

NICARAGUA

AMERICAN ASSISTANCE FOLLOWING THE DESTRUCTION OF MANAGUA BY THE EARTHQUAKE OF MARCH 31, 1931

817.48 Earthquake of 1931/10 : Telegram

The Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, March 31, 1931—noon.

24. Press reports announce serious earthquake.¹ Please report.

STIMSON

817.48 Earthquake of 1931/1 : Telegram

The Minister in Panama (Davis) to the Secretary of State

PANAMA [undated].

[Received March 31, 1931—2:05 p. m.]

67. Tropical Radio reports Managua destroyed by earthquake this morning and now burning. U. S. S. *Rochester* probably sail tonight for Corinto. U. S. S. *Sacramento* standing by here. Navy plane could be despatched tomorrow from Canal to investigate.

DAVIS

817.48 Earthquake of 1931/14 : Telegram

President Hoover to the President of Nicaragua (Moncada)

WASHINGTON, March 31, 1931.

I am appalled at the catastrophe which has overwhelmed Managua and in my own name and that of the American Government and people I extend heartfelt sympathy to Your Excellency and the people of Nicaragua.

HERBERT HOOVER

¹ The earthquake occurred a few minutes after 10 o'clock on the morning of March 31. See The American National Red Cross, *Managua Earthquake: Official Report of the Relief Work in Nicaragua after the Earthquake of March 31, 1931* (Washington, 1931), p. 5.

817.48 Earthquake of 1931/15: Telegram

The Secretary of State to the President of Nicaragua (Moncada)

WASHINGTON, March 31, 1931.

I am profoundly distressed by the reports of the overwhelming disaster which has befallen Nicaragua. Please be assured of my heartfelt sympathy.

HENRY L. STIMSON

817.48 Earthquake of 1931/13: Telegram

The Secretary of State to the Nicaraguan Minister for Foreign Affairs (Irias)

WASHINGTON, March 31, 1931.

Please accept the assurances of the deep sympathy of the Government and people of the United States with the Government and people of Nicaragua in the disaster which has befallen them.

HENRY L. STIMSON

817.48 Earthquake of 1931/4: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA [undated].

[Received March 31, 1931—5:31 p. m.]

Managua nearly totally destroyed by earthquake this morning with considerable loss in life. Minister and Mrs. Hanna believed to be in Guatemala.² Remainder of Legation personnel safe. Legation badly damaged. No attempt yet made to remove archives on account continued severe tremors. Request assistance American Red Cross. Do not know yet whether damage is general throughout Nicaragua. Martial law established. Hope to reestablish rail communication to Corinto tomorrow.

BEAULAC

817.48 Earthquake of 1931/11: Telegram

The Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, March 31, 1931.

25. For the Minister. At a meeting in the office of the American Red Cross today attended by representatives of the State, War and

²The American Minister and his wife were in Guatemala City on March 31, the day the earthquake occurred. They reached Managua early the following morning. See *Managua Earthquake*, p. 11.

Navy Departments it was agreed that you should assume charge of coordinating American relief measures pending arrival of Ernest J. Swift, Acting Director of Insular and Foreign Operations of the American Red Cross, who is proceeding at once to Managua by airplane. War and Navy Departments have advised their representatives of this arrangement. Preliminary grant of \$10,000 by Red Cross already has been placed at disposal of the Department and you may draw against it as required. These funds are to be used for emergency relief pending arrival Swift. Navy sending Hospital Ship *Relief* to Corinto, also vessels of Special Service Squadron including USS *Rochester* with medical unit and stores of all kinds. These vessels will arrive April 3d. Naval planes will leave Panama Canal Zone tomorrow with doctors, nurses and medical supplies. Army cooperating fully and standing by ready to send whatever is necessary from the Canal Zone.

STIMSON

817.48 Earthquake of 1931/9: Telegram

The President of Nicaragua (Moncada) to the Secretary of State

[Translation]

MANAGUA, March 31, 1931—10:41 p. m.

[Received April 1—2:52 a. m.]

Earthquake centered at Managua, which has been almost destroyed. Rest of the country undamaged. Am profoundly grateful for your expressions of condolence.

J. M. MONCADA

817.48 Earthquake of 1931/5: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA [undated].

[Received March 31, 1931—10:30 p. m.]

Brigade Commander has devoted all resources under his charge to relief of sufferers of all nationalities. President Moncada has just returned and expressed his gratitude for splendid relief work. No reported casualties among American civilian population. There were a few tremors of minor intensity this afternoon. Flames still menace city but the Legation archives are still believed to be safe in the absence of a strong shock which the Legation could not withstand. Hanna due tomorrow.

BEAULAC

817.48 Earthquake of 1931/6: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA [undated].

[Received April 1, 1931—1:40 a. m.]

Reference telegram from Red Cross.³ Practically all inhabitants of Managua are homeless. Ten thousand dollars will not begin to give adequate relief.

BEAULAC

817.48 Earthquake of 1931/7: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA [undated].

[Received April 1, 1931—2:42 a. m.]

Legation in flames. All archives etc. lost. Tremors of considerable intensity continue.

BEAULAC

817.48 Earthquake of 1931/8: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA [undated].

[Received April 1, 1931—2:47 a. m.]

Department's 26.⁴ Warner and Mitchell reported safe.⁵ There are still no known American civilian dead. Brigade Commander reports deaths of Lieutenant Commander Hugo F. A. Baske, Medical Corps USN, and wife of Major Joseph D. Murray, USMC. Chief Quartermaster Clerk James F. Dickey, USMC reported missing.

BEAULAC

817.48 Earthquake of 1931/21: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA [undated].

[Received April 2, 1931—9:30 a. m.]

Guardia searching ruins for dead. Two hundred have been buried already. Due to extent of ruins it probably will be some time before all are found. Every precaution will be taken to avoid danger from this source. Utmost energy will be directed toward restoring regular water supply which probably will be taken from Lake Managua instead of volcanic lagoon where pumps are buried and work is dangerous on account of continued landslides. In the meantime every

³ See telegram No. 25, March 31, p. 781.

⁴ Not printed.

⁵ C. H. Warner and H. C. Mitchell of Associated Telegraph and Telephone Company.

available source of water is being utilized and every effort being made to maintain purity of water. Water problem considered the most serious at present. Regular water source not probable for 10 days. The Guardia medical department cooperating with other Government agencies will take charge of sanitary work in city at large with particular reference to the disposal of refuse. Brigade fed 4,000 people this noon on La Loma Field and it is expected that this number will increase steadily until refugees can be evacuated to nearby towns. In the present emergency it is recommended that measures for evacuation of Marines from Managua be postponed temporarily. Situation may improve so as to permit of evacuation on schedule. It is recommended that six Red Cross nurses be rushed to Managua to care for women patients. In so far as is possible wounded Nicaraguans are being evacuated to hospitals in other cities.

Your 25, 31st., Mr. Swift will arrive here tomorrow. In the absence of instructions to the contrary I will continue to coordinate American relief measures and to cooperate in such measures with the Nicaraguan Government.

HANNA

817.48 Earthquake of 1931/17: Telegram

The Acting Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 1, 1931—11 a. m.

27. The American Red Cross requests you to express its deepest sympathy to President Moncada.

With reference to Beaulac's comment⁶ regarding insufficiency of the \$10,000 already advanced by the Red Cross you are informed that Mr. Swift will make recommendations with respect to further requirements. In utilizing this sum draw separate drafts and render separate account.

The Department extends its deepest sympathy to the members of the Legation.

CARR

817.48 Earthquake of 1931/16: Telegram

The Minister in Honduras (Lay) to the Secretary of State

TEGUCIGALPA, April 1, 1931—11 a. m.

[Received 1:55 p. m.]

56. Have sent Naval Attaché Geyer to Managua this morning to assist relief work by Tela Railroad Company plane which is carrying repairs for radio station there.

LAY

⁶ See telegram received April 1, 1:40 a. m., from the Chargé in Nicaragua; p. 783.

817.48 Earthquake of 1931/18: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA [undated].

[Received April 1, 1931—3:25 p. m.]

I am coordinating relief activities pending arrival Red Cross representative. With rations on hand and those en route on naval vessels Brigade Commander is prepared to feed entire population of Managua for 10 to 12 days. City water supply destroyed but water from various other sources being collected and rationed by Marines and Guardia. Several Navy planes and ships on way with medical supplies, etc. Virtually all civilian population of Managua homeless. Estimated several hundred killed and much larger number injured. Guardia and civilians engaged in excavating and burying bodies. Work hazardous on account of continued tremors. No additional American dead reported. Army engineers under Colonel Sultan are fighting fire which has diminished in intensity. Legation totally destroyed with everything it contained. Brigade Commander has recommended that all families of Marines and American Guardia officers totalling about 175 be evacuated to United States. There are few habitable houses in Managua. Neediest portion of population is being concentrated in La Loma Field just south of the city. I have conferred with President Moncada and the American relief efforts are being coordinated with Government's efforts. I have proposed that refugees be evacuated as rapidly as practicable to León, Granada and other nearby towns and this is now under consideration.

HANNA

817.48 Earthquake of 1931/19: Telegram

The President of the Pan American Airways, Inc. (J. T. Trippe), to the Secretary of State

NEW YORK, April 1, 1931.

[Received 3:15 p. m.]

Radio dispatches received last night from our representative Managua confirm extent catastrophe and indicate epidemic threatening account failure water supply. As the American Air Transport Company operating in foreign field, in view seriousness disaster, I feel it is duty and obligation Pan American Airways rush all its available aircraft to Managua to assist relief work. These aircraft are being placed without cost at disposal Minister Hanna and Director Swift, American Red Cross, on his arrival. American citizens and other urgent cases designated by Hanna and Swift will be carried without charge to Costa Rica, Honduras and Salvador. On return flights

full capacity this equipment will be available to transport relief personnel and supplies to Managua made available by Governor Canal Zone, Presidents Mexico, Cuba and Central American countries. Special plane left Miami this morning direct for Managua carrying supplies. Other proceeding from Brownsville and Canal Zone. Plane carrying Red Cross Director Ernest Swift will leave tomorrow morning immediately following arrival his train Miami. I expect to have at least six Pan American special transport planes at Managua before tomorrow afternoon. We are anxious cooperate with all Government agencies in relief work. Have taken liberty of advising Minister Hanna direct in order that he may make his plans regarding evacuation needy cases before arrival our first relief plane this morning. Our second and third ships should arrive Managua this afternoon. You may wish to advise Red Cross and Federal departments interested.

J. T. TRIPPE

817.48 Earthquake of 1931/29: Telegram

The Acting Secretary of State to the President of the Pan American Airways, Inc. (J. T. Trippe)

WASHINGTON, April 1, 1931.

Your telegram, April 1. The Department greatly appreciates the fine cooperation which the Pan American Airways is giving in connection with the disaster at Managua. Your message has been brought to the attention of the Red Cross and the Navy Department.

WILLIAM J. CARR

817.48 Earthquake of 1931/31

Memorandum by the Chief of the Division of Latin American Affairs (Thurston)

[WASHINGTON,] April 1, 1931.

I attended meetings yesterday and today at the Red Cross for the purpose of discussing relief measures to meet the situation caused by the earthquake and fire at Managua. At the first meeting the Red Cross was represented by Mr. James K. McClintock and Mr. Ernest J. Swift, the Army by Major General MacArthur and Brig. General Whitehead, the Navy by Assistant Secretary Jahneke, Admiral Haligan and Captain Furlong, and the State Department by myself. The meeting this morning was attended only by Mr. McClintock, Captain Furlong, Brig. General Whitehead and myself, although Judge John Barton Payne⁷ joined us for a while upon his return from conference with the President.

⁷ Chairman of the American Red Cross.

At the meeting of March 31 it was agreed that Minister Hanna should assume charge at Managua of coordinating American relief measures pending the arrival of Mr. Ernest J. Swift, Acting Director of Insular and Foreign Operations of the American Red Cross, who will arrive by air Friday, April 3. A preliminary grant of \$10,000 was made by the Red Cross and deposited with the Department of State to be drawn against as required by Mr. Hanna for immediate needs. The Navy reported that it was dispatching the hospital ship *Relief* to Corinto, also vessels of the Special Service Squadron as well as Navy planes from Panama with doctors, nurses and medical supplies, and the airplane carrier *Lexington* from Cuba to the east coast of Nicaragua. The Army reported that it held available in Panama from its extensive stores such tents, blankets and other supplies, including biological equipment, as might be needed.

At the meeting of April 1 it was decided that the Brigade Commander at Managua, after consultation with Minister Hanna, should report what supplies in addition to those which it was announced at the meeting of March 31 were en route to Nicaragua would be needed, to the end that they might be obtained and dispatched immediately by the Red Cross. It was further reported that the *Lexington* has seven doctors aboard, as well as other medical personnel, and that these will be launched from the *Lexington* today in three amphibian planes which will reach Managua today, landing on Lake Managua. It was likewise announced that Army antitoxin supplies to be used in checking any tendency toward epidemics are en route by air. There is appended to this report a statement by the Navy Department showing the concentration in connection with this emergency of its various elements as of April 1.

No further action is called for by the Department at the moment, in as much as all that can be done is now provided for pending the arrival of Mr. Swift, whose extensive experience makes it advisable to await his opinion on further steps.

WALTER C. THURSTON

817.48 Earthquake of 1931/40

The President of Nicaragua (Moncada) to President Hoover

[Translation]

MANAGUA, April 1, 1931.^s

I am profoundly thankful for the marks of the sympathy and the regret which Your Excellency feels because of the Managua catastrophe, and in the name of the Nicaraguan public and in that of my

^s Received in the Department from the White House on April 2.

Government I send to the people of the United States and to Your Excellency my expressions of gratitude.

J. M. MONCADA

817.48 Earthquake of 1931/41 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 2, 1931—8 a. m.

[Received 4:20 p. m.]

City still burning. Lack of water combined with continual high wind and highly inflammable character of demolished houses renders control exceedingly difficult. Colonel Sultan with Army engineers is in charge of this problem and is doing everything possible under the circumstances. He is concentrating on saving the National Bank building. Arrangements are being made to transfer bank's archives and funds to Granada. Shifting winds of high velocity carried smoldering embers to National Palace yesterday afternoon and it was totally destroyed by fire including archives of nearly all Nicaraguan executive departments and archives of the Customs Service and Claims Commission. The condition of the Palace due to the earthquake combined with subsequent minor shocks made it unsafe to enter the Palace. Shocks of minor intensity continue.

The recovery and burial of dead continues. Seventy-five more Nicaraguan injured will be evacuated to Granada today. A temporary hospital under canvas is being established on the Loma Field to which all Nicaraguan sick and injured will be removed thus relieving the congestion in Campo de Marte. Arrangements are being perfected for vaccination against infectious diseases. Facilities for feeding refugees well organized on Loma Field.

I cannot praise too highly the initial measures taken by Colonels Bradman and Matthews with great promptitude to meet the first crisis. The services of the Marines and Guardia under their respective commands are receiving universal commendation. The relief organization initiated by them is being expanded and perfected to meet the disaster. I am in close communication with President Moncada and there is the closest cooperation between the American and Nicaraguan agencies. Mr. Swift probably will not arrive before tomorrow morning.

HANNA

817.48 Earthquake of 1931/46 : Telegram

The Acting Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 2, 1931.

36. Your telegram filed April 1, 7 a. m. Marine Corps has ordered that Marines due to leave Managua on the *Chaumont* tomorrow be re-

tained in Nicaragua for the present. This will not interfere with the program of reducing the Marines as specified by June 1.

CARR

817.48 Earthquake of 1931/47: Telegram

The Acting Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 2, 1931.

42. Department informed by International General Electric Company that it has today instructed F. J. Gianotti, company's representative at Panama, to proceed to Managua and tender his expert services to the municipal authorities, the American Minister, and the Marine officers in assisting relief and rehabilitation activities. Company states he is an electrical engineer of standing and should be able to render useful service in rehabilitation of light and power facilities in Managua.

CARR

817.48 Earthquake of 1931/50: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 3, 1931—9 a. m.

[Received 1:10 p. m.]

Your 27, 1st, 11 a. m. President Moncada has requested me to thank the Red Cross in his name and in the name of the Nicaraguan people for its expression of sympathy and to add that its message relieves in a measure the suffering of the Nicaraguan people and gives them confidence in the future.

HANNA

817.48 Earthquake of 1931/53: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 3, 1931—8 p. m.

[Received 11:50 p. m.]

Swift arrived noon today. At a conference of all committees this afternoon a central relief committee was appointed as follows:

Honorary Chairman, President Moncada; Chairman, American Minister; members, Colonel Fred. L. Bradman, U.S.M.C., Brigade Commander, Colonel Dan I. Sultan, Commanding U. S. Army Engineers, and the following representing the Nicaraguan Government: Anastasio Somoza, Acting Minister for Foreign Affairs, and General Calvin Matthews, Commanding Nicaraguan National Guard. Mr. Swift left off committee at his request.

President Moncada has appointed local relief committees in nearby cities and towns who have instructions to cooperate with the Central Committee.

About half the population of Managua has been evacuated to other places. Steps are being taken to follow these persons up with necessary relief measures. In addition to the food shortage caused by earthquake and fire there is a general food shortage in the country following a severe drought of several months' duration. It is possible that eventually measures must be taken to relieve this general food shortage.

It is hoped that water will be placed in Managua mains within 10 days. In the meantime an adequate supply of drinking water is available.

General health conditions are good. Fire is still raging but is being kept within bounds by U. S. Army engineers.

Eight thousand refugees were fed by Marines on La Loma Field yesterday and seven thousand today.

Government is making arrangements to move capital to some other city yet undetermined.

Please repeat to Red Cross.

HANNA

817.48 Earthquake of 1931/66: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 4, 1931—2 p. m.

[Received 7:20 p. m.]

It has come to my notice that alarming reports regarding unusual activities in connection with the recent catastrophe have been sent out from Managua. Such reports are absolutely unfounded. Not only has there been no bandit activity connected with the catastrophe, but the situation in the usual bandit areas is and has been quiet since the catastrophe.

The earthquake has not in any way affected Guardia operations against the bandits. Recruiting continues normally and is conducted mostly in the bandit areas. There are now over 1,200 Guardia operating there and this number will be increased as recruiting progresses.

The amount of detail thrown upon Guardia headquarters and particularly upon General Matthews has increased tremendously since the catastrophe and General Matthews has ably expanded his headquarters' organization in such manner as to handle the relief work without affecting the normal operation of Guardia headquarters with respect to the control of the forces operating against bandits.

HANNA

817.48 Earthquake of 1931/62: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 4, 1931—noon.

[Received 6:45 p. m.]

The city of Granada has requested me to express to the Government and people of the United States its profound gratitude for the opportune and generous assistance being rendered to Nicaragua by the American forces in this hour of great distress. The city has also tendered a residence in Granada for the Legation and its staff.

HANNA

817.48 Earthquake of 1931/63: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 4, 1931—8 p. m.

[Received 10:55 p. m.]

Airplanes of the Pan American Airways rushed to Managua by Mr. Trippe to assist in relief have rendered great service in transporting the wives and families of American officials from Managua to Corinto for embarkation. Due to break in the railway there would have been great delay in evacuating these individuals without the assistance of the planes. The Department may desire to express appreciation and thanks for the service thus rendered.

HANNA

817.48 Earthquake of 1931/64: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 4, 1931—9 p. m.

[Received April 5—10:20 a. m.]

Exodus from city continues. People now moving to León and other points to the westward by rail. Hundreds leaving on foot with effects on bull carts. The indications are that the city will be practically deserted at least temporarily. The thousands of refugees who have fled to the eastward are creating a new relief problem. This was anticipated. Relief has been requested by Granada and Masaya. Food supplies were shipped to Granada today. Mr. Swift visited Masaya and Granada today and will report on conditions tomorrow. These are but the first of many outlying cities and towns that will require relief for considerable time. President Moncada has appointed local relief committees in many such places with which the Central Committee will cooperate. Every effort will be made to

prevent abuse of relief measures. We are feeding about [eight] thousand people here but the number probably will gradually grow less as it increases elsewhere. Supplies here and on the way are sufficient for present needs.

There is no change for the worse in the health conditions here. All but a small number of the sick and injured have been evacuated. Efforts to repair the water system are progressing favorably and it probably will be operating in another week. The interruption in the railway to the westward of the city will be eliminated in 3 or 4 days. The fire is being held within limits and probably will burn its way through the city on a narrow front to the westward.

The problem of restoring normal conditions in such measure that the relief will not be prolonged indefinitely is now engaging our attention. We will eventually need the advice and assistance of the Government of the United States in this connection. I hope the Department will now begin to give consideration to this phase of the problem. Nicaragua must receive material assistance from somewhere if it is to recover from this disaster in any reasonable time.

HANNA

817.48 Earthquake of 1931/73: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 5, 1931—2 p. m.

[Received April 6—11:10 a. m.]

The relief organization at present is as follows as noted in my telegram [of the] 3d, 8 p. m.

The Central Committee of which President Moncada is Honorary Chairman and the American Minister is Chairman has direct supervision of all relief including the expenditure of Red Cross funds. President Moncada has appointed local committees of distinguished citizens in the following places: Managua, León, Chinandega, Masaya, Carazo, Granada, to supervise local relief and cooperate with the Central Committee.

The local committee in Managua consists of Colonel Sultan as Chairman and Ramon Sevilla, Minister of Education, and Francisco Frixione, Commissioner of the National District, as members. This committee is now dividing the city into districts and appointing a subcommittee for each district. It is proposed that these committees will organize the distribution of relief in Managua so as to terminate mass feeding as speedily as practicable and substitute therefor the distribution of uncooked rations in return for which able-bodied males

without occupation will be required to give a reasonable amount of labor. This labor probably will be employed at the outset in cleaning up the city and other useful work in connection with the relief.

The maintenance of order within the city is under the dual charge of the United States Marine forces under Colonel Fred L. Bradman and the Nicaraguan National Guard commanded by Brigadier General Calvin Matthews (Lieutenant Colonel United States Marine Corps).

The United States Army engineers under Lieutenant Colonel Dan I. Sultan are engaged in keeping the fire within bounds. They are also assisting in the rehabilitating [of] the water system.

Mr. R. E. Ludwig, local manager of the Central America Power Corporation, is directing efforts to place water in the city mains and to reestablish electric lighting.

The National Guard is in charge of the distribution of water to the inhabitants still remaining and Mr. George Hepburn, an American engineer, has been designated to supervise this work. Containers of chlorinated water have been placed in convenient places throughout the town for the relief of inhabitants.

Mass feeding of refugees is being conducted by the Marine forces and with Marine Corps supplies augmented by local donations and gifts from other Central American countries. An average of 8,000 persons are being fed daily from kitchens erected in Loma Field. Captain C. A. Phillips, United States Marine Corps, is directing the mass feeding.

The removal and burial of the dead is under the supervision of the National Guard. Approximately 600 bodies have been buried already.

The railroad to Corinto is blocked at Asososca, a point about 6 miles west of Managua, where a landslide occurred in a large cut. Mr. Townsend, manager of the railroad, has a large crew engaged in removing the slide. He hopes to reestablish through communication to Corinto by April 8. Supplies are now being brought from Corinto to Asososca and from there by motor truck to Managua. All refugees are being carried free by railroad.

The Central Committee is coordinating all the above activities as well as the purely Nicaraguan activities. It is being guided by the technical advice and assistance of Mr. Swift, the American Red Cross representative, who is now engaged in a survey of the situation in neighboring cities where refugees have been concentrated and need relief. Panama, Costa Rica, El Salvador, Guatemala and Honduras have sent medical, nursing and sanitary commissions which are rendering assistance.

Please repeat to Red Cross.

HANNA

817.48 Earthquake of 1931/74: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 5, 1931—3 p. m.

[Received April 6—11:20 a. m.]

The Commanding General Canal Zone has issued Army subsistence stores to Navy transport for Nicaraguan relief without charge. I understand that the Chief of the Army General Staff subsequently approved this action. The supplies were urgently needed to supplement available Navy supplies and avoid delay in the sailing of the transport. The initiative of the Commanding General is greatly appreciated here.

We hope the Army will continue to furnish supplies when necessary to meet emergencies without reimbursement. All Red Cross funds allotted for this relief will be needed for purchase of local supplies not included in military issues. Mr. Swift estimates that emergency food is necessary for approximately 20,000 absolutely dependent people during April and part of May. The articles of food most necessary are rice, corn, beans, preferably red kidney, lard, salt and either flour or hard bread, preferably the latter. Other components of the military ration are not necessary or desirable.

We will appreciate the Department's interest in obtaining the cooperation of the Army and continued cooperation of the Navy as indicated herein. Please repeat to Red Cross.

HANNA

817.48 Earthquake of 1931/80: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA [undated].

[Received April 6, 1931—1:30 p. m.]

Supplementing my [April] 4th, 8 p. m. Major R. J. Mitchell commanding aircraft forces of the Marine Brigade here commends highly the cooperation given by planes of the Pan American Airways in the evacuation of wives and families of American officers from Managua and urges that appropriate acknowledgment of this cooperation be made to Mr. Trippe. Major Mitchell specially mentions the splendid work of Messrs. E. Balluder, D. D. Richardson, H. B. Lewis, W. L. Morrison, H. Rammer, R. E. Frizell, Archie Paschal, and J. Dymond.

HANNA

817.48 Earthquake of 1931/85 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA [undated].

[Received April 6, 1931—5:19 p. m.]

Supplementing my [April] 5th, 2 p. m. Sanitation of Managua is under control of a committee composed of two Nicaraguan doctors and the medical director of the Guardia Nacional, Commander Gordon Hale, Medical Corps, United States Navy. They have divided the city into four districts each under one or more Nicaraguan doctors. Red Cross units from the other Central American countries are giving the committee active aid. All persons are being inoculated against typhoid. General health conditions remain good. All hospital patients are under tentage on La Loma Field. No serious illness here among Americans. More than 650 dead have been buried to date. The work of recovering the dead continues but it is probable that hundreds will never be recovered.

HANNA

817.48 Earthquake of 1931/87 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 6, 1931—6 p. m.

[Received April 7—2:22 a. m.]

Highly chlorinated water from the former system is in the mains today under low pressure. Breaks in the mains and connections are being repaired. One of the pumps at the new source will be uncovered by the end of the week.

Colonel Sultan's local committee is making satisfactory progress in organizing food distribution in Managua. His committee is perfecting arrangements to establish three or four market places where those who have money can purchase fruits and other food supplies from producers near Managua. This will be the first step in reestablishing normal commercial transactions. Practically all merchandise was destroyed by the earthquake and subsequent fire. I do not know of a single general supply store with merchandise.

We have taken up the question of providing shelter before the rainy season begins in about 6 weeks and expect to have a matured plan by tomorrow.

The fire is under control and appears to be definitely checked.

The relief from other Central American Republics and Panama continues to render valuable assistance.

HANNA

817.48 Earthquake of 1931/106

The Nicaraguan Minister (Sacasa) to the Secretary of State

[Translation]

WASHINGTON, April 6, 1931.

EXCELLENCY: I must express through the worthy channel of Your Excellency, and in the name of the People and Government of my country, to the United States of America, and especially to His Excellency President Hoover and to the Departments of State, War and Navy and to the American Red Cross, the most sincere and profound gratitude for the opportune and earnest assistance which they brought to the relief of the unhappy situation and the deep grief which to-day afflict the capital of Nicaragua.

The genuine spirit of Pan American fraternity so clearly and expressively displayed in the innumerable proofs of sympathy continually offered to us, finds in the hearts of all Nicaraguans an echo of gratitude never to be extinguished and of eternal friendship for this generous Nation.

I avail myself [etc.]

JUAN B. SACASA

817.48 Earthquake of 1931/94

The Secretary of State to the President of the Pan American Airways, Inc. (J. T. Trippe)

WASHINGTON, April 7, 1931.

SIR: In telegrams dated April 4 and April 6, 1931, received from Mr. Matthew E. Hanna, American Minister at Managua, the Department has been informed of the great assistance rendered by the Pan American Airways. Mr. Hanna stated that:

[Here follow texts of telegrams dated April 4, 8 p. m., and April 6, 1:30 p. m., from the Minister in Nicaragua, printed on pages 791 and 794.]

The Department takes pleasure in bringing the foregoing to your attention and wishes to express its appreciation of this humanitarian work freely and willingly rendered by the Company, its officials and employees.

Very truly yours,

For the Secretary of State:

FRANCIS WHITE

817.48 Earthquake of 1931/95: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA [undated].

[Received April 7, 1931—11:20 p. m.]

Relief measures continue satisfactorily. Other Central American countries doing valuable work. Health conditions are good. Four

thousand persons inoculated against typhoid today and a like number will be inoculated tomorrow.

Through rail communication to Corinto will probably be reestablished Thursday. Families are slowly returning to their homes and are repairing them. The efforts of the Central Relief Committee are being concentrated on the problems of shelter and of restoring normal living and commercial conditions in the community.

HANNA

817.48 Earthquake of 1931/111: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 10, 1931—noon.

[Received 4:23 p. m.]

1. President Moncada and the more important Federal Government offices including the Supreme Court will remain in Managua and the remaining offices will be established temporarily in Masaya. The Nicaraguan Congress will also assemble in Masaya next Tuesday to renew its ordinary session. The foregoing has been announced in the official bulletin.

President Moncada has told me that this does not necessarily mean that the capital will remain permanently in Managua and that definite decision of this question is being postponed until sentiment can be weighed under more normal conditions. I believe he has partly in mind the encouragement of the reconstruction of this city.

I now have under consideration the arrangements we should make for sheltering the Legation and its personnel and will make my recommendations in the near future.

HANNA

817.48 Earthquake of 1931/112: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 10, 1931— 1 p. m.

[Received 6:33 p. m.]

2. Will Rogers left here this noon by special airplane for San José, Costa Rica. His visit brought cheer to this saddened community and has given new hope to the despondent. He has snapped us out of our morbidness and has given us a saner spirit to carry on our work of reconstruction. We all owe him a profound debt of gratitude.

HANNA

817.48 Earthquake of 1931/113 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 10, 1931—1 p. m.

[Received 9:15 p. m.]

3. For American Red Cross from Swift:

"Situation here presents abnormal difficulties. The Government is impoverished, its capital destroyed. Ten percent of the population of the country has been affected and practically ruined. There is no employment of labor because householders are without funds to repair property and merchants are financially unable to replace stocks burned in the fire. We have opened market places where people can purchase food from the countryside and everything is being done to encourage reestablishment of business and normal life. Until this is accomplished more than 30,000 people must be assisted and employment furnished approximately 5,000. The most urgent and serious problem confronting us is the repair of houses to shelter refugees and the committee plans to spend a large part of its cash resources to furnish labor for the purpose, of course under the direct control and supervision of the committee. This will have double benefit of providing employment as well as shelter. Foodstuffs must also be purchased in United States and locally. For all purposes a large sum is necessary and I believe \$100,000 is a reasonable contribution for the Red Cross. Unless absolutely necessary we would prefer that public announcement be not made now as it may have unfavorable influence on projects which local authorities are trying to organize. The Minister concurs. Suggest response be sent through State Department in code. Swift."

HANNA

817.48 Earthquake of 1931/114 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 10, 1931—6 p. m.

[Received 11:30 p. m.]

4. My No. 3, April 10, 2 [1] p. m. Work for the unemployed here is vitally necessary. It probably will be months before normal activities will furnish employment for all. Financial assistance for this purpose in the meantime is urgently needed. Funds donated for this purpose can be expended in highly useful work under the control and supervision of the Central Relief Committee. The period during which food and other such relief measures must be continued depends largely on unemployment. Such relief can be terminated

when employment is again normal. Reconstruction and restoration of business will be stimulated and the labor situation will thus be improved.

This problem is also closely related with the preservation of order not only in Managua but throughout the Republic. There has been no noteworthy disorder yet as a consequence of the disaster but the germs are present and are spreading and may easily become dangerous if not stamped out. I hope we may carry out about on schedule the arrangements recently decided upon for withdrawal of the Marines but if disorder develops it might cause delay. Employment for those out of work here and elsewhere as a consequence of the disaster will help to prevent such disorder.

For the foregoing reasons I hope the Department may support and stimulate efforts to obtain financial assistance for the Central Relief Committee as well as for the Government of Nicaragua.

HANNA

817.48 Earthquake of 1931/117 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 11, 1931—4 p. m.

69. Your 3, April 10, 1 p. m. and 4, April 10, 6 p. m.

Please deliver the following message to Swift from McClintock of the American Red Cross:

"You [are] authorized expend one hundred thousand as requested. No announcement of this amount will be made here. Supplies for chlorinators will reach Managua air mail Wednesday. Your letters 7th [and] 8th make excellent report for convention. Have you idea when you able to return? Congratulations on fine job. We deeply appreciate cooperation Nicaraguan Government, Navy, Marines, Army as detailed your reports. Give Minister our special thanks."

STIMSON

817.48 Earthquake of 1931/122 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 14, 1931—8 a. m.

[Received 4:37 p. m.]

10. In reply to messages received from several of our legations in Central America I have sent the following telegram to our legations in Central America and Panama:

"13th, 9 p. m. It has come to my attention that reports have been broadly circulated to the effect that many persons have been killed here for looting after the recent earthquake. Such reports are grossly

exaggerated. I informed the Department on April 6th⁹ that one looter had been killed and one wounded by the Guardia Nacional, that investigations showed that action in both instances was justified and that no persons had been killed or injured by Marines. Subsequent investigations have confirmed the foregoing and there have been no additional casualties of this nature.

It should be pointed out to the everlasting credit of the inhabitants of Managua that there was nothing approaching wholesale looting but that on the contrary the entire population of the city cooperated in so far as it could in the work of relief. Stringent measures naturally were taken by those in authority to prevent looting but it was necessary to enforce them only in the two instances mentioned.

The absence of looting considering the exceptional opportunity which the circumstances afforded is a tribute in the first place to the residents of Managua and in the second place to the wise measures adopted by the military authorities and the temperate manner in which they were enforced.

I will be pleased if you will make such use of the foregoing as you may deem appropriate."

HANNA

817.48 Earthquake of 1931/127: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 15, 1931—3 p. m.

[Received April 16—1:45 p. m.]

16. Please deliver the following to McClintock of American Red Cross.

"I deeply appreciate your message of thanks delivered to me by Mr. Swift on April 11.¹⁰ I wish at this time to express my great admiration and appreciation of the work Mr. Swift has done and is doing in connection with relief here. His calm and timely counsel and very active cooperation have made the coordination and administration of relief much less difficult and much more effective than they otherwise could have been. We are all grateful for his presence here."

HANNA

817.48 Earthquake of 1931/128: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 15, 1931—8 p. m.

[Received April 16—2:05 p. m.]

21. I desire to place on record my admiration of the truly wonderful work in the reestablishment and maintenance of order and in the work of administering relief following the earthquake of March 31, performed by the American military organizations in Nicaragua and

⁹ Telegram not printed.

¹⁰ See telegram No. 69, April 11, 4 p. m. to the Minister in Nicaragua, p. 799.

by the Guardia Nacional officered mainly by officers and noncommissioned officers of the United States Marine Corps.

I specially wish to record the splendid work done by the Commander of the Marine Brigade, Colonel F. L. Bradman; his second in command, Lieutenant Colonel F. B. Garrett, and his Chief of Staff, Lieutenant Colonel William W. [C.?] Wise; the Commander of the Guardia Nacional, General Calvin Matthews (Lieutenant Colonel United States Marine Corps); his Chief of Staff, Colonel Walter Sheard, (Major United States Marine Corps); the engineer in charge of the Nicaraguan canal survey, Lieutenant Colonel Dan I. Sultan, United States Army, and his principal assistant, First Lieutenant L. R. Groves.

The Medical Corps of all three organizations assumed the task of caring for the injured, in many cases working 48 hours and more without rest. Deserving of special mention are Colonel Gordon Hale, Medical Corps, Guardia Nacional (Commander Medical Corps, United States Navy); Colonel [Major?] Horace Boone, Medical Corps, Guardia Nacional (Lieutenant Commander, Medical Corps, United States Navy); Lieutenant Commander Warwick T. Brown, Medical Corps, United States Navy, and Major Ralph [Paul R.?] Hawley, Medical Corps, United States Army. It was due largely to the efforts of these doctors that greater suffering did not follow the disaster and that preventive measures have been taken against epidemics.

Great credit is due Captain Claude Phillips, United States Marine Corps, for organizing and directing the feeding of refugees.

I cannot speak too highly of the work of these gentlemen and of the officers and men under their command. Their presence here vastly minimized the possible tragic consequences of the disaster and has been and continues to be the greatest assistance to the community. It should be added that the Nicaraguan Government recognizes this fact and has lost no opportunity to demonstrate its gratitude.

HANNA

817.48 Earthquake of 1931/152

The British Ambassador (Lindsay) to the Secretary of State

No. 160

WASHINGTON, May 13, 1931.

SIR: I have the honour to inform you that His Majesty's Principal Secretary of State for Foreign Affairs has instructed me to request you to convey to the United States authorities concerned the deep appreciation of His Majesty's Government for the valuable assistance rendered by United States marines in protecting the lives and property of British subjects in Managua on the occasion of the recent earthquake there.

In particular, Mr. Henderson desires that the appreciation of His Majesty's Government should be conveyed to Colonel F. Bradman, Lieutenant Colonel F. R. [B.] Garrett and Lieutenant Colonel W. C. Wise who supervised the United States Marine Camp into which British subjects were taken, for their kindly and helpful action.

I have [etc.]

R. C. LINDSAY

817.48 Earthquake of 1931/178

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 404

MANAGUA, June 18, 1931.

[Received June 25.]

SIR: It has been my policy, in directing the relief work of the American Red Cross in Managua, to keep President Moncada closely informed concerning the activities of the Central Relief Committee of the American Red Cross of which he is the Honorary President. In carrying out that policy, I addressed a communication to him on June 11, 1931, copy enclosed, in which I brought him up to date in this connection and outlined the plans of the Committee for the immediate future. I closed my communication with the customary statement that the Committee would be pleased to modify the program in an endeavor to be in full accord with the President's wishes should he care to make any suggestions. President Moncada replied in a communication dated June 18, 1931, a copy and translation of which are also transmitted herewith.

I have the honor to invite the Department's special attention to President Moncada's reply in view of his having warmly set forth therein his appreciation and gratitude for the relief work being done in Managua by the American Red Cross, as well as a message of appreciation to the Government of the United States, both of which he has requested me to transmit.

I have transmitted the documents in this matter to Mr. Ernest J. Swift of the American Red Cross, and I enclose herewith a copy of my letter of transmittal to him.¹¹

Respectfully yours,

MATTHEW E. HANNA

[Enclosure 1]

*The American Minister (Hanna) to the President of Nicaragua
(Moncada)*

MANAGUA, June 11, 1931.

MY DEAR MR. PRESIDENT: I desire to give you up-to-date information concerning the activities of the Central Relief Committee of the American Red Cross and its plans for the immediate future.

¹¹ Not printed.

The distribution of food was stopped on May 15, excepting small donations which are still being made to the general hospital and occasional donations to exceptionally needy cases. The distribution of milk for infants was terminated on June 10.

The relief through furnishing labor to unemployed continues but on a somewhat reduced scale. Approximately 1,500 laborers were being employed when this work was at its maximum but the number has now been reduced to approximately 1,000. The number will be further reduced to meet changing conditions. It is the hope of the Central Relief Committee that increasing industrial activity in and about the city, and especially the project for the construction of the proposed railway along the lake, will absorb a portion if not all the labor as rapidly as it is set free by the Central Committee.

The projects on which labor is now being employed by the Central Committee are the following:

1. Completing the removal of debris from the city. There remain to be cleaned of debris only a few streets in the southeast section of the city and this work should be terminated in another two weeks.

2. The completion of the prolongation of Second Street to the Pan American Airways station. This will be completed within about ten days.

3. The repair of Central Street from the eastern limits of the city to the paved portion of the city to relieve the serious congestion on Second Street. It is planned to construct concrete crossings where the north and south streets intersect Central Street. This is deemed necessary for protection against large quantities of water flowing through these streets during the rainy season. The surface of the street will be finished with volcanic ash heavily oiled. All material, of course, for this construction will be furnished by funds of the American Red Cross. This street probably will be finished in a month or six weeks.

4. The prolongation of Second Avenue west to the south of Calle Colon. This street will be built with debris from the city and will be surfaced with volcanic ash heavily oiled. It is now being graded and should be finished in about three or four weeks.

5. The repair of streets within the city limits where most needed.

6. The repair of the highway from the city to Villa Stimson. This repair work will consist of reshaping the highway and giving it a surface finish of heavily oiled volcanic ash. The railway administration is hauling the volcanic ash from the Asosoca pit to the neighborhood of the highway, and it is being paid for this service from Red Cross funds. The repair of this highway may be continued until the relief funds of the American Red Cross are exhausted.

7. The restoration of the northern portion of the general hospital. This work is being supervised by the hospital authorities. The Central Relief Committee made an allotment of \$3,500 for this purpose, that being the estimate of probable cost presented to the Committee by the hospital authorities.

8. The repair and renovation of the hospital for the Guardia Nacional. The Central Committee allotted \$1,000 for this purpose.

9. The Central Committee has turned over to the Executive Committee of the National District the labor and material for daily clean-

ing the streets, daily removal of garbage and the administration of the two market places. The Central Committee will pay for these services temporarily.

The funds still available are sufficient to continue work on the foregoing projects until the end of July and possibly until the middle of August. The number of laborers and the cost of transportation will be decreased gradually throughout that period, partly to insure economical operation and partly to avoid the sudden turning loose of large numbers of laborers. This latter point is one to which the Central Relief Committee is giving much careful consideration.

I hope the foregoing meets with the complete approval of Your Excellency but if not, the Central Relief Committee will be pleased to modify the program in an endeavor to be in full accord with your wishes.

I am [etc.]

MATTHEW E. HANNA
*Chairman, Central Relief Committee,
The American Red Cross*

[Enclosure 2—Translation]

*The President of Nicaragua (Moncada) to the American Minister
(Hanna)*

MANAGUA, June 18, 1931.

DEAR MR. HANNA: With satisfaction I have read your courteous letter of June 11 relative to the important works initiated and carried to conclusion by the Central Relief Committee of the American Red Cross.

The noble labor of the American Red Cross—its devotion to the relief of the sufferers and to the health and sanitation of the Capital—has been of great importance for Managua, recognized by the Nicaraguan people. As the representative of the Nation, I am pleased to extend my homage and the best impressions of gratitude, and through you I wish to make them known to the Institution in the United States as a weak manifestation of the gratitude of the Nicaraguan people.

It gives me satisfaction also to extend to you in the most cordial manner and in the same form the homage of my appreciation for your sincere and beneficial devotion to the work of saving Managua, as well as to the worthy Government which you represent.

All you have told me in your appreciated letter mentioned above merits my approbation and applause.

With distinguished consideration, I am, etc.

J. M. MONCADA

ASSISTANCE BY THE UNITED STATES MARINES IN THE SUPPRESSION
OF BANDIT ACTIVITIES IN NICARAGUA ¹²

817.00 Bandit Activities, 1931/4 : Telegram

The Vice Consul at Bluefields (Rowe) to the Secretary of State

BLUEFIELDS, April 13, 1931—3 p. m.

[Received 10:50 p. m.]

Armed bandits under Blandon with 75 men well armed and equipped with machine guns suddenly appeared at Logtown about 60 miles from Puerto Cabezas at the end of the railroad early in the morning of April 11th. Captain Pefley, Marine Corps, Department commander of the Guardia, left Puerto Cabezas with small patrol upon hearing rumors of trouble. They were ambushed near Logtown at about 11 a. m., Captain Pefley was killed and one Guardia wounded. Additional officers of the Guardia have been sent to Puerto Cabezas from Bluefields. Today all available Guardia have interposed themselves between the bandits and Puerto Cabezas planning to attack them today assisted by two Marine bombing planes from Managua. U. S. S. *Asheville* due at Puerto Cabezas midnight 13th and U. S. S. *Memphis* due at 6 a. m., 14th. Bandits have killed several civilians some of whom are reported to be Americans on Bragmans Bluff Lumber Company farms. Bandits control company's property north of Snaki on Wawa River about 110 kilometers from Puerto Cabezas. *Civicos* policing Puerto Cabezas in absence of Guardia who are all in the field awaiting arrival naval vessels. Puerto Cabezas alarmed but no disorders yet reported. Barely enough Guardia left in Bluefields to police the town. Number of Guardia in eastern Nicaragua considered far from sufficient to combat bandits should they concentrate on this area. Rumors persist that more bandits under the command of Altamirano are proceeding toward Puerto Cabezas from the interior.

ROWE

817.00 Bandit Activities, 1931/9 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 14, 1931—3 p. m.

[Received April 15—12:40 a. m.]

14. Dr. Irias, the Minister for Foreign Affairs, returned from his special mission to El Salvador and Guatemala the day of the earth-

¹² Continued from *Foreign Relations*, 1929, vol. III, pp. 549-580. Correspondence relating to bandit activities in 1930 is not printed, as the period was one of relative inactivity.

quake¹³ and consequently it was not until today that he made his report to President Moncada. His report set forth the following:

When Dr. Irias called upon the President of El Salvador the latter spontaneously and without the slightest inducement by Dr. Irias tendered his good offices to cooperate in the restoration of order in Nicaragua provided the tender would be agreeable to the Government of Nicaragua and to the Government of the United States. Later on when Dr. Irias called upon the President of Guatemala the latter made a similar tender of good offices also spontaneously and without inducement on the part of Dr. Irias and also with the understanding that the tender would be agreeable to the Government of Nicaragua and the Government of the United States. Dr. Irias then informed the President of Guatemala that the President of El Salvador had made a similar offer and had expressed his willingness to cooperate in this matter with any efforts which the President of Guatemala might take and also to use his good offices with the President of Honduras. The President of Guatemala also indicated his willingness to cooperate with the President of El Salvador.

Dr. Irias informed each of them that he considered the idea sound provided it met with the approval of the Government of the United States.

The President of El Salvador intimated that his efforts would consist in an endeavor to induce Sandino to lay down his arms through informal negotiations which could not constitute a recognition of his belligerency.¹⁴ The President of Guatemala did not give any indication of the form his assistance would take. Dr. Irias is not informed concerning the details of the plan which would be followed by those Governments but considers that this could be satisfactorily arranged if the Government of the United States is in accord with the general idea.

Dr. Irias called upon me this morning by President Moncada's direction to give me the foregoing information and to say that President Moncada will accept the tender of good offices provided the Government of the United States is in complete accord.

Repeated to Guatemala and San Salvador.

HANNA

817.00 Bandit Activities, 1931/17: Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 14, 1931—8 p. m.

76. In view of reports of Commander Asheville now at Puerto Cabezas that all the Guardia except one officer [*sic*] were last reported 78 kilometers away and that bandits were reported 13 kilometers away, that 4 Americans were killed in the last 48 hours and 3

¹³ See pp. 780 ff.

¹⁴ For previous correspondence regarding Sandino, see *Foreign Relations*, 1929, vol. III, pp. 580 ff.

missing and that the only guard left of Puerto Cabezas are unreliable civilian outposts which do not cover all approaches, the Commander of the *Asheville* was instructed to land forces to protect the lives of Americans until a Guardia detachment, which is due to arrive in about 24 hours, can take over the situation. The Department has announced that when the Guardia arrives the situation will be turned over to it and the landing forces from the *Asheville* will immediately be reembarked and that the Americans at Puerto Cabezas who do not then wish to remain will be taken off on the *Asheville* and on the steamship *Cefalu*, of the Standard Fruit and Steamship Company, now in the port.

STIMSON

817.00 Bandit Activities, 1931/33 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 16, 1931—6 p. m.

80. Confidential for Hanna from the Secretary. The naval, Guardia and Consulate cables during the past 3 days seem to make it clear that certainly three and probably four bodies of bandits are making their way eastward towards the Atlantic coast of Nicaragua on an apparently concerted campaign against American persons and property. Altamirano and Blandon, lieutenants of Sandino, have been apparently identified as leaders of some of these bodies. One force has successfully attacked Gracias a Dios; another one has attacked Logtown, and has threatened Puerto Cabezas. Another is approaching San Pedro del Norte and El Gallo, and a fourth is at Muelle de los Bueyes, near Rama. While estimates of their numbers are undoubtedly grossly exaggerated and have been discounted by me, they have sufficient force and leadership to have successfully threatened the detachments of Guardia on the east coast and to have inflicted serious loss of life and property among civilians. The fact that these separate bodies should have successfully eluded the main forces of the Guardia in the bandit provinces and have made these long marches towards the east coast without earlier warning would seem to indicate serious lack in the leadership of the Guardia. I am informed that during the more than 3 years in which the Guardia has been trained no efficient Intelligence Service has yet been developed and the command has no organized espionage service in the bandit provinces. History shows that such a service in guerilla warfare is imperative and its lack in this case would seem to be indicated by the facility with which Guardia and Marine detachments have been frequently ambushed. I wish you would send me promptly your views and recommendations upon this situation.

In the face of the present situation it would seem self-evident that some means of promptly transporting reinforcements from Managua to the east coast should be found and on my suggestion naval planes have been placed at the disposal of the Guardia for that purpose by the Navy Department. I have, however, yet heard of no such reinforcements being made. While I wish to avoid any intrusion into the function of the Guardia command I should like you to inform me whether any such reinforcement is in contemplation. Contrary to its announced policy the Administration has been forced to send warships to Puerto Cabezas and Bluefields and to land forces temporarily to meet the emergency. But it will not send any of these naval forces into the interior. The problem of defense must therefore be worked out by the Guardia itself and I wish to be kept informed of what they are doing and, so far as you can obtain them, their intentions and plans.

STIMSON

817.00 Bandit Activities, 1931/31: Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 16, 1931—7 p. m.

81. In view of outbreak of banditry in portions of Nicaragua hitherto free from such violence you will advise American citizens that this Government cannot undertake general protection of Americans throughout that country with American forces. To do so would lead to difficulties and commitments which this Government does not propose to undertake. Therefore, the Department recommends to all Americans who do not feel secure under the protection afforded them by the Nicaraguan Government through the Nicaraguan National Guard to withdraw from the country, or at least to the coast towns whence they can be protected or evacuated in case of necessity. Those who remain do so at their own risk and must not expect American forces to be sent inland to their aid. A similar message has been sent to the Consulate at Bluefields.

STIMSON

817.00 Bandit Activities, 1931/36: Telegram

The Vice Consul at Bluefields (Rowe) to the Secretary of State

BLUEFIELDS, April 17, 1931—6 p. m.

[Received 11:55 p. m.]

I have complied with instructions in your telegram April 16, 6 p. m.¹⁵ In reply to my telegram Bragman, an officer, telegraphed as follows:

¹⁵ See last sentence of the telegram *supra*.

"Your message April 17th received. Accordingly all Americans evacuating their homes and business Puerto Cabezas first available transportation."

Guardia Commander at Puerto Cabezas telegraphs that in his opinion if naval vessel is permitted to remain there normal conditions will return but in case of evacuation of Americans a concerted uprising of unemployed and natives would occur which would be entirely beyond control of the Guardia. He adds that the British Consul at Puerto Cabezas has applied to the British Minister at Managua for protection. With the exception of Puerto Cabezas quiet prevails along the coast and no disturbances have been reported since yesterday. Bluefields Guardia officers have returned from Puerto Cabezas. U. S. S. *Sacramento* arrived at Bluefields this morning. . . .

ROWE

817.00 Bandit Activities, 1931/40 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 17, 1931—8 p. m.

[Received April 18—11:40 a. m.]

26. Your 81, April 16, 7 p. m. Captain Schwerin Guardia Nacional reports the following from Puerto Cabezas:

"Company manager has received despatch from American Consul Bluefields containing advice from State Department that American citizens cannot expect protection of United States forces, that they remain in Nicaragua at own risk. In view of fact that *Memphis* now here may leave at any time manager believes all Americans will evacuate on steamer *Sumary* closing plant. Commanding officer *Memphis* orders permit his landing case of trouble in or attack on the town. He has stated that he will stay here at least until evacuation of Americans is completed. British Consul here has applied to British Minister Managua for protection of British citizens. Until receipt of despatch by company manager conditions were starting to get back to normal. I believe with naval forces assured in harbor ready to land that normal conditions would return but with evacuation of Americans and closing of plant putting many out of work concerted uprisings will take place with attack on town for looting immediately upon departure of *Memphis*. In such case Guardia force entirely inadequate to guard lives or property. Radio communication will stop. Request instructions as to action in case evacuation of Americans and departure of naval force."

Captain Marston Guardia Nacional Commander forwarding the above report, states "Captain Wood reports conditions in fair way to improve when he left Puerto Cabezas this morning and he and I concur in Schwerin's estimate of situation."

The British Chargé d'Affaires here has just received a telegram from the British Consulate at Bluefields [*Puerto Cabezas?*] stating that it

has been informed of Department telegram number 81 and stating that 1,500 British subjects including women and children were in immediate danger of bandit attack on April 15th and that the *Asheville* had arrived. The telegram adds the following:

"As the situation has not changed and I have received no reply from Rees (British Consul at Bluefields) British subjects have requested me to apply direct to you for protection lives and property. Several British subjects have already been murdered and others are still unaccounted for. Bandits are directing their animosity against Americans and Jamaicans principally. Please advise what protection our Government will afford us."

HANNA

817.00 Bandit Activities, 1931/35 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 17, 1931—10 p. m.

[Received April 18—10:10 p. m.]

27. Confidential for the Secretary. Your 80, April 16, 6 p. m. The most general conclusion here based on such reports as are reliable and verified, is that there was a movement to the east of the forces operating under some of the bandit leaders who heretofore have confined their operations mainly to the Matagalpa, Jinotega, Ocotal areas. The numbers as usual have been greatly exaggerated. Their purpose may have been a mere marauding expedition but there are reasons for believing that they also hoped to capture Puerto Cabezas or some other port on the east coast and thereby give their banditry the character of a revolutionary movement. It also appears that they had decided to show no quarter to Americans and perhaps other foreigners residing in that region.

The main forces of the Guardia, about 1,350 enlisted, have been continuing their operations in the northern and central areas. Approximately 200 enlisted are in Managua and vicinity on duty growing out of the earthquake and approximately 150 enlisted have been on the east coast. About 300 enlisted are doing police duty in peaceful regions of the Republic and the remaining 150 of the authorized 2,150 are yet to be enlisted. The patrolling in the northwest and central areas had encountered little opposition during the past 2 months and the significance of this had in nowise been overlooked by the Guardia headquarters in its control of operations. Altamirano's forces attempted an incursion into Chontales about 3 weeks ago but were driven back and, as is inevitable in such operations, contact with them was lost. Guardia headquarters was not misled by the comparative lull in the bandit activities but on the contrary employed all the resources at its command to obtain information about bandit plans and intentions. The withdrawal of the Marine garrisons from

the Ocotal region had commenced and plans for the early withdrawal of Marine garrisons in the Matagalpa and Jinotega regions had been perfected. An essential prerequisite for these withdrawals was and still is the replacement of those garrisons by additional Guardia and their replacements were and are still in progress. Any incursion of large bandit forces into the eastern area embracing ports on the Atlantic Coast can only be sporadic and the main theater for bandit activity probably will continue to be the central and northern areas which have doorways to the heart of the country to the south. A bandit incursion over long and difficult jungle trails to the east coast might succeed in committing some outrages, such as those which have just been committed, but in all probability would be repelled eventually and compelled to return to the central and northern areas. This has a fundamental bearing on the distribution of the Guardia available for opposing banditry.

The Americans killed in this last bandit raid were in interior localities and far from Guardia protection. The regrettable loss of a captain of Marines serving with the Guardia was but the fate of warfare meted out to a valiant soldier in the line of duty. The heroic fighting of Guardia patrols in stopping the advance on Puerto Cabezas was but the usual task of this efficient force. The important part played by the Marine air service in cooperation with these patrols was nothing new in the warfare of the banditry. The casualties in the Guardia were two wounded. The bandits lost heavily comparatively and there seems to be little or no doubt that Blandon was among the killed. It is understandable that all of that section was alarmed and that its estimate of what has transpired may have been distorted. It is not possible to hold securely all points in that region with the maximum force of Guardia that can be stationed in that region but it is believed that the force is ample to protect the principal points and prevent a prolonged occupation of that region by the bandits. The opinions of the Guardia and the situation as it exists now constitutes a successful if not brilliant outcome for the Guardia. All serviceable planes suitable for cooperating were sent to the assistance of the Guardia as soon as the situation became known here. The advisability of sending reinforcements in the one serviceable transport plane capable of carrying 10 men was carefully weighed and decided in the negative because of the great danger involved. Moreover, but one round trip on the same day would have been possible. Reinforcements were obtained in the only speedy manner possible by ordering the Guardia commanders at Puerto Cabezas to re-enlist immediately a considerable force of trained men who had recently been discharged.

The problem of obtaining accurate information about bandit plans and movements is one which naturally has engaged the preferential

attention of the Chief of the Guardia and of his principal subordinates. There has been no laborious diligence in this connection. The best possible information service has been created within the limits of the funds available for this purpose. The volume and reliability of information has steadily increased. The sources are more numerous and friendly than a year ago. The difficulties in the way of obtaining accurate information are of great and unusual magnitude. The region involved is extensive and the population is hostile to the Guardia. The withdrawal about to be effected of the major portion of the Marines now stationed in Nicaragua may stimulate bandit activity and will surely subject the Guardia to a severe test. I believe that public confidence in the Guardia is especially important at this time.

HANNA

817.00 Bandit Activities, 1931/52: Telegram

The Secretary of State to the Vice Consul at Bluefields (Rowe)

WASHINGTON, April 18, 1931—2 p. m.

Your April 17, 6 p. m., third paragraph. The Naval vessels now on duty at Puerto Cabezas, Bluefields, and Cape Gracias a Dios will remain until the present difficulty is over.

STIMSON

817.00 Bandit Activities, 1931/48: Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 18, 1931—3 p. m.

85. As stated in my telegram No. 80¹⁶ the Navy, at my request, has put at the disposal of the Guardia its airplanes to transport reenforcements to the Atlantic side. I have not yet heard that this has been done. I of course do not wish to intrude with any military suggestions as that is not within my province and function, but I am concerned lest the Commander of the Guardia feel that the presence of three Naval vessels of the United States on the East Coast relieves him of the responsibility of maintaining order there. The maintenance of order on the East Coast as well as elsewhere throughout Nicaragua is the function of the Nicaraguan Government and the duty of the Guardia. This Government desires the Guardia to take over that situation as quickly as possible so that American vessels may be withdrawn at the earliest possible moment consonant with safety. Please report.

STIMSON

¹⁶ Dated April 16, 6 p. m., p. 807.

817.00 Bandit Activities, 1931/43 : Telegram

The Vice Consul at Bluefields (Rowe) to the Secretary of State

BLUEFIELDS, April 18, 1931—4 p. m.

[Received 8 p. m.]

In view of repeated rumors of threatened bandit attack upon El Gallo, the Fruit Company Station, 3 officers and 27 enlisted Guardia are being sent there, leaving 3 officers and 13 Guardia in Bluefields. One officer and 30 enlisted Marines from U.S.S. *Sacramento* are being landed at Bluefields today to assure order in the absence of Guardia.

Rowe

817.00 Bandit Activities, 1931/49 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 19, 1931—8 p. m.

[Received April 20—12: 35 a. m.]

The Department's telegram No. 85¹⁷ apparently was sent before my telegrams number 27¹⁸ and 26¹⁹ were received. The present disturbance on the east coast, as may be deduced from my telegram number 27, constitutes but one element in the broad military and police problem continually confronting the Guardia. General Matthews who of course realizes his responsibility in this situation, tells me that he has disposed of the forces under his command in the manner he believes best suited to insure the maximum of protection throughout the entire Republic. He says he does not underestimate the urgent need for reenforcements on the east coast and lost no time in ordering the commander at Bluefields to increase his forces by enlargement. He was informed yesterday that recruits could not be found and he has decided to take the responsibility of sending reenforcements by air in spite of the hazards and the contrary advice of the commander of the air forces. The only available transportation are two transport planes to be specially conditioned for this service. They will leave here Tuesday morning carrying 18 enlisted Guardia. So far as is known here the Navy has placed no airplanes at the disposal of the Guardia other than those Marine Corps planes on regular service which need no special orders to cooperate in these operations.

I have shown your telegram No. 85 to General Matthews and he desires me to assure you that his conception of the responsibility of the Guardia in the maintenance of order in Nicaragua in general and on the east coast in particular is in full accord with your own views of the matter and that he will adopt every measure consistent with the

¹⁷ April 18, 3 p. m., p. 812.

¹⁸ April 17, 10 p. m., p. 810.

¹⁹ April 17, 8 p. m., p. 809.

maintenance of order elsewhere throughout the Republic to continue a successful opposition to the bandit hordes on the east coast. Information yet to be confirmed is now reaching Guardia headquarters of a bandit plan and initial concentration for an incursion from the Segovias to the southward probably in the general direction of Matagalpa. It appears that the situation on the east coast is complicated by labor unrest and subversive propaganda involving unusual danger for foreigners but General Matthews hopes that the situation may improve so as to permit of an early withdrawal of the moral support of American vessels now in east coast ports without unduly exposing Americans and other foreigners to danger.

HANNA

817.00 Bandit Activities, 1931/50: Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 20, 1931—1 p. m.

89. Your April 17, 10 p. m., and April 19, 8 p. m. I have consulted with Admiral Pratt, Chief of Naval Operations, on these cables and I have the very definite impression that the Guardia is proposing the movement of reinforcements to the east coast on Tuesday against the advice of the air forces under a possible misapprehension of the emergency in the situation. Today's reports indicate that attacks on the east coast have quieted down and each of the ports there is covered adequately by a ship. While these ships can not be considered for an indefinite period as a part of the strategy of the Guardia in the matter, they will remain until the present crisis is over, which will permit the Commandant of the Guardia to obtain adequate plane transportation. I understand from the Navy that further planes for the purpose of transport can soon be made available for the Guardia and details will be arranged at once.

STIMSON

817.00 Bandit Activities, 1931/56: Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 20, 1931.

90. Following statement issued to the press by the Secretary on April 18:

"The problem before the Government today is not a problem of the protection of its citizens in Nicaragua from a war, but from murder and assassination. In that respect it is totally different from the problem which existed in 1926.

In 1926, two armies, consisting of two or three thousand men each, were fighting in Nicaragua on the east coast. Both armies professed to be carrying out the rules of warfare and to be protecting neutrals and neutral property. So the problem of this Government was solved by establishing neutral zones in which, by agreement with both armies at that time, hostilities did not enter. These neutral zones, as I recall it, were established with the consent of both the Liberal and Conservative commanders of the contending armies. There was no organized attempt to murder private citizens of any country. The problem was only to protect them from the inevitable catastrophes of war.

Now we have a situation where small groups of confessed outlaws—treated as outlaws by the Nicaraguan Government—are making their way through the jungle to the east coast, with the avowed intention of murdering and pillaging the civilian inhabitants of the country. The terrain where this is taking place is one of the thickest jungles in the world. The rainfall on the east coast of Nicaragua is something more than double the rainfall on the west coast and as a result this is very thick jungle country, a region where it would be almost impossible for regular troops to operate effectively even if it were attempted.

Another point of difference which is vital is that in 1926 there was no Nicaraguan Constabulary. Since that time, for nearly 4 years, our officers have been helping the Nicaraguan Government train a force of Constabulary especially for fighting in this kind of terrain, the very object being to produce the most appropriate kind of force to meet tropical and jungle conditions of warfare. That force has been recently raised from 1,850 to over 2,100 and is reported by its officers as being highly efficient. Purely from the standpoint of protection the most effective way to protect the American and foreign civilians who have been suddenly exposed to this danger in the forests of eastern Nicaragua is to give them warning of the danger and an opportunity to escape to the protection of the coast towns; and then for this specially trained Constabulary to operate in the jungle against the bandits. If the number of Constabulary now on the east coast is not sufficient for that purpose, there are certainly enough elsewhere to reinforce them against these comparatively small bands of outlaws. American naval vessels are standing by at all the threatened east coast ports with orders to protect life and property at these ports. These ships will remain until the danger is over.

By assisting the Government of Nicaragua in organizing and training a competent guardia, we are not only furnishing the most practical and effective method of meeting the bandit problem and the protection of Americans and foreigners in Nicaragua from its attendant perils, but we are at the same time recognizing that it is a problem with which the sovereign Government of Nicaragua is primarily concerned and a problem which it is primarily the right and duty of that Government to solve. There has been no change in the determination of the American Government not to send American troops into the interior.

The events of this last week have pretty thoroughly torn the mask off the character of the mythical patriot Sandino. Two of his lieutenants have been recognized as leaders of these outlaw bands, and both from their work and from the evidence of captured papers they

are shown to have been engaged in a deliberate plan of assassination and pillage against helpless civilians of various nationalities, including Nicaraguans, working in mines and logging camps. The movements of these outlaws from the northwestern provinces to the eastern coast of Nicaragua came just after the terrific earthquake which prostrated the center of that country, when every humane impulse was to assist those who were suffering from the catastrophe and when all forces, including Marines and Constabulary were engaged in the alleviation of distress. It was in the hour of his country's desolation that Sandino chose to send his outlaws across the country to attack the region which he believed to be left unguarded."

STIMSON

817.00 Bandit Activities, 1931/58 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 20, 1931—6 p. m.

91. Your 26, April 17, 8 p. m., last two paragraphs. You may advise your British colleague that the United States naval vessels now on duty on the east coast of Nicaragua will remain until the present difficulty is over.

STIMSON

817.00 Bandit Activities, 1931/59 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 21, 1931—10 a. m.

93. Your 14, April 14, 3 p. m. It is the opinion of this Government that the adoption of measures designed to bring about the restoration of peace to Nicaragua is a question to be decided by the Nicaraguan Government itself. Consequently the Department while heartily desiring the restoration of peace in Nicaragua prefers not to express either approval or disapproval of the plan apparently now under discussion by the Governments of Nicaragua, El Salvador and Guatemala.

STIMSON

817.00 Bandit Activities, 1931/60 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 21, 1931—2 p. m.

[Received 8:37 p. m.]

34. Legation's telegrams 26, April 17, 8 p. m., and 28, April 18, 11 a. m.²⁰ The Jefe Director of the Guardia Nacional has sent the following telegram to the Guardia Commander at Bluefields:

²⁰ Latter not printed.

"Your 15417 was quoted verbatim to Washington with strong recommendations that naval vessels be permitted to remain in east coast harbors primarily for moral effect and prepared to land forces in case of extreme emergency only. Our Government is very desirous of avoiding having United States forces drawn into internal police duties of Nicaraguan cities. The landing of *Sacramento* Marines and relieving auxiliars and reserve police from duty will no doubt appear in Washington as a violation of the terms of my recommendation. It is not the policy to ask for actual landing of United States forces except as a last resort. Towns should be policed by auxiliars and reserve police during absence of Guardia on patrol if possible. Take steps to resume police of town at the earliest possible moment and request United States forces reembark as soon as Guardia can in your discretion control situation. Matthews."

HANNA

817.00 Bandit Activities, 1931/61: Telegram*The Minister in Nicaragua (Hanna) to the Secretary of State*

MANAGUA, April 21, 1931—5 p. m.

[Received 8:28 p. m.]

36. The Department's April 20, 1 p. m. The Jefe Director of the National Guard has informed me that 18 enlisted Guardia were safely transported by marine airplane to Puerto Cabezas today.

HANNA

817.00 Bandit Activities, 1931/83: Telegram*The Vice Consul at Bluefields (Rowe) to the Secretary of State*

BLUEFIELDS, April 28, 1931—2 p. m.

[Received 6:35 p. m.]

Marines which were landed at Bluefields April 18, today returned to U.S.S. *Sacramento* since a part of the Guardia patrol at El Gallo has returned to Bluefields. Commander of the eastern area Guardia reports that in his belief all bandit forces of consequence left eastern Nicaragua and that this area may now be considered quiet. Bandits can operate efficiently in eastern Nicaragua only in dry season which usually ends in the middle of May. Unless otherwise stated all reports made by this Consulate concerning bandit and military operations were based on information furnished by headquarters eastern area Guardia Nacional. Conditions on the coast are rapidly returning to normal due to the presence of naval vessels.

Repeated to Legation at Managua.

ROWE

817.00 Bandit Activities, 1931/88 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 29, 1931—11 a. m.
[Received 5:51 p. m.]

53. Reference telegram from American Consul, Bluefields, April 28, 2 p. m.²¹ Marines in northern area have been withdrawn to Managua with exception of 20 men in Ocotal to be withdrawn shortly. One hundred Marines already withdrawn to Managua from central area and remaining garrisons in that area numbering approximately 125 men will be withdrawn by middle of May. Guardia has replaced the Marine garrisons.

The Guardia in the northern and central areas now numbers approximately 1,400 enlisted and will shortly be increased to 1,500 by new enlistments under plan of February last. The situation in these areas reported to be quiet and patrols are not encountering organized bands of bandits. General Matthews considers the repulse of the bandits' incursion into the eastern area combined with the killing of Blandon as the severest blow organized banditry has suffered for a long time. He says he has more confidence than ever in the ability of the Guardia to handle the situation. His greatest fear is that the preservation of order in other portions of the Republic may become increasingly difficult because of unemployment resulting from the earthquake and that this may even become a more serious problem than banditry.

HANNA

817.00 Bandit Activities, 1931/127 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, May 15, 1931—4 p. m.

119. The Department has received from Mr. J. A. Willey a letter dated April 29, 1931, enclosing a communication dated March 30, 1931,²² signed by the Committee of the Foreign Colony of Matagalpa protesting against the withdrawal of American Marines from that region and requesting that a detachment of 150 Marines be retained there until banditry shall have been eradicated. Please obtain from Mr. Willey copies of both communications.

The views of this Government with respect to the obligation which rests upon the Government of Nicaragua to afford protection to foreign lives and property within its territory have been communicated to you, as have its opinions with respect to the competency of the Guardia Nacional de Nicaragua to perform that function. You will

²¹ See last sentence of telegram *supra*.

²² Neither printed.

so inform the Committee of the Foreign Colony of Matagalpa, and as suggested by President Moncada as reported in your No. 76, May 14, 7 p. m.,²³ suggest to the Committee that, if the foreigners resident in that region consider the plans made for their protection by Guardia Nacional forces to be inadequate, it give consideration to the wisdom of making such additional special arrangements as have been made by the Neptune Mine Company and as are now being made by the Standard Fruit and Steamship Company. Please report results.

STIMSON

817.00 Bandit Activities, 1931/160

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 378

MANAGUA, May 15, 1931.

[Received June 8.]

SIR: I have the honor to report that the Brigade Commander has informed me that on April 23, 1931, Captain Inman, G. N. (Captain, U.S.M.C.) and a guardia patrol were in contact with a group of twenty bandits on the Lacus River. Four bandits were killed and three were wounded, while the guardia suffered no casualties.

On April 27 a guardia patrol under Lieutenant Truesdale (Corporal, U.S.M.C.) pursued a group of bandits who were sacking a *finca* west of Condega, caught up with the group at Aguacate, and fired at one bandit who escaped in the brush. Eleven animals and a quantity of clothing and blankets were captured. There were no guardia casualties.

On April 28 a Guardia patrol under Lieutenant Truesdale was in contact near Las Cucillas with a group of bandits killing ten including one minor bandit jefe. One who was captured reported that another jefe had been mortally wounded in the contact of April 27 and died shortly thereafter. There were no guardia casualties.

On May 2, 1931, Lieutenant Ragsdale (Sergeant, U.S.M.C.) and the guardia garrison at La Pineda was attacked by a small bandit group believed to be local robbers. The contact lasted twelve minutes, the group being pursued and routed. One bandit is known to have been wounded and there were no guardia casualties.

On May 10 information was received that a group of bandits was about two miles northeast of Yali. The Guardia Commander with a patrol of eight enlisted and four *civicos* cleared and succeeded in making contact with the group. The contact lasted fifteen minutes, with the bandits using rifles and bombs from a hill. Then the group fled and scattered leaving two known wounded. There were no guardia casualties.

Respectfully yours,

MATTHEW E. HANNA

²³ Not printed.

817.00 Bandit Activities, 1931/164

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 391

MANAGUA, June 2, 1931.

[Received June 11.]

SIR: I have the honor to report that the Brigade Commander has informed me that on May 10, 1931, a Guardia patrol under Captain Puller (First Lieutenant, U. S. Marine Corps) was in contact one league from the junction of the Guasanera and Cua rivers with four armed bandits going up the river in canoes. Two bandits were killed, and there were two shotguns among the captured articles. Two hours later the patrol came upon a main camp occupied by about 15 bandits who deserted it upon arrival of the patrol.

On May 15, 1931, a group of 100 bandits under Orteiz attacked Palacaguina using machine guns, rifle and hand grenades, and rifles. The attack lasted for several hours, and many houses were damaged by bombs and rifle fire. Some bandits were dressed in Guardia uniforms with red and black emblems. Two stores were looted to the amount of about \$1,000. The Guardia finally succeeded in driving the bandits out, the bandit casualties being estimated at several killed and wounded while the Guardia had no casualties. Guardia patrols went out in pursuit and airplane reconnaissances were made, but without result.

On May 13 Lieutenant Bell (Corporal U. S. Marine Corps) and a Guardia patrol had a contact at Lagartillo. No further details were reported.

On the same date a Guardia patrol under Lieutenant Hutchcroft (Sergeant U. S. Marine Corps) was ambushed by Jose Leon Diaz and eight bandits near El Salto. The patrol drove the bandits from their position and pursued them, regaining contact near Jocotillo. One Guardia was slightly wounded while six bandits are known to have been killed. Captain McQueen (First Lieutenant U. S. Marine Corps) and another patrol heard the firing of Hutchcroft's contact and proceeded to Jocotillo. They entered a house to get information, and bandits opened fire accompanied by cries of "viva Sandino". The patrol was surrounded, but drove the bandits from their position. One Guardia was wounded and three bandits are known to have been killed.

On May 15 a Guardia patrol under Lieutenant Kipp (Sergeant U. S. Marine Corps) was in contact with a group under Chavarria at Rio Grande. One bandit was killed, one Krag rifle, one mule, and some ammunition captured; and \$250 worth of goods stolen from Palacaguina was recovered. The bandits scattered and it was impossible to regain contact.

On May 16 a Guardia patrol under Lieutenant Brauer (Second Lieutenant U. S. Marine Corps) was in contact with a group of 12 bandits under Orteiz. A bandit camp was destroyed, but there were no known casualties.

On the same date a Guardia patrol under Lieutenant Trosper (Corporal U. S. Marine Corps) had a contact with bandits killing five and destroying a camp. There were no Guardia casualties.

On May 25, 1931, Lieutenant Hamas (Gunnery Sergeant U. S. Marine Corps) and a Guardia patrol had a contact with bandits at La Colema. Two bandits were killed and eight wounded. There were no Guardia casualties.

Respectfully yours,

MATTHEW E. HANNA

817.00 Bandit Activities, 1931/200

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 408

MANAGUA, June 22, 1931.

[Received July 21.]

SIR: I have the honor to report that the Brigade Commander has informed me of a contact on June 9, 1931, between a patrol of Guardia Nacional from the town of Quilali in the northern area, commanded by Lieutenant Ross, Guardia Nacional, Corporal U. S. Marine Corps, and a group of 50 bandits at Las Cruces. Lieutenant Ross and two Guardias were wounded. Bandit casualties are unknown. While Lieutenant Ross' wounds were serious he is reported recovering rapidly.

Respectfully yours,

MATTHEW E. HANNA

817.00 Bandit Activities, 1931/201

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 412

MANAGUA, June 24, 1931.

[Received July 20.]

SIR: I have the honor to report that the Brigade Commander has informed me of an engagement on June 15, 1931, between a Guardia patrol under Captain Lester E. Power, Guardia Nacional, First Lieutenant U. S. Marine Corps, and a large group of bandits at a place called Embocaderos north of Jinotega in which Captain Power, Lieutenant William E. McGhee (Corporal U. S. Marine Corps) and one enlisted Guardia were killed. Three additional Guardia were wounded. Bandit casualties are unknown.

The Brigade Commander has also informed me that on June 14, 1931, a Guardia patrol under Lieutenant Livermore, Corporal U. S.

Marine Corps, encountered a group of 20 bandits killing one and wounding several others. There were no Guardia casualties. A quantity of ammunition and one pistol were captured from the bandits.

Respectfully yours,

MATTHEW E. HANNA

817.00 Bandit Activities, 1931/192: Telegram

The Minister in Nicaragua (Hanna) to the Acting Secretary of State

MANAGUA, July 16, 1931—10 a. m.

[Received 8:40 p. m.]

139. Supplementing my 137, July 13, 4 p. m.,²⁴ there have been persistent rumors for some days of a considerable bandit movement towards the east coast. The Guardia is endeavoring to develop the situation and the air forces are cooperating.

HANNA

817.00 Bandit Activities, 1931/198: Telegram

The Minister in Nicaragua (Hanna) to the Acting Secretary of State

MANAGUA, July 20, 1931—noon.

[Received 11:25 p. m.]

140. My 139, July 16, 10 a. m. Guardia patrol reconnoitering from Cape Gracias up the Coco River was attacked July 17th by bandits, estimated at 40, and 3 bandits were killed. A Nicaraguan officer of the Guardia was wounded. The reconnaissance of that region by Guardia and airplanes is continuing and more definite information concerning the situation is expected soon. One Guardia was wounded at Rama yesterday in a conflict between the Guardia and what is believed to be discontented unemployed labor. It is reported that the Guardia restored order but the small detachment at Rama is being reenforced from Bluefields.

The foregoing is to forestall possible sensational reports to the United States from the east coast.

HANNA

817.00 Bandit Activities, 1931/199: Telegram

The Consul at Bluefields (Talbot) to the Acting Secretary of State

BLUEFIELDS [undated].

[Received July 20—9:52 p. m.]

The following telegram has been sent to the Legation at Managua:

July 20, 5 p. m. Workmen on Carretera Rama attacked Guardia that place last night killing one wounding several; three workmen killed,

²⁴ Not printed.

eight prisoners, several wounded. Understand disgruntled because discharged without pay. Appears to be no direct connection between attack and bandit activities but situation may increase bandit strength. Believe no immediate cause for apprehension as regards Bluefields.

I have just returned from Puerto Cabezas by aeroplane. Guardia officers there believe number of bandits moving across Savannah toward that port. Appears *Asheville* and Guardia force there adequate. Two hydroplanes now in Bluefields will probably return to Puerto Cabezas tomorrow for reconnaissance work. Fernald will keep you informed regarding situation there.

Might be desirable that land planes be sent Puerto Cabezas from Managua and hydroplanes be kept here.

TALBOTT

817.00 Bandit Activities, 1931/207

The Minister in Nicaragua (Hanna) to the Acting Secretary of State

No. 431

MANAGUA, July 20, 1931.

[Received July 30.]

SIR: I have the honor to report that the Brigade Commander has informed me of an engagement on July 9, 1931, between a Guardia patrol under Lieutenant Clark, Guardia Nacional (Corporal, U. S. Marine Corps), and Lieutenant Martinez, Guardia Nacional, and a small group of bandits near Telpaneca in the Department of Nueva Segovia. One bandit was killed and three were wounded. There were no Guardia casualties. The Guardia captured one pistol and miscellaneous articles from the bandits.

Respectfully yours,

MATTHEW E. HANNA

817.00 Bandit Activities, 1931/209: Telegram

The Minister in Nicaragua (Hanna) to the Acting Secretary of State

MANAGUA, August 3, 1931—noon.

[Received 8:40 p. m.]

146. The American Consul at Puerto Cabezas has just informed me that Mr. Scott, Manager of the Bragmans Bluff Lumber Company, at that port, desires airplanes stationed there to cooperate with the Guardia and that he has asked his New Orleans office to transmit his views to the Department.

The practicability of providing continuous airplane cooperation with the Guardia at Puerto Cabezas has been receiving our attention here for some days and the question will be decided when the commander of the air squadrons returns from the east coast tomorrow.

HANNA

817.00 Bandit Activities, 1931/263 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, October 29, 1931.

[Received October 30—1:15 a. m.]

191. I have sent the following telegram to Commander Special Service Squadron supplementing my original recommendation made yesterday that he send a warship to Puerto Cabezas:

"Your October 29. Reported bandit activities near Puerto Cabezas within the last 2 days have involved looting of company's commissary on the railroad, repulse of Guardia patrol by bandit group of 50, and a contact with Altamirano and large group on or near Coco River near Kisalaya.

This situation constitutes a threat to American lives and property, particularly along the railroad leading from Puerto Cabezas to the interior. The presence of a warship in Puerto Cabezas will reassure the population there and free number of Guardia for service along the railroad and in the interior. The atrocities of last April had a demoralizing effect upon the personnel of the large American Fruit Company at Puerto Cabezas and a repetition of these atrocities or prolonged threat of their repetition might make it impossible for the Fruit Company to continue in operation. You can be of great assistant to the company and to the Guardia by maintaining a ship near Puerto Cabezas until the brigade is able to assist by providing airplanes to cooperate continuously with the Guardia there."

BEAULAC

817.00 Bandit Activities, 1931/265 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, November 2, 1931—3 p. m.

[Received 9:32 p. m.]

193. My 191, October 29th. Admiral Smith is proceeding to the east coast of Nicaragua in the *Rochester* to personally investigate the real cause there. He will report the situation to the Navy Department and if necessary request further instructions.

Admiral Smith is opposed to the policy of maintaining war vessels at ports for long periods. I am heartily in accord with his attitude in general but with respect to the very special situation at Puerto Cabezas and on the basis of the information I have received from the American Consul there and from the Jefe Director of the Guardia Nacional, I believe that a war vessel should remain continuously in or

near Puerto Cabezas until the brigade places its contemplated permanent air patrol on the east coast.

General Matthews concurs.

BEAULAC

817.00 Bandit Activities, 1931/282: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, November 23, 1931—5 p. m.

[Received 9 p. m.]

202. My despatch No. 563, November 6.²⁵ Bandits have been unusually active in the departments of Leon and Chinandega during the present month. Following the Hutchcroft contact near El Sauce the bandits captured and burned the *cuartel* at El Jacaral after the small garrison in charge of a Nicaraguan officer had abandoned it in the face of greatly superior numbers. Last night a mounted force of bandits estimated 100 looted the town of Chichigalpa on the railroad between Leon and Chinandega and proceeded to San Antonio, the largest sugar plantation in Nicaragua, nearby with the evident intention of looting it but were met by a Guardia patrol and dispersed before any harm had been done there.

The Guardia has not less than 200 men in the threatened area engaged in intensive patrolling. President Moncada has expressed alarm and dissatisfaction over the situation and has plainly indicated to me that he would like to organize a volunteer force of Nicaraguans outside the Guardia to exterminate the bandits.

I am investigating the situation thoroughly and believe that General Matthews is doing everything possible under the circumstances to overcome the present threat. I intend to tell President Moncada this and that the Government of the United States cannot agree to the organization of such a volunteer force which would plainly violate the terms of the Guardia agreement besides being of very doubtful military value. I will tell him at the same time that General Matthews is not only willing but eager to accept the assistance of Nicaraguans who wish to cooperate under Guardia direction in the campaign against the bandits.

President Moncada is convinced that the present outbreak is being assisted and encouraged by certain officials of the Honduran Government and said that he would like the Department to again insinuate to the Honduran Government the importance of making every effort to cooperate with him in the campaign against the bandits.

BEAULAC

²⁵ Not printed.

817.00 Bandit Activities, 1931/286: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, November 24, 1931—3 p. m.

[Received November 25—11:05 a. m.]

203. My telegram No. 202, November 23, 5 p. m. General Matthews accompanied President Moncada to Leon this morning to personally investigate the situation in that area. The Nicaraguan population are generally alarmed and many fear that the movement has assumed a revolutionary character. Civil authorities in Chinandega report the bandits 18 miles from that city impressing laborers on the coffee plantations. General Matthews has placed every available Guardia in the threatened area.

There is a possibility that it will be necessary to place armed guards on passenger trains between Managua and Corinto and on at least two bridges. Would the Department object to the use of Marines for this purpose in case of grave need and if practical from the military standpoint? The Guardia cannot well spare troops for this purpose and it is of course important to keep the railroad open to Corinto. If the Department has no objection from the point of view of policy to Marines being used for this purpose I suggest it so advise Navy Department and request that the latter give appropriate instructions to the commander of the Special Service Squadron since General Bradman has told me he could not take such a step without the Admiral's authority and he believes the latter will decline to grant such authority unless assured that it does not conflict with the State Department's policy with respect to the Marines in Nicaragua.

BEAULAC

817.00 Bandit Activities, 1931/292: Telegram

The Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, November 25, 1931—1 p.m.

202. Please deliver following message to President Moncada:

"I have received and given careful consideration to your message concerning the recent bandit attack on Chichigalpa, which Dr. Sacasa transmitted to me on November 24.²⁶ I am sincerely grieved to learn of this and express my sympathy with those who suffered at the hands of the bandits. I appreciate fully your anxiety and the concern of those living in the large centers near the scene of the recent bandit activities. I am confident, however, that the Guardia can and will handle the situation adequately. My view has not changed as to the inadvisability of creating any outside force, such as a civilian army.

²⁶ Not printed.

I feel that we should continue to give our full support and confidence to the single, non-partisan and non-political military force which we have always agreed was a prime necessity for Nicaragua. If there are extra funds and personnel available the best way to employ them in dealing with this apparent recrudescence of bandit activities would be to put them at the disposal of the chief of the Guardia so as to augment temporarily the strength of that organization. I have been relieved to note that after the attack on Chichigalpa the bandits were dispersed by the Guardia.

I appreciate your consulting me regarding these questions and I have wished to give you in reply my frank and friendly views."

Please keep the Department fully informed as to the measures taken by the Guardia to prevent a recurrence of bandit activities in parts of the country which have hitherto been free from such troubles. Should appreciate knowing General Matthews' view of the situation.

STIMSON

817.00 Bandit Activities, 1931/295: Telegram

The Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, November 25, 1931—2 p. m.

203. Your 203, November 24, 3 p. m. The Department authorizes placing armed guards on passenger trains between Managua and Corinto and on the bridges in case of grave need if the military authorities find this practicable. The Department wishes to emphasize that it does not want this measure taken unless in your judgment and that of General Matthews and General Bradman the situation requires it. This is of course contrary to the Department's desire that the Marines should not be used for this sort of work and should be concentrated in Managua with a detachment at Corinto. However, in view of the possibility that bridges might be destroyed, which would cut communications and hence endanger the safety of the troops in Managua, the Department does authorize the measures above mentioned should that action be imperative. The Department is informing the Navy in the above sense.

STIMSON

817.00 Bandit Activities, 1931/287: Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, November 25, 1931—5 p. m.

[Received November 26—12:31 a. m.]

204. My 203, November 24, 3 p. m. General Matthews is still in Leon with President Moncada. I have had no opportunity to see the latter since my 202, November 23, 5 p. m. Guardia has no new reports

of bandit incursions and is inclined to believe bandits have withdrawn to the north away from the railroad. General Somoza, sub-Secretary of Foreign Affairs, has gone to Esteli to investigate the situation there for the President. The Guardia is arming all responsible citizens in Leon and Chinandega who volunteer to assist and some have accompanied patrols out of these cities.

The bandit situation appears as grave as, or graver than, at any time since I have been in Nicaragua. It has been aggravated by the beginning of the dry season and increased unemployment throughout the country. It is also stimulated and given political support by widespread discontent and dissension within the Liberal Party.

It is insistently reported here that arms used in the recent Ferrera revolt in Honduras²⁷ have reached Gregorio Colindres, who apparently led bandit group that took Chichigalpa, and that Toribio Tijerino, Nicaraguan deportee now resident in Honduras, is responsible for furnishing them.

BEAULAC

817.00 Bandit Activities, 1931/293 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, November 27, 1931—4 p. m.

[Received 7:05 p. m.]

206. Department's 202, November 25, 1 p. m. President Moncada and General Matthews are in Leon. I have transmitted your message through the Minister of Foreign Affairs. There have been no reports of bandits near the railroad for several days and indications are that the bandits have withdrawn northward into their accustomed areas. The Minister of Foreign Affairs visited me this morning under President Moncada's instructions and later called me on the telephone, to ask my consent to the establishment of martial law throughout the republic. He said that the President had reported discovery of numerous plots in the "interior of the country" meaning probably Managua and vicinity. I told him that the matter was one for the decision of the Nicaraguan Government, that in general I did not favor declaring martial law in undisturbed places and that I thought it would be very unfortunate if the declaration should be followed by political arrests and imprisonment which might have the effect of increasing resentment against the Government. I said that President Moncada, however, apparently had information which I did not have and that I would not oppose the declaration of martial law in any way if the President thought it advisable. General Matthews later sent word to me he had advised President strongly against declaring martial law in peaceful departments. He also informed me the President had placed

²⁷ See pp. 555 ff.

\$7,200 at Guardia's order for maintenance of 200 auxiliaries from Leon and Chinandega to operate under Guardia command. Martial law has been declared in Leon and Chinandega.

BEAULAC

817.00 Bandit Activities, 1931/301 : Telegram

The Secretary of State to the Chargé in Honduras (Higgins)

WASHINGTON, November 27, 1931—4 p. m.

83. The bandit situation in Nicaragua has recently become aggravated. On November 22 a group of bandits looted the town of Chichigalpa, on the railway near Chinandega, and other groups have been reported in the departments of León and Chinandega. President Moncada has advised the Department that he is convinced that the bandits are being furnished men, ammunition and supplies from the Honduran border. The Legation at Managua states that it is insistently reported there that arms used in the recent Ferrera revolt in Honduras have reached Gregorio Colindres, who apparently led the bandit group that took Chichigalpa, and that Toribio Tijerino, Nicaraguan deportee now resident in Honduras, is responsible for furnishing them.

You will please see the President of Honduras and point out to him the seriousness of a situation like this, in which it is charged that the responsibility of Honduras is involved. Please refer to the report of Major Fassett²⁸ transmitted with your despatch No. 334 of November 6,²⁹ and point out that the Honduran Government is in possession of information on which it can and should take action to prevent these marauding expeditions from outfitting themselves on Honduran territory.

Has Major Fassett visited the frontier where these acts are alleged to have taken place? After discussing the matter with him please telegraph your recommendations as to the advisability of his making a trip at this time to the region in question for purposes of information and to stimulate Honduran interest in properly policing this area.

STIMSON

817.00 Bandit Activities, 1931/294 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, November 28, 1931—noon.

[Received November 29—1:35 p. m.]

209. Guardia reports that yesterday a patrol of 50 Guardia was attacked by a bandit group conservatively estimated at 300 at Cicera

²⁸ Major H. S. Fassett, U.S.M.C., Naval Attaché at Tegucigalpa.

²⁹ Neither printed.

near Villa Nueva, Department of Chinandega. Fight lasted one and a half hours. Bandits had machine guns and were aggressive. Five bandits were killed and one Guardia was wounded. Guardia commander at Esteli interprets above to mean that fighting in his area will be serious and has recommended that strength of his patrols be doubled. Another Guardia patrol engaged a group of bandits yesterday near Puentereal, Department of Chinandega, killing five. There were no Guardia casualties.

BEAULAC

817.00 Bandit Activities, 1931/305 : Telegram

The Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, November 28, 1931—2 p. m.

207. Your 206, November 27, 4 p. m. Department shares your view that it would be unfortunate for President Moncada to declare martial law in the departments where peaceful conditions exist.

We are gratified to note that the President has placed additional funds to the order of the Guardia for the maintenance of 200 auxiliaries to operate under Guardia command.

STIMSON

817.00 Bandit Activities, 1931/311 : Telegram

The Chargé in Honduras (Higgins) to the Secretary of State

TEGUCIGALPA, December 1, 1931—8 a. m.

[Received 4:07 p. m.]

182. Department's No. 83 of November 27, 4 p. m. As the President is in constant attendance at the hospital bedside of his son who accidentally shot himself through the stomach on the evening of November 28, it has been impracticable to discuss the Nicaraguan bandit situation with him, so I took it up with the Minister for Foreign Affairs last evening. In pointing out to the Minister the responsibility of his Government in the matter I gave him a memorandum regarding the activities of bandit agents in Honduras which is a revision in the light of the latest information of Major Fassett's report enclosed with my despatch No. 334 of November 6. The Minister manifested a sympathetic interest in the matter and promised to bring it to the attention of the President at the first opportunity and take it up immediately with the Minister of War urging him to take remedial measures. He agreed that his Government should do all in its power to prevent aid being furnished the bandits from Honduras but intimated that it could do little in its present state of impecuniousness and political uncer-

tainty. He concluded with the statement "We must not neglect this matter of Nicaragua". While the Minister of Foreign Affairs is certainly well disposed to act in this matter it is doubtful that he can secure effective cooperation from his colleagues particularly the Minister of War and Minister of Gobernacion and still less cooperation is to be expected from the Blue judiciary in the prosecution of bandit agents.

In the course of the conversation Minister of Foreign Affairs told me confidentially that his Government had kept Toribio Tijerino under close surveillance for some time but had discovered that he had been engaged in the arms traffic. Major Fassett's information confirms this.

Fassett has not visited the frontier but although we do not expect he will be able to secure important information from going, as bandit activities are well concealed, we agree that it might be helpful for him to visit the Danli region. He is planning therefore to proceed there taking Sergeant Kessler with him on December 3 unless the Department wires disapproval in the interim.

HIGGINS

817.00 Bandit Activities, 1931/310 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, December 1, 1931—2 p. m.

[Received 4:21 p. m.]

211. Patrol of 10 Guardia and 53 auxiliaries encountered 80 bandits at El Cuadro near Las Zapatas some 25 kilometres north of León on November 29. One auxiliary and one civilian guide wounded. Later information indicated that bandits had several killed and several wounded. Bandits counterattacked before retiring and recovered bodies of 3 men. On November 30 bandits estimated at 180, captured and looted town of Rota on the railroad between León and El Sauce and tore up part of railroad.

BEAULAC

817.00 Bandit Activities, 1931/320 : Telegram

The Secretary of State to the Chargé in Honduras (Higgins)

WASHINGTON, December 2, 1931—3 p. m.

85. Your 182, December 1, 8 a. m., last paragraph. Department will be glad to have Major Fassett visit the Danli region and feels that his visit may be helpful.

STIMSON

[On December 10 the Chargé in Nicaragua reported that General Matthews and President Moncada had returned to Managua, and that the bandits were believed to have "definitely withdrawn into their accustomed areas in northern Nicaragua." (817.00 Bandit Activities, 1931/339)]

ASSISTANCE OF THE UNITED STATES IN STRENGTHENING THE
GUARDIA NACIONAL PREPARATORY TO THE WITHDRAWAL OF
MARINES FROM NICARAGUA ³⁰

817.00/6921 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, January 5, 1931—4 p. m.

[Received 7:45 p. m.]

5. Recent intensified bandit activities in northern Nicaragua, one incident of which was the almost complete extermination of a Marine patrol of 10 men which was ambushed when engaged in the repair of a telephone line of communication, have aroused public indignation and alarm and a greatly increased popular demand that energetic measures be adopted to exterminate banditry and reestablish and restore peace in the Segovias. President Moncada discussed this matter with me this morning and requested me to consult you concerning the following measures which he proposes for meeting the situation.

The President suggests that a temporary military force of approximately 500 men be raised to cooperate with the Guardia in the bandit regions. This force would be enlisted, equipped and trained by the Guardia and its military operation would be directed and controlled from Guardia headquarters and by the Guardia officers serving with such forces in the field. The President has assured me that it is not his intention that this force should be independent of the Guardia in any respect but, on the contrary, that it should constitute a temporary auxiliary to the Guardia under such conditions that it will not violate the provision of the Guardia Agreement ³¹ which establishes the Guardia as the sole police force of the Republic. The President believes that this proposed force can be created and maintained at a cost scale such that a greater increment of military strength can be acquired in this manner than could be attained with an equal expenditure by increasing the strength of the Guardia.

President Moncada proposes to combine the proposed intensification of such military campaign with a road construction program

³⁰ For previous correspondence, see *Foreign Relations*, 1930, vol. III, pp. 656 ff.; see also "Information Regarding Nicaragua sent to the Senate", Department of State, *Press Releases*, February 21, 1931 (Publication No. 164), p. 99.

³¹ *Foreign Relations*, 1927, vol. III, p. 434.

within the bandit territory provided the necessary funds can be made available. With this end in view he is opening negotiations through the manager of the National Bank here and the Nicaraguan Legation in Washington to obtain from the International Acceptance Bank a credit of one million dollars to be guaranteed by some acceptable specific revenue of this Government.

I have shown the foregoing to President Moncada and he has expressed approval.

General McDougal ³² is in Jinotega personally directing the Guardia operations and I will not have an opportunity to discuss this with him before Wednesday or Thursday. A portion of the press here has been advocating for some time the creation of a volunteer force separate and distinct from the Guardia and this idea appears to be finding considerable popular support. This was the idea the President appeared to have in mind at the outset of our discussion this morning but he finally formulated his proposal as expressed above after I had told him that I believed the proposal would not be acceptable to the Department unless the military force to be created is as completely under the administration and control of the Guardia as though it constituted a part of the Guardia itself. I think we should insist upon this point and establish it beyond doubt. I also told him that I believe his proposal would be more favorably considered by the Department if he could give assurances that the military operations would be combined with a road building program adequate to solve the economic features of the situation as set forth in the letters on this subject recently addressed to him by the Secretary.

HANNA

817.00/6928 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, January 8, 1931—1 p. m.

[Received 3:15 p. m.]

6. My telegram No. 5, January 5, 4 p. m. This subject was discussed in conference this morning with the Commander of the Marine Brigade, the Commander of the Guardia and Lieutenant Colonel Matthews who is to succeed to the command of the Guardia in the near future. We are of the unanimous opinion that President Moncada's proposal to increase the Nicaraguan military forces by 500 men should be accepted but only with the clear understanding that this force shall constitute a part of the Guardia as set forth in my telegram of reference. We are of the opinion that in view of the responsibility

³² Douglas C. McDougal, chief of the Guardia Nacional de Nicaragua.

of this Government in connection with the suppression of banditry its proposal of a measure to meet that responsibility should not be rejected if it can be accepted under conditions which are in accord with the agreement and policy governing our cooperation with the Guardia. We also deem it essential that those conditions should be such as will insure the creation of a disciplined and effective force. I am hopeful that an understanding of this nature can be reached with President Moncada.

General McDougal is now making a study of the details connected with carrying out such an arrangement and I will inform the Department in this connection.

A further important reason for accepting President Moncada's proposal is his expressed determination to combine the military increase with a road building program in the bandit territory if necessary funds can be obtained.

HANNA

817.00/6921: Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, January 9, 1931—6 p. m.

5. Legation's 5, January 5, 4 p. m. You may inform President Moncada that I am disposed to concur in his suggestion that a temporary military force of approximately 500 men be established for the purpose of contributing to the suppression of the recently intensified bandit activities reported by you.

It must be clearly understood and formally agreed upon, however, that the proposed new force must be completely subject to the exclusive administration and control of the Jefe Director of the Guardia Nacional. This not only is essential as a matter of military procedure and expediency but likewise is imperative under the Guardia Agreement.

You may likewise say to President Moncada that, as stated in my letter to him of November 24,⁸³ I am in full accord with the proposal to construct highways in the territory affected by banditry and I should be glad to learn of the success of his efforts to obtain funds to be employed for that purpose.

Any plan for the formation of the temporary military force should of course be worked out with the cooperation of General McDougal.

STIMSON

⁸³ *Foreign Relations*, 1930, vol. III, p. 683.

817.1051/481 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, January 10, 1931—3 p. m.

[Received 5:05 p. m.]

11. Supplementing second paragraph my telegram No. 6, January 8, 1 p. m. General McDougal's estimate of the cost of an auxiliary force of 500 men for a period of 6 months is in round numbers \$20,000 for initial equipment and \$90,000 for pay and maintenance. He has eliminated all unessentials from his estimate and has included therein only such items as are absolutely necessary to uniform, equip, train and operate an efficient force. The officers for the new force would be 8 captains and 12 lieutenants assigned from the Marines and 16 Nicaraguan lieutenants. There would also be 8 Marine medical lieutenants. The pay of all grades enlisted and commissioned and the cost of subsistence would be the same as for the Guardia. I concur in his estimate.

General McDougal has informed me that the *voluntarios* organized in 1929 cost \$50 per man per month whereas the new force will cost approximately \$35 per man per month. The *voluntarios* were commanded by volunteer officers and were paid at a higher rate than the Guardia but were not supplied with clothing.

I will bring the foregoing to the attention of President Moncada with the purpose of correcting any misconception he may have as to the cost of the new force. His conversations with me have indicated that he has in mind an irregular force without uniforms and inadequately officered, armed, trained and equipped which would cost less than McDougal's estimate. I believe it is obvious that the commander of the Guardia cannot share responsibility for the creation of a force under conditions which will not fully guarantee its efficiency and if necessary I will so inform President Moncada.

HANNA

817.1051/484 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, January 14, 1931—7 p. m.

[Received 12 midnight.]

12. I duly informed President Moncada as instructed in the Department's telegram No. 5, January 9, 6 p. m. I had previously informed him of General McDougal's estimate of cost and proposed organization of the new force as outlined in my telegram No. 11,

January 10, 3 p. m. President Moncada replied in a personal letter to me expressing dissatisfaction with the proposed estimate and organization but with no reference to the Department's telegram in the matter, and suggesting that "we abandon the increase of 500 men but not the loan". I then called upon the President and discussed the subject with him in great detail in order that I might correctly report his attitude to the Department.

The President seemed to change his attitude somewhat and at the termination of our conference he authorized me to advise you that he will allot \$4,000 monthly from existing revenues to create immediately a temporary force of approximately 125 enlisted [and ?] that the new force should be selected as far as practicable from communities adjoining the regions where they are to operate and should be assigned to Guardia organizations in such manner as to avoid increase in the commissioned strength of the Guardia; that this increase will be paid and subsisted at the same rate as the Guardia, making economies however in other expenditures such as for uniforms; and that he would expect to commission two Nicaraguan officers with field officer grade to serve as advisers on the staffs of the Guardia officers directing operations.

I have discussed this proposal in conference with the Marine and Guardia commanders and Colonel Matthews and we all are of the opinion that its adoption would introduce complications, misunderstandings, and possibly divided control to such an extent that its acceptance is not justified. General McDougal objects particularly to the commissioning of two Nicaraguan officers of high rank. Both he and Colonel Matthews think that the services of these officers would be of little or no value and that their presence in the Guardia would certainly tend to defeat the Department's policy in the matter as outlined in the second paragraph of its telegram No. 5, January 9, 6 p. m.

The Liberal press here is continuing and intensifying its propaganda for the creation of a national army. The sentiment of the Conservative Party and President [*press?*] is opposed to such an army. Propaganda is combined with criticism of the methods employed by the Guardia in its operations against the bandits. The criticism in the main is the same as has been expressed from time to time by President Moncada. The situation presents a well defined issue and our attitude thereon would seem to be of exceptional importance in its bearing on the future development of the Guardia and our military cooperation here.

One of yesterday's local papers published over President Moncada's signature the following statement:

"I have no objection to the permanence of the Marines in Nicaragua because they have labored for liberty and order in my country. We

Nicaraguans should appreciate this but I think that we are the ones obliged to struggle against the bandits.

With regard to the increase of American Marines and doctors I should not like to see more corpses of American Marines leaving for the United States. The Government of the United States suffers much from this and my own Government more than all. It is we Nicaraguans who are obliged to restore peace to the country and to stanch its wounds.

The American Marines could guard the cities of the north and some of those in the interior while the Guardia proceeds to settle with the bandits.

I have felt profound sorrow for the Marines who perished in the last Sandino ambush. They fell in territory which they do not know, assassinated rather than killed in real combat. Let us pledge our will and our heart to avoid these misfortunes by means of a change of tactics, conducting real mountain warfare such as the bandits conduct."

The last three paragraphs of the foregoing statement are embraced in President Moncada's letter to me to which reference is made above. I am reliably informed that this statement was sent by the President's direction to various newspapers in the United States and the correspondents here of American papers have also transmitted the statement today to their respective papers.

With respect to the second preceding paragraph I told President Moncada with emphasis the day before he issued his statement that the Marines have not for some months been conducting offensive operations against the bandits but have been merely protecting certain towns and properties and have engaged in combat with the bandits only when acting in self-defense to repel attacks.

President Moncada gave out a formal memorandum yesterday which criticises recent operations against the bandits. It states that the greater part of the bandits under Orteza are Honduraneans and that members of the Conservative Party are cooperating with money, arms, or alarming propaganda. It states with reference to the recent contact of a Marine patrol in which eight marines were killed that the patrol proceeded with but little foresight notwithstanding its knowledge that bandits were in the neighborhood and fell into the trap prepared for it. It adds:

"They all entered the ravine, dismounted from their mules, and began to repair the line without taking any precautions."

The last two sentences are not in accord with the facts as reported by the responsible Marine officers.

It seems clear that a determined effort is under way to create a so-called national army independent of the Guardia. The press here takes the attitude that this Government has already made this decision and that the proposed loan is for that purpose. Personal motives

doubtless influence many of the advocates of the national army but doubtless also there exists a sincere belief in the efficacy of such an army and a general misconception that it would be more effective and cost much less than the Guardia. The high efficiency record of the Guardia is now an indisputable fact which is clearly established by the record of its operations during the past year. My military associates are of the decided opinion and I concur that the national army idea is unsound and that any additional funds available for this purpose should be employed in increasing the Guardia. Even if an efficient national army could be created at less cost than the Guardia and even if it were nominally under the administration and control of the Chief of the Guardia it would in fact be a separate organization that would introduce the defects and evils which the Guardia agreement is intended to prevent. My military associates are positive that there could not be unity of administration and control by the Chief of the Guardia over the two forces. We desire to cooperate with President Moncada and assist him in meeting his responsibilities in this matter but we would be failing in our duty as advisers to this Government if we should accept an unsound proposal.

We therefore reassert our opinion that any new measures adopted for the suppression of banditry should accord with the agreement and policy governing our cooperation with the Guardia and that any new military forces created for this purpose must be completely subject to this exclusive administration and control of the Chief of the Guardia as set forth in the Department's telegram number 5, January 9, 6 p. m. We are therefore convinced that any and all additional forces raised by this Government should be additions to the Guardia in strict compliance with the Guardia agreement and that we must insist on this point.

The President told me that any increase in the military forces beyond that obtained with the \$4,000 monthly must await the outcome of this Government's efforts to obtain a loan of one million dollars from the reserves of the National Bank and he reasserted his desire for your support in obtaining the loan. He said that road construction in the north will go far towards restoring peace and that he wants to initiate such construction at the earliest possible date.

If the proposed loan is guaranteed by \$300,000 per annum taken from current revenues which are now being expended for other purposes the Government will have \$700,000 to meet the existing emergency and I understand that the entire amount probably would be expended during this calendar year. The organization and maintenance during that period of 500 additional strength for the Guardia making reasonable allowance for delays in organization would cost approximately \$175,000 and an effective road construction program

in the bandit area during the same period would cost at least an average of \$20,000 per month for the 10 available months. The remaining \$325,000 would be available for other purposes and the balance of \$300,000 would replace the guarantee. I believe this would be a sound basis for the allocation of the loan.

I hope the Department will give me early instruction on this entire subject.

HANNA

817.51/2220: Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, January 21, 1931—9 p. m.

[Received January 22—12:22 a. m.]

18. My telegram No. 12, January 14, 7 p. m. The manager of the National Bank has just told me that the Government today received advice from its Legation in Washington that the International Acceptance Bank would grant the million dollar loan at the maximum rate of \$75,000 per month to be expended as follows:

Ten thousand on each of the two railway projects, 25,000 on the Atlantic Highway, 15,000 in the Segovias and 15,000 on other public works. He told me that he thinks this Government has telegraphed its acceptance of this proposition.

A loan on that understanding furnishes no guarantee that the situation in the bandit region will be materially improved. The existing situation here demands that at least 15,000 monthly shall be expended on increasing the Guardia strictly in accordance with the Guardia agreement and 20,000 monthly on road construction in the bandit area and that these amounts shall be specifically allocated for the purposes mentioned. Anything less than this will be a regrettable failure to meet the existing crisis and might have dire results.

HANNA

817.00/6959a

The Secretary of State to the Secretary of the Navy (Adams)

WASHINGTON, January 22, 1931.

DEAR MR. SECRETARY: I feel that we should be in a position, after the Presidential elections in Nicaragua in 1932, to withdraw all our Marines from the country, should this Government at that time decide that that is the wise thing to do. It is my understanding that the Navy Department feels that Marines should be maintained in Nicaragua while American officers are serving in the Guardia Nacional of Nicaragua. Therefore, in order that there may be no obstacle

to the complete withdrawal of our Marines from Nicaragua after the 1932 elections, I want to ask you to issue instructions to the Commander of the Guardia Nacional to devote special attention to the training up of Nicaraguan officers so that we may be in a position, should that then be the decision of this Government, to turn over the whole Guardia force to Nicaragua upon the installation of the new Government on January 1, 1933. I think it should be impressed upon the Commander of the Guardia that that is the objective to which he should work and should devote his energies.

Yours sincerely,

H. L. STIMSON

817.00/6962

The Secretary of State to the Secretary of the Navy (Adams)

WASHINGTON, January 28, 1931.

DEAR MR. SECRETARY: I have your letter of January 26 enclosing a proposed communication to the Marine Officer in charge of the Nicaraguan National Guard.³⁴ You state that you feel some hesitancy, however, in sending such an order without asking whether I see any objection on the ground that it is wholly likely that such policy would shortly be known in Nicaragua with the result of its being taken as an indication of a determined policy to withdraw our Marine force in 1932. You ask if I have any suggestions as to the form in which I should like to see this order sent.

I do not feel that it would be disadvantageous should this proposed policy be known in Nicaragua and be interpreted as a determination to withdraw our Marine force in 1932, or perhaps more correctly, after the installation on January 1, 1933, of the Government coming into office as a result of the elections of 1932. In fact, I have already intimated as much to President Moncada in a personal letter which I addressed to him on November 24. I pointed out that the presence of our Marine forces have always necessarily created an abnormal situation and one which can not be permanent; that they have remained in Nicaragua at the request of both Nicaraguan political parties solely because of the sincere desire of this Government to assist temporarily in the solution of certain crucial and fundamental problems, and that after the elections of 1932 this country will have helped Nicaragua for five years to police its territory and to keep banditry in check. I told President Moncada that public opinion in this country will hardly support a further continuance of that situation and that the result of these controlling factors necessarily indicates that the problem of these northern provinces must be solved by that date.

³⁴ Neither printed.

Accordingly I have no suggestions to make regarding the communication enclosed in your letter under acknowledgment, as it seems to me to cover the situation.

Yours sincerely,

HENRY L. STIMSON

817.1051/501

*Memorandum by the Secretary of State*³⁵

[WASHINGTON,] February 5, 1931.

STATEMENT OF POLICY IN NICARAGUA

The Secretary of State for the past week has discussed the present situation in Nicaragua in all its details with Mr. Hanna, American Minister to Nicaragua, General McDougal, Chief of the Guardia Nacional of Nicaragua, and Major General Frank R. McCoy, who supervised the Nicaraguan elections of 1928.

Mr. Hanna informed the Secretary that before leaving Nicaragua President Moncada authorized him to say:

1. That he favors a material increase of the Nicaraguan military forces operating against the bandits in the Segovias, (the bandit area) and believes that the increase should be approximately 500 men;
2. That he desires Mr. Hanna to present his views to the Secretary of State and to advise the Secretary that, in view of the Guardia Agreement under which the United States is cooperating with Nicaragua in the creation of a Guardia Nacional, he would be in full accord with the Secretary's decisions as to how the new military force should be created;
3. That he favors the construction of roads in the Segovias to aid in combatting banditry and for the development of the economic resources of that area;
4. That in order to accomplish this, in view of the reduced revenues of the Government, he desired the Directors of the National Bank of Nicaragua to agree to make an advance of approximately \$1,000,000 during the next 12 months to Nicaragua for these purposes; and
5. That he requested the assistance of the Secretary of State in these matters and desired his advice in concerting measures for the pacification of Nicaragua and its economic development.

The Secretary of State has been happy to learn that the Board of Directors of the National Bank of Nicaragua has consented to make

³⁵ The following notation appears on file copy: "Two originals initialed by the Secretary given to Mr. Hanna February 6, 1931, one of which was for President Moncada. 3 carbons also given Mr. Hanna; one for Legation at Managua, one for Marine Commandant and one for Guardia Commander. One copy given Gen. McDougal for information of Gen. Fuller, Major General Commandant of Marines."

The memorandum was subsequently initialed by President Moncada. A copy of the memorandum was also transmitted to the Navy Department on February 19, 1931.

a loan to the Nicaraguan Government which will be sufficient to permit of the increase of the Guardia by 500 men, in addition to the 1650 men agreed to by the Secretary of State in his letter to General Moncada of November 24, 1930, as the minimum Guardia force. Although this letter was not answered it appears that the arrangements set forth therein were accepted as shown by instructions given to General McDougal on December 10, 1930.³⁶

In this connection the Secretary of State again reiterated that any increase in the Nicaraguan forces must be solely through an increase of the Guardia which is the non-political, non-partisan force provided for in both the Tipitapa and the Guardia Agreements.

The Board of Directors of the National Bank of Nicaragua, in its meeting on February 3, 1931, unanimously decided to allocate the loan as follows:

\$20,000 per month for the continuation of work on the two railroads, one from San Jorge to San Juan del Sur, and the other from Leon to El Sauce;

\$30,000 per month for the continuation of work on the Atlantic Highway;

\$30,000 per month for pacifying and developing the Segovias.

General McDougal assured the Secretary of State, in the conferences discussing the matter, that this force of 2150 men will be sufficient not only to replace the Marines from the Marine Brigade now guarding American lives and property in and near Matagalpa and stationed for moral effect in the Segovias, but also vigorously to prosecute the campaign against the bandits.

The additional expense involved in increasing the Guardia by 500 men will cost, General McDougal states, \$15,107.07 per month. \$19,823.08 will be required for the initial equipment of these additional forces.

In addition, \$2000 per month will be required for the additional expenses involved in expanding the training school for native officers in the Guardia. With this expansion it will be possible to train and prepare sufficient Nicaraguan officers to officer completely the Guardia by January 1, 1933.

\$17,000 per month will thus be necessary for the increase in the Guardia and the military academy. In addition \$20,000 is required as stated above for initial equipment. As it is understood that the Bank of Nicaragua will make these monthly funds available to President Moncada beginning with the present month of February, 1931, and as there will inevitably be a short delay in putting the plan into operation, it is proposed that the funds necessary for the initial

³⁶ See President Moncada's letter to General McDougal, Department of State, *Press Releases*, February 21, 1931 (Publication No. 164), p. 132.

equipment be taken out of the first monthly payments. Thereafter, \$17,000 per month will be turned over to the Guardia in addition to the present expenses of the Guardia, the military academy and the penal institutions. The balance allotted for the Segovias, namely \$13,000 per month, is to be spent in the work of road building in the Segovias necessary to support and carry out the operations against the bandits and to furnish employment for the population in that area.

In order further to hamper the activities of the bandits, the Secretary of State and his advisers feel that the recruitment of the additional 500 men should be carried out, in so far as possible, among inhabitants in the Segovias, as this will supply the Guardia with men more familiar with the terrain in that region.

While the Bank of Nicaragua left to the discretion of the President the proportion of the \$20,000 allocated for railway construction to be used on each of the two railroads above mentioned, the Secretary of State desires Mr. Hanna to represent to President Moncada that in the Secretary's opinion it is highly desirable that three-quarters of this amount, or \$15,000 per month, should be spent on pushing forward the completion of the railroad from Leon to El Sauce. This railroad will form not only the main line of communication to the Segovias and hence will directly support the operations against the bandits, but also will furnish an outlet for the economic development of that area and should consequently be pressed to the utmost.

It should of course be distinctly understood that this plan is dependent upon not diverting any of this increased Guardia force to work which can be done, in accordance with the understanding set forth in the Secretary of State's letter of November 24, 1930, by the Guardia Municipal in protecting the cities and the peaceful portions of Nicaragua. To whittle away the force of the Guardia by such details would amount to a destruction of the entire plan.

This plan calls for 1500 men of the Guardia in the bandit area exclusively, approximately 200 members of the Guardia on the East Coast, and about the same number in the coffee growing regions. This leaves but 250 Guardia for other Guardia activities elsewhere in the Republic and it is therefore essential that no time should be lost by President Moncada in organizing the local Guardias Municipales as rapidly as possible as set forth in the Secretary of State's letter above referred to.

As stated in that letter, the time is rapidly approaching when the Marines must be taken out of Nicaragua. The Secretary of State has already in that letter notified President Moncada that the very latest time must be after the elections of 1932. The Secretary of State has also notified the Navy Department to make their arrangements for the

training of the Guardia so as to be able to withdraw not only their instruction battalion but also the Marine officers in the Guardia by that time. The feeling here, as represented in Congress and by the public in general, is getting stronger all the time that these steps are necessary and that the United States Government must not be drawn into the position of policing Nicaragua indefinitely.

The plan discussed in the conversations held during the last week by the Secretary of State contemplates that the Guardia will have taken over the situation in the bandit areas by June 1, 1931, and that the present detachments of approximately 600 Marines stationed outside of Managua, principally at Ocotal and in the region of Matagalpa, will have been withdrawn and their function taken over by the new force of the Guardia.

On the assurance by General McDougal that this substitution of Marines outside of Managua by Guardia can be done not only with safety to the military situation but with actual advantage in having one homogeneous force operating in that region, those Marine detachments will be withdrawn as rapidly as practicable and returned to the United States. By not later than June first, next, the Marine forces in Nicaragua will consequently have been reduced to an instruction battalion in the city of Managua and the aviation force.

This statement of policy sets forth the basis on which the United States Government is willing to continue, for the temporary periods mentioned, to maintain Marine forces in Nicaragua and Marine officers in the Guardia Nacional.

H[ENRY] L. S[TIMSON]

817.00/6999a : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, February 14, 1931—6 p. m.

16. The following statement was issued to the press February 13:

"At the recent conferences held by the Secretary of State with Minister Hanna, the American Minister to Nicaragua, Colonel McDougal of the Marine Corps, who has been commanding the Nicaraguan National Guard, and Major General McCoy, who supervised the Nicaraguan elections in 1928, a definite plan for the future has been arrived at which has been accepted by President Moncada of Nicaragua. Under this plan the Nicaraguan National Guard is to be increased by approximately 500 men to be used exclusively in the bandit area, and the necessary financial arrangements for this increase of force have been made by the Nicaraguan Government.

By this increase of the Nicaraguan National Guard it will be possible to withdraw from Nicaragua all of the Marine Brigade who are now on combatant duty probably by June next, leaving in Nica-

ragua only the Marines who are still engaged in instruction in the Nicaraguan National Guard and an instruction battalion to support such instruction and an aviation section which is being used for the present to carry supplies in the bandit provinces which are entirely without roads. This means that by June next the total force of Marines in Nicaragua will have been reduced from over 5,000 men, which was the size of the force in January, 1929, to probably not over 500 men. The Nicaraguan Government by this arrangement has also secured funds to increase the school in which Nicaraguan officers are being trained to completely replace the Marines now officering the National Guard.

In addition to this the Nicaraguan Government has obtained further funds which it has agreed to spend in the construction of long needed roads and trails in the bandit provinces. These roads will greatly facilitate the future work of its National Guard in that area and make it much more effective and protective to the surrounding country. The Department feels that the foregoing steps will greatly expedite the completion of the task of this Government in instructing the National Guard of Nicaragua, and that they have paved the way for the ultimate removal of all of the Marine forces from Nicaragua immediately after the election of 1932."

STIMSON

817.1051/505

The Secretary of the Navy (Adams) to the Secretary of State

WASHINGTON, February 24, 1931.

MY DEAR MR. SECRETARY: Receipt is acknowledged of State Department letter of 19 February⁸⁷ transmitting confidential copy of the plan for increase of the Guardia Nacional in Nicaragua and withdrawal of the naval forces now on shore in that country.

I note that this plan contemplates that by 1 June, 1931, the Guardia will have taken over the situation in the bandit areas and Marine forces in Nicaragua will have been reduced to an instruction battalion in Managua, the aviation force, and marine personnel in the Guardia; and that all naval forces are to be withdrawn from duty on shore in Nicaragua after 1 January, 1933.

With a view to carrying out the first part of this plan, the Commander Second Brigade will be instructed to withdraw into Managua his outlying forces, other than aviation, as rapidly as in his judgment and that of the Commander of the Guardia Nacional the latter force can take over their duties.

The forces thus relieved by the Guardia, or their equivalent, to the number of about six hundred, will be withdrawn from Nicaragua as transportation can be made available.

Sincerely yours,

C. F. ADAMS

⁸⁷ Not printed.

817.1051/511

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 360

MANAGUA, March 12, 1931.

[Received March 19.]

SIR: I have the honor to report that satisfactory progress is being made by Colonel F. L. Bradman, Commanding the Marine Brigade in Nicaragua, and General C. B. Matthews, Commanding the Guardia Nacional, in carrying out the policy for reducing the marine forces in Nicaragua decided upon during my recent visit to Washington. The cooperation of the Government of Nicaragua in this matter has also been satisfactory.

Under General Matthews' direction, the Guardia Nacional has been recruited to a total enlisted strength of approximately 1,950 men and it is estimated that the remaining 200 new enlistments to bring the Guardia up to the authorized total of 2,150 enlisted strength will have been completed by April 15 at the latest. General Matthews is subjecting these new enlistments to a period of intensive training which should prepare them for effective active service by June 1 at the latest.

General Matthews is also making his preliminary preparations to appoint 75 new cadets for the Military Academy who will begin their instruction in the Academy about July 15, which will be shortly after the graduation of the present class. General Matthews plans to complete the instruction of the new class in a period of nine months and immediately thereafter begin the instruction of another class for a like period. He expects to be able in this manner to graduate sufficient cadets to fill all except the higher grades of the Guardia Nacional by about January 1, 1933.

He is also perfecting plans to train Nicaraguan officers to take the place of marine officers in the staff departments of the Guardia. He expects to fill two existing vacancies in the Medical Corps with medical students who will graduate in the near future from the medical college in Leon. If this proves satisfactory he will fill future vacancies in the Medical Corps of the Guardia as they occur with Nicaraguan medical students or qualified doctors. The Nicaraguan officers for the Quartermaster and other staff departments will be obtained probably in large part by promoting Nicaraguan non-commissioned officers now serving in those departments.

The total number of officers line and staff for the Guardia after the increase of 500 men is to be 204 in accordance with the plan for the increase which was accepted by this Government. The decrease to a total of 160 in the number of officers contemplated in the plan agreed upon in the last months of 1930 was not completed before the present plan went into effect. The number had been decreased to 182 and

that number has now been increased to 188 by the appointment of six more marine officers. This was necessary to carry on the increase in an effective manner but it is General Matthews' intention not to appoint any more American officers to the Guardia if that can be avoided. He is holding 16 vacancies at present for graduates of the class now in the Military Academy, which class will graduate somewhere between 20 and 25 cadets. The new appointments of American officers for service in the Guardia and the reappointment of American officers now serving with the Guardia have been and will be made at the reduced scale of pay decided upon in the plan of last November. There probably will not be any considerable replacement of American officers by Nicaraguan officers until the class entering the Military Academy in July graduates about a year from the present date.

The Nicaraguan Government is cooperating effectively with General Matthews in the creation of the Guardia Municipal. These local auxiliaries to the Guardia are being created as rapidly as the municipal authorities concerned can be induced to cooperate and can provide the necessary funds. In addition to the 30 Guardia Municipal in Managua, the Guardia Municipal has been created in the following cities and villages in the number set opposite each respectively:

| | |
|-------------------------|----|
| Leon | 30 |
| Granada | 19 |
| Masaya | 15 |
| Rivas | 6 |
| Nandaime | 3 |
| Diriomo | 2 |
| Nindiri | 2 |
| La Concepción | 2 |
| Diria | 1 |
| Tisma | 1 |

The total number of Guardia Municipal organized to date is 111. Their pay varies from \$10 to \$21 per month, not including uniforms, depending on the locality where they serve. The Guardia Municipal in Leon, Granada, Masaya and Rivas is attached to the Guardia Nacional serving in those places. There is also a non-commissioned officer of the Guardia Nacional in command of the Guardia Municipal in Nandaime. The Guardia Municipal in the other places mentioned constitutes the only police force for their protection, subject to the orders and occasional inspection of the Headquarters of the Guardia Nacional of their respective districts.

Soon after I returned from Washington, a delegation of twenty or more coffee growers from the Matagalpa district called upon me to protest against the withdrawal of marine protection from their property. They represented American, British, German, Italian and Swiss nationalities. They were extremely anxious about the future pro-

tection for their lives and property. I explained the situation to them and their views underwent a material change when they became aware of the steps being taken to give them adequate protection after the withdrawal of the marines. I invited Colonel Bradman and General Matthews to be present at a second conference with them to give them further assurance concerning the military measures being carried out for their protection. Colonel Bradman told them that the marine guards would remain at their present posts in the Matagalpa district until about May 15, and General Matthews assured them that the Guardia Nacional would be prepared to relieve the marine guards by that date. I understand that they returned to Matagalpa reconciled in a degree although still anxious concerning their future safety.

I have had numerous conferences with Colonel Bradman and General Matthews since my return to Managua at which we have discussed and decided upon plans for carrying out the reduction in the marine forces with the least possible likelihood of encouraging disorder. The marine forces in Ocotal and vicinity will be withdrawn first. This withdrawal has already begun and will be completed as rapidly as General Matthews can send Guardia to replace the marines. The marines in the Matagalpa area will be withdrawn at a later date but in time to complete the withdrawal and embarkation at Corinto by June 1.

The additional funds necessary for the increase of the Guardia and the construction of roads in the bandit regions presumably were made available to the Nicaraguan Government by the approval of the million-dollar loan by the Nicaraguan Congress. I assume that President Moncada will now adopt measures to inaugurate the road-building program in the near future. I will not fail to keep in touch with this phase of the general project.

Respectfully yours,

MATTHEW E. HANNA

817.00/7068

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 363

MANAGUA, March 17, 1931.

[Received April 7.]

SIR: With reference to the decision to withdraw a large number of marines from Nicaragua by June 1 of this year and the remainder after the elections of 1932, I have the honor to report that the project has aroused mixed feelings here.

As is perfectly natural, many people look upon the departure of the marines with a certain amount of trepidation. This is true of the leaders of both parties and of the foreign residents. That the presence

of the marines has been a stabilizing factor has been the feeling of these people, who look back to 1925 and remember the events which followed the withdrawal of the Legation guard in that year.³⁸

However, there is another side to the matter. Nicaraguans have their national pride just as do people of other nations; and however much they may have welcomed the marines in the past and recognized that their presence was necessary to the peace and welfare of the Republic, they looked toward the day when Nicaragua might be able to stand on her own feet without the assistance of the marines. The fact that the other republics of Central America have been managing to conduct their own affairs without assistance of the United States marines has not passed unnoticed, and has contributed to the sense of humiliation which patriotic Nicaraguans have felt. The feeling of many Nicaraguans has been one of resentment, not against the marines, whose assistance to this country is appreciated by thoughtful men, but against the condition of affairs which made the presence of the marines necessary.

This feeling of national pride, the feeling that Nicaragua should be able to stand on her own feet just as much as Costa Rica and El Salvador has tended to make patriotic Nicaraguans very reticent in expressing their fears as to what may follow when the marines leave. The fears of these people have been to a considerable extent mitigated by the realization that every effort is being made to organize and train a real non-partisan National Guard, something which the country has never had before. This is also true of the feeling of fear among the foreign coffee planters in the Matagalpa area.

It is the feeling of intelligent men in both parties that the time has come when Nicaragua must make a real effort to get on by herself and that party leaders must be forced to restrain their ambitions in the interests of the national welfare. The recent revelations in connection with the deportation of Ernesto Bermudez (see my despatch No. 358 of March 10, 1931)³⁹ have disgusted sensible people irrespective of party and focused attention on the necessity of curbing party spirit for the sake of the country. I am enclosing a translation of an editorial from *La Prensa*, the Conservative organ, which reflects the fears which the prospective withdrawal of the marines causes and suggests that the salvation of the country must be sought in an agreement to choose as the next President a strong upright man whether Liberal or Conservative, on the understanding that the constitution will then be revised so as to provide a form of government

³⁸ For correspondence concerning withdrawal of the Legation Guard, see *Foreign Relations*, 1925, vol. II, pp. 618 ff.; for events which followed, see *ibid.*, pp. 636 ff.

³⁹ Not printed.

similar to that of Switzerland or of Uruguay. As an added safeguard *La Prensa* suggests that the party which does not have the Presidency should have the majority in Congress. Regardless of the merits of this proposal, the editorial reflects intelligent opinion that party spirit must be restrained.

It should perhaps be added that the announcement of the withdrawal of the marines is accepted as evidence of the good faith of the United States in its dealings with Nicaragua. I enclose a copy and translation of a statement issued by President Moncada soon after the announcement of the intended withdrawal.

Respectfully yours,

MATTHEW E. HANNA

[Enclosure—Translation]

Declaration by President Moncada

On the announcement in the United States of America of the withdrawal of the marines who are now in Nicaragua President Moncada declares that this is the eloquent proof that the Government at Washington has not come to his country except to assist it in its serious problems for peace and liberty, that he has always shown this confidence and that as head of the Government of Nicaragua he is disposed to honor in the proper manner the good offices, sincerity and justice with which the American Government has proceeded.

President Moncada will gradually increase to the necessary extent the National Guard of Nicaragua, in order that it may be a source of honor and prestige to this Nation and at the same time to the marines who have come to organize it.

817.1051/516 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 27, 1931—2 p. m.

[Received 10:15 p. m.]

47. General Matthews recently asked this Government for \$36,000 for pay for the Guardia for April and maintenance for the first half of May, to be made available by April 25th at the latest. The Minister of Finance told him today that \$10,000 can be furnished now and that he would make inquiry to determine what additional sum or sums can be furnished in the near future.

General Matthews has also asked for \$22,000 on May 10 for maintenance during the last half of May and has been given no reply to this request. He tells me all the above amounts are in strict accord with the recent agreement in this matter. I have just discussed the foregoing with President Moncada. He told me he can see no way to furnish the amounts requested immediately because the money is not available but that he would supply the funds as fast as possible.

I pointed out the possible dangers and consequences of failure to pay the Guardia promptly and the necessity greater than ever at this time for promptly meeting every Guardia obligation. I did not touch upon what the Department's attitude would be towards a failure of this Government to adhere strictly to the most recent agreement on the subject. I advised him that the money must be found from some source and suggested the million dollar loan. He said Carrazo Morales had told him that the loan was terminated by the earthquake. I replied that if the loan was necessary before the catastrophe it is far more necessary now and I reminded him that the plan for our continued military cooperation is founded on the loan. He said he would immediately ask for a categorical answer concerning the loan.

General Matthews says he has no funds for the April payroll. If the funds he has requested are not supplied immediately he anticipates a total demoralization of the Guardia followed by mutinies and assassinations of American officers in charge of outlying posts. He recommends that in the event funds in the amount he has requested are not furnished, the United States give notice of immediate withdrawal of its military assistance and the Nicaraguan Government be requested to inform him of the persons to whom command of Guardia troops should be turned over.

General Matthews has stated that he is confident of the ability of the Guardia to maintain law and order in the Republic provided they are paid and subsisted but believes that any failure or delay in payment will be seized upon by agitators who will be able to undermine the discipline of the Guardia to such an extent as to render control by American officers in outlying posts impossible.

Lindberg⁴⁰ is of the opinion that the total revenues exclusive of the guarantee for bonded debt and not counting the revenues pledged as guarantee for the million dollar loan were prior to the earthquake approximately \$200,000 per month about equally divided between customs and internal revenues, and that the total for the next 6 months will be approximately \$100,000 per month of which \$30,000 will be customs and \$70,000 internal revenues. He says the foregoing is a very conservative estimate and that the total might increase to \$125,000 monthly. If the Government can obtain \$80,000 monthly from the loan, it would have a total of not less than \$180,000 monthly for all purposes. Under the terms of the most recent agreement the cost of the Guardia is approximately \$88,000 monthly and the cost of road construction in the Segovias is \$15,000 monthly, making a total of \$103,000 and leaving \$77,000 monthly for all other expenditures.

I realize that this Government is confronted by a crisis in its finances and that the economic situation resulting from the earthquake may

⁴⁰ Irving A. Lindberg, Collector General of Customs and member of the High Commission.

make it impossible for the Government to obtain a further loan or to increase its current revenues. The Government might balance its budget by reducing its expenditures but even if it had the energy to do this it would not be possible without complete cessation of all public works and the consequent danger of labor unrest. In any event the million dollar loan or some substitute equally acceptable is imperative and, in view of the critical situation confronting General Matthews, there should be no delay in establishing the source from which he is to obtain funds for the Guardia. The catastrophe has vastly increased the responsibilities of the Guardia and the country will be exposed to still graver disasters if the Guardia is not maintained. I sympathize with this stricken country and I do not doubt that the Department will exert every effort to assist it financially but it is clear to me that the latest agreement on the subject of the Guardia must be strictly observed by this Government if we are to continue our officers in the Guardia under conditions which do not expose them to grave danger. I urgently request the Department's instructions.

HANNA

817.1051/516 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, April 28, 1931—1 p. m.

103. Your 47, April 27, 2 p. m. The Department has ascertained by telephone from the President of the International Acceptance Bank in New York that the million dollar loan given by the National Bank of Nicaragua to the Nicaraguan Government is still in effect. The Nicaraguan Government asked the International Acceptance Bank to open a mail credit to the Bank of Nicaragua of \$500,000. This was done. The credit was not used and after the earthquake the Bank stated that this credit had been withdrawn until it could examine the situation further and be satisfied that there is sufficient security for it. The Nicaraguan Government asked permission to use \$100,000 of the million dollar loan for reconstruction in Managua. The bankers refused and said that the million dollar credit should be used solely for the purposes for which it was granted. The Bank did give them an additional temporary advance of \$100,000 for reconstruction work but has insisted that the million dollar credit be used as agreed upon. The funds for the Guardia are therefore available as arranged in February.

Please call on President Moncada at once and tell him of this situation and say that this Government insists that the money be paid in full and promptly to General Matthews for the Guardia.

Tell President Moncada that he doubtless does not know of the severe criticism in the press of this country regarding the difficulties which the American officers in the Guardia have to contend with to get the necessary funds to keep that organization going. Our officers are in the Guardia by virtue of a series of agreements with the Nicaraguan Government, the last one of which is set forth in the memorandum of February 5, 1931, initialed by the Secretary of State and by President Moncada. This agreement contemplates the orderly and prompt payment of the funds specified. It is an intolerable situation where the Commander of the Guardia has to fight every month for the funds due for this organization and this Government expects that these funds will be paid promptly by the Nicaraguan Government or that instructions will be given to the Collector of Customs to pay over these sums each month out of his collections, after paying the expenses of the customs collectorship and the service on the outstanding bonds. Cable reply.

STIMSON

817.1051/517 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 29, 1931—4 p. m.

[Received 10:35 p. m.]

54. I called upon President Moncada this morning and left with him a memorandum of the representations contained in your telegram No. 103, April 28, 1 p. m. The Ministers for Foreign Affairs, Gobernacion, and Finance were present and took part in the discussion of the matter. The discussion was friendly but very frank. The President said his Ministers dwelt upon the difficulty of supporting the Guardia in the present state of the country's finances. I recognized the difficulty but maintained with all firmness that the Guardia must be supported, in spite of the difficulty, strictly in accordance with the plan of February last.

President Moncada took exception to the determination of the International Acceptance Bank to use the loan solely for the purposes for which it was granted. He and his Ministers had been discussing this matter when I arrived and while I was present they decided upon the following allocation of the monthly advance of \$80,000. from this loan: \$10,000. for each of the two railway projects, \$10,000. for the Atlantic highway, \$5,000. for road construction in the Segovias, \$17,000. for the Guardia and military academy and the balance of \$28,000. for a reserve to be expended by this Government for other purposes to meet the emergency growing out of the earthquake.

I understand this Government will endeavor to get the bankers' approval to the foregoing allocation. I told those present that I agreed

with the idea in principle and would support this Government's efforts to obtain an allocation to meet the emergency which would be acceptable to the bank directorate.

I assume that the bankers cannot disregard the demands of the crisis existing here and, if properly and fully informed, will agree to a new allocation. The loan, other than the portion for maintenance of the Guardia, should be expended where it will give the greatest measure of relief, and I deem this the general principle to follow in a new allocation. I think smaller amounts than those mentioned above should be spent on the two railways and that the amount for the Atlantic highway should not be more than the \$10,000. mentioned, preferably less. In view of the grave labor conditions in Managua and other portions of the Republic resulting from the earthquake, I believe the \$15,000. monthly originally allocated for road construction in the Segovias should be temporarily reduced to the \$5,000. set forth above. I am also strongly in accord with creating a reserve of the balance of the loan to be expended as this Government may desire, possibly under restrictions which would give the banks a watchful supervision over the purposes for which the expenditures are made.

The labor and general economic conditions in this capital are so critical as to give rise to the gravest fears for the near future if the Government is unable to give the city financial assistance. The Government of the national district is not functioning actively, is entirely without funds and has absolutely no revenues coming in at the present time. The capital of the country is completely bankrupt and apparently without any way of raising more than the most trifling sums.

I endeavored to leave the President and his Ministers in no doubt concerning the positive attitude of my Government regarding the future maintenance of the Guardia but I did not press for a categorical reply. I believe funds to meet the present requirements of the Guardia will now be made available without further delay but I anticipate continued difficulties in this connection.

HANNA

817.1051/518 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, April 30, 1931—10 a. m.

[Received 1:45 p. m.]

56. My telegrams 47, April 27, 2 p. m., and 54, April 29, 4 p. m. General Matthews has been given \$65,000 for pay for the Guardia for April and maintenance for the first half of May.

HANNA

817.00/7140

The Secretary of State to the Secretary of the Navy (Adams)

WASHINGTON, June 4, 1931.

MY DEAR MR. SECRETARY: I have your letter of May 28⁴² inquiring whether Marine aviation forces in Nicaragua should continue to operate with the Guardia as they have been operating before the Marines were concentrated at Managua. You also ask my views regarding the recommendation of the Commandant of the Marines that the offer of the Bragmans Bluff Lumber Company to provide a plane to operate in connection with the Guardia should be refused.

It is my view that the Marine aviation forces in Nicaragua should continue to operate with the Guardia as they have been operating before the Marines were concentrated at Managua. I think that this cooperation is in line with the purpose of the instruction battalion to be maintained in Managua while American officers continue in the Guardia Nacional. In the confidential Statement of Policy dated February 5, 1931, drawn up at the time that Mr. Hanna and General McDougal conferred with me—the Statement being subsequently initialed by President Moncada—it was provided that “by not later than June first, next, the Marine forces in Nicaragua will consequently have been reduced to an instruction battalion in the city of Managua and the aviation force.” In other words, the plans made for the reduction of the Marine forces outside of Managua did not contemplate any reduction in the aviation force. You will recall that a copy of the Statement of Policy was given to General McDougal at the time it was drawn up for the information of the Major General Commandant of Marines and that a copy of it was also formally transmitted to the Navy Department in this Department’s communication of February 19, 1931. This memorandum was quoted from on the bottom of page 5 of the memorandum dated April 20 of the conversation between you, Admiral Pratt, General Fuller and myself on April 18, a copy of which I sent you on April 23,⁴² and which you returned to me on May 6 with your approval and that of Admiral Pratt and General Fuller.

With regard to your second point concerning the recommendation of the Commandant of Marines that the offer of the Bragmans Bluff Lumber Company to provide a plane to operate in connection with the Guardia be refused, I desire to say that I do not agree at all with this recommendation. You will recall that the position taken by this Government at the time of the recent attack by the bandits on

⁴² Not printed.

Puerto Cabezas and other points on the east coast of Nicaragua was that it is the duty of the Nicaraguan Government to protect Americans and other foreigners in Nicaragua. This Government sent vessels to the sea port to give protection there while the Guardia was unable to do so, but emphasis was continually put on the obligation of Nicaragua to provide for the protection of persons and property in Nicaragua. It was for this reason that the Guardia was established. The Guardia has no aviation force. The Standard Fruit and Steamship Company, which controls the Bragmans Bluff Lumber Company, was not satisfied with the protection accorded it by the Guardia. On the other hand, this Government did not feel that its forces should be used for this purpose. The Company then offered to pay for the equipment, transportation to Puerto Cabezas, and maintenance there of fifty addition[al] Guardia Nacional. The Company also desired the protection of an airplane and offered to supply one. This suggestion of the Company was accepted by the Department of State after the American Minister in Managua had discussed the matter with the Commander of the Guardia and the Nicaraguan authorities, and the plan had met with their approval.

The private secretary of President Moncada approved on his behalf this project in a letter to the American Minister dated May 19. On May 8, the American Minister informed the Department that he had discussed this matter with General Matthews who said that "the employment of an airplane presents some difficulties but it is believed the plan can be made to work to the mutual interests of the Company and the Guardia Nacional. The operator and mechanic will of course be required to sign a contract of engagement with the Guardia Nacional, agreeing that all military operations shall come under the strict control of the Guardia Nacional. The operator will be required to be licensed and satisfy the Jefe Director as to his skill and training in the operation of military aircraft." General Matthews' views, as above set forth, were transmitted to you in this Department's letter of May 11.⁴³

I feel, therefore, that the plan should be carried out as agreed to. The fact that the Guardia Nacional will operate a plane, provided by the Company, in the Puerto Cabezas area, is another step toward the complete policing of the country by the Guardia Nacional. If this plane is able to control the situation in the Puerto Cabezas area, the Marine planes will be relieved to that extent.

Yours very sincerely,

HENRY L. STIMSON

⁴³ Not printed.

817.1051/550

The Minister in Nicaragua (Hanna) to the Acting Secretary of State

No. 456

MANAGUA, August 3, 1931.

[Received August 29.]

SIR: With reference to my telegram No. 107 of June 13, 1931 [7] a. m.,⁴⁴ reporting that this Government had furnished General Matthews with pay for the Guardia Nacional for the month of June and maintenance for the month of July, I have the honor to report that General Matthews now informs me that the Government has subsequently furnished him with \$90,485.13 for the following purposes:

| | |
|--|----------------------|
| Pay for the Guardia Nacional for July, 1931 | \$50, 168. 30 |
| Maintenance for Guardia Nacional for August, 1931 | 33, 733. 50 |
| Maintenance for Military Academy for August, 1931 | 3, 250. 00 |
| Maintenance of prisons and penitentiaries for August, 1931 | 3, 333. 33 |
| Total | <u>\$90, 485. 13</u> |

In this connection, General Matthews has also informed me that the deposit slips furnished by the Banco Nacional of Nicaragua show that the following amounts have been allotted for the Guardia from the \$1,000,000 loan of February 5, 1931:

| | |
|-----------------|----------------------|
| March 27, 1931 | \$1, 000. 00 |
| " 27, " | 9, 000. 00 |
| April 17, " | 7, 150. 00 |
| May 15, " | 17, 000. 00 |
| June 20, " | 17, 000. 00 |
| July 10, " | 20, 000. 00 |
| " 15, " | 12, 633. 05 |
| Total | <u>\$83, 783. 05</u> |

The arrangement set forth in the "Statement of Policy in Nicaragua" dated February 5, 1931, contemplated that \$17,000 per month would be necessary for the increase in the Guardia and the Military Academy, and that this amount would be made available beginning with the month of February, 1931. Funds necessary for the initial equipment of the increase in the Guardia made under that arrangement amounting to approximately \$20,000 were to be "taken out of the first monthly payments", the supposition being that there would be a short delay in putting the plan into operation. It might be considered, therefore, that from February to July inclusive there have been available six monthly payments of \$17,000 totaling \$102,000. It would therefore appear from the above item totaling \$83,783.05 that there is

⁴⁴ Not printed.

still available, on this basis of calculation, \$18,216.95 of the total amount allotted for the Guardia for those six months.

General Matthews points out further, however, that a deposit of \$39,500.27 made on April 9, 1931, was presumably drawn from the loan although the deposit slip furnished him by the Banco Nacional gives no information concerning the source from which the sum was drawn. If General Matthews is correct in his belief that this amount was drawn from the loan, it would appear that the allotment of \$17,000 per month has been overdrawn by \$21,283.32.

It would appear that the Government, in any case, is proceeding on the basis that the monthly allotment of \$17,000 has been available since and including February, 1931. It is reasonable to suppose, if this assumption is correct, that the Government will also consider that the Guardia will have completed its participation in the loan on January 31, 1932, provided the Government continues to allot \$17,000 monthly from the loan from now until and including the month of January, 1932. If General Matthews is correct concerning the \$39,500.27 mentioned above, the monthly allotment of \$17,000 will have terminated sometime in the month of December.

General Matthews, naturally, is much interested in this phase of the financial support he can expect for the Guardia, and I am therefore giving the Department the foregoing statement with the thought that it may become useful at some subsequent date.

Respectfully yours,

MATTHEW E. HANNA

817.00/7215

*The Chief of the Division of Latin American Affairs (Thurston) to
the Assistant Secretary of State (White)*

[WASHINGTON,] September 12, 1931.

MR. WHITE: For your information when you talk with General Matthews, and later with Mr. Hanna, you are informed that as of September 1, 1931, the total United States military representation in Nicaragua was as follows:

NAVY:

| | |
|-------------------------------------|----|
| 2nd Brigade | 27 |
| Aircraft Squadrons | 4 |
| Nicaraguan National Guard | 25 |

56

MARINE CORPS:

| | |
|-------------------------------------|-----|
| 2nd Brigade | 513 |
| Aircraft Squadrons | 241 |
| Nicaraguan National Guard | 195 |

949

| | |
|-----------------|------|
| Total | 1005 |
|-----------------|------|

This is, of course, 500 above the figure which our press release of February ⁴⁵ said would be left in Nicaragua after the reduction then contemplated should have been completed. I thought there were only about 800 men left.

WALTER C. THURSTON

**INSISTENCE OF THE DEPARTMENT OF STATE THAT SO LONG AS THE
GUARDIA NACIONAL IS DIRECTED BY AMERICAN OFFICERS IT
SHOULD NOT TRY NICARAGUAN CIVILIANS**

817.1051/344a

The Secretary of State to the Chargé in Nicaragua (Beaulac)

No. 614

WASHINGTON, December 27, 1929.

SIR: The Department acknowledges the receipt of the Legation's despatches Nos. 1231 and 1233 of November 21, 1929,⁴⁶ with respect to the contemplated utilization of the Guardia Nacional de Nicaragua as an agency for the administration of criminal justice through courts martial. It is noted that to this end the Jefe Director of the Guardia has agreed to appoint several Nicaraguan citizens designated by President Moncada as Second Lieutenants in the Guardia in order that they may receive training in military law and subsequently serve on courts martial.

The Department cannot approve of the trial of Nicaraguan civilians by members of the Guardia so long as this institution is directed by American officers. The purpose for which the Guardia has been established is the maintenance of public order and, save in the case of military offenses, it should not be called upon to prescribe the penalties of the law even though the ordinary courts fail to function properly. If the Nicaraguan courts are, as stated, notoriously ineffective, it is obviously preferable that measures should be taken to bring about a strengthening of this branch of the Government than that it be further weakened by the transference of its duties. The Legation accordingly is authorized in its discretion to discuss this matter with President Moncada and to suggest to him the advisability of urging upon the Supreme Court the need which seems to exist for the improvement of the Nicaraguan judiciary system. It would appear that the responsibility for the maintenance of order, so far as the punishment of offenders is concerned, rests squarely upon that body.

In this connection the Department calls attention to its instruction No. 570 of October 7, 1929,⁴⁷ concerning the desirability of training

⁴⁵ See telegram No. 16, February 14, to the Minister in Nicaragua, p. 844.

⁴⁶ Neither printed.

⁴⁷ Not printed.

Nicaraguan citizens for appointment as junior officers in the Guardia Nacional de Nicaragua. This procedure not only would be designed to obviate the resentment which follows direct participation in the administration of police functions by American officers, but would constitute an important and necessary step in the nationalization of the Guardia in anticipation of the eventual withdrawal from Nicaragua of the present armed assistance of this Government.

I am [etc.]

For the Secretary of State:

FRANCIS WHITE

817.1051/346 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, January 7, 1930—4 p. m.

[Received 7:11 p. m.]

3. Department's instruction number 614, of December 27, 1929, second paragraph. Do I understand correctly that the Department does not consider banditry a military offense?

BEAULAC

817.1051/346 : Telegram

The Acting Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, January 10, 1930—noon.

2. Legation's 3, January 7, 4 p. m. The Department understands that a military offense coming within the purview of a court martial is an offense committed by a member of the military forces (in this case the Guardia) in violation of military laws or regulations.

COTTON

817.1051/351 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, January 15, 1930—3 p. m.

[Received 5:05 p. m.]

8. Department's instruction No. 614 December 27, 1929 and Department's telegram 2 January 10, noon. I have discussed the above communication with the Commanding General Second Brigade and with the Jefe Director of the Guardia Nacional. They are both of the opinion that cases involving organized armed resistance in areas where the Nicaraguan Government has declared martial law should be tried by extraordinary courts martial composed of Nicaraguan officers sitting under authority of the articles for the government of the Guardia Nacional de Nicaragua. The specific cases in mind are members of

organized bandit groups captured in the field. Ordinary police cases would continue to be tried by city.

It should be borne in mind that in the departments where martial law exists the city is not functioning except in cases of minor offenses.

Cases of armed resistance such as those referred to above have in the past been handled by the Nicaraguan Government under military law through military courts. It is understood that Escamilla and his volunteers last year tried bandits freely and executed some of them.

The Commanding General of the Marine Brigade considers "that the opinion of the Secretary of State as expressed in his instruction No. 614 of December 27, 1929, is correct as to territory where there is no martial law decreed, but that in areas where there is armed revolt against the established authority of the Nicaraguan Government and where martial law has been duly decreed by the Nicaraguan Government on account of such conditions, the law of war unquestionably sanctions the employment of military commissions and provost courts for the trial of such offenders."

The Commanding General considers that the outlaws operating in the northern area and generally referred to as bandits are in "armed revolt against the established authority of the Nicaraguan Government."

There is no doubt in my mind that from the military point of view it is essential that proper machinery be established for the punishment of members of organized bandits engaged in armed resistance against the Government. Their trial by civil courts in areas where martial law exists appears to be quite impracticable. Their trial by military courts outside the Guardia presents serious difficulties and is considered generally undesirable.

I have not yet discussed this matter with President Moncada.

BEAULAC

817.1051/350 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, January 15, 1930—4 p. m.

[Received 5:10 p. m.]

9. Legation's despatch No. 1214 October 31, 1929.⁴⁸ A Guardia court of arbitration [*court martial?*] consisting of three American officers and four Nicaraguan officers will try Sergeant Larios for mutiny, sedition, murder, and menaces and threats toward his subordinates. Date for trial not finally set but it will probably begin within a week.

BEAULAC

⁴⁸ Not printed.

817.1051/351 : Telegram

The Acting Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, January 16, 1930—6 p. m.

4. Your 8, January 15, 3 p. m. The Department's objection is based on considerations of policy. So long as the Guardia is directed by United States marine officers such officers will necessarily share the responsibility for the actions of any courts established under that institution. The Department is willing to have American officers assume responsibility for training the Guardia and temporarily, because of special conditions, to have them take part in operations for the maintenance of order. It is not willing to have them exercise judicial functions with respect to Nicaraguan civilians.

So far as the Department is informed there is no legal reason why bandits cannot be dealt with by the civil courts in areas where martial law exists. If this is true the Department feels that the Nicaraguan Government should assume responsibility for seeing that proper courts are established. The Department assumes that the Supreme Court would be willing to assist the executive in this so far as appointments are concerned, and that the Nicaraguan Congress, which is now in session, could pass new legislation if any were needed. Is there any insuperable obstacle to action by the Nicaraguan Government which would result in the establishment of civil courts which had sufficient authority and sufficient courage to deal with this situation? The Department feels that the executive, legislative, and judicial powers in Nicaragua must do their part toward the reestablishment of order if the United States Government is to continue the assistance which it has been rendering.

Please report fully on this matter by air mail after discussing it with the military authorities and the Nicaraguan Government.

COTTON

817.1051/350 : Telegram

The Acting Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, January 17, 1930—5 p. m.

5. Your 9, January 15, 4 p. m. As the case of Sergeant Larios is one of discipline of a member of the Guardia the Department will not insist that American officers should not sit on the court.

For your information. This whole matter has been gone over thoroughly with the Major General Commandant of the Marine Corps who is in hearty accord with the Department's position as set forth in instruction 614, December 27, 1929, and telegram No. 4, January 16, 6 p. m. He is so advising the Brigade Commander in Nicaragua. He

feels as does the Department that Guardia courts should be used only for discipline of members of the Guardia, and that even in those cases more and more Nicaraguan members should compose the court until finally it will be possible to eliminate American officers entirely.

COTTON

817.1051/353

The Chargé in Nicaragua (Beaulac) to the Secretary of State

No. 1290

MANAGUA, January 21, 1930.

[Received January 25.]

SIR: With reference to the Department's telegraphic instruction No. 4 of January 16, 1930, concerning the trial of Nicaraguan civilians by extraordinary courts martial under the Articles for the Government of the Guardia Nacional de Nicaragua, I have the honor to report that I had discussed this subject at length with President Moncada, the Commanding General Second Brigade and the Jefe Director of the Guardia Nacional.

President Moncada agrees thoroughly with the Department that the weakness of the present system is the inefficiency of the courts and that every effort should be made by his government to improve them. While he stated that his efforts in the past to do this had been unsuccessful, he promised to call a meeting of the Supreme Court to discuss the matter and determine what steps could be taken under the Constitution or, if necessary, in what way the Constitution must be amended to permit the various civil courts to function in cases of banditry in districts where martial law has been declared.

He said that he had been informed by members of the Supreme Court that the trial of bandits by civil courts under martial law was not possible. He had therefore given that idea up long ago. For several months he tried to handle a large number of bandit cases in the Northern Area through military courts composed of civilians sitting under authority of Nicaraguan military law and having no connection with the Guardia. This system broke down utterly and had to be abandoned.

General Williams and General McDougal likewise agreed that the procedure outlined by the Department, if it can be successfully worked out, is preferable to the trial of bandits by Guardia courts martial. Both however expressed doubt as to the possibility of its success under the plan outlined. General McDougal in particular stressed the urgent necessity which he feels exists to dispose in one way or another of bandits now in the custody of the Guardia. There is transmitted a copy of a memorandum prepared by him on the subject.

President Moncada said that a great deal of pressure was being exerted on him to turn Sergeant Larios over to the civil courts (Lega-

tion's telegram No. 9 of January 15). The Legation likewise has received a number of petitions from various groups of citizens in the same sense. A copy and translation of one dated January 15 are transmitted herewith.⁴⁹ President Moncada expressed the hope that the Department would stand behind him in this case which he considers extremely important to the future discipline and success of the Guardia. The court martial which will judge Larios will meet for the first time today. Instead of three Americans and four Nicaraguans as I previously informed the Department, it has now been decided that the court will consist of one American who will act as President and six Nicaraguans.

I shall communicate further with the Department on the subject of courts martial as soon as President Moncada informs me of the results of his meeting with the Supreme Court.

I have [etc.]

WILLARD L. BEAULAC

[Enclosure]

*The Jefe Director of the Guardia Nacional (McDougal) to the
American Chargé (Beaulac)*

MANAGUA, January 18, 1930.

MEMORANDUM

Prior to the declaration of martial law by the President, 9 April, 1929, and 7 October, 1929, no bandits had been tried by any courts except court martials convened by chiefs of *Voluntarios* of which no reports have been received by the Guardia; but as a matter of common knowledge these courts tried and sentenced prisoners captured in the field and others who were apprehended on information. The one case I have cognizance of is the case of Jiron, who was tried by Escamilla and three or four of his colonels, all of whom being Mexican and one Costa Rican. Jiron was tried and sentenced to death and executed by this court without reference to higher authority.

The Government appointed two *Fiscals de Guerra*, one who was sent to Ocotal and the other to the Jinotega area, it being the intention of the Government to send a commission of civilians to try cases prepared by these *Fiscals*, presumably under the military code or customs of the country of previous times. I have no information of the activities of the *Fiscal* in Jinotega, but the *Fiscal* who went to Ocotal became very active in preparing different lists of Conservatives, who he listed as bandit suspects, and also lists of Guardia who had been formerly

⁴⁹ Not printed.

Conservatives and whom he wished to classify as ex-bandits. He took little interest in the bandit prisoners being held by Guardia and Marines for trial, beyond ascertaining which political party they belonged to. Requests were made to the President to send up the commission of civilians to clear up these cases, and to handle cases that would occur from time to time in the future, but no commission was ever appointed for either place. I was informed that the difficulty was in finding reputable persons who were willing to go up into the bandit areas to serve on these courts, and finally the *Fiscals* were recalled and were discharged.

Upon the discontinuance of the *Voluntarios* there ceased to be any military tribunal before which bandits could be brought to trial in the Segovias. In Matagalpa, which borders the bandit country, a number of cases were put to the order of the court in that place, and all were either placed on bond or were released summarily. Several notorious criminals were thus set at large, and protests by the Jefe Politico and other civilians were made to the President with representations that the courts were in sympathy with the bandits, and that no further cases should be sent to these courts. On verbal instructions of the President all cases of a bandit nature occurring in that locality have been held waiting the formation of some tribunal which could dispose of them. I have repeatedly urged that a Military Commission formed of civilians be created by the President, under such laws as authorized him so to do, to clear up these cases; but nothing has been done due I believe to the fact that no one could be found who was willing to serve, and thereby incur the enmity and the risk of retaliation which seems to be well founded.

We have the names of a great many of the known bandits and many could be located, but without means of bringing them to trial prestige would be lost by catching them and then having to release them for lack of machinery for handling the cases.

We are facing a situation which exists in the present, which must be met in some way shortly if banditry is to be kept from increasing. At present Martial Law where it exists is in name only. Its only effect is to prevent captured bandits from being released by the courts immediately after capture.

The following courts are in the areas where Martial Law has been proclaimed:

- (a) District Criminal Courts, Matagalpa, Esteli, Ciudad de Dario, Jinotega, Ocotal, Somoto, Juigalpa, Boaco and Acoyapa.
- (b) Court of Appeals, Matagalpa.

D. C. McDUGAL

817.1051/350 : Telegram

The Acting Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, January 29, 1930—4 p. m.

10. Department's 5, January 17, 5 p. m. The President has received several telegrams of protest which indicate that Sergeant Larios was condemned to death. Please telegraph full information at once.

If death sentence has been passed, please say to President Moncada that the Department understands that the death sentence imposed by the ordinary courts has not customarily been carried out in Nicaragua and that it feels it to be unwise for it to be done now by the Guardia Nacional. In view of the situation here any such action would make it very much more difficult for Department to maintain marines in Nicaragua. The Department therefore requests as an act of grace on President Moncada's part that he commute any death sentence.

Should President Moncada not accede to this request you will please tell the Commandant of the Guardia that no marines shall have anything to do with the carrying out of the sentence, shall not be part of the firing squad, nor be present at the execution in any capacity whatsoever. Rush reply.

COTTON

817.1051/378

The Chargé in Nicaragua (Beaulac) to the Secretary of State

No. 1328

MANAGUA, February 18, 1930.

[Received February 24.]

SIR: I have the honor to refer to the Department's telegram No. 4 of January 16, 1930, and to the Legation's despatch No. 1290 of January 21, 1930, with reference to a possible improvement in the condition of the Nicaraguan Judiciary which would result in the establishment of civil courts adequate to handle cases involving banditry.

During my conversation with President Moncada reported in my despatch above referred to, the latter requested me to draft a memorandum which he could present to the Supreme Court embodying the substance of the Department's telegram No. 4. I prepared and handed to him a memorandum of which a copy is enclosed.

On February 8, 1930, President Moncada's private secretary sent me a copy of a letter addressed to him by the Secretary of the Supreme Court in reply to my memorandum and to a letter addressed to the President by General McDougal concerning an entirely different matter. A copy of the letter of the Secretary of the Supreme Court dated February 7, 1930, together with a translation of that portion

of it dealing with the Legation's memorandum are transmitted herewith.⁵⁰

After studying the letter of the Secretary of the Supreme Court I became convinced that there had been a fundamental misunderstanding of what was desired by the Department of State, inasmuch as in Paragraph 2 of the letter the following appears:

"The Supreme Court of Justice understands that that program embodies the following points: (a) the faculty that American officials may exercise the function of judges within the military jurisdiction to which they are assigned; that they should take cognizance of and decide cases involving civilians who commit offenses against the military, in order that the Guardia Nacional may carry out more efficiently the high purposes for which it was instituted . . . [""]

The President of the Supreme Court, Dr. Carlos Morales, called at the Legation at my request and after having called his attention to the clause quoted above I reminded him that far from interpreting correctly the program that the Department of State had suggested, it was directly opposed to the Department's desires as expressed in the first sentence of my memorandum which states "the Department of State cannot approve of the trial of Nicaraguan civilians by members of the Guardia so long as this institution is directed by American officers".

Dr. Morales said that the Supreme Court had apparently fallen into an error in interpreting the Legation's memorandum. He said that this could be explained by the circumstance that the Court had in mind not only the Legation's memorandum but the Articles for the Government of the Guardia Nacional de Nicaragua, which do provide for Guardia courts with jurisdiction over civilians. I reminded him that I had made no mention of the Articles for the Government of the Guardia in my memorandum and that the point that the Department had brought up specifically was that Nicaraguan civilians should not be judged by Guardia courts but by Nicaraguan civil courts.

He said that this circumstance placed a new light on the matter and that he would have another memorandum prepared in the light of the Department's desires as I had pointed out to him.

He stated, however, that the Supreme Court was still in a very difficult position because the Department's wishes as outlined in my memorandum were directly contrary to the Articles for the Government of the Guardia which provided specifically for the Guardia courts to which the Department objected. He said it was very difficult for the Supreme Court to reconcile divergent points of view and still remain within the law.

⁵⁰ Not printed.

With respect to the establishment of civilian courts to handle cases of banditry in Departments where martial law has been declared, he said that an attempt had been made to utilize the ordinary courts in this connection but it had resulted in failure, not on account of the unwillingness of the Judges to cooperate, but because under the law those Judges had to abide by the ordinary rules of evidence, etc., which were usually lacking in cases of bandits taken in the field and even in the cases where such evidence was obtainable the long delay in terminating cases in strict accordance with the law was prejudicial to the interests of the Government.

He stated that in his private opinion the solution of the problem would be a total reform of the Constitution. He said there were many other provisions of the Constitution unsuited to present day conditions in Nicaragua and that he had for a long time favored the adoption of an entirely new Constitution. He said that this was feasible inasmuch as the Conservative Government two years ago had taken the initial steps to replace the present Constitution with a new one and the present Legislature could complete the total reform of the Constitution during the present session. I have not had the opportunity to verify the circumstances alleged by Dr. Morales but I presume that his information is accurate.

Since Congress has adjourned for fifteen days there is no possibility of immediate action to reform the Constitution even though the Executive Power should agree with the recommendation made by Dr. Morales to the Legation. This recommendation of course was entirely personal. I should appreciate having the benefit of any views which the Department may wish to express on the subject.

I have [etc.]

WILLARD L. BEAULAC

[Enclosure]

*The American Chargé (Beaulac) to the President of Nicaragua
(Moncada)*

MEMORANDUM

The Department of State cannot approve of the trial of Nicaraguan civilians by members of the Guardia so long as this institution is directed by American officers. The purpose for which the Guardia has been established is the maintenance of public order and save in the case of military offenses, it should not be called upon to prescribe the penalties of the law even though the ordinary courts fail to function properly. If the Nicaraguan courts are ineffective, it is obviously preferable that measures should be taken to bring about a strengthening of this branch of the Government than that it be further weakened by the transference of its duties. The responsibility

for the maintenance of order, so far as the punishment of offenders is concerned, rests squarely upon the Nicaraguan judiciary.

In the establishment of proper courts for handling bandit cases it is assumed that the Supreme Court would be willing to assist the Executive in so far as appointments are concerned and that the Nicaraguan Congress could pass new legislation if any were needed. It is believed that there exists no insuperable obstacle to action by the Nicaraguan Government which would result in the establishment of civil courts with sufficient authority and sufficient courage to deal with this situation.

MANAGUA, January 18, 1930.

817.1051/378

The Acting Secretary of State to the Chargé in Nicaragua (Beaulac)

No. 638

WASHINGTON, March 11, 1930.

SIR: The Department has received your despatch No. 1328, dated February 18, 1930, reporting the results of the representations made by you before the appropriate officials of the Nicaraguan Government with respect to the apparent inadequacy of the Nicaraguan courts to administer the law and the adoption of measures to overcome that inadequacy.

The Department approves your action in submitting to the President of Nicaragua the memorandum on this subject dated January 18, 1930, a copy of which was enclosed with your despatch, and your subsequent statement with respect to it during your conversations with the President of the Supreme Court. In this connection, however, you are advised that the revision of the constitution of Nicaragua with a view to the strengthening of the judiciary is a matter with respect to which the Legation is directed to make no suggestions or comment excepting under specific instructions from the Department.

I have [etc.]

For the Acting Secretary of State:

FRANCIS WHITE

817.00 Bandit Activities, 1931/237 : Telegram

The Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, September 17, 1931—2 p. m.

175. American Consul, Bluefields, telegraphed September 11⁵¹ he has informed you of reported death sentences imposed on two bandits following court martial by Guardia. See Department's January 16, 1930, 6 p. m., January 17, 1930, 5 p. m. and January 29, 4 p. m., and

⁵¹ Telegram not printed.

endeavor to see to it that death sentences if imposed are not carried out.

Advise what action subsequent to Legation's No. 1328, February 18, 1930, has been taken by Nicaraguan Government to establish civil courts adequate to deal with cases involving banditry.

STIMSON

817.00 Bandit Activities, 1931/239 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, September 18, 1931—3 p. m.

[Received 8 p. m.]

167. Department's 175, September 17, 2 p. m. The Acting Jefe Director of the Guardia has assured me that in the event death sentences have been imposed as reported to the Department they will not be carried out. Such sentences would have to be confirmed by him and by the President of Nicaragua.

The Legation has no copy of its 1328 of February 18, 1930⁵² but so far as I am able to ascertain there are still no civil courts adequate to deal with cases involving banditry.

BEAULAC

817.00 Bandit Activities, 1931/241 : Telegram

The Chargé in Nicaragua (Beaulac) to the Secretary of State

MANAGUA, September 21, 1931—4 p. m.

[Received 8:33 p. m.]

173. My 167, September 18, 3 p. m. The Acting Jefe Director of the Guardia has informed me that no death sentences were applied in the case of the rioters at Rama. I have discussed with him the Department's attitude concerning the trial of civilians and Guardia courts martial and he will take measures to see that such trials are not held in the future.

BEAULAC

817.00 Bandit Activities, 1931/244 : Telegram

The Secretary of State to the Chargé in Nicaragua (Beaulac)

WASHINGTON, September 22, 1931—1 p. m.

179. Your 167, September 18, 3 p. m. American Consul, Bluefields, states that court martials before Guardia have been conducted with the approval of superiors in Managua to local Commander. There-

⁵² Presumably because of the destruction of the archives in the earthquake at Managua; see pp. 780 ff.

fore, you will state to appropriate authorities that as the Department informed Nicaraguan Government in 1930, it cannot approve trial of Nicaraguan civilians by Guardia so long as this institution is directed by American officers. Department's position was endorsed at that time by Major General Commandant of Marine Corps who so advised Brigade Commander in Nicaragua.

Department is sending you copy of Legation's despatch 1328, February 18, 1930.

STIMSON

817.00 Bandit Activities, 1931/246

The Chargé in Nicaragua (Beaulac) to the Secretary of State

No. 511

MANAGUA, September 24, 1931.

[Received October 1.]

SIR: In reply to the Department's telegram number 179 of September 22, 1931, directing me to state to the appropriate authorities that, as the Department informed the Nicaraguan Government in 1930, it cannot approve the trial of Nicaraguan civilians by the Guardia so long as that institution is directed by American officers, I have the honor to state that as I reported in my telegram Number 173 of September 21, 1931, I made representations in that sense to the Acting Jefe Director of the Guardia who assured me at that time that he would take measures to insure that such trials would not be held in the future.

I have not at this time made any representations to the Nicaraguan Government in the matter nor do I believe it necessary for me to do so if the Department's present object is merely to insure that courts martial of civilians by the Guardia will not be carried out in the future.

In connection with any representations which I may be instructed to make to this Government concerning the establishment of civil courts competent to deal with cases of banditry, I believe it well to recall the history of the strong representations in a like sense which I made to this Government early last year. Following my representations the Supreme Court met with the President to consider ways and means of cooperating, and then the subject became confused with a project for partial reform of the Constitution, to which the Department was opposed on account of the inclusion, among other reforms, of a project to extend the Presidential period.⁵³ The reform of the Constitution was not carried out, and, as far as I can ascertain without actually reopening the subject with this Government, no actual steps have been taken to provide civil courts adequate to try cases of banditry in Departments where martial law exists. In other words

⁵³ See *Foreign Relations*, 1930, vol. III, pp. 695 ff.

my understanding is that my representations last year brought no improvement in the situation under discussion.

As Minister Hanna doubtless has already informed the Department, President Moncada is again considering a project to reform the Constitution by providing, among other things, for the "legalization" of the present situation under which American officers serve in the Guardia Nacional, and for an extension of the Presidential term.

Since the principal legal reason advanced in the past for the inability of the established civil courts to deal with cases of banditry in Departments under martial law has been one of constitutionality, I anticipate that the reopening of this subject at the present time would result in its being merged with a number of other projected reforms of the Constitution, some of which might appear desirable and some not, and furthermore might actually be used, as was the case last year, to give impetus and an appearance of sanction to the projected reforms to the Constitution.

If the Department desires me to reopen this subject with the Nicaraguan Government I will gladly do so, but in that case I would suggest that I be provided with a copy of the complete record up to date, since the Legation's record is far from complete. Before giving me such specific instructions, however, I also suggest that the Department consider the matter carefully in connection with the reported project to reform the Constitution, and that it bear in mind that in the absence of factors of which I am not aware there is little reason to hope that representations at this time will be any more effective than those made last year.

Respectfully yours,

WILLARD L. BEAULAC

817.00 Bandit Activities/250

The Secretary of State to the Chargé in Nicaragua (Beaulac)

No. 245

WASHINGTON, October 12, 1931.

SIR: The Department has received your despatch No. 511, of September 24, 1931, with regard to the matter of the trial of Nicaraguan civilians by the Guardia.

Inasmuch as you state that you have received assurances from the Acting Jefe Director of the Guardia, that he would take measures to insure that such trials will not be held so long as the Guardia is directed by American officers, the Department shares your view that it will be unnecessary to make any present representations regarding the matter to the Nicaraguan Government. It is noted that you were advised in connection with representations made to the Nicara-

guan Government in 1930, that the matter could only be dealt with by an amendment to the constitution and that you are of the opinion that the reopening of the subject at this time might result in its being merged with a number of other constitutional changes some of which might be undesirable.

Very truly yours,

For the Secretary of State:
HARVEY H. BUNDY

APPOINTMENT OF MAJOR CHARLES F. B. PRICE, U.S.M.C., TO OBSERVE
MUNICIPAL ELECTIONS IN NICARAGUA⁴

817.00 Johnson Electoral Mission/184

The Secretary of State to the Minister in Nicaragua (Hanna)

No. 135

WASHINGTON, March 7, 1931.

SIR: You are informed that Captain Alfred Wilkinson Johnson having fully complied with the instructions issued to him as Personal Representative of the President of the United States in Nicaragua and as Chairman of the American Electoral Mission to that country, has been relieved from active duty in connection with that Mission and has resumed his regular naval duties. Captain Johnson has not, however, relinquished his office as Chairman of the American Electoral Mission or, consequently, as President of the Nicaraguan Board of Elections.

It is deemed by the Department to be highly desirable that the present structure of the National Board of Elections shall be retained in so far as may be practicable, and that an American member continue to serve thereon during the greater part of the period which will intervene until the presidential elections of 1932 shall have been held. In view, therefore, of the absence of Captain Johnson he will be represented on the Board by his alternate. That official, Commander Andrew S. Hickey, however, has been compelled, by virtue of the pressure of his naval duties, to resign as Vice Chairman of the National Board of Elections, in consequence of which Captain Johnson has nominated as his successor Major Charles F. B. Price, United States Marine Corps.

Captain Johnson will forward to your Legation, for delivery to President Moncada, notice of the resignation of Commander Hickey and of his nomination of Major Price. When you shall have received and delivered to President Moncada the communication from Captain Johnson containing notice of the resignation of Commander Hickey

⁴For previous correspondence regarding elections in Nicaragua, see *Foreign Relations*, 1930, vol. III, pp. 636 ff.

and the nomination of Major Price you are directed then to communicate the substance of this instruction to President Moncada, and, pursuant to the provisions of Article 16 (c) of the Electoral Law of Nicaragua as modified by the Executive Decree of July 26, 1930, to request him to appoint Major Price as alternate to the Chairman of the National Board of Elections, and to cause such further steps to be taken as may be requisite to the assumption of his duties by Major Price.

You are, furthermore, directed to call to the attention of President Moncada the note, No. 64, dated February 12, 1929,⁵⁵ addressed to Mr. Eberhardt by the Minister for Foreign Affairs, requesting the designation of an American citizen to preside over the National Board of Elections, wherein it was stated that a salary of \$8,000 a year would be paid to that person. It is contemplated that Major Price will proceed to Nicaragua during the month of July, 1931, and that he will remain there until the municipal elections of the following October shall have been held, returning thereafter to the United States. Subsequently he will again return to Nicaragua prior to the 1932 presidential elections, should any questions requiring his presence be submitted during that period to the National Board of Elections. You will request that Major Price shall be paid during such time as he may actually be on duty in Nicaragua a salary at the rate of \$8,000 per annum. His expenses while traveling to and from Nicaragua will be paid by the Government of the United States, and his salary paid by the Nicaraguan Government will of course cease at such times as he may be absent from Nicaragua. His salary will be his only expense to the Nicaraguan Government. Any traveling expenses in the Republic of Nicaragua and any other incidental expenses will be paid by Major Price out of his salary.

Very truly yours,

HENRY L. STIMSON

817.00 Johnson Electoral Mission/195: Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, May 11, 1931—6 p. m.

115. Has President Moncada designated Major Price yet as *suplente* to the Chairman of the Electoral Commission? He must make his definite plans very shortly and desires to know what to expect in this connection.

STIMSON

⁵⁵ *Foreign Relations*, 1929, vol. III, p. 647.

817.00 Johnson Electoral Mission/196 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, May 12, 1931—3 p. m.

[Received 6:40 p. m.]

74. Your 115, May 11, 6 p. m. I have been awaiting a favorable opportunity to take up with President Moncada the designation of Major Price. It is very embarrassing to propose the contemplated arrangement because of the salary which this Government will be expected to pay Major Price. The amount is small by our standards but this Government will consider it a real drain on its revenues at this time. Many of its high officials are receiving practically no salary at present. I hope the Department of State or the Navy Department can give Major Price an appropriate allowance for this tour of duty only. This would be appreciated by this Government and would help me materially in my representations.

HANNA

817.00 Johnson Electoral Mission/197 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, May 26, 1931—11 a. m.

[Received 2:05 p. m.]

87. I am awaiting a reply to my 74, May 22 [12], 3 p. m., before taking up with President Moncada the designation of Major Price. I have just learned that President Moncada is considering the appointment of Dr. Aguado, the Vice President, as chairman of the National Board of Elections and Dr. Aguado has expressed a desire to consult me in this matter. Please instruct.

HANNA

817.00 Johnson Electoral Mission/201 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, May 27, 1931—1 p. m.

125. Your 74, May 12, 3 p. m.

1. The Department deems it to be important that President Moncada make effective at an early date the appointment of Major Charles F. B. Price as Vice Chairman of the National Board of Elections. You are requested therefore to comply with the Department's instruction No. 135⁵⁶ in so far as his appointment is concerned.

2. The Department is cognizant of the extreme difficulty of the financial problems with which the Nicaraguan Government is confronted

⁵⁶ Dated March 7, p. 873.

and does not desire to add to them through the appointment of Major Price. Accordingly it will defray the expenses which will be incurred by Major Price while on his mission in Nicaragua from funds now at its disposal.

3. Nevertheless this action by the Department is not to be construed as establishing a precedent with respect to the 1932 elections, during which it is expected that the Nicaraguan Government itself will defray salary and other costs as in the case of the 1928 and 1930 elections.

4. When formally arranging for Major Price's appointment in compliance with paragraph 1, you may informally and orally apprise the Nicaraguan Government of the substance of paragraphs 2 and 3 above.

5. Please report.

STIMSON

817.00 Johnson Electoral Mission/200 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, May 27, 1931—3 p. m.

126. Your 87, May 26, 11 a. m. A separate telegram is being sent to you concerning the appointment of Major Price.⁵⁷

With respect to the rumored appointment of Dr. Aguado as Chairman of the National Board of Elections, the Department does not understand how this could be effected inasmuch as Captain Johnson continues to hold that position. See the Department's instruction No. 135, dated March 7, 1931.

By the appointment of Major Price as Vice Chairman of the National Board of Elections he will preside over that Board in the absence of Captain Johnson thus completing its organization.

STIMSON

817.00 Johnson Electoral Mission/203 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, May 29, 1931—3 p. m.

[Received 5:45 p. m.]

91. Your May 27, 1 p. m. I have discussed the matter of Major Price's appointment with President Moncada. A majority of the members of the Supreme Court were present by President Moncada's request. They expressed the opinion that the plan proposed by the Department would be illegal for the following reasons.

Executive decree number 102 of July 26, 1930, making changes in the electoral law of 1923 specifies in its article 3 that those changes

⁵⁷ *Supra.*

shall have force only when an American citizen designated by the President of the United States and appointed by the Supreme Court of Justice of Nicaragua is President of the National Board of Elections and "during elections for supreme authorities". The changes consequently are not in force for the municipal elections this year and the electoral law of 1923 will govern the municipal elections this year. The electoral law of 1923 makes no provision for the appointment of an alternate to the chairman of the National Board of Elections. President Moncada and the four members of the Supreme Court present were of the opinion that the purposes the Department has in view may be accomplished in one of the following ways:

1. The executive might submit to the Nicaraguan Congress now in session a bill modifying the existing legal situation so as to legalize the appointment of Major Price as alternate with the right to succeed to the chairmanship of the National Board of Elections in the absence of Captain Johnson. This bill might or might not provide also that the electoral law as modified by the executive decree of July 26th, 1930, would be applicable during the municipal elections this year. This plan was deemed objectionable by those present because of the discussion it would provoke in Congress and the probability that the bill would not be approved.

2. The executive might delay action until the Congress adjourned and then make the necessary changes in the law by executive decree under the authority conferred upon him by article 111, paragraph 2 and 33, of the Constitution. This procedure might involve considerable delay because Congress may take a recess and prolong its ordinary session indefinitely.

3. If Captain Johnson will resign as President of the National Board of Elections the Supreme Court may appoint Major Price to the position under the provisions of the electoral law of 1923. The law does not, in the opinion of the members of the Supreme Court present at the conference, preclude the appointment of an American to that position. This plan seemed to be the least objectionable to those present.

President Moncada authorized me to present the foregoing for your consideration and advice. I noted no disposition on the part of those present to oppose the general purpose of the Department's plan. On the contrary they seemed to be making a serious effort to find a legal way to put the plan into effect.

The following procedure occurred to me but did not propose it. Captain Johnson might resign as President of the National Board of Elections and this Government might then fill the vacancy by the appointment of a Nicaraguan in accordance with the electoral law of 1923. Major Price could then be designated as an observer after an exchange of notes with this Government which would insure his being so recognized by this Government and being given ample facilities to enable him to accomplish his mission. I perceive strong objections to

Major Price acting as President of the National Board of Elections under the electoral law of 1923. He would have great responsibility without adequate powers and his position consequently would be extremely difficult. His presence would be considered as constituting American supervision, especially by the opposition party, and this probably would give rise to serious complaints, unjust conclusions and misjudging of our true purpose. If he were here as an observer only he could fairly well accomplish the main purpose we have in mind and could avoid all responsibility in connection with the elections but his presence nevertheless would exercise a moral effect. There would be little or no ground for a claim that the elections were being supervised. I prefer this plan.

HANNA

817.00 Johnson Electoral Mission/204 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, June 3, 1931—2 p. m.

129. Legation's 91, May 29, 3 p. m. Please report by telegraph whether the National Board of Elections of Nicaragua normally functions in connection with municipal elections and has jurisdiction over same. If so, explain fully to what extent and cite appropriate laws.

STIMSON

817.00 Johnson Electoral Mission/205 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, June 5, 1931—11 a. m.

[Received 6:46 p. m.]

98. Department's 129, June 3. The following opinion was given to me by Vice President Aguado, formerly a member of the National Board of Elections: The National Board of Elections does normally function in connection with municipal elections.

The electoral law of 1923 differs materially in spirit and detail from the McCoy law and the law as amended July 26, 1930, in that the first mentioned law provides a decentralized organization in the case of municipal elections.

Under the law of 1923 however the National Board of Elections has limited jurisdiction over municipal elections arising out of (1) its power as the recognized agency for the execution of the electoral law, and (2) its power to name presidents of departmental board and fill vacancies in that office and to fill vacancies in the office of political

member of such boards (articles 22 and 23 electoral law) and through the power of the departmental board to name the presidents of the *directorios electorales* and fill vacancies in the office of political members (articles 26, 27 and 28 electoral law), the *directorios electorales* being charged with the function of keeping the electoral registers.

Exception of the power to name presidents of the departmental boards and fill vacancies in that office, and to fill vacancies in the office of political member of such boards, duties and powers of the national boards of elections with reference to municipal elections are not clearly or definitely established in the law of 1923 but arise in general indirectly from the spirit of that law.

A fundamental difference between elections of supreme authorities and municipal elections under the law of 1923 is that in the former case election returns are counted by the National Board of Elections, while in the latter case they are counted by the Alcaldes from whose decision appeal can be made only to the Supreme Court (article 108 electoral law).

HANNA

817.00 Johnson Electoral Mission/207 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, June 11, 1931—5 p. m.

135. Legation's 91, May 29, 3 p. m., and 98, June 5, 11 a. m. In view of the clear intent of Decree No. 102 of July 26, 1930, as expressed in Article 3, that the changes and suspensions of the provisions of the Electoral Law promulgated March 20, 1923, should be effective only with respect to the elections for supreme authorities, it obviously is not practicable to proceed further at this time with the proposed appointment of Major Price to the National Board of Elections under Article 16 thereof.

You may so inform the appropriate authorities, stating that while American supervision of the municipal election is not contemplated it is considered desirable that Major Price should be present in Nicaragua prior to and during those elections to observe them and report thereon. Such action would be in conformity with the request of the Nicaraguan Government as conveyed to the Legation in the note of February 12, 1929, and would likewise, in view of the important bearing of the municipal elections on the forthcoming presidential elections, constitute a preliminary step in the plans for their supervision.

You may state furthermore, in compliance with paragraph 2 of the Department's telegram No. 125 of May 27, 1 p. m., that the expenses

which will be incurred by Major Price during his mission in Nicaragua will be defrayed by this Government.

The Department considers it desirable for you to convey the substance of the foregoing to the Nicaraguan Government in the form of a written communication and to obtain from the Government of Nicaragua a written response thereto acquiescing in the assignment of Major Price to the duties contemplated. In this connection you may mention that it is the intention of the Department to have Major Price proceed to Nicaragua in the month of July. He will be accompanied by Lieutenant Floyd A. Stephenson as assistant.

Upon being informed by you of the formal acquiescence of the Government of Nicaragua in the assignment of Major Price to this duty the Department will issue to the press the "Statement of Policy with respect to the Elections in Nicaragua between now and November, 1932" a copy of which was transmitted to you with the Department's air mail instruction No. 132 [134] of March 7, 1931.⁵⁸ You may make the statement public in Nicaragua at the same time. The first full paragraph on page 2 should be omitted. The third and fourth sentences of the next paragraph on that page should be deleted and the following sentences substituted: "It is nevertheless desirable that an American electoral official should be present in Nicaragua at this time. Captain Johnson has gone to sea and is unable to return to Nicaragua, in view of which the Department has designated Major Charles F. B. Price, United States Marine Corps, as electoral observer."

STIMSON

817.00 Johnson Electoral Mission/208 : Telegram

The Minister in Nicaragua (Hanna) to the Secretary of State

MANAGUA, June 12, 1931—5 p. m.

[Received 6:11 p. m.]

105. Department's June 11, 5 p. m., and last paragraph of my 91, May 29, 3 p. m. May I advise this Government at the same time that Captain Johnson will resign the position of President of the National Board of Elections and thus enable this Government to complete the organization of the board? I suggest that the reply be submitted by cable as this Government is anxious to have the board resume its duties as early as possible.

HANNA

⁵⁸ Instruction not printed; for statement of policy, see Department of State, *Press Releases*, July 11, 1931 (Publication No. 211), p. 51.

817.00 Johnson Electoral Mission/211 : Telegram

The Secretary of State to the Minister in Nicaragua (Hanna)

WASHINGTON, June 15, 1931—2 p. m.

139. Legation's 105, June 12, 5 p. m.

1. Inasmuch as Major Price will serve only as an observer of the municipal elections and will have no official connection whatsoever with the Nicaraguan National Board of Elections, the Department deems it to be preferable that his appointment and questions regarding the membership of that Board be kept separate. For this reason you are requested, provided you perceive no objection to such a course, to carry out the procedure set forth in the Department's telegram No. 135, June 11, 5 p. m.

2. In a separate communication you may inform the Nicaraguan Government that if it so desires the Department will promptly request Captain Johnson to resign as Chairman of the Nicaraguan Board of Elections to the end that a Nicaraguan citizen may be appointed in his stead.

3. Supervision of the 1932 Presidential elections, however, will necessitate the presence of an American as Chairman of the Nicaraguan National Board of Elections, as well as the amendment, alteration, and partial suspension of the Electoral Law of March 20, 1923 (experience having demonstrated the insufficiency of the measures effected by the Decree of July 26, 1930). Assurances, therefore, from the Nicaraguan Government that these requirements will be met in ample time prior to the 1932 elections should be obtained at this time. You may point out that a similar arrangement was made effective prior to the appointment of Captain Johnson, at which time the Nicaraguan Chairman who followed General McCoy resigned in his favor.

STIMSON

817.00 Johnson Electoral Mission/213

The Minister in Nicaragua (Hanna) to the Secretary of State

No. 405

MANAGUA, June 20, 1931.

[Received June 25.]

SIR: With reference to the Department's telegram No. 139 of June 15, 1931, and previous correspondence on the subject of municipal elections to be held in Nicaragua this year, and concerning certain preliminaries to American supervision of the presidential elections of next year, I have the honor to transmit herewith copies and translations of correspondence exchanged between President Moncada and me on that subject.

In compliance with the Department's instruction No. 135 of March 7, 1931, and following the receipt of the Department's telegram No. 125 of May 27, 1931, I addressed a letter to President Moncada on May 27, 1931, a copy of which is enclosed,⁶⁰ informing him of the resignation as Vice Chairman of the National Board of Elections of Commander Andrew S. Hickey, U.S.N., and requesting the designation of Major Charles F. B. Price, U.S.M.C., in his stead. A copy and translation of President Moncada's acknowledgement, dated June 1, 1931, are likewise enclosed.⁶⁰

During the interim between the dates of the two letters I had discussed the matter of elections with President Moncada and a majority of the members of the Supreme Court, with the results expressed in my telegram No. 91 of May 29, 1931.

Following the receipt of the Department's telegrams No. 135 of June 11, 1931, and No. 139 of June 15, 1931, I addressed to President Moncada on June 16, 1931, two letters, copies of which are enclosed,⁶¹ the first expressing the opinion of the Government of the United States that Major Price should be present in Nicaragua prior to and during the municipal elections of 1931, to observe them and report on them, and the second expressing the willingness of the Department of State to request the resignation of Captain Johnson as Chairman of the National Board of Elections, and requesting assurances from the Government of Nicaragua that certain measures, including necessary changes, reforms, etc., to the Electoral Law of March 23, 1923, and the resignation of the Nicaraguan President of the National Board of Elections in favor of the American to be designated to supervise the Presidential Elections of 1932 be effected in ample time prior to those elections.

I have just received President Moncada's reply, dated June 18, 1931, to my two letters of June 16, in which he accepts the Department's proposal to send Major Price to Nicaragua to observe the municipal elections of 1931, and expresses the belief that Captain Johnson's resignation as President of the National Board of Elections is desirable. A copy and translation of the letter are enclosed.

The President's letter, while acceptable in the sense that it expresses agreement with certain of the Department's suggestions, is in other respects not so satisfactory, in that it contains inaccuracies and statements capable of misinterpretation. For example, in the first paragraph of his letter President Moncada refers to a desire alleged to have been expressed in my first letter of June 16 that Major Price be appointed President of the National Board of Elections. The De-

⁶⁰ Not printed.

⁶¹ Neither printed.

partment will note that in my acknowledgment of the President's letter, enclosed herewith, I corrected this inaccuracy.

In his third paragraph President Moncada states that the Department of State, prior to the Presidential Election last year, "thought of extending the activities of the National Board of Elections, especially in municipal changes in the Department of Chontales". It is my recollection that the Department at that time expressed its willingness that the National Board of Elections under the Presidency of Captain Johnson should supervise municipal elections in that Department if the Nicaraguan Government so desired, but that it was a matter for that Government's decision.

In his fifth paragraph President Moncada appears to be of the impression that Major Price's appointment as President of the National Board of Elections is still being requested, whereas my letter of June 16, to which the President's letter refers, in its first paragraph states that "it obviously is not practicable to proceed further at this time with the proposed appointment of Major Charles F. B. Price, U.S.M.C., to the National Board of Elections under Article XVI of that decree".

In the eighth paragraph of the President's letter he refers to the wish of the Department of State that he make a new statement regarding the necessity of an American President of the National Board of Elections during the next Presidential election. I expressed no such wish in either of my letters to which he refers. In my second letter of June 16, 1931, I expressed the Department's wish, set forth in its telegram No. 139 of June 15, 1931, for assurances that certain preliminaries to the supervision of the Presidential elections of 1931, including the resignation of the Nicaraguan President of the Board in favor of the American to be named, be effected in ample time prior to the elections. It was doubtless this statement which the President had in mind.

While it would appear that the misstatements and inaccuracies in the President's letter should be cleared for the sake of the record, I shall make no attempt to do this on my own initiative, since the destruction of the Legation's archives has made it impossible to make concise references to documents which the Legation formerly possessed. It is believed, however, that the Department has in its possession material with which to clear the record if it considers this step desirable.

From the general tone of President Moncada's letter, and especially from the contents of the last paragraph, in which he refers to the acquiescence of Congress and the Judicial Power as part of the support for the suspension of the fundamental laws of the Republic, I have gained the impression that the President may be preparing legal

grounds on which the Nicaraguan Government may object to possible changes in the Electoral Law prior to the 1932 elections. It will be remembered in this connection that the amendment covering the election of 1930 was made by executive decree, without reference to Congress, and was not officially submitted to the Supreme Court. The Department will likewise note, in this connection, that the President in his letter does not give the assurance requested by the Department that the necessary changes, alterations, etc., in the Electoral Law of 1923 will be made in ample time prior to the elections of 1932.

With reference to the fourth paragraph of the Department's telegram No. 135 of June 11, 1931, instructing me to make certain changes in the text of the "Statement of Policy with respect to the Elections in Nicaragua between now and November, 1932", I wish to state that it is my intention to delay releasing that statement until informed by the Department of the date on which it will make it public in the United States. I would therefore appreciate receiving telegraphic advice of that date.

Respectfully yours,

MATTHEW E. HANNA

[Enclosure 1—Translation]

*The President of Nicaragua (Moncada) to the American Minister
(Hanna)*

MANAGUA, June 18, 1931.

EXCELLENCY: I have read with close attention Your Excellency's letter of June 16, 1931, with reference to the National Board of Elections and the desire to name Major F. B. Price, United States Marine Corps, as President of that Board.

Notwithstanding the good will of my Government to comply with the desire of the Department of State to achieve free elections in Nicaragua, not only with respect to Supreme Authorities, but also with reference to Municipal Authorities, an obstacle has been encountered in the Constitution and the laws of Nicaragua.

During the elections for Senators and Deputies last year, under the Presidency of the National Board, filled by an American delegate, Captain Johnson, the Department of State thought of extending the activities of the National Board of Elections, especially in municipal changes in the Department of Chontales. But the Organic Law of Municipalities, the Dodds Law, and the Political Constitution, itself, of Nicaragua, establish the right of mayors of municipalities to accept nominations and declare them, and to make the final count, and consequently the right of appeal to the Supreme Court for an injunction in case any of the candidates considered himself prejudiced

by the non-compliance with the express laws of the Republic. Since the good will of the American Government has been directed toward the progress of our institutions and the development of the Republic in Central America, the Department of State has been confronted with the obstacle of our Constitution, and it has been necessary, in various ways, to study and meditate concerning the friction between the emergency laws originating in the Tipitapa agreements⁶² and dictated with the advice of General Frank R. McCoy and Captain Johnson, and the Fundamental Law of the Republic, already referred to. This latter has been placed aside with the consent of the two principal parties, the Liberal and the Conservative, that is, with the consensus of the well established majority of the Nicaragua people, which, under the Republican form of Government definitely solves these problems.

But it is one thing to obey necessity and another to obey the law. If my Government had consented to the manifest desires of Captain Johnson to hold Municipal elections, the supervision would have lost its prestige; and the Supreme Court of Justice, notwithstanding its good will to cooperate with Captain Johnson, would have been obliged to declare an injunction against all those municipalities elected in contravention to the Fundamental Charter of the Republic, to the Organic Law of Municipalities, and to the Dodds Law.

The same results would follow today the supervision of Major F. B. Price, United States Marines, if he intervened in municipal elections. I am sure that if in the last emergency Captain Johnson did not esteem these reasons pertinent, the Department of State will so consider them now, conceding that my Government is fully justified.

Consequently, I applaud and accept the designation of Major Price as an expert observer in the future municipal elections, which I hope and wish will be absolutely free, with the ready and efficient aid of the National Guard.⁶³

Your Excellency sent with the note referred to another in which you tell me that Captain Johnson can resign if my Government so desires. I believe it is advisable, in order that the Supreme Court may be free to follow the provisions and spirit of the Dodds Law.

With respect to the wish of the Department of State that I make a new statement regarding the necessity of an American President of the National Board of Elections during the next Presidential elections, Your Excellency may assure the Department that is a great pleasure

⁶² i. e., the agreement between Colonel Stimson and General Moncada, confirmed by Colonel Stimson's note to General Moncada, dated at Tipitapa, May 11, 1927; *Foreign Relations*, 1927, vol. III, p. 345.

⁶³ Major Price arrived in Managua on July 23, 1931.

for me, and an imperative duty, to carry out my word already given, which arises from my own convictions.

It is obvious that as in the case of the McCoy and Johnson Laws, this suspension of the Electoral Law of March, 1923, is unconstitutional and that in suspending it we have as support only the acquiescence of the two political parties in which the Republic is divided, of their representatives in Congress, of the good will of the Judicial Power and of the Executive Power—since the emergency laws referred to are not based on our constitution's precepts or the statutes of the Republic.

I have [etc.]

J. M. MONCADA

[Enclosure 2]

*The American Minister (Hanna) to the President of Nicaragua
(Moncada)*

[MANAGUA, June 20, 1931.]

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's reply of June 18, 1931, to my two letters of June 16, 1931, one of which related to the contemplated visit to Nicaragua of Major Charles F. B. Price, United States Marine Corps, in connection with the municipal elections of this year, and the other related to the probable desire of the Nicaraguan Government to name a Nicaraguan citizen Chairman of the National Board of Elections to serve in connection with those municipal elections. I am gratified to note that Your Excellency is pleased to accept the suggestion of the Department of State that Major Price act as an observer of those elections. I also note that Your Excellency accepts the proffer of the Department of State to request Captain A. W. Johnson, United States Navy, to resign as Chairman of the National Board of Elections to the end that a Nicaraguan citizen may be appointed to that position for the approaching municipal elections. I shall lose no time in transmitting a copy of Your Excellency's reply to the Department of State.

The first paragraph of Your Excellency's letter, in which you refer to my letter of June 16 as expressing a desire that Major Price be named President of the National Board of Elections, indicates that there may exist some misunderstanding on that point, and I therefore wish to point out that, in my letter referred to, I did not suggest that Major Price be appointed to that position, but did, in view of certain legal circumstances which Your Excellency had previously mentioned to me, express my Government's desire to send Major Price to Nicaragua as an observer of the coming municipal elections.

I avail myself [etc.]

MATTHEW E. HANNA

817.00 Johnson Electoral Mission/234

The Acting Secretary of State to the Minister in Nicaragua (Hanna)

No. 203

WASHINGTON, July 14, 1931.

SIR: With reference to the Department's telegram of today's date⁶⁴ and previous correspondence with respect to the resignation of Captain Alfred W. Johnson, United States Navy, as President of the National Board of Elections of Nicaragua and also as Chairman of the American Electoral Mission in Nicaragua, there are transmitted to you herewith a copy of a letter addressed to the Secretary of State by Captain Johnson under date of July 8 tendering his resignation, and also a letter of resignation addressed to His Excellency the President of Nicaragua by Captain Johnson.⁶⁵ Please have the letter addressed to President Moncada delivered without delay.

Very truly yours,

For the Acting Secretary of State:

FRANCIS WHITE

817.00 Johnson Electoral Mission/241

The Minister in Nicaragua (Hanna) to the Acting Secretary of State

No. 434

MANAGUA, July 22, 1931.

[Received July 30]

SIR: With reference to the Department's instruction No. 203 of July 14, 1931, I have the honor to state that Captain Johnson's resignation as President of the National Board of Elections of Nicaragua was duly delivered to President Moncada, who in turn delivered it to the Supreme Court. The latter body on July 21, 1931, accepted Captain Johnson's resignation and appointed Doctor Enoc Aguado as President of the National Board of Elections. A copy and translation of the decree of the Supreme Court accepting Captain Johnson's resignation and appointing Doctor Aguado is transmitted herewith.⁶⁴

Respectfully yours,

MATTHEW F. HANNA

⁶⁴ Not printed.⁶⁵ Neither printed.

BOUNDARY DISPUTE WITH HONDURAS

(See volume I, pages 792 ff.)