the U. S. S. Machias and Marietta, H. M. S. Tribune, and the French Suchet, that the port of Colon was prevented from being bombarded and destroyed by the Colombian warship Pinzon.
This vessel arrived there from Savannah with troops, after the port had been seized, and with the full intention on the part of the general in command of the troops of at once opening fire on the place with its guns, and it is quite clear that had such action been permitted the whole place must have been destroyed. What this destruction would have involved, in delays to the various steamers in port and then on route, will be understood without comment on our part.

Being largely interested in the trade via Colon, and the safe conveyance of goods across the Isthmus, we should be obliged if you would convey to the Secretary of the Navy of the United States, and to the marine minister of France, and also to the secretary of the admiralty our thanks for the great services rendered to us and to all other steamship owners and merchants interested in the trade to Colon by the prompt and decisive action of the commanders of these vessels.

We have, etc.,

THOMAS AND JAMES HARRISON.

Mr. Hay to Lord Pauncefote.

No. 2365.]

DEPARTMENT OF STATE,
Washington, February 14, 1902.

EXCELLENCY: I have the honor to acknowledge, with appreciation of the kind expressions of His Majesty’s Government therein contained, the receipt of your note of the 8th instant, regarding the good feeling which existed between the naval officers of the United States and Great Britain during the recent revolution in Colombia.

I have, etc.,

JOHN HAY.

Mr. Adee to Mr. Raikes.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 6, 1902.

Navy Department hears from commander of Ranger at Panama that he is informed the Colombian Government contemplates seizing the British steamer Quito. I communicate this for your information.

ALVEY A. ADEE,
Acting Secretary.

Mr. Adee to Mr. Raikes.

DEPARTMENT OF STATE,
Washington, August 9, 1902.

MY DEAR MR. CHARGE: As supplementary to my telegram of the 6th instant (which I herewith confirm), I inclose a copy of a report made by the commanding officer of the U. S. S. Philadelphia regarding the protection by him of British interests in Colombia.

I am, etc.,

ALVEY A. ADEE.

[Inclosure.]

Extract from a letter from the commanding officer of the Philadelphia, dated June 9, 1902.

1. Since my last report concerning affairs on the Isthmus, dated June 2, I have to report that there has been but little change, with the exception that on June 6 Mr.
Peebles, acting agent for the Pacific Steam Navigation Company, came on board and told me of a request made by the Government that he furnish the Chiriquí for carrying of troops. I told him what action Mr. Peet (who is their regular agent) had been advised to take. He was also apprehensive of the seizure of that vessel, and asked if I would act for the English in the absence of their man-of-war. I told him yes, but only in this manner—it would be advisable that the English consul laid the matter before the United States consul-general, and upon his request in writing I would put a guard on the Chiriquí if necessary. I arranged for signals by day and by night with the Chiriquí and advised the dismantling of her machinery.

2. I also wrote to the consul-general as follows:

"Would it not be well to inform the governor that in the absence of the Amphion (daily expected) I would act in the interest of the English residents and protect their property upon their written request. That would prevent any misunderstanding. I am the more anxious to have my position understood clearly, since you may remember that the English admiral’s instructions to the captain of the Amphion was ‘to render all aid to the United States naval commander, and in his absence to care for the United States’ interest.’ As we should of course act in accord, and as Mr. Peebles lacks experience, I suggested that the request should come through the consuls.

"I repeat that I fully believe that the Government should be fully informed as to my action and readiness to act for the English."

* * * * * * * * * * *

4. The Amphion arrived on the afternoon of the 7th, and her captain has orders to remain at least two months. Upon hearing of my action concerning the Chiriquí, Captain Casement, R. N., thanked me and informed me that he should at once communicate the fact to his admiral. I believe this action to be in accord with the Department’s policy.

Mr. Raikes to Mr. Adee.

BRITISH EMBASSY,
Washington, October 1, 1902.

DEAR MR. ADEE: I forwarded to Lord Lansdowne in an official dispatch a copy of the report from the commanding officer of the U. S. S. Philadelphia, inclosed in your personal note of August 9, describing his readiness to protect British interests at Panama in the absence of H. M. S. Amphion. I have now great pleasure in asking you, by Lord Lansdowne’s direction, to be so good as to convey to the commander of the Philadelphia an expression of the thanks of His Majesty’s Government for his friendly attitude on this occasion.

I am, etc.,

ARTHUR S. RAIKES.

AGREEMENT BETWEEN RUSSIA AND CHINA RELATIVE TO MANCHURIA. a

Mr. Choate to Mr. Hay.

No. 780.] AMERICAN EMBASSY,
London, February 12, 1902.

SIR: I have the honor to report that in a conversation which I had yesterday with His Majesty’s secretary of state for foreign affairs, I found that he already knew substantially the position which you had taken with Russia and China in respect to the proposed Manchurian convention and the separate convention with the Russian-Chinese

a Completely covered under China, page 271, and Russia, page 926, this volume.
Bank, and that it exactly tallied with the position of his Government in the same matter. It had been freely stated for some days in the London papers that the United States, Great Britain, and Japan were presenting the same views at St. Petersburg. He thought the convention with the Russian-Chinese Bank, though it expressed the privileges granted or conceded by the terms as "preferential," would practically be exclusive, and that it would create a monopoly which would not only conflict with treaty rights and lawful and equal commerce, and impair Chinese sovereign rights and its discharge of its international obligations, but would probably be followed by similar "preferential" concessions to other powers, and so the whole policy of equal rights of all nations in commerce and navigation and of the "open door" might be seriously invaded. I could not discover any difference in the positions of the two Governments on this important subject.

I have, etc.,

JOSEPH H. CHOATE.

Mr. Choate to Mr. Hay.

No. 890.]

AMERICAN EMBASSY,

Sir: I have the honor to acknowledge the receipt of your instruction a of the 3d instant, covering a copy of a memorandum in regard to the proposed convention and arrangement between the Chinese and Russian Governments respecting Manchuria. I inclose herewith a copy of my note to Lord Lansdowne, dated the 14th instant, together with his lordship's reply thereto, dated the 19th instant, with reference to the above subject.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure 1.]

Mr. Choate to Lord Lansdowne.


My LORD: Under instructions from my Government, I have the honor to inclose herewith for your lordship's information a copy of a memorandum expressing the views of the United States in regard to the proposed convention and arrangement between the Chinese and Russian Governments respecting Manchuria, which has been telegraphed to our legation at Pekin and to our embassy at St. Petersburg.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure 2.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, February 19, 1902.

YOUR EXCELLENCY: I have the honor to acknowledge the receipt of your note of the 14th instant, transmitting a copy of a memorandum which gives the views of the United States Government in regard to some suggested arrangements between the Chinese and Russian Governments respecting Manchuria.

I have to thank your excellency for this interesting statement, the substance of which you had already been good enough to communicate to me verbally.

I have, etc.,

LANSDOWNE.
TEXT OF DEFENSIVE AGREEMENT BETWEEN GREAT BRITAIN AND JAPAN.

Mr. Choate to Mr. Hay.

No. 781.]

AMERICAN EMBASSY,
London, February 12, 1902.

SIR: I have the honor to report that at an interview yesterday with His Majesty's secretary of state for foreign affairs he gave me a copy of the new defensive treaty of alliance between Great Britain and Japan. I now inclose the copy that he gave me.

It seems to me greatly to fortify the policy of the "open door," and goes far to secure the independence and integrity of the Chinese and Korean empires. Perhaps also it explains the decision of His Majesty's Government, announced in Parliament the day before, not to proceed further with the fortification of Weihaiwei as a naval base. I inclose a clipping from the London Times of yesterday's date, containing the debate on this interesting subject, in which, however, I see no allusion to the provision in the lease to Great Britain of Weihaiwei that it was to be for so long a period as the Russian occupation of Port Arthur should last.

I have, etc.,

JOSPEH H. CHOATE.

[Inclosure 1.]

DISPATCH TO HIS MAJESTY'S MINISTER AT TOKYO FORWARDING AGREEMENT BETWEEN GREAT BRITAIN AND JAPAN OF JANUARY 30, 1902.

The Marquis of Lansdowne to Sir C. MacDonald.

FOREIGN OFFICE, January 30, 1902.

SIR: I have signed to-day, with the Japanese minister, an agreement between Great Britain and Japan, of which a copy is inclosed in this dispatch.

This agreement may be regarded as the outcome of the events which have taken place during the last two years in the Far East, and of the part taken by Great Britain and Japan in dealing with them.

Throughout the troubles and complications which arose in China consequent upon the Boxer outbreak and the attack upon the Pekin legations, the two powers have been in close and uninterrupted communication, and have been actuated by similar views.

We have each of us desired that the integrity and independence of the Chinese Empire should be preserved, that there should be no disturbance of the territorial status quo either in China or in the adjoining regions, that all nations should, within those regions, as well as within the limits of the Chinese Empire, be afforded equal opportunities for the development of their commerce and industry, and that peace should not only be restored, but should, for the future, be maintained.

From the frequent exchanges of views which have taken place between the two Governments, and from the discovery that their Far Eastern policy was identical, it has resulted that each side has expressed the desire that their common policy should find expression in an international contract of binding validity.

We have thought it desirable to record in the preamble of that instrument the main objects of our common policy in the Far East to which I have already referred, and in the first article we join in entirely disclaiming any aggressive tendencies either in China or Korea. We have, however, thought it necessary also to place on record the view entertained by both the high contracting parties, that should their interests, as above described, be endangered, it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests, and words have been added which will render it clear that such precautionary measures might become necessary and might be legitimately taken, not only in the case of aggressive
action or of an actual attack by some other power, but in the event of disturbances arising of a character to necessitate the intervention of either of the high contracting parties for the protection of the lives and property of its subjects.

The principal obligations undertaken mutually by the high contracting parties are those of maintaining a strict neutrality in the event of either of them becoming involved in war, and of coming to one another’s assistance in the event of either of them being confronted by the opposition of more than one hostile power. Under the remaining provisions of the agreement, the high contracting parties undertake that neither of them will, without consultation with the other, enter into separate arrangements with another power to the prejudice of the interests described in the agreement, and that whenever those interests are in jeopardy they will communicate with one another fully and frankly.

The concluding article has reference to the duration of the agreement which, after five years, is terminable by either of the high contracting parties at one year’s notice.

His Majesty’s Government have been largely influenced in their decision to enter into this important contract by the conviction that it contains no provisions which can be regarded as an indication of aggressive or self-seeking tendencies in the regions to which it applies. It has been concluded purely as a measure of precaution, to be invoked, should occasion arise, in the defense of important British interests. It in no way threatens the present position or the legitimate interests of other powers. On the contrary, that part of it which renders either of the high contracting parties liable to be called upon by the other for assistance can operate only when one of the allies has found himself obliged to go to war in defense of interests which are common to both, when the circumstances in which he has taken this step are such as to establish that the quarrel has not been of his own seeking, and when, being engaged in his own defense, he finds himself threatened, not by a single power, but by a hostile coalition.

His Majesty’s Government trust that the agreement may be found of mutual advantage to the two countries, that it will make for the preservation of peace, and that, should peace unfortunately be broken, it will have the effect of restricting the area of hostilities.

I am, etc.,

Lansdowne.

[SubInclosure.]

Agreement between Great Britain and Japan, signed at London, January 30, 1902.

The Governments of Great Britain and Japan, actuated solely by a desire to maintain the status quo and general peace in the extreme East, being moreover specially interested in maintaining the independence and territorial integrity of the Empire of China and the Empire of Korea, and in securing equal opportunities in those countries for the commerce and industry of all nations, hereby agree as follows:

Article I.

The high contracting parties having mutually recognized the independence of China and of Korea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country. Having in view, however, their special interests, of which those of Great Britain relate principally to China, while Japan, in addition to the interests which she possesses in China, is interested in a peculiar degree politically, as well as commercially and industrially, in Korea, the high contracting parties recognize that it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests if threatened either by the aggressive action of any other power, or by disturbances arising in China or Korea, and necessitating the intervention of either of the high contracting parties for the protection of the lives and property of its subjects.

Article II.

If either Great Britain or Japan, in the defense of their respective interests as above described, should become involved in war with another power, the other high contracting party will maintain a strict neutrality, and use its efforts to prevent other powers from joining in hostilities against its ally.
ARTICLE III.

If in the above event any other power or powers should join in hostilities against that ally, the other high contracting party will come to its assistance and will conduct the war in common, and make peace in mutual agreement with it.

ARTICLE IV.

The high contracting parties agree that neither of them will, without consulting the other, enter into separate arrangements with another power to the prejudice of the interests above described.

ARTICLE V.

Whenever, in the opinion of either Great Britain or Japan, the above-mentioned interests are in jeopardy, the two Governments will communicate with one another fully and frankly.

ARTICLE VI.

The present agreement shall come into effect immediately after the date of its signature, and remain in force for five years from that date.

In case neither of the high contracting parties should have notified twelve months before the expiration of the said five years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the high contracting parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, ipso facto, continue until peace is concluded.

In faith whereof the undersigned, duly authorized by their respective Governments, have signed this agreement, and have affixed thereto their seals.

Done in duplicate at London the 30th January, 1902.

[L. S.]

Lansdowne,

His Britannic Majesty's Principal Secretary of State for Foreign Affairs.

[L. S.]

Hayashi,

Emissary Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Japan at the Court of St. James.

[Incloure 2.]

Weihaiwei.

[The Times, Tuesday, February 11, 1902.]

Earl Spencer asked the undersecretary of state for the colonies what were the intentions of His Majesty’s Government with regard to Weihaiwei.

The Earl of Onslow: My lords, I do not think I need trouble you with the early history of Weihaiwei, because it is probably well known to you. But I may say that the Government have held a careful inquiry into the advantages of the place as a military and naval station, and they have decided that the idea which was at one time entertained of fortifying it and keeping there a large garrison has been abandoned. There is at present there a Chinese regiment. That regiment will be gradually disbanded or withdrawn, and in future the administration of the colony will be undertaken by the police, which will be raised by the administrator of the colony itself. The position has been found to be one which could only be fortified at very great expense; but it is an extremely useful place for small-arms practice and for gunnery practice for the navy, as the bay is large and the water is shallow. It is also an extremely healthy station, and it is believed that in the course of a very short time a number of persons will utilize it as a sanitarium for Hongkong and Shanghai and other places on the coast of China. It will also be used as a sanitarium for our military and naval forces. It has been taken over by the colonial office from January 1, and the new administrator will be Mr. Lockhart, who has had many years official experience at Hongkong. It is hoped that in his hands the place will be made to yield a much larger revenue than that at present, which is something like £2,000 a year. The inhabitants are mostly fishermen and agriculturists who are not rich nor very prosperous; but there are capabilities about the colony which lead us to hope that before very long it will yield a much greater revenue than at present. Your
lordships will recollect that Hongkong was in very much the same position as Weihaiwei is to-day. It has no custom duties, no railway communication with the interior, and yet it has proved to be a very important commercial port, and Weihaiwei has the advantage of being on the highway from the Gulf of Pechili to northern China. It has an excellent harbor, labor is cheap, and there is therefore every reason to believe that it will continue to be a useful and valuable possession. At any rate, the rumor that there is an intention on the part of His Majesty's Government to give it up, either returning it to China or handing it over to another power, is entirely without foundation. His Majesty's Government have no intention of abandoning the place, which they believe to be a very valuable possession. [Hear! hear!]

The Earl of Rosebery said their lordships must have listened to the statement just made with mixed feelings. He had been in no way prepared for the explanation just made by the undersecretary for the colonies, for otherwise he would have endeavored to refresh his memory by some reference to the statements which were made at the time when Weihaiwei was first occupied. He recollected that the acquisition of the place had been announced with a flourish of trumpets, and now apparently all that was thought of it was that it was an important watering place. Was he to understand that the inquiry as to its naval and military value was held subsequently to its occupation by the Government? If so, some of the statements which were made at the time of its acquisition would appear to have been put forward with more rashness than was becoming in the case of a Government taking over an important post in an empire like China.

The Earl of Onslow: The inquiries were made subsequently to the lease.

The Earl of Rosebery said that Weihaiwei was no longer a naval base. It was no longer a place of arms; no longer a protection for our commerce or our fleets. It had become a sort of second-rate watering place. [Hear! hear! and laughter.] It was hoped that its salubrious climate would induce people to come and spend what was known as the unhealthy season there. He had no doubt that, if their lordships consulted the original authorities, they would find that the statements made by the Government compared somewhat strangely with the very piano announcement they had just listened to from the undersecretary of the colonies.

Viscount Goschen said that, as one who had held a responsible position at the admiralty when Weihaiwei was acquired, he had listened with a certain amount of surprise to some of the statements of the undersecretary of the colonies. He could assure their lordships that not long ago most exhaustive inquiries had been made into the capacities of Weihaiwei in various aspects. The question of the number of guns requisite for its fortification was carefully examined, and the subject of a breakwater was likewise considered. In fact a dredger was sent out to deepen the water. The number of battle ships which could find anchorage within the bay was also fully examined into. There was no lack of information originally, but he was disposed to think that on review His Majesty's Government had come to the conclusion on fresh information acquired that the first opinions put to the value of Weihaiwei as a naval and military base could not be sustained. There could be no doubt at the same time that Weihaiwei occupied a most important position in the Gulf of Pechili, and any power holding it possessed a strategical advantage. He hoped the Government, in deciding that it should not be a fortified place, would state whether this decision was based on financial or strategic considerations. He was glad at the same time to hear that if Weihaiwei was not to be fortified there was no intention of handing it over to another power or of returning it to China. [Hear! hear!] He felt that their lordships had not sufficient information before them to enable them adequately to debate the change of policy on the part of the Government. As to the proposed disembarkation of the Chinese regiment, he understood that it had been a very successful experiment. But if there were any international reasons against making a fuller statement he should be perfectly satisfied with the explanation of the Government.

The Earl of Portsmouth was of opinion that if Weihaiwei was not to be fortified and no money spent upon it, then the place would not be a strength, but a menace to us, and that therefore if we were not to take the necessary precautions to strengthen our position there we had much better retire. He could not help being impressed by a sense of the extraordinarily flippant and careless way in which the matter had been dealt with on the part of the Government.

The Earl of Selborne: I shall be prepared to go into this question at length on any occasion in which any one of your lordships brings it again before the notice of the House, and I think perhaps later on we shall be in a better position to discuss it in the fullest detail. But I have now, and at once, to say that the decision of the question has not been financial. It has been purely strategical, and that strategy was purely naval. Lord Rosebery spoke of Weihaiwei as the protection to British
commerce. I think on reflection the noble earl would not repeat that. The only protection to British commerce in Chinese seas is the navy, and the value and importance of Weihaiwei is purely relative to the navy. Naval opinion as to the proper method of utilizing Weihaiwei has differed, and does differ; but speaking as one who has closely studied this question for more than a year, perhaps I may say that there is an extraordinary concurrence of naval opinion in favor of the course which the Government has adopted. There are, roughly speaking, two alternatives. One is to make Weihaiwei a fortress like Hongkong, the other is to use it as a peace base, and not to commit ourselves to the custody of the fortress. The naval opinion has been pronounced, and I venture strongly to concur with it, in favor of the latter course as against the former. While that decision has been taken and while naval opinion has pronounced itself in the degree I have mentioned in favor of this course, naval opinion is also equally strong as to the value, the great value, of this base to the navy, of value to the efficiency of the navy and of value to the health of the navy; and while I should oppose personally any attempt to turn Weihaiwei into a fortress like Hongkong I should also oppose any idea of surrendering it.

Earl Spencer asked the Government whether they would present full papers on the subject.

The Earl of Selborne, in reply, stated that many of the reports were confidential, but the Government would carefully consider the suggestion.

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TREATY BETWEEN THE UNITED STATES AND GREAT BRITAIN TO FACILITATE THE CONSTRUCTION OF A SHIP CANAL.

Signed at Washington, November 18, 1901.
Ratification advised by the Senate, December 16, 1901.
Ratified by the President, December 26, 1901.
Ratified by Great Britain, January 20, 1902.
Ratifications exchanged at Washington, February 21, 1902.
Proclaimed, February 22, 1902.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, a Convention between the United States of America and the United Kingdom of Great Britain and Ireland, to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, by whatever route may be considered expedient, and to that end to remove any objection which may arise out of the Convention of the 19th April, 1850, commonly called the Clayton-Bulwer treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the "general principle" of neutralization established in Article VIII of that Convention, was concluded and signed by their respective plenipotentiaries at the city of Washington on the 18th day of November, 1901, the original of which Convention is word for word as follows:

The United States of America and His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, being desirous to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, by whatever route may be considered expedient, and to that end to remove any objection which may arise out of the Convention of the 19th April, 1850, commonly called the Clayton-Bulwer Treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the "general
principle" of neutralization established in Article VIII of that Convention, have for that purpose appointed as their Plenipotentiaries:

The President of the United States, John Hay, Secretary of State of the United States of America:

And His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, the Right Honourable Lord Pauncefote, G. C. B., G. C. M. G., His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States;

Who, having communicated to each other their full powers which were found to be in due and proper form, have agreed upon the following Articles:

**Article I.**

The High Contracting Parties agree that the present Treaty shall supersede the afore-mentioned Convention of the 19th April, 1850.

**Article II.**

It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost, or by gift or loan of money to individuals or Corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present Treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

**Article III.**

The United States adopts, as the basis of the neutralization of such ship canal, the following Rules, substantially as embodied in the Convention of Constantinople, signed the 28th October, 1888, for the free navigation of the Suez Canal, that is to say:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary; and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the Regulations in force, and with only such intermission as may result from the necessities of the service. Prizes shall be in all respects subject to the same Rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.
5. The provisions of this Article shall apply to waters adjacent to the canal, within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any one time, except in case of distress, and in such case, shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this Treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents, and from acts calculated to impair their usefulness as part of the canal.

**Article IV.**

It is agreed that no change of territorial sovereignty or of the international relations of the country or countries traversed by the aforementioned canal shall affect the general principle of neutralization or the obligation of the High Contracting Parties under the present Treaty.

**Article V.**

The present Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty; and the ratifications shall be exchanged at Washington or at London at the earliest possible time within six months from the date hereof.

In faith whereof the respective Plenipotentiaries have signed this Treaty and thereunto affixed their seals.

Done in duplicate at Washington, the 18th day of November, in the year of Our Lord one thousand nine hundred and one.

John Hay [seal.]

Pauncefoot. [seal.]

And Whereas the said Convention has been duly ratified on both parts, and the ratification of the two Governments were exchanged in the city of Washington on the twenty-first day of February, one thousand nine hundred and two;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twenty-second day of February, in the year of Our Lord one thousand nine hundred and two, and of the Independence of the United States the one hundred and twenty-sixth.

[seal.]

Theodore Roosevelt

By the President:

John Hay

Secretary of State.
BRITISH PROTECTORATES IN EAST AFRICA PLACED UNDER ZONE OF TOTAL PROHIBITION OF ALCOHOLIC LIQUORS, UNDER ARTICLE XCI OF THE BRUSSELS ACT.

Lord Pauncefote to Mr. Hay.

No. 59.]

BRITISH EMBASSY,
Washington, February 27, 1902.

Sir: In my note dated April 28, 1892, I had the honor, by direction of the Marquis of Salisbury, to notify to your Government the decision of Her Majesty’s Government that the British protectorate of Zanzibar, including all the dominions of the Sultan, both on the island and on the mainland, should be placed under the terms of Article XCI of the act of Brussels from the 6th of April, 1892, within “the zone of prohibition of alcoholic liquors.”

Since that date the territories under British protection in East Africa have from time to time been reorganized. They are now constituted under the respective titles of the British Central Africa Protectorate (formerly styled Nyasaland), the protectorate of Zanzibar, the East Africa Protectorate (comprising among other districts the mainland dominions of the Sultan of Zanzibar, the Sultanate of Witu, and the adjacent territory extending northward to Kismayu), and the protectorate of Uganda.

In order to avoid the possibility of any misapprehension as to the position of these territories with regard to the stipulations of the Brussels act respecting the trade in distilled liquors, I am directed by His Majesty’s principal secretary of state for foreign affairs to notify to your Government, as being one of the signatory powers of that instrument, that each of the aforesaid protectorates is and remains placed within the zone of total prohibition, under Article XCI of the Brussels act, and, further, that it has now been decided to place the British Somaliland Protectorate within the same zone.

I have, etc.,

Pauncefote.

ABDUCTION OF MISS STONE—ASSISTANCE IN RESCUE RENDERED BY BRITISH OFFICIALS IN TURKEY AND BULGARIA.\(^a\)

Mr. Hay to Mr. Choate.

No. 866.]

DEPARTMENT OF STATE,
Washington, March 24, 1902.

Sir: I enclose a copy of part of a dispatch\(^b\) from the minister to the Ottoman Porte relative to the interest taken by Sir Nicholas O’Conor, the British ambassador at Constantinople; by Mr. Elliot, the British diplomatic agent at Sofia; by Mr. McGregor, the British consul at the last-named city, and by Sir Alfred Billioti, the British consul at Salonica, in the rescue of Miss Stone.

You will say to His Majesty’s Government that the Government of the United States appreciates the interest taken by the gentlemen named and is thankful for their assistance.

I am, etc.,

John Hay.

\(^a\)See also under Turkey.  
\(^b\)Printed, page 1022.
PROTECTION OF AMERICAN INTERESTS IN BULGARIA BY BRITISH REPRESENTATIVES.

Mr. Raikes to Mr. Hay.


Dear Mr. Hay: Mr. Dickinson, the United States agent at Sofia, recently requested Mr. Francis Elliot, the British representative in that city, to take charge of United States interests during his absence, and Lord Lansdowne has authorized Mr. Elliot to do so, but as the charge of United States interests was withdrawn from him, on Mr. Dickinson's appointment, by your letter of the 14th of October last and by a letter from the United States embassy in London to the foreign office of the 24th of the same month, and as Mr. Dickinson has left for a prolonged period, Lord Lansdowne thinks that it would be as well that the United States Government should formally request him to instruct Mr. Elliot again to take charge of United States interests in Bulgaria, as before, until Mr. Dickinson returns or other arrangements are made. I would suggest that in doing so the Department of State might express the hope that Mr. Elliot will communicate freely with you and with the United States minister at Constantinople on all matters on which he may require to do so.

I remain, etc.,

Arthur S. Raikes.

Mr. Hay to Lord Pauncefote.

Personal |

DEPARTMENT OF STATE,
Washington, May 9, 1902.

My dear Mr. Ambassador: I beg to thank you for your personal note of the 3d instant, and to inclose for your information a copy of an instruction which I have sent to Mr. Choate, directing him to formally request Lord Lansdowne to instruct His Majesty's agent at Sofia to take charge of United States interests in Bulgaria, as before.

I am, etc.,

John Hay.

Mr. Hay to Mr. Choate.

No. 911. |

DEPARTMENT OF STATE,
Washington, May 9, 1902.

Sir: In its No. 749, of October 14 last, the Department instructed Mr. White to "express the great pleasure with which this Government recognizes the valuable aid courteously extended by His Majesty's agency at Sofia, in the absence of direct representation of the United States in Bulgaria which has now been supplied, and to ask that our grateful thanks be communicated to the agent."

At the time of writing that instruction the Department did not anticipate that there would be any delay in the recognition by the Bulgarian Government of Mr. Dickinson, who had been appointed to

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*Printed next below.*
the dual capacity of agent to Bulgaria and consul-general at Constantinople.

It now appears that the Bulgarian Government is disinclined to receive Mr. Dickinson unless the agency to Bulgaria be separated from the consulate-general at Constantinople. This, of course, can be done only by Congress. Meanwhile the United States has no representative in Bulgaria.

I should be pleased to have you explain the situation to Lord Lansdowne, and to formally request him to instruct Mr. Elliot to take charge of United States interests in Bulgaria, as before, until other arrangements are made for our direct representation.

If it should be the pleasure of His Majesty’s Government to comply with this request, it is the hope of this Department that Mr. Elliot will communicate freely with it and with the United States minister at Constantinople on all matters on which he may require to do so.

I am, etc.,

JOHN HAY.

Mr. Choate to Mr. Hay.

No. 868.]

AMERICAN EMBASSY,
London, June 3, 1902.

SIR: With reference to your instruction No. 911, of May 9, relative to the representation of the United States at Sofia I have the honor to inclose herewith a copy of my note to the foreign office of the 23d ultimo and Lord Lansdowne’s reply thereto, dated the 31st ultimo, in which his lordship states that he will have much pleasure in instructing His Majesty’s agent and consul-general at Sofia to take charge temporarily of American interests in Bulgaria, and that he will be authorized to communicate with the Secretary of State at Washington and the United States minister at Constantinople whenever he may consider it desirable to do so.

I have, etc.,

JOSEPH H. CHOATE.

[Enclosure 1.]

[Mr. White to Lord Lansdowne.]


MY LORD: With reference to Mr. White’s note of October 14 last, expressing the great pleasure with which my Government recognized the valuable aid courteously extended by His Majesty’s agency at Sofia and informing your lordship that arrangements had been made for the appointment as American agent at that capital of Mr. Charles M. Dickinson, consul-general at Constantinople, I now have the honor to acquaint you that the Bulgarian Government appears to be disinclined to receive Mr. Dickinson unless the agency at Sofia be separated from the consulate-general at Constantinople, which of course can only be done by Congress.

In view of the fact that until Congress takes action in the matter the United States has no representative in Bulgaria, I am directed by my Government to ask your lordship to be so good as to instruct Mr. Elliot to take charge of the interests of my Government, as before, until other arrangements shall be made for our direct representation there. If it should be the pleasure of His Majesty’s Government to comply with this request, it is the hope of my Government that Mr. Elliot will communicate freely with the Secretary of State and with the American minister at Constantinople on all matters in respect to which he may require to do so.

I have, etc.,

HENRY WHITE.
[Inclosure 2.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, May 31, 1902.

Your Excellency: I have the honor to acknowledge the receipt of your excellency’s note of the 23d instant relative to the representation of the United States to Sofia.

In compliance with the request of the United States Government I shall have much pleasure in instructing His Majesty’s agent and consul-general in that capital to take charge temporarily of American interests in Bulgaria, and I will authorize him to communicate with the Secretary of State at Washington and with the United States minister at Constantinople whenever he may consider it desirable to do so.

I have, etc.,

LANSDOWNE.

Mr. Hay to Mr. Choate.

No. 941.]

DEPARTMENT OF STATE,
Washington, June 14, 1902.

SIR: Your No. 868 of the 3d instant, with inclosures, has been received.

The Department has noted with appreciation the readiness with which His Majesty’s Government acceded to the request to authorize Mr. Elliot to take temporary charge of American interests in Bulgaria.

You will express to Lord Lansdowne this Government’s thanks for the courtesy so promptly extended.

I am, etc.,

JOHN HAY.

ASSISTANCE RENDERED BY UNITED STATES TO SUFFERERS FROM VOLCANIC ERUPTION AT SAINT VINCENT, WINDWARD ISLANDS.

Mr. Hay to Mr. Choate.

[Telegram.]

DEPARTMENT OF STATE,
Washington, May 12, 1902.

Express to British Government the sympathy of the President and the people of this country in the affliction which has befallen St. Vincent, and our desire to share in the work of aid and rescue.

Hay.

Mr. Choate to Mr. Hay.

[Telegram.—Paraphrase.]

AMERICAN EMBASSY,
London, May 15, 1902.

(Mr. Choate reports that the British Government expresses grateful appreciation of the generous offer of aid to the sufferers at St. Vincent, and is communicating it to the governor of the Windward Islands and asking him to state the most immediate needs. On receipt of the governor’s reply the British Government hopes to avail itself of the offer of the United States Government. Meanwhile, any gifts sent to the care of the governor at St. Vincent will be gladly received and distributed.)
Mr. Choate to Mr. Hay.

[Telegram.—Paraphrase.]

AMERICAN EMBASSY,
London, May 17, 1902.

(Mr. Choate reports that in answer to his formal note embodying the substance of the Department's telegram of May 12, and stating that if the British secretary of state for foreign affairs would indicate any aid or service which, by reason of the proximity of the United States to the scene of disaster, might be rendered, it would give Mr. Choate great pleasure immediately to communicate it to the President. He has just received Lord Lansdowne's formal reply, dated May 14, stating "His Majesty has commanded me to inform you that he has been deeply touched by this message and by the sympathy shown by the President and people of the United States on the occasion of the great calamity which has overtaken one of the British colonies," and requesting Mr. Choate "to convey to the President His Majesty's message, together with the heartfelt thanks of His Majesty's Government, and the assurance that the feeling to which your excellency has given expression will be most highly appreciated in this country and by the community which has suffered so much."

Upon hearing from Mr. Chamberlain what are the special needs of the colonists, Lord Lansdowne will communicate further with Mr. Choate.)

Mr. Choate to Mr. Hay.

No. 861.]

AMERICAN EMBASSY,
London, May 17, 1902.

SIR: I have the honor to report that your cable of the 12th reached me in the evening of that date. I immediately sent a copy of it to Lord Lansdowne, stating that I would address him a formal note next day. I received an informal acknowledgment the same evening, of which I inclose copy. On the 13th I addressed to him the formal note as promised. At our interview on the 14th (Wednesday) he informed me that this had been sent to the King.

In the House of Commons on Thursday, the 15th, Mr. Balfour referred to and quoted your sympathetic message and offer of aid, and I inclose a copy of his remarks.

On the evening of the 15th Mr. Villiers addressed to Mr. White an informal note, including an "extract from a letter just received from the colonial office," of both of which I inclose copies. On the receipt of this the same evening I sent you my cable.

I have just received from Lord Lansdowne his formal reply, dated the 14th, to my note of the 13th, of both of which I send you a copy, and have to-day sent you a cable summarizing its contents.

I need not state that the spontaneous and energetic efforts on the part of our Government and people to aid and rescue the sufferers in St. Vincent have created a most favorable impression here.

I have, etc.,

JOSEPH H. CHOATE.
GREAT BRITAIN.

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, May 12, 1862.

My DEAR AMBASSADOR: I hasten to acknowledge receipt of your letter covering the Secretary of State's friendly and sympathetic message.

The feelings which he expresses on behalf of the President and people of the United States will be deeply appreciated in this country as well as by the community which has suffered so much.

I reserve a more formal acknowledgment until to-morrow.

Yours, sincerely,

LANSDOWNE.

[Inclosure 2.]

Martinique and St. Vincent.

[The Times, Friday, May 16, 1862.]

Mr. Dillon asked the first lord of the treasury whether he was now in a position to make a statement as to the measures which had been adopted by the Government for the relief of the people of Martinique and St. Vincent, and whether his attention had been called to the precedent of the earthquake of Lisbon on November 24, 1755, when that House, on a message from the King, voted £100,000 to the relief of the sufferers by that disaster.

Mr. BALFOUR. I am well aware of the precedent. I think it was in 1755. That is not a very recent date, nor has it any very special relevance to the present subject. With regard to St. Vincent, the honorable member will have noted that the lord mayor has consented to open a relief fund at the mansion house. Canada, Jamaica, the neighboring West India islands, and Mauritius have already given or promised help in money or in kind, and I do not doubt but that other colonies will be equally generous. In addition, the governor has already been authorized to spend what he considers to be necessary, and His Majesty's Government, without naming at this moment any definite sum, are prepared to supplement the contributions from other sources to whatever extent may be deemed necessary, and to augment to that extent the small West India grant which is annually voted by this House. I ought to add that in the above I have not taken account of the most sympathetic manner in which the United States Government have—to use their own language—"expressed their desire to share in the work of aid and rescue." [Cheers.] As to the exact manner in which this offer can best be accepted, the governor of the Windward Islands is being consulted. With regard to Martinique, Lord Lansdowne, on May 12, telegraphed to our ambassador at Paris to say that "it would give His Majesty's Government pleasure to afford assistance in any manner which might be found convenient to the sufferers by the Martinique calamity. If we can do this by the loan of medical officers or by gift of such supplies or medical comforts as can be provided from British possessions in the neighborhood, we are prepared to act at once." To this the French Government have replied that they "accept with gratitude the offer of His Majesty's Government to send provisions and medical comforts to Martinique from neighboring British possessions."

Mr. DILLON. Do I understand that the governor of the Windward Islands has been authorized to expend public money to any extent he may think necessary? I would ask the right honorable gentleman also to state whether that expenditure will apply both to Martinique and St. Vincent? I think it would be a very unfortunate thing if a distinction were drawn.

Mr. BALFOUR. In the nature of the case there must be a distinction drawn between our own colonies and the colonies of other countries. We are prepared, as I have said, to give assistance by the loan of medical officers and the gift of medical comforts and of provisions to the sufferers of Martinique. As regards the first question, the honorable gentleman has accurately interpreted the answer I gave.

[Inclosure 3.]

Mr. Villiers to Mr. White.

FOREIGN OFFICE, May 15—7 p. m.

My DEAR MR. WHITE: I inclose, for the information of the ambassador, extract of a letter just received from the colonial office. Lord Lansdowne will, of course, address an official note to his excellency.

Yours, sincerely,

F. H. VILLIERS.
FOREIGN RELATIONS.

[Subinclosure.]

Extract.

At the moment of writing the information received is so scanty that it is difficult for Mr. Chamberlain to state what form of assistance is most required, but he is communicating the substance of Mr. Choate's letter to the governor of the Windward Islands by telegraph, and is requesting him to state what are the most immediate needs.

On the receipt of a reply he hopes to be in a position to take advantage of this generous offer.

In the meantime the governor of the Windward Islands, at St. Vincent, will gladly receive and distribute any gifts sent to his care.

[Inclosure 4.]

Mr. Choate to Lord Lansdowne.

AMERICAN EMBASSY,
London, May 13, 1902.

My Lord: By a dispatch received last evening from the Secretary of State, of which I had the honor to send you at once a copy informally, I was instructed to express to His Majesty's Government the sympathy of the President and the people of the United States in the affliction which has befallen the people of St. Vincent, and their desire to share in the work of aid and rescue.

My Government naturally deplores the appalling calamity which has fallen upon His Majesty's distant colonies as sincerely as if it had happened to a portion of our own people, and has, I believe, already taken steps for their relief. If your lordship can indicate any aid or service which, by reason of our proximity to the scene of disaster, we may render it will give me great pleasure immediately to communicate it to the President.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure 5.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, May 14, 1902.

Your Excellency: I have laid before the King your excellency's note of the 13th instant, conveying, under instructions from your Government, the sympathy of the President and people of the United States in the affliction which has befallen the people of St. Vincent, and their desire to share in the work of aid and rescue.

His Majesty has commanded me to inform you that he has been deeply touched by this message and by the sympathy shown by the President and people of the United States on the occasion of the great calamity which has overtaken one of the British colonies.

I would ask your excellency to be good enough to convey to the President His Majesty's message, together with the heartfelt thanks of His Majesty's Government and the assurance that the feelings to which your excellency has given expression will be most highly appreciated in this country and by the community which has suffered so much.

I have communicated to the secretary of state for the colonies the inquiry contained in your excellency's note, and have requested him to indicate any aid or service which would be acceptable to the distressed colony.

On the receipt of Mr. Chamberlain's reply I shall have the honor to address a further communication to your excellency.

I have, etc.,

LANSDOWNE.
GREAT BRITAIN.

Mr. Choate to Mr. Hay.

[Telegram.—Paraphrase.]

AMERICAN EMBASSY,
London, May 22, 1902.

(Mr. Choate, referring to his dispatch No. 861, of May 17, reports that a telegram from the governor of the Windward Islands to the colonial secretary has been communicated to him, as follows:

All immediate wants are now supplied. Have ordered timber for houses through ambassador at Washington and Governor-General of Canada, which will cost £5,000. Please instruct those officers to cooperate and arrange for payment. Question of resettlement of the people is under my consideration. One new township has been settled up to the present time. Engaged in completing arrangements for relief of wounded and other sufferers.

Mr. Choate is informed that as the Canadian government have made a substantial grant toward the relief of distress in St. Vincent, to be supplied either in money or in kind, the bulk of the timber which is required will probably be provided by and shipped from Canada. Regarding, however, such part of the order as it may be desired to execute in the United States, the British Government feels confident, and Lord Pauncefoot has been so informed, that the United States Government will give ready facilities for purchasing timber and for expediting its shipment in accordance with the offer conveyed in the Department's telegram of May 12.)

Mr. Choate to Mr. Hay.

No. 862.]

AMERICAN EMBASSY,
London, May 22, 1902.

SIR: With reference to my dispatch, No. 861, of May 17, in relation to your cable of the 12th instant in connection with the disaster at St. Vincent, I have the honor to confirm herewith my telegram to you of this date, which was based upon a note, dated May 20, 1902, received this day from Lord Lansdowne, a copy of which is herewith inclosed. I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, May 20, 1902.

YOUR EXCELLENCY: In continuation of my note of the 16th instant, I have the honor to acquaint your excellency that the secretary of state for the colonies has to-day received the following telegram from the governor of the Windward Islands:

"All immediate wants are now supplied; have ordered timber for houses through His Majesty's ambassador at Washington and the Governor-General of Canada, which will cost £5,000. Please instruct those officers to cooperate and arrange for payment. Question of resettlement of the people is under my consideration; one new township has been settled up to the present time. Engaged in completing arrangements for relief of wounded and other sufferers."

Mr. Chamberlain states that as the Canadian government have made a substantial
grant toward the relief of distress in St. Vincent, to be applied either in money or in kind, the bulk of the timber which is required will probably be provided by and shipped from Canada. In regard, however, to such part of the order as it may be desired to execute in the United States, I have informed Lord Paunccefote that I feel confident that the United States Government will give ready facilities for purchasing the timber and for expediting its shipment, in accordance with the friendly offer conveyed in your excellency's note of the 13th instant.

I have, etc.,

LANSDOWNE.

Mr. Raikes to Mr. Hay.

No. 171.]

British Embassy,
Washington, July 7, 1902.

SIR: In accordance with instructions which I have received from the Marquis of Lansdowne, I have the honor to convey to you the most sincere thanks of His Majesty's Government for the generous assistance rendered by your Government and the United States authorities at Porto Rico to the inhabitants of St. Vincent on the occasion of the recent disastrous eruption in that island, by the dispatch of the U. S. Navy collier Sterling from San Juan with a cargo of provisions, tents, clothing, and other necessaries, and by the transportation of lumber on board the U. S. collier Leonidas from this country to St. Vincent.

I have, etc.,

ARTHUR S. RAIKES.

Protection by United States Officials of British Interests in Bolivia.

Mr. Raikes to Mr. Hay.

No. 122.]

British Embassy,
Washington, May 13, 1902.

SIR: I have the honor to inform you, by direction of the Marquis of Lansdowne, that Dr. Bridgman, the United States minister at La Paz, who is in charge of British interests in Bolivia, has, at his lordship's request, investigated the circumstances attending the death of Mr. Martin de la, a British subject, who was killed while felling trees in a rubber forest in the Mapiri district of Bolivia. Dr. Bridgman has, at his personal expense, made careful inquiries into the matter and has furnished His Majesty's Government with a report based on such details as were available. The arrangements for the disposal of the deceased man's effects were also made by Dr. Bridgman.

Lord Lansdowne desires me to request you to be good enough to convey to Dr. Bridgman the thanks of His Majesty's Government for all the care and trouble which he has taken in investigating this case.

I have, etc.,

ARTHUR S. RAIKES.
Mr. Raikes to Mr. Adeo.

No. 245.]

BRITISH EMBASSY,
Washington, October 1, 1902.

SIR: I have the honor to state that His Majesty's principal secretary of state for foreign affairs has received a letter from Mr. George H. Bridgman stating that he has resigned his appointment as United States minister at La Paz.

His lordship has instructed me to inform you that His Majesty's Government cordially acknowledge the friendly action of the United States Government in allowing their minister to take charge of British interests in Bolivia, and that they appreciate the able manner in which Mr. Bridgman discharged the duties which thus devolved upon him.

I am to add that His Majesty's Government hope that the United States Government will be good enough to give a similar authorization to Mr. Bridgman's successor.

I have, etc.,

ARTHUR S. RAIKES.

Mr. Hay to Mr. Raikes.

No. 2538.]

DEPARTMENT OF STATE,
Washington, October 4, 1902.

SIR: In reply to your note of the 1st instant, I have the honor to say that the Department has taken pleasure in communicating to Mr. George H. Bridgman the thanks of His Majesty's Government for his action in behalf of British interests while serving as United States minister at La Paz.

In compliance with your request, Mr. William R. Sorsby has been instructed, with the consent of the Bolivian Government, to use his good offices in behalf of British subjects in Bolivia until His Majesty's Government shall appoint its own representative in that Republic.

I have, etc.,

JOHN HAY.

Mr. Raikes to Mr. Hay.

No. 278.]

BRITISH EMBASSY,
Washington, November 10, 1902.

SIR: I have the honor to inform you that Mr. Raikes duly brought to the knowledge of His Majesty's principal secretary of state for foreign affairs the purport of your note, No. 2538, of the 4th ultimo, in which you were good enough to state that, in accordance with the wish expressed by His Majesty's Government, instructions had been sent to Mr. William R. Sorsby, the newly appointed minister of the United States at La Paz, to use his good offices on behalf of British subjects in Bolivia, with the consent of the Government of that Republic, until the appointment there of a representative of His Majesty.

I am now instructed by the Marquis of Lansdowne to convey to your Government the thanks of His Majesty's Government for their courtesy in this matter.

I have, etc.,

ARTHUR S. RAIKES.
DEATH OF LORD PAUNCEFOTE, BRITISH AMBASSADOR TO THE UNITED STATES.

Mr. Raikes to Mr. Hay.

British Embassy,
Washington, May 24, 1902.

Sir: It is my sad duty to inform you that Lord Pauncfote, His Britannic Majesty’s ambassador to this country, died this morning at half past 5 o’clock.

I have, etc.,

ARTHUR S. RAIKES.

Mr. Hay to Mr. Raikes.

Department of State,
Washington, May 24, 1902.

Dear Mr. Raikes: The President would be glad if we were allowed to testify our respect for the memory of Lord Pauncfote by sending his remains home to England in a national vessel.

Yours, faithfully,

JOHN HAY.

Mr. Raikes to Mr. Hay.

British Embassy,
Washington, May 24, 1902.

Dear Mr. Hay: I have informed Lord Lansdowne by telegraph of the offer which the President has made to send home the remains of Lord Pauncfote in a vessel of the American Navy as a testimony of respect, and I have asked him whether I may accept his offer on behalf of Lady Pauncfote.

Yours, very sincerely,

ARTHUR S. RAIKES.

Mr. Hay to Marquis of Lansdowne.

[Telegram.]

Department of State,
Washington, May 24, 1902.

Permit me to express our deep sympathy and sorrow at the death of Lord Pauncfote. His Majesty’s Government have lost a most able and faithful servant, and this country a valued friend.

JOHN HAY.

Lord Lansdowne to Mr. Hay.

[Telegram.]

Foreign Office,

His Majesty’s Government thank you for your kind and sympathetic message. They have sustained an irreparable loss, and they are glad to know that its extent is understood by the Government of the United States, and that Lord Pauncfote’s great qualities were appreciated by your country not less than by his own.

LANSDOWNE.
Mr. Raikes to Mr. Hay.

BRITISH EMBASSY,
Washington, May 25, 1902.

DEAR MR. HAY: I have just received an answer from Lord Lansdowne in which he desires me to say that His Majesty's Government highly appreciate the offer which has been made by the President, through you, to convey the remains of Lord Pauncefote to England in a United States vessel, and that they do not hesitate to accept it on Lady Pauncefote's behalf.

Yours, very sincerely,

ARTHUR S. RAIKES.

Mr. Raikes to Mr. Hay.

No. 138.]  
WASHINGTON, May 31, 1902.

SIR: I have received the commands of the King, my gracious sovereign, to convey to the President His Majesty's high appreciation of the signs of respect which the President himself as well as the United States Government showed to the memory of Lord Pauncefote during the recent ceremonies at this capital.

* * * * * * * *

I have, etc.,

ARTHUR S. RAIKES.

Mr. Raikes to Mr. Adee.

No. 215.]  
BRITISH EMBASSY,
Bar Harbor, Me., August 30, 1902.

SIR: I have the honor to inform you that I have received a dispatch from His Majesty's principal secretary of state for foreign affairs, stating that he has read with great interest the dispatches in which I reported the military honors accorded by the United States Government on the occasion of the funeral service for His Majesty's late ambassador at Washington and the naval preparations made for the conveyance of Lord Pauncefote's remains to England.

In order to afford a fitting reception of the Brooklyn on her arrival in British waters, H. M. S. Australia and Apollo met her outside the Isle of Wight and escorted her to Southampton, while the commander in chief at Portsmouth, Admiral Sir Charles Hotham, G. C. V. O., K. C. B., proceeded to Southampton in H. M. S. Fire Queen and there awaited the arrival of the Brooklyn.

I am now desired by the Marquis of Lansdowne to convey to your Government the expression of the deep sense entertained by His Majesty's Government of the respect paid to Lord Pauncefote's memory, and their sincere appreciation of the signal honor shown to him in the conveyance of his remains to England on board one of the public ships of the United States.

I have, etc.,

ARTHUR S. RAIKES.
PROTECTION OF CUBAN INTERESTS BY UNITED STATES CONSULAR OFFICIALS.

Mr. Choate to Mr. Hay.

[Telegram.]

AMERICAN EMBASSY,
London, June 6, 1902.

Referring to your telegram of May 24, a Government have had much pleasure in agreeing to arrangement suggested with regard to Cuban representation by American consular officers.

Choate.

Mr. Choate to Mr. Hay.

No. 874.]

AMERICAN EMBASSY,
London, June 7, 1902.

Sir: With reference to your telegram of the 24th of May, requesting that permission should be granted for United States consular officers within the jurisdiction of Great Britain to use their good offices in representing the interests of the new Cuban Republic and its citizens until Cuban consuls shall have been appointed, I have the honor to inclose herewith a copy of a note from the foreign office, dated the 3d instant, stating that His Majesty's Government had much pleasure in agreeing to the proposed arrangement.

I have, etc.,

Joseph H. Choate.

[Inclosure.]

Lord Lansdowne to Mr. Choate.

FOREIGN OFFICE, June 3, 1902.

Your Excellency: I have the honor to acknowledge the receipt of your excellency's note of 26th ultimo requesting that permission may be granted for United States consular officers, within the jurisdiction of Great Britain, to use their good offices in representing the interests of the new Cuban Republic and its citizens until Cuban consuls shall have been appointed.

In reply I beg to inform your excellency that his Majesty's Government have much pleasure in agreeing to this arrangement. The secretaries of state for the home department, for the colonies, and for India have been duly notified.

I have, etc.,

Lansdowne.

SCHOLARSHIPS UNDER THE WILL OF CECIL JOHN RHODES.

Mr. Choate to Mr. Hay.

No. 883.]

AMERICAN EMBASSY,
London, June 19, 1902.

Sir: I have the honor to report that I have received from the trustees, under the will of the right honorable Cecil John Rhodes, and herewith transmit a printed extract from his will relating to the scholarships to be established from the States and Territories of the United States, accompanied by a letter from Mr. Hawksley, one of the trustees, of which I inclose a copy.

a Printed, page 6.
By this it appears that the trustees are desirous of making regulations with regard to the method by which qualifications of candidates are to be ascertained, and as to the examinations, and have asked me to bring the matter to the notice of the Government of the United States, and to request on their behalf that the views of the chief officials having the control of education in the various States and Territories may be ascertained and communicated to the trustees. This is as suggested by Mr. Rhodes. How far the Government of the United States can act in the matter, except as to the Territories concerned, I am not sure, as it seems to pertain to the States individually; but as it is a matter of first-rate importance to the whole country, I think you may find a way to communicate with the governors of the several States and ascertain and transmit to the trustees their views and those of the chief officials having control of education. I will myself transmit copies of the "extract" to the presidents of the leading universities named in the letter, as requested by Mr. Hawksley.

You will observe that it is the hope of the trustees that the students can be elected in time to go into residence in Oxford in 1903, so that it is desirable that the matter should be promptly laid before the officials referred to, and if you think that it is not for you to act in any way as to the States, but that the trustees should apply directly to each of them, I shall be obliged if you will promptly advise me.

The trustees naturally desire to act in the light of the best advice which they can get from the communities particularly concerned, and from the best authorities upon the subject of education.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

Mr. Hawksley to Mr. Choate.

30 Mincing Lane, E. C.,
London, June 10, 1902.

Dear Sir: At the request of my colleagues, trustees of the will of the late Mr. C. J. Rhodes, I send you an extract from his testamentary dispositions relating to scholarships to be established for students from certain colonies and from the United States of America.

Your excellency will note the qualifications which Mr. Rhodes desired should be sought for in the candidates, and his suggestion that before election the trustees should consult with the ministers having the control of education in the various colonies, States, or Territories to which his dispositions apply.

The trustees are desirous of making regulations with regard to the method by which qualifications of candidates are to be ascertained and as to the examinations.

They will therefore be obliged if you will be so good as to bring the scholarship provisions of Mr. Rhodes's will to the notice of your Government, with a request on their behalf that the views of the chief officials having the control of education in the various States and Territories of the Union may be ascertained and communicated to the trustees.

It would further be of great assistance to the trustees if they could be furnished through your kindness with the opinion of the leading educational authorities in the United States, especially the heads of Harvard, Yale, Columbia, and other universities, with regard generally to the election of qualifying students and the best mode of giving practical effect to the scholarship trust.

It is hoped that the students can be elected in time to go into residence at Oxford in 1903.

I am, etc.,

BOURCHIER F. HAWKESLEY.
The following are the provisions in the testamentary dispositions of the late Mr. Rhodes relating to the establishment of scholarships at Oxford for students from the colonies and the United States of North America:

"Whereas I consider that the education of young colonists at one of the universities in the United Kingdom is of great advantage to them for giving breadth to their views, for their instruction in life and manners, and for instilling into their minds the advantage to the colonies as well as to the United Kingdom of the retention of the unity of the Empire; and

"Whereas in the case of young colonists studying at a university in the United Kingdom I attach very great importance to the university having a residential system, such as is in force at the universities of Oxford and Cambridge; for without it those students are at the most critical period of their lives left without any supervision; and

"Whereas there are at the present time fifty or more students from South Africa studying at the University of Edinburgh, many of whom are attracted there by its excellent medical school, and I should like to establish some of the scholarships hereinafter mentioned in the same university, but owing to its not having such a residential system as aforesaid I feel obliged to refrain from doing so, and

"Whereas my own university, the University of Oxford, has such a system, and I suggest that it should try and extend its scope so as if possible to make its medical school at least as good as that at the University of Edinburgh; and

"Whereas I also desire to encourage and foster an appreciation of the advantages which I implicitly believe will result from the union of the English speaking people throughout the world and to encourage in the students from the United States of North America who will benefit from the American scholarships to be established for the reason above given at the University of Oxford under this my will an attachment to the country from which they have sprung, but without, I hope, withdrawing them or their sympathies from the land of their adoption or birth.

"Now, therefore, I direct my trustees as soon as may be after my death and either simultaneously or gradually as they shall find convenient, and if gradually, then in such order as they shall think fit, to establish for male students the scholarships hereinafter directed to be established, each of which shall be of the yearly value of £300 and be tenable at any college in the University of Oxford for three consecutive academic years.

"I direct my trustees to establish certain scholarships and these scholarships I sometimes hereinafter refer to as ‘the colonial scholarships.’

"The appropriation of the colonial scholarships and the numbers to be annually filled up shall be in accordance with the following table:

<table>
<thead>
<tr>
<th>Total number appropriated.</th>
<th>To be tenable by students of or from—</th>
<th>Number of scholarships to be filled up in each year.</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Rhodesia</td>
<td>3 and no more.</td>
</tr>
<tr>
<td>5</td>
<td>The South African College School in the colony of the Cape of Good Hope</td>
<td>3 and no more.</td>
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<tr>
<td>3</td>
<td>The Stellenbosch College School, in the same colony</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The Diocesan College School of Rondebosch, in the same colony</td>
<td>Do.</td>
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<tr>
<td>3</td>
<td>St. Andrews College School, Grahambown</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony of New South Wales</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony of Victoria</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony of South Australia</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony of Queensland</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony of Western Australia</td>
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<tr>
<td>3</td>
<td>The colony of Tasmania</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony of New Zealand</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The Province of Ontario, in the Dominion of Canada</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The Province of Quebec, in the Dominion of Canada</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony or island of Newfoundland and its dependencies</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony or islands of the Bermudas</td>
<td>Do.</td>
</tr>
<tr>
<td>3</td>
<td>The colony or island of Jamaica</td>
<td>Do.</td>
</tr>
</tbody>
</table>

"I further direct my trustees to establish additional scholarships sufficient in number for the appropriation in the next following clause hereof directed, and those scholarships I sometimes hereinafter refer to as ‘the American scholarships.’
"I appropriate two of the American scholarships to each of the present States and Territories of the United States of North America, provided that if any of the said Territories shall in my lifetime be admitted as a State the scholarships appropriated to such Territory shall be appropriated to such State, and that my trustees may in their uncontrolled discretion withhold for such time as they shall think fit the appropriation of scholarships to any Territory.

"I direct that of the two scholarships appropriated to a State or Territory not more than one shall be filled up in any year, so that at no time shall more than two scholarships be held for the same State or Territory.

"The scholarships shall be paid only out of income, and in event at any time of income being insufficient for payment in full of all the scholarships for the time being payable I direct that (without prejudice to the vested interests of holders for the time being of scholarships) the following order of priority shall regulate the payment of the scholarships:

"(I) First, the scholarships of students of or from Rhodesia shall be paid;

"(II) Secondly, the scholarships of students from the said South African Stellenbosch, Rondebosch and St. Andrew's schools shall be paid;

"(III) Thirdly, the remainder of the colonial scholarships shall be paid, and if there shall not be sufficient income for the purpose such scholarships shall abate proportionately; and

"(IV) Fourthly, the American scholarships shall be paid, and if there shall not be sufficient income for the purpose such scholarships shall abate proportionately.

"My desire being that the students who shall be elected to the scholarships shall not be merely bookworms, I direct that in the election of a student to a scholarship regard shall be had to (I) his literary and scholastic attainments; (II) his fondness of and success in manly outdoor sports, such as cricket, football, and the like; (III) his qualities of manhood, truth, courage, devotion to duty, sympathy for the protection of the weak, kindness, unselfishness, and fellowship, and (IV) his exhibition during school days of moral force of character and of instincts to lead and to take an interest in his schoolmates, for those latter attributes will be likely in after life to guide him to esteem the performance of public duties as his highest aim. As mere suggestions for the guidance of those who will have the choice of students for the scholarships, I record that (I) my ideal qualified student would combine these four qualifications in the proportions of three-tenths for the first, two-tenths for the second, three-tenths for the third, and two-tenths for the fourth qualification, so that according to my ideas if the maximum number of marks for any scholarship were 200 they would be apportioned as follows: Sixty to each of the first and third qualifications, and 40 to each of the second and fourth qualifications. (II) The marks for the several qualifications would be awarded independently, as follows (that is to say): The marks for the first qualification by examination, for the second and third qualifications, respectively, by ballot by the fellow-students of the candidates, and for the fourth qualification by the head master of the candidate's school, and (III) the results of the awards (that is to say the marks obtained by each candidate for each qualification) would be sent as soon as possible for consideration to the trustees or to some person or persons appointed to receive the same, and the person or persons so appointed would ascertain by averaging the marks in blocks of 20 marks each of all candidates the best ideal qualified students.

"No student shall be qualified or disqualified for election to a scholarship on account of his race or religious opinions.

"Except in the cases of the four schools hereinbefore mentioned, the election to scholarships shall be by the trustees after such (if any) consultation as they shall think fit with the minister having the control of education in such colony, province, State, or Territory.

"A qualified student who has been elected as aforesaid shall within six calendar months after his election, or as soon thereafter as he can be admitted into residence or within such extended time as my trustees shall allow, commence residence as an undergraduate at some college in the University of Oxford.

"The scholarships shall be payable to him from the time when he shall commence such residence.

"28. I desire that the scholars holding the scholarships shall be distributed among the colleges of the University of Oxford and not resort in undue numbers to one or more colleges only.

"29. Notwithstanding anything hereinbefore contained, my trustees may in their uncontrolled discretion suspend for such time as they shall think fit or remove any scholar from his scholarship.

"30. My trustees may from time to time make, vary, and repeal regulations either general or affecting specified scholarship only with regard to all or any of the following matters, that is to say:
"(I) The election, whether after examination or otherwise, of qualified students to the scholarships, or any of them, and the method, whether by examination or otherwise, in which their qualifications are to be ascertained;

"(II) The tenure of the scholarships by scholars;

"(III) The suspension and removal of scholars from their scholarships;

"(IV) The method and times of payment of the scholarships;

"(V) The method of giving effect to my wish expressed in clause 28 hereof; and

"(VI) Any and every other matter with regard to the scholarships, or any of them, with regard to which they shall consider regulations necessary or desirable.

"31. My trustees may from time to time authorize regulations with regard to the election, whether after examination or otherwise, of qualified students for scholarships and to the method, whether by examination or otherwise, in which their qualifications are to be ascertained to be made:

"(I) By a school in respect of the scholarships tenable by its students; and

"(II) By the minister aforesaid of a colony, province, State, or Territory in respect of the scholarships tenable by students from such colony, province, State, or Territory.

"32. Regulations made under the last preceding clause hereof, if and when approved of, and not before, by my trustees, shall be equivalent in all respects to regulations made by my trustees.

"No regulations made under clause 30 or made and approved of under clauses 31 and 32 hereof shall be inconsistent with any of the provisions herein contained.

"In order that the scholars past and present may have opportunities of meeting and discussing their experiences and prospects, I desire that my trustees shall annually give a dinner to the past and present scholars able and willing to attend, at which I hope my trustees, or some of them, will be able to be present, and to which they will, I hope, from time to time invite as guests persons who have shown sympathy with the views expressed by me in this, my will."

The trustees are the Earl of Rosebery, Earl Grey, Lord Milner, Mr. Alfred Beit, Dr. Leander Starr Jameson, Mr. Lewis Loyd Mitchell, and Mr. Burchie Francis Hawksley.

Mr. Hay to Mr. Choate.

No. 952.] DEPARTMENT OF STATE, Washington, July 9, 1902.

Sir: I have to acknowledge the receipt of your No. 883, of the 19th ultimo, inclosing copy of a letter from Mr. Hawksley, one of the trustees of the will of the late Cecil John Rhodes, together with the provisions of the will relating to the establishment of scholarships at Oxford for students from the British colonies and the United States.

* * * * * * * * * * *

I have caused the inclosures to your dispatch to be printed, and have communicated them to the governors of the States and Territories, to the end that the views of the chief officials having control of education in the various States and Territories may be obtained and communicated to the trustees, as requested by Mr. Hawksley.

I have also sent a copy of the print to the Commissioner of Education for an expression of his views.

* * * * * * * * * *

I am, etc.,

John Hay.
CONDOLENCES ON ILLNESS OF KING EDWARD VII.

President Roosevelt to King Edward VII.

[Telegram.]

WHITE HOUSE,
Washington, June 24, 1902.

I ask Your Majesty to accept my sincere assurance of sympathy and wishes for speedy convalescence.

THEODORE ROOSEVELT.

Queen Alexandra to President Roosevelt.

[Telegram.]

LONDON, July 4, 1902.

The King is most grateful for kind sympathy; is, thank God, going on very favorably now.

ALEXANDRA.

Mr. Raikes to Mr. Hill.

No. 184.]

BRITISH EMBASSY,
Bar Harbor, Me., July 21, 1902.

Sir: The King, my august sovereign, has been greatly moved by the numerous expressions of good will on the part of foreign nations and Governments which have reached him during his illness.

The Marquis of Lansdowne has accordingly directed me, by His Majesty’s command, to assure you that His Majesty and the Queen are very sensible of the interest displayed in his condition throughout the world, and deeply appreciate the sympathetic inquiries after his health which have been addressed to his representatives abroad as well as those which have been made by the representatives of the powers at his own court.

It was with profound regret that His Majesty was compelled to allow the special envoys who had been sent at great trouble to represent their countries at His Majesty’s coronation to leave England without offering them his thanks in person for the compliment which their appointment conveyed. His Majesty feels this all the more as the postponement of the ceremony renders it unlikely that they will be able to take a part in it.

I have, etc.,

ARTHUR S. RAIKES.

PROTECTION BY UNITED STATES CONSUL OF BRITISH INTERESTS AT MARTINIQUE.

Mr. Raikes to Mr. Hay.

No. 165.]

BRITISH EMBASSY,
Washington, June 27, 1902.

Sir: I have the honor to inform you that I have received a dispatch from the Marquis of Lansdowne stating that the United States consul
at Guadeloupe, who is now at Martinique, has undertaken the protection of British interests at that place in the absence of any representative of His Majesty's Government.

I have the honor, by direction of the Marquis of Lansdowne, to express to your Government the cordial thanks of His Majesty's Government for this friendly action, and to request that you will be so good as to convey them to the United States consul at Martinique.

I have, etc.,

ARTHUR S. RAIKES.

Mr. Hay to Mr. Raiakes.

No. 2485.]  

DEPARTMENT OF STATE,  
Washington, July 3, 1902.

Sir: I have the honor to acknowledge the receipt of your note, No. 165, of the 27th ultimo, and to say in reply that it has given the Department pleasure to forward to the United States consul at Martinique a copy of your note expressing the thanks of His Majesty's Government for Mr. Aymé's action in undertaking, during the absence of any representative of His Majesty's Government at that place, to protect British interests there.

I have, etc.,

JOHN HAY.

Mr. Hill to Mr. Raiakes.

No. 2502.]  

DEPARTMENT OF STATE,  
Washington, July 25, 1902.

Sir: I have the honor to inclose for your information a copy of a dispatch (written in Washington) from the consul of the United States in Guadeloupe, giving a general account of his acts performed for British subjects after the distressing death of His Majesty's consul at Martinique, the late James Japp.

I have, etc.,

DAVID J. HILL,  
Acting Secretary.

[Inclosure.]

Mr. Aymé to the Department of State.

CONSULATE OF THE UNITED STATES, Guadeloupe,  
Washington, July 21, 1902.

Sir: I have the honor to report that while assuming charge of British interests in Martinique, from May 11 to June 9, in the absence of any diplomatic or consular officer of Great Britain in that colony, consul Japp having perished in the catastrophe of May 8, which destroyed St. Pierre, I performed the following official acts and services:

I visited manifests and gave vessels bound for British ports certificates to take the place of bills of health. These services were rendered gratis, no fee being charged or collected.

May 17, with a guide, I went to the ruins of the British consulate, and there found remains believed to be those of Consul James Japp. I provided a metallic casket, incased in wood, and an attempt was made May 19 to recover the body. Captain Campbell, of H. M. cruiser Indefatigable, accompanied the expedition, and has doubtless reported fully to his Government in the matter.
I endeavored to assist and ameliorate the condition of such British subjects as I found in the hospitals, particularly C. C. Evans, of Montreal, Canada, and little Margaret Stokes and her nurse, Clara King, both of Barbados. Mr. Evans was taken to New York, May 31, on the U. S. S. Dixie, through the kindness of Captain Berry and the officers of that vessel, who assumed all expenses connected therewith, mess bills, etc.

Margaret Stokes, a 9-year old child, was the sole surviving member of a family of four, her mother, sister, and brother having perished on the Rosina. That she was saved was due first to the devotion of her nurse, Clara King, and subsequently to the bravery and devotion of Lieutenant Du Plessis of the French vessel of war Souchet. This gentleman personally rescued both child and nurse from the blazing wreck of the Rosina; he gave them his cabin and was assiduous in his attentions to them; when they were transferred to the hospice at Fort de France he made daily visits there, devoting his whole shore leave to these visits, as the hospice is a considerable distance from the landing pier. He brought them fruit and other delicacies, and all of these acts were performed so modestly and quietly that I did not learn of them for many days. When the little girl's uncle, Mr. J. S. Crony, of Barbados, came to take her away I took him on board the Souchet. In addition to Mr. Crony's thanks I, as acting British representative, had Lieutenant Du Plessis summoned to the captain's cabin and formally thanked him for his kindly and gracious conduct, adding that, if possible for me so to do, I would communicate my action to His Majesty's Government, which would doubtless amply confirm and approve it.

I must also report that Mr. Crony was called upon to pay hospital expenses amounting to $94; $1 a day for child and nurse, each, for twenty-eight days and $8 for a special English-speaking attendant I found it necessary to employ. Mr. Crony was much annoyed at being called upon to pay the hospital bill. The following day the mayor of Fort de France returned the money with an ample explanation and many regrets that the error of charging anything should have occurred. I have forwarded the money to Mr. Crony, who is a very well to do, if not wealthy, merchant and Government contractor of Barbados.

When leaving Martinique I informed the acting governor that until His Britannic Majesty's Government should act there was no official or acting representative thereof in the colony.

It is a matter of deep regret to me that I could not succeed in rescuing the remains of our late consul nor any of the archives of the consulate. All were buried under many feet of volcanic mud and ejecta.

The courteous message of the governor of the Windward Islands, and still more the appreciative note forwarded to me from the Marquis of Lansdowne through His Britannic Majesty's embassy in this capital, are ample reward for the slight services I may have been able to render.

I have, etc.,

LOUIS H. AYMÉ, United States Consul.

Mr. Raikes to Mr. Hill.

BRITISH EMBASSY,
Bar Harbor, July 30, 1902.

Sir: I have the honor to acknowledge the receipt of your note No. 2592, of the 25th instant, in which you are good enough to forward a copy of a dispatch addressed to you by the United States consul at Guadeloupe, giving a general account of the acts performed by him for British subjects on the occasion of the late disaster at Martinique, in the absence of any British representative in that island.

I have the honor to express to you my sincere thanks for this interesting communication, a copy of which I have forwarded to His Majesty's principal secretary of state for foreign affairs.

I have, etc.,

ARTHUR S. RAIKES.
PROTECTION OF AN AMERICAN CITIZEN BY BRITISH VICE-CONSUL AT VAN, TURKEY,

Mr. Hay to Mr. Choate.

No. 953.]

DEPARTMENT OF STATE,
Washington, July 11, 1902.

Sir: I inclose copies of two dispatches from the consul of the United States at Erzerum, setting forth that Mr. H. E. Satow, His Majesty's acting vice-consul at Van, kindly undertook to look after the interests of Dr. C. D. Ussher, an American citizen at Van, who, after treating a corporal of the Hamidieh Cavalry, was charged with hastening the corporal's death, the latter having died on account of no fault of the doctor.

You will bring this to the attention of His Majesty's Government and express this Government's appreciation of Mr. Satow's kindness and efficient aid.

I am, etc.,

JOHN HAY.

[Inclosure 1.]

Mr. Bergholz to the Department of State.

No. 190.]

CONSULATE OF THE UNITED STATES,
Erzerum, Turkey, May 24, 1902.

Sir: I have the honor to forward, for your information, a copy of a communication received last evening from Mr. H. E. Satow, the British acting vice-consul at Van, stating that Dr. C. D. Ussher, of the American mission at Van, had been summoned before the examining court on the criminal charge of having hastened the death of a corporal of Hamidieh Cavalry. The man was brought to Dr. Ussher suffering from an affliction of the brain, caused by a blow from a stone. The operation of trepanning was successfully performed, and all would have gone well had the man not persisted in thrusting his hand underneath the bandages. This caused suppuration, and death resulted.

The charge of hastening the natural causes of death, which has been brought by the relatives of the deceased, being entirely without foundation, as Mr. Satow writes, I thought that the governor-general might, upon receiving a full explanation of the case, order the action quashed, as he can legally do, and I therefore telegraphed Mr. Satow as follows:

"Action Ussher case heartily approved. Since no ground for complaint exists, would vail not quash action upon receiving full explanation of case? If not, kindly send me certified copy of charge."

From Dr. Ussher I have heard nothing.

A copy of Mr. Satow's dispatch I have forwarded to the consulate-general for transmission to the legation.

I am, etc.,

LEO BERGHOLZ, Consul.

[Inclosure 2.]

Mr. Satow to Mr. Bergholz.

VAN, May 12, 1902.

Sir: I have the honor to inform you that an American citizen, Dr. C. D. Ussher, of the American mission, has been summoned to appear before the Istintak court of this town on a criminal charge.

The facts of the case are as follows: Last summer a corporal of Hamidieh Cavalry, by name Tahir, son of Aziz, resident in the village of Rikawa, in the Norduz Nahieh
of the Shattak Kaza of this vilayet, was brought to Dr. Ussher for treatment. He was suffering from an affliction of the brain, caused by a blow from a stone. The operation of trepanning was successfully performed, and all would have gone well had he not persisted in thrusting his hand underneath the bandages. This caused suppuration and death resulted. The charge of hastening the natural causes of death which has been brought by the relatives of the deceased is entirely without foundation, and is, I fancy, made at the instigation of the former municipal doctor, Fathekey, who has now left this town. He was no friend of Dr. Ussher and wished to place difficulties in his way.

I have informed the local authorities that the case must be referred to the Sublime Porte, and have also notified His Majesty's embassy for the information of the United States legation.

I have, etc.,

H. E. SATOW.

His Britannic Majesty's Acting Vice-Consul.

[Inclosure 2.]

Mr. Bergholz to the Department of State.

No. 191.]

CONSULATE OF THE UNITED STATES,
Erzerum, Turkey, June 10, 1902.

SIR: Referring to my dispatch No. 190, of the 24th ultimo, including a copy of a communication from Mr. H. E. Satow, the acting British vice-consul at Van, informing me that Dr. Ussher, of the American mission at Van, had been summoned before the examining court on the criminal charge of having hastened the death by trepanning of one Tahir, a corporal of Hamidieh Cavalry, and that he had refused to serve the warrant and had advised the authorities that the case must be referred to the Sublime Porte, I have now the honor to inclose a copy of my answering dispatch expressing my appreciation of his attitude and giving him at the same time for his future guidance, as his good offices may again be needed in judicial matters affecting Americans, the understanding held by the legation of the recapitations in judicial actions as communicated to me by a former minister to Turkey, Mr. James B. Angel, in a dispatch numbered 13 and dated November 6, 1897. I may here add that British consular officers at Van are recognized by the authorities as representing American interests. I forward also a copy of a second communication from Mr. Satow in reply to my telegram to him of May 24, which is quoted in my dispatch No. 180 to the Department, suggesting that since there is no ground for the complaint, the governor-general might quash the action against Dr. Ussher upon receiving a full explanation of the case, stating that the governor-general had declared his inability to order the withdrawal of the charge, as the proceedings had been instituted under instructions from the ministry of justice, acting upon the advice of the medical council. His excellency added, however, that if he were to be asked from Constantinople for his opinion in this matter, he would immediately report that the action was entirely groundless.

The several inclosures to Mr. Satow's dispatch will be found attached.

From a perusal of Mr. Satow's communications of May 12 and 30, it would appear that the attack upon Dr. Ussher was made by Fathekey, late municipal doctor at Van, in a report to the medical council at Constantinople, which accepted the report and advised the ministry of justice to institute proceedings against him. Since, however, Mr. Satow quite properly refused to serve the summons issued by the examining judge, the case is closed as far as the judicial authorities at Van are concerned, who will undoubtedly refer it back to the ministry of justice at Constantinople.

I am, etc.,

LEO BERGHOLZ.

[Subinclosure L.]

Mr. Bergholz to Mr. Satow.

CONSULATE OF THE UNITED STATES,
Erzerum, May 29, 1902.

SIR: I have the honor to acknowledge the receipt of your dispatch of the 12th instant regarding the criminal charge against Dr. Ussher, a copy of which has been forwarded to the legation of the United States, and to confirm my telegram of the 24th instant, as follows:

"Action Ussher case heartily approved. Since no ground for complaint exists,
would Vali not quash action upon receiving full explanation of case? If not, kindly send me certified copy of charge."

I desire to express my appreciation of your attitude in this matter, and to thank you for the assistance you have always been so prompt to render American interests.

In view of the fact that your good offices may again be needed in judicial matters in which American citizens are concerned, I beg to give, for your guidance, our view of the capitulations in judicial actions. If a consul is asked to summon an American citizen as defendant to appear in a Turkish court, he should demand the exact charge against the citizen. If the complaint shows that it is a civil case, such, for instance, as a question of contract, of debt, etc., then the summons should be served, and the consular dragoman sent to court with the defendant.

If the case is a criminal one under Turkish law, then the American is not to be summoned, but the authorities are to be referred to the legation and the Porte. We claim jurisdiction in such cases.

If an American is summoned as a witness, he should be informed of the nature of the case in which he is asked to testify; but he should then respond to a summons, and the dragoman should accompany him to court.

If the American is distant more than nine hours' travel from the consular residence, he may be asked, in actions not exceeding 1,000 piasters, for the offenses entailing a fine of 500 piasters at the maximum, to respond to the summons of the Turkish court through Turkish officials, but should, if possible, secure the friendly aid of some consular dragoman.

In every case all proper efforts should be made to settle cases out of court.

I have, etc.,

Leo Bergholz.

[Subinclosure 2.]

Mr. Satow to Mr. Bergholz.

VAN, May 30, 1902.

SIR: In reply to your telegram of the 24th instant, I have the honor to inform you that the Vali has declared to me that he is unable to quash the charge against Dr. Uscher, as the proceedings were instituted by order of the ministry of justice, acting on the advice of the medical council. If he were to be asked from Constantinople for his opinion in this matter, he would immediately report that the action was entirely groundless.

Certified copies of the summons to the Istintak court and of the reply received in answer to my request for details of the charge are inclosed, together with copy of a letter received from the Vali on this subject, which may be of interest.

I have, etc.,

H. E. Satow.

[Subinclosure 3.]

Translation of summons.

VAN, April 23, 1902.

To the honorable the ENGLISH VICE-CONSUL:

Dr. Uscher, who has been in Bitlis, but has now returned to Van, we request to attend the examining department to give evidence in his case. This is judged to be necessary by the assistant procurator.

(Seal of the governor-general.)

[Subinclosure 4.]

Translation of complaint.

VAN, April 27, 1902.

To the honorable the ENGLISH VICE-CONSUL:

In reply to your dispatch dated April 4, 1902, concerning the charge brought against Dr. Uscher for the death of one Tahir, son of Aziz, corporal of Hamidieh, of the district of Nordouze, who, it is claimed, died from an operation performed on him by the said Dr. Uscher, we would say that the degree of the charge will be decided after the examination into the case is made by the assistant procurator of the appellate court.

(Seal of the governor-general.)
GREAT BRITAIN.

[Subinclusion 5.]

The governor-general to Mr. Sarton, British vice-consul.

VAN, May 15, 1902.

In reply to your dispatch of May 14, 1902, we can testify that Dr. Ussher is a good doctor and is permitted to carry on his profession in our land. His ability we recognized during my son's sickness, when I called him and saw the good results of his treatment. I would not hesitate to testify to his ability, and, furthermore, his excellency the military commander testifies that he had been suffering for many years with a bad cough and other ailments, of which he had been unable to rid himself. One day, taking his wife's doctor, he called upon Dr. Ussher at his dispensary and received relief by the treatment and medicines Dr. Ussher had given him.

These are facts that none can deny, but the province can not say anything in regard to the report handed in by the municipality doctor and his associates.

(Seal of the governor-general.)

PROTECTION OF AMERICAN INTERESTS AT HABANA BY BRITISH CONSUL-GENERAL.

Mr. Hay to Mr. Choate.

No. 956.]  

Department of State,
Washington, July 13, 1902.

Sir: The minister of the United States at Habana, in his No. 45, of the 28th ultimo, writes that Mr. Lionel Carden, His British Majesty's minister resident at that city, and formerly consul-general there, acted for this Government at the request of the War Department during the period of intervention by the United States and also since the establishment of the Cuban Republic.

You are instructed to express to His Majesty's Government this Government's appreciation of and thanks for Mr. Carden's kindness and courtesy in the matter.

I am, etc.,

John Hay.

INTERVIEW IN LONDON OF UNITED STATES SPECIAL AMBASSADOR REID WITH PRINCE CHEN, CHINESE SPECIAL ENVOY.

Mr. Reid to Mr. Hay.

No. 2.]  

American Special Embassy,
Brook House, London, July 14, 1902.

Sir: Our official calls on the other special embassies were interrupted when nearly concluded by the news of the operation on the King and the indefinite postponement of the coronation. The call on the Chinese special ambassador had not yet been made.

On Wednesday afternoon, however, His Imperial Highness Prince Chen called in person at Brook House, accompanied by a secretary and interpreter and other members of his suite. After the preliminary greetings Prince Chen explained through the interpreter that it had been his special desire to make this call, notwithstanding the interruption caused by the postponement of the coronation. He added very cordial expressions of the particular friendliness felt by the Emperor and his country toward the United States on account of our action in the late disturbances.
The next day, having ascertained at what hour the Prince would find it convenient to receive a return call, I presented myself at the Hotel Cecil, accompanied by Rear-Admiral Watson, General Wilson, Commander Cowles, Mr. Morgan, Mr. Baylies, and other members of the suite. We were shown immediately into the Prince's apartments and received by him with dignity and cordiality. We found that he was at that moment receiving the Japanese special ambassador, Prince Komatsu, accompanied by his suite, and that it was at the request of both the princes that we had been shown in before the Japanese call was finished. General conversation followed, and the Japanese soon took their leave.

The Prince then made inquiries as to the health of both the Emperor and the Empress Dowager. Some brief reference of mine to the services of General Wilson and Admiral Watson led to the Prince's expressing his warm gratification and that of his Government with the conduct of the United States forces in China in upholding order and repressing outrages; and he dwelt particularly on their great usefulness in preserving the palace. He remembered also with gratitude the conduct of our Navy when the forts were bombarded. He said the Emperor had learned to look upon the United States as the true friend of himself and his countrymen. The Prince explained that, while he could not enter upon questions of domestic politics, he desired at any rate to say that undoubtedly his sovereign had not always been able to carry out his own policy or enforce his personal wishes. The Emperor had earnestly forbidden many of the regrettable acts that had occurred and had once gone so far as to declare that if the armed forces continued to disobey him and fire on the legations he would ask them rather to turn their fire upon himself.

In reply I ventured to express the opinion that the Government of the United States certainly desired the prosperity and territorial integrity of China; that it believed the interests of both countries would be equally served by peace and good order, and that it asked only the "open door."

The conversation covered considerable ground, the Prince being apparently desirous of impressing us with the special good will of China. He spoke fluently in Chinese, asking and replying rapidly to questions with keen intelligence. A member of his suite, who spoke excellent English, acted as interpreter, and it is possible that he and his chief expressed themselves with more freedom because it had happened that I met him in the diplomatic service years before.

The interview lasted for over half an hour and was followed by friendly and cordial farewells between the members of the two suites, the Prince and the interpreter in the end accompanying us to the staircase.

These two calls and the substance of the conversation seemed out of the usual course of interviews on this purely ceremonious occasion, and in such contrast with the attitude understood to have been usually held heretofore by members of the Chinese imperial family toward foreigners, that I have thought it perhaps my duty to present this brief report of the facts.

I have, etc.,

Whitelaw Reid.
RELEASE OF BRITISH SUBJECT FROM INVOLUNTARY MILITARY SERVICE IN VENEZUELA SECURED BY UNITED STATES NAVAL OFFICIALS.

Mr. Adee to Mr. Raikes.

DEPARTMENT OF STATE,
Washington, August 22, 1902.

My Dear Mr. Chargé: The Navy Department informed me on the 20th instant that the commanding officer of the U. S. S. Cincinnati at La Guaira had, on the day before, sent a telegram from which it gives me pleasure to quote as follows:

At Barcelona I obtained release of British subject from involuntary service in revolutionary force.

I am, etc.,

ALVEY A. ADEE.

Mr. Adee to Mr. Raikes.

Personal.]

DEPARTMENT OF STATE,
Washington, September 6, 1902.

My Dear Mr. Chargé: Confirming my note to you of the 22d ultimo, I now take pleasure in quoting what follows from a report made by the commanding officer of the U. S. S. Cincinnati at La Guaira and forwarded by the Secretary of the Navy on the 2d instant:

Having learned that a British subject was being held in involuntary service in the revolutionary army, I requested the general, Pablo Guzman, to release him, which was done.

I am, etc.,

ALVEY A. ADEE.

Mr. Raikes to Mr. Adee.

WASHINGTON, October 1, 1902.

Dear Mr. Adee: I did not fail to bring to Lord Lansdowne’s notice, in an official dispatch, the contents of your personal note of August 22 last, in which you were good enough to quote from a telegram received by the Navy Department from the commanding officer of the U. S. S. Cincinnati at La Guaira, stating that he had obtained the release of a British subject who was serving against his will in the revolutionary forces at Barcelona, Venezuela.

I have now received a dispatch from Lord Lansdowne instructing me to request you to convey to the commander of the Cincinnati the thanks of His Majesty’s Government for his friendly action, and I accordingly venture to request you to be good enough to take the necessary action in the matter.

I am, etc.,

ARTHUR S. RAIKES.
DISCOURTESY TO BRITISH FLAG AT SKAGWAY, ALASKA. (CANADIAN CUSTOMS FLAGS NOT TO BE DISPLAYED IN UNITED STATES TERRITORY, NOR UNITED STATES CUSTOMS FLAGS IN CANADIAN TERRITORY.)

Mr. Lowther to Mr. Adee.

No. 241.]

British Embassy,
Newport, R. I., September 2, 1901.

Sir: By the instruction of His Majesty's principal secretary of state for foreign affairs, I have the honor to bring the following circumstance to your notice:

The governor-general of Canada has reported that on the 22d of June last the Canadian customs special officer at Skagway, with the object of better indicating his office to persons engaged in the shipment of goods from and through Skagway into the Yukon territory and points beyond, raised over it the Canadian customs flag.

A similar course is, I understand, followed by special officers of the United States customs service stationed in Canada, who are furnished with United States customs flags, which they display over their offices at Montreal and Toronto, while in London, Ontario, such flag is daily flown over the office of the United States customs in the Grand Trunk station.

On the same day that the Canadian customs flag was hoisted at Skagway it was cut down by Mr. George Miller, a lawyer from Juneau. The Canadian customs office at once brought the matter in writing to the notice of Capt. J. G. Jenks, the officer commanding the United States troops at Skagway.

Having thus brought the above circumstances to the notice of the Government of the United States, I feel assured that you will cause the necessary steps to be taken with a view to an inquiry being instituted, and in the event of the facts proving to be as stated above I feel convinced that the offender will be brought to justice, and I venture to express the hope that due reparation will be made for an act of discourtesy to a British flag on territory in the temporary administration of the United States.

I have, etc.,

GERARD LOW ThER.

Mr. Adee to Mr. Lowther.

No. 2251.]

Department of State,
Washington, September 7, 1901.

Sir: I have the honor to acknowledge the receipt of your note of the 2d instant, in which you state that you are advised by the governor-general of Canada that on June 22 last the Canadian customs special officer at Skagway raised over his office the Canadian customs flag, with the object of better indicating that office to persons engaged in the shipment of goods from and through Skagway into the Yukon territory and points beyond.

You add that on the same day the flag was cut down by Mr. George Miller, a lawyer from Juneau.

You express your assurance that this Government will cause an
inquiry to be made as to the facts alleged and your conviction that
the offender will be brought to justice.

You also express the hope that due reparation will be made for an
act of discourtesy to a British flag on territory in the temporary
administration of the United States.

In reply I have the honor to say that this Department in July last
brought the incident to the notice of the Secretary of the Treasury,
who detailed a special agent to investigate and report the facts bear-
ing upon it.

The agent reported from Skagway as follows:

I stopped here to collect the facts and circumstances in connection with a suit at
law against a citizen of the United States for cutting and pulling down the customs
revenue flag of Canada, which had been hoisted for the first time over the Canadian
custom-house located at the railroad depot building at the port of Skagway, an incident
which occurred on the 22d ultimo.

For some days before its happening it had been rumored around town that Mr. E.
S. Busby, who is stationed here in the capacity of supervising officer of Canadian
customs, was about to fly the British flag from the top of the office building of the
White Pass and Yukon Railway, the most conspicuous place in the city. The pre-
tence of the border Canadians hereabout that Great Britain is soon to take posses-
sion of Skagway as a British port, which is the most important shipping port in
Alaska and within the line of military defense of the Territory, being a subject on
which the people in this community have intense feelings, the story circulated nat-
urally produced considerable excitement.

On the morning when a red banner was seen waving from the flagstaff of the rail-
road building, many persons supposed that it was the "Union Jack" of England, as
it had a red field and the cross of St. George as ensign, the revenue designation being
an obscure yellow spot in the lower right-hand corner, of which no one knew the
meaning and few observed. Shortly after it was hoisted a mining man named George
E. Miller, from the Porcupine district, near the temporary boundary, was passing the
building, and when he espied the flag he cut the rope and hauled it down and threw
it into the railroad office. Mr. Busby immediately wrote a letter to Captain Jinks,
the commandant of the military post here, complaining of the outrage, and asked for
assistance in protecting his property. At the instance of Mr. Busby the general manager
of the White Pass and Yukon route to Dawson, Mr. E. C. Hawkins, filed a complaint
against Miller, who was arrested and brought back to Skagway and held on a charge
of willful and malicious destruction of private property. When the case was called in
the United States commissioner's court on July 17 the complaint was dismissed on
motion of the plaintiff's attorney, who paid the costs. It is understood here, and
there is little doubt, that the action against Miller was dismissed by instructions from
Ottawa.

Mr. Busby's authority for putting up the flag is a letter from his superior officer at
Ottawa, shown to Deputy Collector C. L. Andrews, to fly it during office hours.

The published dispatch stated that Transit Officer Busby had been instructed by
his government not "to insist on the display of the British flag contrary to popular
feelings." Deputy Collector Andrews advised Mr. Busby not to display his flag, but
otherwise the customs officials of the port were not privy to nor in any way connected
with its removal.

It appears from this report that criminal proceedings for the malic-
ious destruction of property were instituted against the offender, but
that they were dismissed at the instance and cost of the prosecutor,
and, according to general understanding at Skagway, in view of instruc-
tions from Ottawa.

The Department has no hesitation in expressing the regret felt by
the Government of the United States at the offense committed against
the flag of a friendly power.

With a view to prevent the recurrence of such untoward incidents,
it is suggested that it might be found advisable to mutually discontinue
the practice of customs officers flying their customs flags within the
jurisdiction of the other party.

I have, etc.,

ALVEY A. ADEE,
Acting Secretary.
FOREIGN RELATIONS.

Lord Paunccefote to Mr. Hay.

No. 3.]

BRITISH EMBASSY,
Washington, January 2, 1902.

SIR: I have the honor to inform you that Mr. Lowther duly brought to the knowledge of the government of Canada the contents of Mr. Adee’s note, No. 2251, of September 7 last, relative to the removal of a British red ensign which had been hoisted over the office of the Canadian customs officer at Skagway, and that I have now received a dispatch from the governor-general in reply to that communication, stating that his excellency’s government note with due appreciation the expression of the regret felt by your Government for the offense committed against the flag of a friendly power, that they concur in the suggestion made in Mr. Adee’s note that in future the practice of flying flags over the custom-houses of the one power which are situated within the jurisdiction of the other should be discontinued, and that they consider the incident closed.

The Canadian government further call attention to the statements made in the report of the United State’s agent at Skagway referred to in Mr. Adee’s note, to the effect that it is generally understood there that the criminal proceedings instituted by the general manager of the White Pass and Yukon Railway against Mr. Miller, the person who cut down the flag, were discontinued in accordance with instructions from Ottawa, and though attaching no special importance to this subordinate question, observe that no instructions relative to these proceedings were, in fact, issued by them.

I have, etc.,

[Signature]

PAUNCCEFOTE.

Mr. Hay to Lord Paunccefote.

No. 2330.]

DEPARTMENT OF STATE,
Washington, January 7, 1902.

EXCELLENCY: I have the honor to acknowledge the receipt of your note, No. 3, of the 2d instant, and to inform you in reply that I have made known to the Secretary of the Treasury that the government of Canada concurs in the suggestion that the practice of flying flags over the custom-houses of the United States in Canada and of Canada in the United States be discontinued, and I suggested that the Treasury Department’s officers stationed in Canada be instructed in that sense.

I have, etc.,

[Signature]

JOHN HAY.

Mr. Hay to Lord Paunccefote.

No. 2343.]

DEPARTMENT OF STATE,
Washington, January 25, 1902.

EXCELLENCY: In further reply to your note of the 2d instant, I have now the honor to inform you that the Secretary of the Treasury wrote, on the 21st idem, that all the United States customs officers on the northern frontier had been instructed not hereafter to display official flags if their offices are located on British North American territory.

I have, etc.,

[Signature]

JOHN HAY.
Lord Pauncfote to Mr. Hay.


Sir: I have the honor to inform you that I duly communicated to the governor-general of Canada the contents of your note, No. 2380, of the 7th ultimo, in which you informed me that you had suggested to the Secretary of the Treasury that the officials of his Department stationed in Canada should be instructed to discontinue the practice of flying flags over United States custom-houses there.

I have now the honor to inform you that I have received a dispatch from the Earl of Minto, forwarding copy of an approved minute of the privy council for Canada, which I have the honor to inclose herewith, intimating that similar instructions are being issued to Canadian customs officers stationed in the United States with regard to the flying of the British flag.

I have, etc.,

Pauncfote.

[Inclosure.]

Extract from a report of the committee of the honorable the privy council, approved by his excellency on the 30th January, 1902.

The committee of the privy council have had under consideration a dispatch, hereto annexed, dated January 2, 1902, from His Majesty's ambassador to the United States, relative to the removal of the British red ensign which had been hoisted over the office of the Canadian customs officer at Skagway; also another dispatch, herewith, dated January 9, 1902, from the ambassador on the same subject, intimating that the Secretary of State of the United States has suggested to the Secretary of the Treasury that the officials of his Department stationed in Canada should be instructed to discontinue the practice of flying flags over United States custom-houses there.

The minister of customs, to whom the said dispatches were referred, states he concurs in this, and recommends that His Majesty's ambassador to the United States be informed that Canadian customs officers located in the United States are being instructed to refrain from the flying of flags over their offices in the United States.

The committee advise that his excellency be moved to transmit a certified copy of this minute to His Majesty's ambassador to the United States.

All which is respectfully submitted for his excellency's approval.

John J. McGee, Clerk of the Privy Council.

Jews in Roumania—Discriminations Against—Condition of Helplessness to Which They Are Reduced, and Objections of United States Government to Immigration of Such Persons. a

Mr. Choate to Mr. Hay.


Sir: With reference to your separate instruction b of the 11th ultimo on the subject of the condition of the Jews in Roumania, I have the honor to inclose herewith a note which I have received from the for-

a See also under Austria, France, Germany, Italy, Russia, and Turkey.

b Printed, page 42.
eign office, stating that His Majesty's Government join with the Government of the United States in deplored the depressed condition of the Roumanian Jews and in regarding with apprehension the results of their enforced emigration, and that His Majesty's Government will place themselves in communication with the other powers signatory of the treaty of Berlin, with a view to a joint representation to the Roumanian Government on the subject.

I have, etc.,

JOSEPH H. CHOATE.

[Inclosure.]

Mr. Bertie to Mr. Choate.

FOREIGN OFFICE, September 2, 1902.

YOUR EXCELLENCY: I have the honor to acknowledge the receipt of your note of the 23d ultimo, inclosing a copy of a dispatch from Mr. Secretary Hay on the subject of the condition of the Jews in Roumania.

His Majesty's Government join with the United States Government in deplored the depressed condition of the Roumanian Jews and in regarding with apprehension the results of their enforced emigration.

His Majesty's Government will place themselves in communication with the other powers signatory of the treaty of Berlin, with a view to a joint representation to the Roumanian Government on the subject.

I have, etc.,

FRANCIS BERTIE,
(In the absence of the Marquis of Lansdowne).

ACCIDENT TO PRESIDENT ROOSEVELT.

Mr. Raikes to Mr. Adee.

[Telegram.]

BRITISH EMBASSY,
Bar Harbor, Me., September 5, 1902.

Lord Lansdowne desires me to express on behalf of His Majesty's Government their heartfelt congratulations on the President's merciful escape from serious injury.

RAIKES.

Mr. Adee to Mr. Raikes.

[Telegram.]

DEPARTMENT OF STATE,
Washington, September 5, 1902.

Lord Lansdowne's congratulations on behalf of His Majesty's Government have been conveyed to the President, who directs me to express, through you, his cordial acknowledgments.

ALVEY A. ADEE,
Acting Secretary.
TREATY BETWEEN THE UNITED STATES AND GREAT BRITAIN CONCERNING THE ESTABLISHMENT OF IMPORT DUTIES IN ZANZIBAR.

Signed at Washington May 31, 1902.
Ratification with amendment advised by the Senate June 30, 1902.
Ratified by the President July 22, 1902.
Ratified by Great Britain August 27, 1902.
Ratifications exchanged at Washington October 17, 1902.
Proclaimed October 17, 1902.

THEODORE ROOSEVELT, PRESIDENT OF THE UNITED STATES OF AMERICA.

To all to whom these Presents shall come, Greeting:

Know Ye, that whereas a Convention between the United States of America and Great Britain, concerning the establishment of import duties in that portion of the Dominions of His Highness the Sultan of Zanzibar which is under the protection of Great Britain, was concluded at Washington on the 31st of May, one thousand, nine hundred and two, the original of which Convention is, as amended by the Senate of the United States, word for word as follows:

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar, have, for the purposes herein-after stated, appointed their respective Plenipotentiaries, namely:

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States of America; and

His Britannic Majesty, Arthur Stewart Raikes, Esquire, his Britannic Majesty’s Chargé d’Affaires.

Who, after having communicated each to the other their respective full powers in good and due form, have agreed upon the following Articles:

ARTICLE I.

Recognizing that it is just and necessary to facilitate to that portion of the dominions of His Highness the Sultan of Zanzibar which is under the protection of Great Britain, and which is situated in the basin of the Congo, as defined by the General Act of the African Conference at Berlin of February 26th, 1885, the accomplishment of the obligations which it has contracted by virtue of the General Act of Brussels of July 2nd, 1890, the United States waives any objection on its part to the collection of import duties upon merchandise imported into that Protectorate.

The tariff of these duties, as provided in the Declaration of Brussels bearing the same date as the said General Act of Brussels, for the period of fifteen years next ensuing from that date, is not to exceed ten per centum of the value of the merchandise at the port of importation, except for spirits and for firearms and ammunition, which are regulated by the General Act of Brussels.

At the expiration of the said period of fifteen years, and in default of a new agreement, the United States will, with respect to this subject, be restored to the relations with the said Protectorate which
existed prior to the Conclusion of this Convention, the right to impose thereafter import duties to a maximum of ten per centum upon merchandise imported into the said Protectorate remaining acquired to the latter so long only as it shall continue to comply with the conditions and limitations stated in this Convention.

ARTICLE II.

The United States shall enjoy in the said Protectorate as to import duties all the advantages accorded to the most favored nation.

Neither differential treatment nor transit duty shall be established in said Protectorate.

In the application of the tariff régime of the said Protectorate, the formalities and operations of commerce shall be simplified and facilitated so far as possible.

ARTICLE III.

Considering the fact that in Article I of this Convention the United States has given it assent under certain conditions to the establishment of import duties in that portion of the Dominions of His Highness the Sultan of Zanzibar which is under the protection of Great Britain, it is well understood that the said Protectorate assures to the flag, to the vessels, to the commerce, and to the citizens and inhabitants of the United States, in all parts of the territory of that Protectorate, all the rights, privileges and immunities concerning import and export duties, tariff régime, interior taxes and charges and, in a general manner, all commercial interests, which are or shall be accorded to the signatory Powers of the Act of Berlin, or to the most favored nation.

This Convention shall be ratified, and the ratifications shall be exchanged at Washington as soon as may be and within twelve months from the date hereof.

Done in duplicate at Washington this thirty-first day of May, in the year of our Lord one thousand nine hundred and two.

John Hay [seal.]
Arthur S. Raikes [seal.]

And whereas the Convention has been duly ratified, as amended, on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the 17th day of October, one thousand, nine hundred and two;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention, as amended, to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this seventeenth day of October, in the year of Our Lord one thousand nine hundred and two [seal] and of the Independence of the United States, the one hundred and twenty-seventh.

Theodore Roosevelt

By the President:

John Hay

Secretary of State.
PROTECTION OF AMERICAN INTERESTS BY BRITISH VICE-CONSUL AT BITLIS, TURKEY.\textsuperscript{a}

Mr. Hay to Mr. Choate.

No. 1084.]

DEPARTMENT OF STATE,
Washington, October 18, 1902.

Sir: The Department has corresponded with the American legation at Constantinople and the United States consul at Erzerum with reference to the protection of American interests at Bitlis. The upshot of this correspondence is that the British vice-consul at Bitlis has been authorized by the British ambassador in Turkey to use his good offices on behalf of American interests in his consular district. In his No. 282, of the 30th ultimo, the chargé d'affaires ad interim of the United States to the Ottoman Porte writes that he has received the customary ministerial letter authorizing His Britannic Majesty’s vice-consul to protect American interests as requested.

You will express to Lord Lansdowne this Government’s appreciation of the courtesy shown in permitting the vice-consul to assume charge of those interests.

I am, etc.,

JOHN HAY.

TEXT OF COMMERCIAL TREATY BETWEEN GREAT BRITAIN AND CHINA.

Mr. Carter to Mr. Hay.

No. 959.]

AMERICAN EMBASSY,
London, October 22, 1902.

Sir: I have the honor to inclose for your information copies of a Parliamentary publication which has just been received from the foreign office containing a dispatch from His Majesty’s special commissioner inclosing the treaty between Great Britain and China, signed at Shanghai, September 5, 1902.

I have, etc.,

JOHN RIDGELY CARTER
(For the Ambassador).

[Inclosure.]

Dispatch from His Majesty’s special commissioner, inclosing the treaty between Great Britain and China, signed at Shanghai, September 5, 1902.

No. 1.

Sir J. Mackay to the Marquis of Lansdowne.

SHANGHAI, September 8, 1902. (Received October 13.)

My Lord: I have now the honor to transmit to your lordship the original signed copies, in English and Chinese, of the new treaty which under your lordship’s instructions has been made between Great Britain and China. The treaty was signed on the 5th instant.

I have, etc.

JAN. L. MACKAY.

\textsuperscript{a}See also under Turkey.
FOREIGN RELATIONS.

[Inclosure in No. 1.]

*Treaty between Great Britain and China, signed at Shanghai September 5, 1902.*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of China, having resolved to enter into negotiations with a view to carrying out the provision contained in article 11 of the final protocol, signed at Pekin on the 7th September, 1901, under which the Chinese Government agreed to negotiate the amendments deemed useful by the foreign governments to the treaties of commerce and navigation and other subjects concerning commercial relations, with the object of facilitating them, have for that purpose named as their plenipotentiaries, that is to say:

His Majesty the King of Great Britain and Ireland, His Majesty's special commissioner, Sir James Lyle Mackay, knight commander of the Most Eminent Order of the Indian Empire, a member of the council of the secretary of state for India, etc.;

And His Majesty the Emperor of China, the imperial commissioners, Liu Hsi-huang, president of the board of public works, etc., and Sheng Hsuan-huai, junior guardian of the heir apparent, senior vice-president of the board of public works, etc.;

Who, having communicated to each other their respective full powers and found them to be in good and due form, have agreed upon and concluded the following articles:

**ARTICLE I.**

Delay having occurred in the past in the issue of drawback certificates, owing to the fact that those documents have to be dealt with by the superintendent of customs at a distance from the customs office, it is now agreed that drawback certificates shall hereafter in all cases be issued by the imperial maritime customs within three weeks of the presentation of the goods to the customs and the papers entitling the applicant to receive such drawback certificates.

These certificates shall be valid tender to the customs authorities in payment of any duty upon goods imported or exported (transit dues excepted), or shall, in the case of drawbacks on foreign goods reexported abroad within three years of the date of importation, be payable in cash without deduction by the customs bank at the place where the import duty was paid.

But if, in connection with any application for a drawback certificate, the customs authorities discover an attempt to defraud the revenue, the applicant shall be liable to a fine not exceeding five times the amount of the duty whereof he attempted to defraud the customs, or to a confiscation of the goods.

**ARTICLE II.**

China agrees to take the necessary steps to provide for a uniform national coinage which shall be legal tender in payment of all duties, taxes, and other obligations throughout the Empire by British as well as Chinese subjects.

**ARTICLE III.**

China agrees that the duties and like in combined levied on goods carried by junks from Hongkong to the treaty ports in the Canton province, and vice versa, shall together not be less than the duties charged by the imperial maritime customs on similar goods carried by steamer.

**ARTICLE IV.**

Whereas questions have arisen in the past concerning the rights of Chinese subjects to invest money in non-Chinese enterprises and companies, and whereas it is a matter of common knowledge that large sums of Chinese capital are so invested, China hereby agrees to recognize the legality of such investments, past, present, and future. It being, moreover, of the utmost importance that all shareholders in a joint stock company should stand on a footing of perfect equality as far as mutual obligations are concerned, China further agrees that Chinese subjects who have or may become shareholders in any British joint stock company shall be held to have accepted, by the very act of becoming shareholders, the charter of incorporation or memorandum and articles of association of such company, and regulations framed thereunder as interpreted by British courts, and that Chinese courts shall enforce compliance therewith by such Chinese shareholders if a suit to that effect be entered, provided always
that their liability shall not be other or greater than that of British shareholders in
the same company.
Similarly the British Government agree that British subjects investing in Chinese
companies shall be under the same obligations as the Chinese shareholders in such
companies.
The foregoing shall not apply to cases which have already been before the courts
and been dismissed.

Article V.

The Chinese Government undertake to remove within the next two years the arti-
ficial obstructions to navigation in the Canton River. The Chinese Government also
agree to improve the accommodation for shipping in the harbor of Canton, and to
take the necessary steps to maintain that improvement, such work to be carried out
by the imperial maritime customs, and the cost thereof to be defrayed by a tax on
goods landed and shipped by British and Chinese alike according to a scale to be
arranged between the merchants and customs.
The Chinese Government are aware of the desirability of improving the naviga-
ibility by steamer of the waterway between Ichang and Chungking, but are also fully
aware that such improvement might involve heavy expense, and would affect the
interests of the population of the provinces of Szechuen, Hunan, and Hopeh. It is
therefore mutually agreed that until improvements can be carried out steamship
owners shall be allowed, subject to approval by the imperial maritime customs, to
erect, at their own expense, appliances for hauling through the rapids. Such appli-
cances shall be at the disposal of all vessels, both steamers and junks, subject to regu-
lations to be drawn up by the imperial maritime customs. These appliances shall
not obstruct the waterway or interfere with the free passage of junks. Signal stations
and channel marks where and when necessary shall be erected by the imperial mari-
time customs. Should any practical scheme be presented for improving the water-
way and assisting navigation without injury to the local population or cost to the
Chinese Government it shall be considered by the latter in a friendly spirit.

Article VI.

The Chinese Government agree to make arrangements to give increased facilities
at the open ports for bonding and for repacking merchandise in bond, and, on official
representation being made by the British authorities, to grant the privilege of a
bonded warehouse to any warehouse which it is established to the satisfaction of the
customs authorities affords the necessary security to the revenue.
Such warehouses will be subject to regulations, including a scale of fees according
to commodities, distance from custom-house, and hours of working, to be drawn up
by the customs authorities, who will meet the convenience of merchants so far as is
compatible with the protection of the revenue.

Article VII.

Inasmuch as the British Government afford protection to Chinese trade-marks
against infringement, imitation, or colorable imitation by British subjects, the Chi-
inese Government undertake to afford protection to British trade-marks against
infringement, imitation, or colorable imitation by Chinese subjects.
The Chinese Government further undertake that the superintendents of northern
and of southern trade shall establish offices within their respective jurisdictions under
control of the imperial maritime customs, where foreign trade-marks may be regis-
tered on payment of a reasonable fee.

Article VIII.

Preamble.

The Chinese Government, recognizing that the system of levying likin and other
dues on goods at the place of production, in transit, and at destination, impedes the
free circulation of commodities and injures the interests of trade, hereby undertake
to discard completely these means of raising revenue with the limitation mentioned
in section 8.
The British Government, in return, consent to allow a surtax in excess of the tariff
rates for the time being in force to be imposed on foreign goods imported by British
subjects and a surtax in addition to the export duty on Chinese produce destined for
export abroad or consignwise.
It is clearly understood that, after likin barriers and other stations for taxing goods
in transit have been removed, no attempt shall be made to revive them in any form or under any pretext whatsoever; that in no case shall the surtax on foreign imports exceed the equivalent of one and a half times the import duty leviable in terms of the final protocol signed by China and the powers on the 7th day of September, 1901; that payment of the import duty and surtax shall secure for foreign imports, whether in the hands of Chinese or non-Chinese subject, in original packages or otherwise, complete immunity from all other taxation, examination, or delay; that the total amount of taxation leviable on native produce for export abroad shall under no circumstances exceed 7½ per cent ad valorem.

Keeping these fundamental principles steadily in view, the high contracting parties have agreed upon the following methods of procedure:

**Section 1.** The Chinese Government undertake that all barriers of whatsoever kind, collecting likin or such like dues or duties, shall be permanently abolished on all roads, railways, and waterways in the eighteen provinces of China and the three eastern provinces. This provision does not apply to the native custom-houses at present in existence on the seaboard or waterways, at open ports, on land routes, and on land frontiers of China.

**Sec. 2.** The British Government agree that foreign goods on importation, in addition to the effective 5 per cent import duty, as provided for in the protocol of 1901, shall pay a special surtax equivalent to one and a half times the said duty to compensate for the abolition of likin, of transit dues in lieu of likin, and of all other taxation on foreign goods, and in consideration of the other reforms provided for in this article; but this provision shall not impair the right of China to tax salt, native opium, and native produce as provided for in sections 3, 5, 6, and 8.

The same amount of surtax shall be levied on goods imported into the eighteen provinces of China and the three eastern provinces across the land frontiers as on goods entering China by sea.

**Sec. 3.** All native custom-houses now existing, whether at the open ports, on the seaboard, on rivers, inland waterways, land routes, or land frontiers, as enumerated in the Hu Pu and Kung Pu Tse Li (regulations of the boards of revenue and works) and Ta Ch'ing Hui Tien (dynastic institutes), may remain; a list of the same, with their location, shall be furnished to the British Government for purposes of record.

Wherever there are imperial maritime custom-houses, or wherever such may be hereafter placed, native custom-houses may be also established, as well as at any points either on the seaboard or land frontiers.

The location of native custom-houses in the interior may be changed as the circumstances of trade seem to require, but any change must be communicated to the British Government, so that the list may be corrected; the originally stated number of them shall not, however, be exceeded.

Goods carried by junks or sailing vessels trading to or from open ports shall not pay lower duties than the combined duties and surtax on similar cargo carried by steamers.

Native produce, when transported from one place to another in the interior, shall, on arrival at the first native custom-house after leaving the place of production, pay duty equivalent to the export surtax mentioned in section 7.

When this duty has been paid, a certificate shall be given which shall describe the nature of the goods, weight, number of packages, etc., amount of duty paid, and intended destination. This certificate, which shall be valid for a fixed period of not less than one year from date of payment of duty, shall free the goods from all taxation, examination, delay, or stoppage at any other native custom-house passed en route.

If the goods are taken to a place not in the foreign settlements or concessions of an open port, for local use, they become liable to the consumption tax described in section 8.

If the goods are shipped from an open port, the certificate is to be accepted by the custom-house concerned in lieu of the export surtax mentioned in section 7.

Junks, boats, or carts shall not be subjected to any taxation beyond a small and reasonable charge, paid periodically at a fixed annual rate. This does not exclude the right to levy, as at present, tonnage (chuan chao) and port dues (chuan lian) on junks.

**Sec. 4.** Foreign opium duty and present likin—which latter will now become a surtax in lieu of likin—shall remain as provided for by existing treaties.

**Sec. 5.** The British Government have no intention whatever of interfering with China's right to tax native opium, but it is essential to declare that, in her arrangements for levying such taxation, China will not subject other goods to taxation, delay, or stoppage.
China is free to retain at important points on the borders of each province—either on land or water—offices for collecting duty on native opium, where duties or contributions leviable shall be paid in one lump sum; which payment shall cover taxation of all kinds within that province. Each cake of opium will have a stamp affixed as evidence of duty payment. Excise officers and police may be employed in connection with these offices, but no barriers or other obstructions are to be erected, and the excise officers or police of these offices shall not stop or molest any other kinds of goods, or collect taxes thereon.

A list of these offices shall be drawn up and communicated to the British Government for record.

Sec. 6. Likin on salt is hereby abolished and the amount of said likin and of other taxes and contributions shall be added to the salt duty, which shall be collected at place of production or at first station after entering the province where it is to be consumed.

The Chinese Government shall be at liberty to establish salt-reporting offices at which it shall convey the salt which is being moved under salt passes or certificates may be required to stop for purposes of examination, and to have their certificates voided, but at such offices no likin or transit taxation shall be levied and no barriers or obstructions of any kind shall be erected.

Sec. 7. The Chinese Government may raise the export tariff with specific duties, as far as practicable, on a scale not exceeding 5 per cent ad valorem, but existing export duties shall not be raised until at least six months’ notice has been given.

In cases where existing export duties are above 5 per cent they shall be reduced to not more than that rate.

An additional special surtax of one-half the export duty payable for the time being, in lieu of internal taxation and likin, may be levied at time of export on goods exported either to foreign countries or coastwise.

In the case of silk, whether hand or filature reeled, the total export duty shall not exceed a specific rate equivalent to not more than 5 per cent ad valorem. Half of this specific duty may be levied at the first native custom-house in the interior which the silk may pass, and in such case a certificate shall be given as provided for in section 6, and will be accepted by the custom-house concerned at place of export in lieu of half the export duty. Cocoon passing native custom-houses shall be liable to no taxation whatever. Silk not exported, but consumed in China, is liable to the consumption tax mentioned, and under conditions mentioned, in section 8.

Sec. 8. The abolition of the likin system in China and the abandonment of all other kinds of internal taxation on foreign imports and on exports will diminish the revenue materially. The surtax on foreign imports and exports and on coastwise exports is intended to compensate in a measure for this loss of revenue, but there remains the loss of likin revenue on internal trade to be met, and it is therefore agreed that the Chinese Government are at liberty to impose a consumption tax on articles of Chinese origin not intended for export.

This tax shall be levied only at places of consumption, and not on goods while in transit, and the Chinese Government solemnly undertake that the arrangements which they may make for its collection shall in no way interfere with foreign goods or with native goods for export. The fact of goods being of foreign origin shall of itself free them from all taxation, delay, or stoppage after having passed the custom-house.

Foreign goods which bear a similarity to native goods shall be furnished by the custom-house, if required by the owner, with a protective certificate for each package, on payment of import duty and surtax, to prevent the risk of any dispute in the interior.

Native goods brought by junks to open ports, if intended for local consumption—irrespective of the nationality of the owner of the goods—shall be reported at the native custom-house only, where the consumption tax may be levied.

China is at liberty to fix the amount of this (consumption) tax, which may vary according to the nature of the merchandise concerned, that is to say, according as the articles are necessaries of life or luxuries; but it shall be levied at a uniform rate on goods of the same description, no matter whether carried by junk, sailing vessel, or steamer. As mentioned in section 3, the consumption tax is not to be levied within foreign settlements or concessions.

Sec. 9. An excise equivalent to double the import duty as laid down in the protocol of 1901 is to be charged on all machine-made yarn and cloth manufactured in China, whether by foreigners at the open ports or by Chinese anywhere in China.

A rebate of the import duty and two-thirds of the import surtax is to be given on raw cotton imported from foreign countries, and of all duties, including consumption tax, paid on Chinese raw cotton used in mills in China.

Chinese machine-made yarn or cloth having paid excise is to be free of export duty,
export surtax, coast-trade duty, and consumption tax. This excise is to be collected through the imperial maritime customs.

The same principle and procedure are to be applied to all other products of foreign type turned out by machinery, whether by foreigners at the open ports or by Chinese anywhere in China.

This stipulation is not to apply to the outturn of the Hanyang and Ta Yeh Iron Works in Hupeh and other similar existing Government works at present exempt from taxation; or to that of arsenals, Government dockyards, or establishments of that nature for Government purposes which may hereafter be erected.

Sec. 10. A member or members of the imperial maritime customs foreign staff shall be selected by each of the governors-general and governors, and appointed, in consultation with the inspector-general of the imperial maritime customs, to each province for duty in connection with native custom affairs, consumption tax, salt, and native opium taxes. These officers shall exercise an efficient supervision of the working of these departments, and in the event of their reporting any case of abuse, illegal exaction, obstruction to the movement of goods, or other cause of complaint, the governor-general or governor concerned will take immediate steps to put an end to same.

Sec. 11. Cases where illegal action as described in this article is complained of shall be promptly investigated by an officer of the Chinese Government of sufficiently high rank, in conjunction with a British officer and an officer of the imperial maritime customs, each of sufficient standing; and in the event of its being found by a majority of the investigating officers that the complaint is well founded and loss has been incurred, due compensation is to be at once paid from the surtax funds, through the imperial maritime customs at the nearest open port. The high provincial officials are to be held responsible that the officer guilty of the illegal action shall be severely punished and removed from his post.

If the complaint turns out to be without foundation, complainant shall be held responsible for the expenses of the investigation.

His Britannic Majesty's minister will have the right to demand investigation where, from the evidence before him, he is satisfied that illegal exactions or obstructions have occurred.

Sec. 12. The Chinese Government agree to open to foreign trade, on the same footing as the places opened to foreign trade by the treaties of Nankin and Tientsin, the following places, namely:

Ch'angsha, in Hunan;
Wansien, in Szechuen;
Nanking, in Anhui;
Waihow (Huichow), in Kuangtung; and
Kongmoon (Chiangmen), in Kuangtung.

Foreigners residing in these open ports are to observe the municipal and police regulations on the same footing as Chinese residents, and they are not to be entitled to establish municipalities and police of their own within the limits of these treaty ports, except with the consent of the Chinese authorities.

If this article does not come into operation, the right to demand under it the opening of these ports, with the exception of Kongmoon, which is provided for in Article X, shall lapse.

Sec. 13. Subject to the provisions of section 14, the arrangements provided for in this article are to come into force on the 1st January, 1904.

By that date all like barriers shall be removed, and officials employed in the collection of taxes and duties prohibited by this article shall be removed from their posts.

Sec. 14. The condition on which the Chinese Government enter into the present engagement is that all powers entitled to most-favored-nation treatment in China enter into the same engagements as Great Britain with regard to the payment of surtaxes and other obligations imposed by this article on His Britannic Majesty's Government and subjects.

The conditions on which his Britannic Majesty's Government enter into the present engagements are:

1. That all powers who are now or who may hereafter become entitled to most-favored-nation treatment in China enter into the same engagements.
2. And that their assent is neither directly nor indirectly made dependent on the granting by China of any political concession or of any exclusive commercial concession.

Sec. 15. Should the powers entitled to most-favored-nation treatment by China have failed to agree to enter into the engagements undertaken by Great Britain under this article by the 1st January, 1904, then the provisions of the article shall only come into force when all the powers have signified their acceptance of these engagements.
GREAT BRITAIN.

SECTION 16. When the abolition of likin and other forms of internal taxation on goods as provided for in this article has been decided upon and sanctioned, an imperial edict shall be published in due form on yellow paper and circulated, setting forth the abolition of all likin taxation, likin barriers, and all descriptions of internal taxation on goods, except as provided for in this article.

The edict shall state that the provincial high officials are responsible that any official disregarding the letter or spirit of its injunction shall be severely punished and removed from his post.

ARTICLE IX.

The Chinese Government, recognizing that it is advantageous for the country to develop its mineral resources, and that it is desirable to attract foreign as well as Chinese capital to embark in mining enterprises, agree within one year from the signing of this treaty to initiate and conclude the revision of the existing mining regulations. China will, with all expedition and earnestness, go into the whole question of mining rules, and selecting from the rules of Great Britain, India, and other countries regulations which seem applicable to the condition of China, she will recast her present mining rules in such a way as, while promoting the interests of Chinese subjects and not injuring in any way the sovereign rights of China, shall offer no impediment to the attraction of foreign capital or place foreign capitalists at a greater disadvantage than they would be under generally accepted foreign regulations.

Any mining concession granted after the publication of these new rules shall be subject to their provisions.

ARTICLE X.

Whereas in the year 1898 the inland waters of China were opened to all such steam vessels, native or foreign, as might be especially registered for that trade at the treaty ports, and whereas the regulations dated the 28th July, 1898, and supplementary rules dated September, 1898, have been found in some respects inconvenient in working, it is now mutually agreed to amend them and to annex such new rules to this treaty. These rules shall remain in force until altered by mutual consent.

It is further agreed that Kongmoon shall be opened as a treaty port, and that, in addition to the places named in the special article of the Burmah convention of the 4th February, 1897, British steamers shall be allowed to land or ship cargo and passengers, under the same regulations as apply to the "ports of call" on the Yangtze River, at the following "ports of call:" Pak Tau Hau (Pait'ou k'ou), Lo Ting Hau (Loting k'ou), and Do Sing (Tooch'eng); and to land or discharge passengers at the following 10 passenger landing stages on the West River: Yang Ki (Jungchi), Mah Ning (Manning), Kau Kang (Chuochiang), Kulow (Kulao), Wing On (Yumgan), How Lik (Houli), Luk Fu (Lupu), Yuet Sing (Yuehch'eng), Luk To (Luju), and Fung Chuen (Fengoeh'wan).

ARTICLE XI.

His Britannic Majesty's Government agree to the prohibition of the general importation of morphia into China, on condition, however, that the Chinese Government will allow of its importation, on payment of the tariff import duty and under special permit, by duly qualified British medical practitioners and for the use of hospitals, or by British chemists and druggists, who shall only be permitted to sell it in small quantities and on receipt of a requisition signed by a duly qualified foreign medical practitioner.

The special permits above referred to will be granted to an intending importer on his signing a bond before a British consul guaranteeing the fulfillment of these conditions. Should an importer be found guilty before a British consul of a breach of his bond, he will not be entitled to take out another permit. Any British subject importing morphia without a permit shall be liable to have such morphia confiscated.

This article will come into operation on all other treaty powers agreeing to its conditions, but any morphia actually shipped before that date will not be affected by this prohibition.

The Chinese Government, on their side, undertake to adopt measures at once to prevent the manufacture of morphia in China.

ARTICLE XII.

China having expressed a strong desire to reform her judicial system and to bring it into accord with that of Western nations, Great Britain agrees to give every assist-
ANCE TO SUCH REFORM, AND SHE WILL ALSO BE PREPARED TO RELINQUISH HER EXTRATERRITORIAL RIGHTS WHEN SHE IS SATISFIED THAT THE STATE OF THE CHINESE LAWS, THE ARRANGEMENT FOR THEIR ADMINISTRATION, AND OTHER CONSIDERATIONS WARRANT HER IN DOING.

ARTICLE XIII.

The missionary question in China being, in the opinion of the Chinese Government, one requiring careful consideration, so that, if possible, troubles such as have occurred in the past may be averted in the future, Great Britain agrees to join in a commission to investigate this question, and, if possible, to devise means for securing permanent peace between converts and non-converts, should such a commission be formed by China and the treaty powers interested.

ARTICLE XIV.

Whereas under Rule V, appended to the treaty of Tientsin of 1858, British merchants are permitted to export rice and all other grain from one port of China to another under the same conditions in respect of security as copper "cash," it is now agreed that in cases of expected scarcity or famine, from whatsoever cause, in any district, the Chinese Government shall, on giving twenty-one days' notice, be at liberty to prohibit the shipment of rice and other grain from such district.

Should any vessel specially chartered to load rice or grain previously contracted for have arrived at her loading port prior to or on the day when a notice of prohibition to export comes into force she shall be allowed an extra week in which to ship her cargo.

If, during the existence of this prohibition, any shipment of rice or grain is allowed by the authorities, the prohibition shall, ipso facto, be considered canceled, and shall not be reimposed until six weeks' notice has been given.

When a prohibition is notified it will be stated whether the Government have any tribute or army rice which they intend to ship during the time of prohibition, and, if so, the quantity shall be named.

Such rice shall not be included in the prohibition, and the customs shall keep a record of any tribute or army rice so shipped or landed.

The Chinese Government undertake that no rice, other than tribute or army rice belonging to the Government, shall be shipped during the period of prohibition.

Notifications of prohibitions and of the quantities of army or tribute rice for shipment shall be made by the governors of the provinces concerned.

Similarly, notifications of the removals of prohibitions shall be made by the same authorities.

The export of rice and other grain to foreign countries remains prohibited.

ARTICLE XV.

It is agreed that either of the high contracting parties to this treaty may demand a revision of the tariff at the end of ten years; but if no demand be made on either side within six months after the end of the first ten years, then the tariff shall remain in force for ten years more, reckoned from the end of the preceding ten years, and so it shall be at the end of each successive ten years.

Any tariff concession which China may hereafter accord to articles of the produce or manufacture of any other State shall immediately be extended to similar articles of the produce or manufacture of His Britannic Majesty's dominions by whomsoever imported.

Treaties already existing between the United Kingdom and China shall continue in force so far as they are not abrogated or modified by stipulations of the present treaty.

ARTICLE XVI.

The English and Chinese texts of the present treaty have been carefully compared, but in the event of there being any difference of meaning between them, the sense as expressed in the English text shall be held to be the correct sense.

The ratifications of this treaty, under the hand of His Majesty the King of Great Britain and Ireland and of His Majesty the Emperor of China respectively, shall be exchanged at Pekin within a year from this day of signature.

In token whereof the respective plenipotentiaries have signed and sealed this treaty—two copies in English and two in Chinese,
DONE AT SHANGHAI THIS 5TH DAY OF SEPTEMBER, IN THE YEAR OF OUR LORD 1902, CORRESPONDING WITH THE CHINESE DATE THE 4TH DAY OF THE 8TH MOON OF THE 28TH YEAR OF KWANG HSÜ.

[Signature of His Excellency LÜ HAI-HUAN.]
[Signature of His Excellency ŠENG HSÜAN-HUAI.]

[Seal of the Chinese plenipotentiaries.]

ANNEX A (1).

[Translation.]

Lü, president of the board of works; Šeng, junior guardian of the heir apparent, vice-president of the board of works, imperial Chinese commissioners for dealing with the questions connected with the commercial treaties, to Sir James Mackay, His Britannic Majesty’s special commissioner for the discussion of treaty matters:

SHANGHAI, K. H. xrviii, 7th moon, 11th day—(Received August 15, 1902).

We have the honor to inform you that we have received the following telegram from His Excellency Liu, governor-general of the Liang Chiang, on the subject of clause 2, mutually agreed upon by us:

“As regards this clause, it is necessary to insert therein a clear stipulation to the effect that, no matter what changes may take place in the future, all customs duties must continue to be calculated on the basis of the existing higher rate of the haikwan tael over the treasury tael, and that the ‘touch’ and weight of the former must be made good.”

As we have already arranged with you that a declaration of this kind should be embodied in an official note, and form an annex to the present treaty, for purposes of record, we hereby do ourselves the honor to make this communication.

[Seal of the imperial commissioners for dealing with questions connected with treaty revision.]

ANNEX A (2).

SHANGHAI, AUGUST 18, 1902.

GENTLEMEN: I have the honor to acknowledge the receipt of your dispatch of the 14th instant, forwarding copy of a telegram from His Excellency Liu, governor-general of the Liang Chiang, on the subject of Article II of the new treaty, and, in reply, I have the honor to state that his excellency’s understanding of the article is perfectly correct.

I presume the Chinese Government will make arrangements for the coinage of a national silver coin of such weight and touch as may be decided upon by them. These coins will be made available to the public in return for a quantity of silver bullion of equivalent weight and fineness, plus the usual mintage charge.

The coins, which will become the national coinage of China, will be declared by the Chinese Government to be legal tender in payment of customs duty and in discharge of obligations contracted in haikwan taels, but only at their proportionate value to the haikwan tael, whatever that may be.

I have, etc.,

Their Excellencies LÜ HAI-HUAN and ŠENG HSÜAN-HUAI, etc.

ANNEX B (1).

[Translation.]

Lü, president of the board of works; Šeng, junior guardian of the heir apparent, vice-president of the board of works; imperial Chinese commissioners for dealing with questions connected with the commercial treaties; to Sir James L Mackay, His Britannic Majesty’s special commissioner:

SHANGHAI, SEPTEMBER 2, 1902.

We have the honor to inform you that on the 22d August we, in conjunction with the governors-general of the Liang Chiang and the Hukwang provinces, their Excellencies Liu and Chang addressed the following telegraphic memorial to the Throne:

“Of the revenue of the different provinces derived from likin of all kinds, a por-

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tion is appropriated for services of the foreign loans, a portion for the Pekin Government, and the balance is reserved for the local expenditure of the provinces concerned.

"In the negotiations now being conducted with Great Britain for the amendment of the commercial treaties a mutual arrangement has been come to providing for the imposition of additional taxes in compensation for the abolition of all kinds of likin and other imposts on goods prohibited by Article VIII. After payment of interest and sinking fund on the existing foreign loan to the extent to which likin is thereto pledged, these additional taxes shall be allocated to the various provinces to make up deficiencies and replace revenue, in order that no hardships may be entailed on them. With a view to preserving the original intention underlying the proposal to increase the duties in compensation for the loss of revenue derived from likin and other imposts on goods, it is further stipulated that the surtaxes shall not be appropriated for other purposes, shall not form part of the imperial maritime customs revenue proper, and shall in no case be pledged as security for any new foreign loan.

"It is therefore necessary to memorialize for the issue of an edict giving effect to the above stipulations and directing the board of revenue to find out what proportion of the provincial revenues derived from likin of all kinds, now about to be abolished, each province has hitherto had to remit, and what proportion it has been entitled to retain, so that when the article comes into operation due apportionment may be made accordingly, thus providing the provinces with funds available for local expenditure and displaying equitable and just treatment toward all."

On the 1st instant an imperial decree, "Let action, as requested, be taken," was issued, and we now do ourselves the honor reverently to transcribe the same for your information.

[Seal of the imperial commissioners for dealing with questions connected with treaty revision.]

Annex B (2).

SHANGHAI, September 5, 1902.

GENTLEMEN: I have the honor to acknowledge the receipt of your dispatch of the 2d instant forwarding the text of the memorial and decree dealing with the disposal of the surtaxes.

I understand that the surtaxes, in addition to not being pledged for any new foreign loan, are not to be pledged to, or held to be security for, liabilities already contracted by China, except in so far as likin revenue has already been pledged to an existing loan.

I also understand from the memorial that the whole of the surtaxes provided by Article VIII of the new treaty goes to the provinces in proportions to be agreed upon between them and the board of revenue, but that out of these surtaxes each province is obliged to remit to Pekin the same contribution as that which it has hitherto remitted out of its likin collections, and that the provinces also provide as hitherto out of these surtax funds whatever may be necessary for the service of the foreign loan to which likin is partly pledged.

I hope your excellencies will send me a reply to this dispatch, and that you will agree to this correspondence forming part of the treaty as an annex.

I have, etc.,

JAS. L. MACKAY.

Their Excellencies LÜ HAI-HUAN and SHENG HSÜAN-HUAI, etc.

Annex B (3).

[Translation.]

Lü, president of the board of works; Sheng, junior guardian of the heir apparent, vice-president of the board of works; imperial Chinese commissioners for dealing with questions connected with the commercial treaties; to Sir James L. Mackay, His Britannic Majesty's special commissioner.

SHANGHAI, September 5, 1902.

We have the honor to acknowledge the receipt of your communication of to-day's date with regard to the allocation of the surtax funds allotted to the provinces, and to inform you that the views therein expressed are the same as our own.
We would, however, wish to point out that, were the whole amount of the allocation due paid over to the provinces, unnecessary expense would be incurred in the retransmission by them of such portions thereof as would have to be remitted to Pekin in place of the contributions hitherto payable out of likin revenue. The amount, therefore, of the allocation due to the provinces, arranged between them and the board of revenue, will be retained in the hands of the maritime customs, who will await the instructions of the provinces in regard to the remittance of such portion thereof as may be necessary to fulfill their obligations, and (on receipt of these instructions) will send forward the amount direct. The balance will be held to the order of the provinces.

In so far as likin is pledged to the service of the 1898 loan, a similar method of procedure will be adopted.

As you request that this correspondence be annexed to the treaty, we have the honor to state that we see no objection to this being done.

[Seal of the imperial commissioners for dealing with questions connected with treaty revision.]

ANNEX C.

Inland waters steam navigation.

ADDITIONAL RULES.

1. British steamship owners are at liberty to lease warehouses and jetties on the banks of waterways from Chinese subjects for a term not exceeding twenty-five years, with option of renewal on terms to be mutually arranged. In cases where British merchants are unable to secure warehouses and jetties from Chinese subjects on satisfactory terms, the local officials, after consultation with the minister of commerce, shall arrange to provide these on renewable lease, as above mentioned, at current equitable rates.

2. Jetties shall only be erected in such positions that they will not obstruct the inland waterway or interfere with navigation, and with the sanction of the nearest commissioner of customs; such sanction, however, shall not be arbitrarily withheld.

3. British merchants shall pay taxes and contributions on these warehouses and jetties on the same footing as Chinese proprietors of similar properties in the neighborhood. British merchants may only employ Chinese agents and staff to reside in warehouses so leased at places touched at by steamers engaged in inland traffic to carry on their business; but British merchants may visit these places from time to time to look after their affairs. The existing rights of Chinese jurisdiction over Chinese subjects shall not by reason of this clause be diminished or interfered with in any way.

4. Steam vessels navigating the inland waterways of China shall be responsible for loss caused to riparian proprietors by damage which they may do to the banks or works on them, and for the loss which may be caused by such damage. In the event of China desiring to prohibit the use of some particular shallow waterway by launches, because there is reason to fear that the use of it by them would be likely to injure the banks and cause damage to the adjoining country, the British authorities, when appealed to, shall, if satisfied of the validity of the objection, prohibit the use of that waterway by British launches, provided that Chinese launches are also prohibited from using it.

Both foreign and Chinese launches are prohibited from crossing dams and weirs at present in existence on inland waterways where they are likely to cause injury to such works, which would be detrimental to the water service of the local people.

5. The main object of the British Government in desiring to see the inland waterways of China opened to steam navigation being to afford facilities for the rapid transport of both foreign and native merchandise, they undertake to offer no impediment to the transfer to a Chinese company and the Chinese flag of any British steamer which may now or hereafter be employed on the inland waters of China, should the owner be willing to make the transfer.

In the event of a Chinese company registered under Chinese law being formed to run steamers on the inland waters of China, the fact of British subjects holding shares in such a company shall not entitle the steamers to fly the British flag.

6. Registered steamers and their tows are forbidden, just as junks have always been forbidden, to carry contraband goods. Infraction of this rule will entail the penalties prescribed in the treaties for such an offense, and cancellation of the inland-
waters navigation certificate carried by the vessels, which will be prohibited from thereafter plying on inland waters.

7. As it is desirable that the people living inland should be disturbed as little as possible by the advent of steam vessels to which they are not accustomed, inland waters not hitherto frequented by steamers shall be opened as gradually as may be convenient to merchants, and only as the owners of steamers may see prospect of remunerative trade.

In cases where it is intended to run steam vessels on waterways on which such vessels have not hitherto run, intimation shall be made to the commissioner of customs at the nearest open port, who shall report the matter to the ministers of commerce. The latter, in conjunction with the governor-general or the governor of the province, after careful consideration of all the circumstances of the case, shall at once give their approval.

8. A registered steamer may ply within the waters of a port, or from one open port or ports to another open port or ports, or from one open port or ports to places inland, and thence back to such port or ports. She may, on making due report to the customs, land or ship passengers or cargo at any recognized places of trade passed in the course of the voyage, but may not ply between inland places exclusively except with the consent of the Chinese Government.

9. Any cargo and passenger boats may be towed by steamers. The helmsman and crew of any boat towed shall be Chinese. All boats, irrespective of ownership, must be registered before they can proceed inland.

10. These rules are supplementary to the inland steam-navigation regulations of July and September, 1898. The latter, where untouched by the present rules, remain in full force and effect, but the present rules hold in the case of such of the former regulations as the present rules affect. The present rules and the regulations of July and September, 1898, to which they are supplementary, are provisional and may be modified, as circumstances require, by mutual consent.

Done at Shanghai this 5th day of September, in the year of our Lord 1902, corresponding with the Chinese date the 4th day of the 8th moon of the 28th year of Kwang Hsü.

[Jas. L. Mackay.]
[Signature of His Excellency Lü Hai-huan.]
[Signature of His Excellency Shéng Hsüan-huai.]

[Seal of the Chinese plenipotentiaries.]