TURKEY.

Mr. Straus to Mr. Bayard.

No. 147.]

Legation of the United States,
Constantinople, December 3, 1888. (Received December 24.)

Sir: Referring to your several instructions respecting the petition of
the trustees of the University of Pennsylvania, praying that applica-
tion be made to the Sublime Porte for permission to make excavation
in the vilayet of Baghdad, I have the honor to report:

That such permission has finally been obtained by me, a translation of
which is herein enclosed.

The restricted laws in respect to excavations (reported in my dispatch
No. 78 of May 9, 1888) added to the fact that applications made during
recent years on behalf of European museums and societies had been
and were being refused, made it extremely difficult to obtain permis-
sion for the petitioners.

Through the kindness of the grand vizier the matter of this applica-
tion was laid before the council of ministers, and there it was finally
decided to grant the permission to the petitioners to make such excavations
upon the conditions stated. As this permission contained terms
not provided for by the law, namely, the right to buy certain of the arti-
cles excavated with the implied right to export them, the matter had
to be referred to His Majesty the Sultan for an iradé.

The matter rested in this position for some weeks.

Rev. John P. Peters, professor in the University of Pennsylvania, and
the head of the expedition, was here during all this time, and expressed
himself willing to accept the conditions as made by the council of min-
isters, rather than incur the delay which further efforts would entail.

On the occasion of my audience with the Sultan on the 23d ultimo, I
called His Majesty’s attention to the subject, and he replied that the
iradé would be granted immediately. So it was; and on the 1st instant
the papers were all completed and placed in Mr. Peter’s hands, and he
with his associates have left for the site of their proposed work.
The grand vizier and the minister of public instruction gave Mr. Peters
letters to the vali of Aleppo to facilitate the members of the expedi-
tion in their transit.

In this connection I beg to call attention to an error in translation of
article 18 of the law on excavations, as forwarded by me and printed
in special issue No. 48 of United States Consular Reports. Instead of
piastres, it should read Turkish pounds in each place.

I have, etc.,

O. S. Straus.

FR 89——45

705
PERMIT.

Upon the request of the legation of the United States of America, which made application on behalf of the trustees of Pennsylvania University in America for permission to excavate antiquities at Nimrod, district of Hili, and at Telufar, district of Divani, both in the province of Bagdad, the present permit has been granted for two years in the name of the said trustees, and in accordance with the law respecting antiquities. The necessary investigations having been made and the formalities having been complied with, according to the terms of said law, which provides that all the antiquities excavated shall belong to the government museum; that all the antiquities which may be discovered shall be retained, under the supervision of the official who will be appointed, in a secure place, so that the excavators shall not be able to take possession of them. The excavators will be authorized to commence working after they have delivered to the authorities of Bagdad the topographical plans of the localities whereon they wish to dig. They shall not trespass beyond the limits indicated in those plans, and before having completed the excavations in one locality they shall not commence upon the other.

Conformably with the regulations, should the work by reason of any objections be temporarily stopped, the excavators will have no right to claim any damages or indemnity on that account, and at the termination of the term of permit, if the excavations in said localities should not have been begun, or if begun they shall not have been completed, the excavators are bound to get a new permit for said localities.

At the termination of this permit or before, if they give notice that the excavations are completed, and if it is shown that they have conformed to the rules and regulations, the money they have deposited as security shall be returned to them.

Should the excavators not commence work within three months from the day the permit is handed to them by the governor-general of the province, or having commenced they shall stop work for the period of two months without any reason, the permit will be canceled.

The permit can not be transferred or sold to any other persons. They shall pay the salary of the official who will be assigned to them by the department, and in all matters conform strictly with the said law.

Of the antiquities discovered, if there are any, which, in the opinion of the authorities of the imperial museum, are not needed, upon their value being assessed by mutual agreement between the two parties and with the consent of the Sublime Porte, such articles may be sold to said excavators.

Rebi/al-awwal 26 1308.
Tesh-u-ni Sanii 19 1304.

Kiamil, Grand Vizier.
Muniz, Minister of Public Instruction.

Mr. Strauss to Mr. Bayard.

No. 151.] LEGATION OF THE UNITED STATES, Constantinople, December 22, 1888. (Received January 7, 1889.)

SIR: I have the honor to report that the Bible House has for several months past been seeking permission from the minister of public instruction to print in Turkish thirty-five thousand Bible tracts, consisting of the Psalms the Proverbs, the four Gospels, and the Acts.

The minister of public instruction having declined to give the authorization, the matter was referred to the legation by the Bible House.

Yesterday I succeeded in having the grand vizier give orders for the necessary authorization.

I have, etc.,

O. S. Strauss.
Mr. Straus to Mr. Bayard.

No. 156.] LEGATION OF THE UNITED STATES, Constantinople, January 10, 1889. (Received January 28.)

SIR: Referring to your instruction No. 131, of September 12, 1888, I have the honor to transmit a copy of a note verbale addressed to the Sublime Porte by Mr. King when chargé, under date of October 18, requesting that the Imperial Medical College be directed duly to recognize the diplomas of physicians graduated at the Bellevue Hospital Medical College in the city of New York.

The occasion of this note was a refusal on the part of the Imperial Medical College to license a graduate of the Bellevue Hospital Medical College, who is a Turkish subject, without first submitting to a thorough examination as to his fitness and learning, which he declined to do.

The Porte has sent a reply, accompanied by a report of the council of the administration of civil medicine, a translated copy of which I inclose for the information of the Department.

The sense and substance of such report in brief is the following:

When the applicant to practice his profession in this Empire produces a diploma of a State institution, where the State guarantees, as it were, by a staats examen, as in Germany, the sufficiency of the studies pursued and the examination, then such applicant, upon making proof of the fact that the diploma has been conferred upon him and submitting to a mere formal colloquium or medical conversation, is granted a certificate permitting him to practice his profession in this Empire.

On the other hand, if the applicant produces a diploma that is not of the grade above specified, that is to say, if the diploma is not from a State or Government institution, as above specified, then the applicant, in order to have the right to practice his profession in the Empire, must undergo a thorough examination, as is prescribed, to entitle him to a diploma from the medical college here.

This subject it seems presented itself in 1878, when the Porte first attempted to enforce with some degree of system the general law regulating the practice of medicine (see Legislation Ottomane, Vol. III, page 105.)

The matter was referred by the consul-general to the Department, and in its instruction to the consul general No. 50, of 29th April, 1878, it incloses a report from the Commissioner of Education, which says:

The United States Government formally recognizes the diplomas of no medical school of this country or any other as affording any evidence of medical capacity, but surgeons of the United States Army and Navy, Marine Hospital Service, etc., are subject to a rigid examination before appointment.

In the light of your instructions first above referred to I assume you have no further instructions to give in this matter.

I have, etc.,

O. S. STRAUS.

[Inclosure 1 in No. 156.]

Mr. Straus to the Sublime Porte.

LEGATION OF THE UNITED STATES, Constantinople, October 18, 1888.

The legation of the United States learns that the Imperial Medical College refuses to recognize the diplomas of physicians issued by the Bellevue Hospital Medical College of New York, and therefore requests the ministry of foreign affairs to inform the Imperial Medical College that the above-mentioned American college is one of excellent standing, and its diplomas should receive due recognition.
FOREIGN RELATIONS.

[Inclosure 3 in No. 156.—Translation.]

The Sublime Porte to Mr. Straus.

MINISTRY OF FOREIGN AFFAIRS,
Constantinople, December 25, 1888.

In reply to the note verbale the legation of the United States kindly addressed on the 18th October last, the ministry of foreign affairs has the honor to transmit hereinafter a copy of a report of the administrative council of civil medical affairs concerning the diplomas of physicians granted by the college of the Bellevue Hospital at New York.

[Inclosure 3 in No. 156.—Translation.]

Report of the administrative council of civil medical affairs.

MINISTRY OF THE INTERIOR, ADMINISTRATION OF CIVIL MEDICAL AFFAIRS
Constantinople, November 23, 1888.

The council has taken cognizance of the note verbale addressed to the imperial ministry of foreign affairs by the legation of the United States of America, and in which this legation requests that the administration of medical affairs duly recognize the diplomas of physicians granted by a medical college of New York called "College of the Bellevue Hospital." In this connection the council has the honor to remind the ministry that according to the Ottoman law any person who calls himself a physician or apothecary and who claims to have studied in a faculty of medicine or in a school of pharmacy abroad, and demands to practice medicine or pharmacy in Turkey must—

1st. Prove his studies and his medical or pharmaceutical knowledge by showing a diploma.

2d. He must pass an examination giving proof that the diploma he exhibits belongs to him. This prescription of the law is formal and does not admit of any exception.

The examinations to which are subjected physicians and apothecaries who have prosecuted their studies in Europe, are of two kinds, according to the category to which the certificate of studies belongs.

If the certificate of studies is a diploma of doctor of medicine and surgery, or of master in pharmacy emanating from a faculty or a university placed under the immediate and effective supervision of the government of the country in which this faculty or university is located, and of which the government guarantees the examination to which the candidate is submitted, then a mere colloquium or medical conversation is required. If, on the contrary, the school which has granted the certificate of studies or the diploma is a school which the government of the country where it is located does not guaranty, or if it is not a university or a faculty but a secondary school, then the examination the candidate is submitted to, is not a colloquium, but a rigorous examination for a doctorate; and if he passes satisfactorily he receives, not a permit to practice, but a doctor's diploma or an apothecary's diploma. By this method control of the title on capacity of physicians and apothecaries is effected over such who have prosecuted their studies abroad and who seek to practice their profession in Turkey. Let us come now to the special case. The honorable legation of the United States of America declares that the medical college of the Bellevue Hospital of New York is enjoying a good reputation and therefore the Ottoman medical administration should accept the diploma of that college.

The medical administration has no desire to contest the rank the Bellevue Hospital College enjoys in America, and it does not refuse to accept the certificates of medical studies granted by that college. But that college is not under the control of the Government of the United States, and is not held responsible therefore except for its existence; its reputation it does not guaranty in any other way. Consequently the diplomas granted by that institution and by a number of other institutions not under the guaranty of the Government in the United States of America, can not be placed exactly on the same footing as the diplomas granted by the universities and faculties conducted under and guarantied by the governments of the different countries. Thus the medical administrations formerly classified with the latter, and this also as a special concession, only such diplomas as were granted by institutions of North America bearing the title of university. However, as it now appears from the information received, corroborated by the declaration of the legation of the United States, that the Government of that Republic does not come forward as a guarantor for any of the medical schools to be found on its territory, whether they are universities or colleges, that the United States Government never receives in its service physicians coming from those schools, whatever the title may be,
unless they are submitted to a rigorous examination of admission, and lastly, from the report of the minister of the Sublime Porte at Washington, which has been communicated to us by the imperial ministry of foreign affairs on the 22d of October, 1304, under No. 319, from which it appears that the requirements and regulations regarding the granting of diplomas of physicians in North America are so various, that it differs so much in the several States, that the ministry of foreign affairs of the United States has been unable to furnish him exact and sufficient information on the question, and in order to get the various regulations of the different States forming the Federative Union of North America it needs a long time. Hence, as we said, by reason of this formal declaration and of this official information, the administration of the medical affairs of Turkey finds itself under the necessity not to make an exception any longer, not even as to the diplomas of the American universities, but to accept as certificates of studies in medicine all the diplomas from the American schools, be they universities or colleges, on a footing of a perfect equality, and it assimilates them with the diplomas of the European schools which are not controlled or guarantied by the governments, by subjecting the persons who have studied in such schools to the rigorous examination of doctorship; examinations such as those to which the United States Government itself subjects its own physicians.

We do not think that the United States legation will have any objections to make against a measure in force in its own country. If the honorable legation replies to this that the United States Government subjects to such an examination only the physicians and apothecaries it takes in its service, we will answer that our Government makes no distinction between the physicians serving the population and those serving the State, and that any physician in possession of a permit to practice freely his profession among the population can enter the medical or pharmaceutical service of the State, without his being submitted to any new test.

In Turkey, as in nearly all the countries of Europe, the practice of medicine is not a free profession like that of a merchant or an artisan; it is subjected to the immediate supervision of the authorities and under specific regulations provided by the law of every country.

The Ottoman government can not place the lives of its people in the hands of the first comer without ascertaining the real capacities of those who claim to attend the sick. Finally, or rather summing up our answer:

The Ottoman medical administration has provided two classes of proofs for physicians who, having studied in a foreign medical school, wish to practice in Turkey; that is to say, a proof by colloquium for physicians showing a diploma from a university or faculty controlled and guarantied by the government of the country within which these institutions are located, and the proof by the doctorship's examination for those who have a diploma from a secondary school of medicine, or from a university, faculty, or a school not guarantied by the government of their respective countries; the diplomas of the universities, schools, and colleges of the United States of North America, will all be accepted upon a footing of equality; but as none of these schools are supervised or guarantied by the Government of the Union, the persons who present these diplomas shall be subjected to the same examinations as those who have studied in the schools of other countries which are not guarantied by the governments, viz: they shall be subjected to the rigorous examinations for the doctorship.

For the Council,
The Secretary-General:

ZORROS.

Mr. Strauss to Mr. Bayard.

No. 161.] LEGATION OF THE UNITED STATES,
Constantinople, January 21, 1889. (Received February 6.)

SIR: Referring to my No. 151, of December 22, 1888, respecting the printing of the Bible in Turkish, I inclose a copy of a note from the Porte, giving the desired permission. I have furnished a copy thereof to the Bible house in Stamboul.

I have, etc.,

O. S. STRAUS.
FOREIGN RELATIONS.

[Inclosure in No. 161.—Translation.]

Saïd Pasha to Mr Strauss.

MINISTRY OF FOREIGN AFFAIRS,
Constantinople, January 19, 1889.

SIR: In response to the note your excellency kindly addressed to me, dated June 16 last, I have the honor to inform you that the necessary communications have been made to the ministry of public instruction, so that no impediment shall be made to the printing of the Bible.

    Please accept, etc.,

            SAIĐ.

Mr. Bayard to Mr. Straus.

No. 180.]

DEPARTMENT OF STATE,
Washington, January 21, 1889.

SIR: I transmit herewith a copy of a letter from Messrs. La Forme and Frothingham, merchants of Boston, dated the 7th instant, stating that the municipal authorities of Smyrna have under consideration a plan to compel all importations of refined petroleum to be stored in a public warehouse in the city, and that by its operation, if determined upon, they will be put to great and heavy expense.

This is the revival of a question which we had hoped had been finally settled on a previous occasion.

In 1882 a similar complaint was made by the above-mentioned and other firms to the Department. Concessions had been granted to parties at Smyrna and other Turkish ports for the erection of warehouses for petroleum, and this authority of law was invoked to support the private monopoly by prohibiting its storage elsewhere. The charge then made was 8 per cent., thus doubling the rate of duty established by the treaty of 1862. This fact, and the loss which would result to our merchants, being represented to the Government of the Sultan, the concessions were promptly revoked.

It would now appear that another attempt to establish a monopoly in the storing of petroleum is contemplated. It is not alleged that the grant is to private persons, yet it is not the less a monopoly though the warehouses belong to the municipality of Smyrna or the Turkish Government.

It can not be pretended, which would alone justify this measure, that it is necessary for the safety of the inhabitants of Smyrna. I willingly admit the right of a municipality to make all reasonable regulations to provide against accident from the handling and storing of dangerous substances. But refined petroleum of the usual standard fire-tests is non-explosive, not liable to spontaneous ignition, and when stored in sealed tin cases but slightly inflammbale. In this country, where millions of cases are constantly handled for export, the origination of a fire in a petroleum storage warehouse is almost unknown. Besides, the warehouse of Messrs. La Forme and Frothingham is outside the city limits. In 1873 the storing of petroleum within the limits of the city of Smyrna or within two kilometers thereof was prohibited, and Messrs. La Forme and Frothingham erected at an expense of $20,000 a stone building for the reception of their shipments in the suburb of Cordelo. Indeed, if the step which the authorities of Smyrna are said to have under consideration be for the sake of greater security it will have exactly the opposite effect to that intended. The storage of large quantities of petroleum in a thickly-
built city, where fires originating in surrounding buildings are frequent, is attended with danger. This is shown by the difficulty of obtaining insurance under such circumstances and the high rates asked, which adds an unnecessary charge upon merchants not imposed when isolated suburban storage is resorted to.

Petroleum is one of the most important products of this country, and large sums of money have been invested in the commerce with Turkey. Turkey is not herself a large producer, and can have no reason for unnaturally hampering its importation. I see no argument which can be now adduced for any such restriction that was not fully met in 1882, while the proposed action of the authorities at Smyrna of entailing an arbitrary and monopolistic tax for storage would be held, as it was then, contrary to tariff stipulations and international law.

I am persuaded that the Turkish Government is as yet unaware of this matter. You will therefore bring it to their attention, and use such endeavors as are necessary may be seen proper against the unreasonable restrictions on the trade in American petroleum, and especially any regulations which, like this complained of by Messrs. La Forme and Frothingham, operate as a practical discrimination against the interests of American importers, who, having at great expense effectively complied with the previous requirements of municipal law, have acquired with the full sanction of the authorities rights which may be regarded as vested and confirmed, and of the enjoyment of which they may not equitably be deprived without compensation.

In this connection I beg to refer you for your information to the Department’s Nos. 11, 42, and 65, to Mr. Wallace’s of September 4, 1882, January 16, and March 24, 1883, respectively; and Mr. Wallace’s Nos. 98, of June 9, and 129, of September 30, 1883, published in Foreign Relations for 1882 and 1883, which contain the correspondence then had with our legation on this subject. You would do well to consult also Mr. Heap’s report, contained in Mr. Cox’s No. 34, of October 20, 1885, on the regulation of imports of petroleum in Turkey.

I am, etc.,

T. F. BAYARD.

[Inclsure in No. 183.]

Messrs. La Forme and Frothingham to Mr. Bayard.

BOSTON, January 7, 1889.

SIR: We are advised by Messrs. Reggio and Belhomme, our correspondents and representatives in Smyrna, Turkey, that the municipality of Smyrna has under consideration a scheme to compel all importations of refined petroleum to be stored in a public warehouse of the city, a scheme which would involve unusual and heavy expenses upon our shipments of petroleum to that port.

In the year 1873 the local authorities of Smyrna decided to prohibit the storage of petroleum in large quantities within the limits of the city, and in consequence we immediately caused to be erected in the suburbs of the city at Cordello, situated on the harbor and opposite the city, a stone warehouse, at an expense of about £4,000 sterling for the storage of our petroleum. The scheme now under consideration would make this warehouse useless and would involve a heavy loss for us.

Our representatives, Messrs. Reggio and Belhomme, have protested before the local authorities against their scheme, and have appealed to the United States legation in Constantinople and to the United States consul in Smyrna for their interference to protect us against the injustice and loss with which we are threatened.

We would now respectfully request that your Department may instruct the United States minister at Constantinople and the United States consul in Smyrna to recognize Messrs. Reggio and Belhomme as our representatives until further notice, and to do all in their power to maintain our rights in the premises.

Yours, very respectfully,

LA FORME AND FROTHINGHAM.
FOREIGN RELATIONS.

Mr. Bayard to Mr. Straus.

No. 183.]

DEPARTMENT OF STATE,

Washington, January 31, 1889.

SIR: Your dispatch, No. 156, of the 10th inst., in further reference to the mode of permitting the practice of medicine in Turkey under a foreign diploma, which formed the subject of my instruction No. 131, of the 12th September last, has been received.

Your present report shows that the necessity of a full examination in medicine, according to the Turkish requirements, depends, in the case of a person holding a foreign medical diploma, on the fact whether the institution granting such diploma is maintained by and under the guaranty of the State, or is a private concern.

The medical institutions in the several States of the United States are chartered under State laws, and regulated thereby. While it would be perfectly practicable, in case inquiry were made of us by the Government of the Porte, to obtain from the executive of any sovereign State a certificate of the status of any designated chartered institution of learning within such State, which would probably satisfy the reported Turkish requirement, there is no general official knowledge on the part of this Department, or on your part, that would enable you to certify under the seal of your legation to the status of American medical colleges, of which the diplomas might be presented to you.

You are correct, therefore, in assuming, as you do by the light of my instruction, No. 131, of 12th September, 1888, that the Department has no further instructions to give you in the matter at present.

A copy of your No. 156 will be sent to the Secretary of the Interior for the information of the Commissioner of Education.

I am, etc.,

T. F. BAYARD.

Mr. Straus to Mr. Bayard.

No. 172.]

LEGATION OF THE UNITED STATES,

Constantinople, February 8, 1889. (Received February 25.)

SIR: In reply to your instruction No. 180 of 21st ultimo, with inclosure, copy of letter from Laforme and Frothingham, respecting the proposed action of the authorities at Smyrna concerning the storage of petroleum, I have the honor to report:

In the early part of December, 1888, this matter came before me through the office of the consul-general, and I immediately sent a note to the Sublime Porte, dated December 6, 1888, of which I inclose a copy for your information.

At the same time I spoke personally with the minister of foreign affairs, expanding my views upon the subject, as the matter seemed to be urgent, in that it was reported that the proposed action would be taken forthwith.

The minister of foreign affairs promised me that he would at once telegraph to the governor-general at Smyrna instructing him to take no action in the matter, as it was under consideration between him (the minister) and myself. He further promised that no action would be taken by the Sublime Porte until after further discussion with me, and that he would advise me of any action that might be contemplated.
I have carefully noted your explicit directions, and the matter will have my attention, should any further action on my part become necessary under the circumstances above stated.

I have, etc.,

O. S. STRAUS.

[Inclosure in No. 172.]

Mr. Straus to the Sublime Porte.

LEGATION OF THE UNITED STATES,
Constantinople, December 6, 1888.

EXCELLENCY: I herewith have the honor to bring to the attention of Your Excellency a protest made by Messrs. Reggio and Belhomme, of Smyrna, representing Messrs. Laforme and Frothingham, citizens of the United States, whose principal establishment is in the city of Boston, in the said United States.

By the inclosed protest and the report of our consul at Smyrna, it appears that an attempt is being made by the vall of Aldin to compel the agents of the said Laforme and Frothingham to transfer within two weeks their petroleum from their own stores into stores provided by the municipality, and to enforce excessive payments for storage.

In view of the fact that the stores of Reggio and Belhomme, the agents of Messrs. Laforme and Frothingham, were built at a great cost pursuant to a regulation made by the vall of Smyrna in 1873, the proposed present regulation is in direct conflict with vested property rights, and is arbitrary and unjust.

I deem it my duty to make a positive protest against the proposed action of the vall of Aldin, and trust your excellency will cause orders to be sent at once to Smyrna with a view of preventing such action being taken.

I have not entered upon an extended argument in this note, first, because I desired to bring this official protest to your excellency’s notice with as little delay as possible, and secondly, because the subject-matter is fully stated in the inclosed protest of Reggio and Belhomme.

Accept, etc.,

O. S. STRAUS.

Mr. Bayard to Mr. Straus.

No. 186.]

DEPARTMENT OF STATE,
Washington, February 13, 1889.

SIR: In connection with my No. 183 of the 31st ultimo concerning the Ottoman Government’s regulations respecting foreign medical diplomas, I have now to apprise you of the receipt of a letter from the Secretary of the Interior, dated the 9th instant, inclosing one to him from the Commissioner of Education, in which he expresses his thanks for the important information reported in your dispatch No. 156 of January 10, 1889.

I am, etc.,

T. F. BAYARD.

Mr. Straus to Mr. Blaine.

[Extract.]

No. 178.]

LEGATION OF THE UNITED STATES,
Constantinople, March 15, 1889. (Received March 30.)

SIR: Herewith I have the honor to inclose copy of a memorandum delivered to me on the 12th instant by the Rev. Henry O. Dwight, of the levant agency of the American Bible House, at Constantinople. By this report it appears that the Ottoman authorities in the vilayet of
Van, a province in eastern Turkey near the Persian frontier, have closed several schools of the American missionaries in that locality. The number is not stated, but I learn it is four or five. It is stated that the managers of said schools have complied with the regulations requiring the submission by them to the vilayet authorities of a list of the books used in such schools, together with the curriculum of studies, and the certificates of the teachers.

I presented the matter on yesterday to his highness the Grand Vizier, and he promptly telegraphed to the valli, or governor-general of Van, to permit the re-opening of said schools, if they have complied with the provision of the school laws above referred to. There may be some delay in having these orders promptly complied with. I am of opinion that I shall succeed in having them re-opened without unreasonable postponement.

I learn that the original cause for closing these schools was because of their managers neglecting or refusing to submit to the regulations above referred to. I surmise that even now there continues in that respect some evasion. We have long since admitted the propriety and justice of these requirements, yet there is a tendency on the part of certain managers in distant provinces to evade the law.

I have, etc.,

O. S. Straus.

[Inclosure in No. 178.]

Memorandum drawn up by Rev H. O. Dwight.

(1) About ten years ago (1878) the American missionaries residing at Van established a common school in the village of Agantz in the Sanjak of Arjish (vilayet of Van). The school has been carried on without objection from the local authorities, and in 1886, on receipt of the instructions contained in the letter of Mr. Pendleton King, dated December 13, 1886, it complied with the regulations there set forth, and has done nothing contrary to these regulations.

In the summer of 1887 the governor-general of the province, Halil Pasha, ordered the school to be closed. Dr. G. C. Raynolds, the American missionary responsible for the school, applied to the director of the instruction in the province for a removal of the instructions laid on this school, pointing out that it had existed for a number of years and had conformed to the law in all respects.

After long delays Dr. Raynolds received, on the 7th of February, 1889, a verbal communication from the director of instruction (Mearif Mudiri) of the province to the effect that the school could not be re-opened, since certain Armenians in the village objected to the existence of a Protestant school at Agantz.

Dr. Raynolds then pointed out that the school was opened at the request of the Protestant families residing in the village, and had violated none of the school regulations.

The director of instruction then remarked that the continuance of the school was in violation of a new school law. He, however, refused to furnish Dr. Raynolds with a copy of the law, or to give his refusal to authorize the re-opening of the school in writing.

Since it is evident that there is no law of the Empire making the continuance of the schools of Americans dependent upon the consent of the population, no one being forced to attend such schools, it is hoped that the governor-general of Van may be instructed to cease interposing his prohibition against the continuance of this school.

(2) The American missionaries residing at Urmiah, in Persia, have for many years conducted schools in several villages in the plain of Gawar, district of Hakkari, province of Van, near the Persian frontier.

These schools were summarily closed in the early part of 1888, and on the recommendation of the United States legation care was taken to conform to section 139 of the school law. In October of 1888 the schools were re-opened without objection from the local authorities. Subsequently, however, the governor-general of Van ordered the schools to be closed, and required a fresh presentation of books and course of study to his office.
The books were presented as required, and the governor-general gave decision against the re-opening of the schools on the ground that he could not allow American citizens to open schools in this district.

Since these schools have been carried on by Americans for many years without complaint against them it is hoped that their continuance may be permitted by the Imperial Government.

Mr. Straus to Mr. Blaine.

No. 187.] LEGATION OF THE UNITED STATES, Constantinople, March 28, 1889. (Received April 13.)

SIR: On the 14th instant I received through the consul-general here two dispatches from our consul at Beirut, under date of March 4 and 5, reporting that the American missionaries in Beirut and Syria were in great consternation in that the Caima Kam or mayor of Baalbek, in the vilayet of Damascus, had taken action to close the American mission schools within his district, namely, in the towns of Ras Baalbek, Tulia, Shelita, Beit-Shama, Deir-ul Ghazal, Rusaay, and Burdei. He further reported that the local authorities had closed one of the American schools in the village of Istubigo, near Latakia, in the vilayet of Beirut.

The local authorities claimed that they were acting under stringent orders from the governors-general of their respective provinces. That the grounds for their action were two: First, because these schools had not received a permit from the local authorities, and second, because the managers of said schools declined to stipulate to exclude Moslem children. Rev. Mr. Ford, the manager of the schools referred to, reports that the governor general of Damascus stated that it was not sufficient for the schools to have complied with the school regulations, but this must be supplemented according to the terms of recent official orders from the Sublime Porte that "no Moslem pupils shall be allowed in any Protestant school, and therefore the managers must give a written pledge to admit no Moslem pupils before any schools can be sanctioned."

As to the first objection, the managers of said schools state they have long since complied with their part of the regulations, namely, they submitted (a) certificates of teachers, (b) list of text-books, and (c) curriculum of studies, but that the local authorities had neglected to issue the permit for such schools as provided by the regulations.

As to the second objection, the managers declined to enter into the stipulation not to admit Moslem children.

I decided, upon the receipt of the foregoing information, not to delay action until what appeared to be well-founded fears on the part of the missionaries might be realized, but to meet the issue at once. Accordingly, on the 16th instant, I had a conference with the Grand Vizier. The matter was fully discussed. I explained to him that I could not assent to the right of the Porte to impose a stipulation upon American schools not to admit Moslem children; that aside from the fact that such an act would render the schools instruments of intolerance, I denied the right of the Ottoman Government to impose such a condition. I confined myself to the line of argument outlined in my memorandum concerning the rights of schools, inclosed with my dispatch No. 47 of December 27, 1887.

The Grand Vizier seemed fully to concur with me, and there and then telegraphed to the governors-general of Damascus and Beirut to re-open
the schools at Istubigo and not to interfere with any American schools in their respective provinces, but to refer complaints, if any, to him.

On the same day I telegraphed Mr. Bissinger, our consul at Beirut, advising him of the instructions given by the Grand Vizier. I am now in receipt of a dispatch from Mr. Bissinger of the 20th instant, of which a copy is inclosed, whereby it will be seen that the school at Istubigo, above referred to, has been re-opened and that the Grand Vizier's orders have been promptly obeyed. This will doubtless prevent any further interference as feared by the missionaries on the part of the local authorities with the schools in the said vilayets.

I anticipate that the school referred to in the inclosed dispatch at Ain Burdhei will also be re-opened.

I have, etc.,

O. S. STRAUS.

[Inclosure in No. 187.]

Mr. Bissinger to Mr. Pringle.

CONSULATE OF THE UNITED STATES,
Beirut, March 20, 1889.

SIR: I have the honor to report as the result of the honorable Mr. Straus' telegram dated Constantinople, the 16th instant, as follows:

"Grand Vizier instructed valls Beyrouth, Damascus not to disturb American schools to re-open one closed, complaints to be sent to him."

That the muchir, in his capacity as acting vall of Beirut, has promptly issued orders to the mutesarif of Latakia to allow the reopening of the recently suppressed American mission school at Istubigo.

The prompt and efficient action of the honorable minister in securing this most gratifying result for the Latakia mission school is now also invoked for the "Ain Burdhei" school, in the vilayet of Syria, closed in November, 1888 (see last part of dispatch No. 183 of March 4, 1889), as, if permitted to remain closed, it is apprehended that our apparent inaction may be interpreted as indifference on the part of the representatives of our Government to the interests of the mission and encourage the calmakam of Baalbek to renewed aggressions and obstructions.

The mission associates itself with this consulate in tendering sincere acknowledgments to their respected minister.

I am, etc.,

ERHARD BISSINGER.

Mr. Straus to Mr. Blaine.

LEGATION OF THE UNITED STATES,
Constantinople, April 20, 1889. (Received May 6.)

SIR: Referring to the subject-matter of the Department's instructions Nos. 74, 107, 111, 140, 154, 168, etc., respecting the restrictions attempted to be placed upon foreign Jews resorting to Palestine, I inclose herewith for your information a copy of a memorial from the Jerushalaim Lodge of the Independent Order of B'nai B'rith at Jerusalem.

From this memorial it appears that the action taken by this legation under the Department's instruction, and by the English and French embassies, as reported in my dispatches Nos. 80 and 85, respectively, of May 19 and 28, 1888, has had the desired effect in removing such restrictions.

The original memorial is elaborately engrossed in gold and rubric and written in English and Hebrew. Considerable allowance must be made for the extravagant language in which the memorial is couched, after the manner of the East.
I have sent a reply to the memorialists, stating in substance that I was gratified to learn that the restrictions had been rescinded, and that the action I had taken in the matter was in pursuance of and in strict compliance with the Department’s instructions to protect American citizens abroad in their rights and privileges as such irrespective of race and creed.

I have, etc.,

O. S. STRAUS.

Memorial from Jerusalem Lodge of the Independent Order of B’nai B’rith.

HONORABLE SIR: Deeply touched by feelings of gratitude for your generous exertions on behalf of our Russian brethren, who, in consequence of dire persecutions, were seeking a refuge in this country, the Jerusalem Lodge of the Independent Order of B’nai B’rith, at their meeting of the 2d instant, unanimously and enthusiastically resolved to tender you these expressions of their feelings.

The efficient way in discharging your official duties of the high post you fill will secure you forever the admiration and gratitude not only of your countrymen but also of the Jewish nation throughout the universe. For, if we can boast of merchant princes and renowned names in the fields of arts and science, you, honorable sir, are the first who shed glory upon the Jewish name as a statesman.

It will always be remembered with deep satisfaction in the annals of the Jewish history that a man, chosen by the enlightened Government of the great Republic to represent her important interests at the Sublime Porte, never forgot his suffering brethren. You not only came to Jerusalem, accompanied by your noble lady, to pay homage to the sacred memories of our glorious past, but having become acquainted with the restrictive measures taken against foreign Jewish emigrants, you used all your influence with your colleagues and with the well-intentioned Turkish Government, and succeeded in having the exceptional law repealed. It is to you that we owe no more to witness the heartrending scenes of the unhappy emigrants being mercilessly driven from our shores, and therefore our lodge only follows the commands of simple duty in expressing to you their appreciation of your noble deeds and their lasting esteem and gratitude.

Jerusalem Lodge of the Independent Order of B’nai B’rith.

DR. HERSBERG, President.

EPHRAIM COHN, Vice-President.

BEN ZENUDA, Secretary.

Mr. Straus to Mr. Blaine.

No. 194.] LEGATION OF THE UNITED STATES, Constantinople, May 10, 1889. (Received May 25.)

SIR: I have the honor to report that on the 11th of July, 1888, the president of Robert College under instructions, received by him from the trustees of said institution in New York, filed an application in this legation to obtain the necessary permission from the Ottoman Government for the erection of the following additional buildings on the premises now occupied by the college at Roumeli Hissar on the Bosphorus, that is to say:

First. For the erection of an additional school building to contain chemical and physical laboratories and lecture rooms, museum of natural history, geological and mineralogical collections, library, and hall for the public exercises of the college. Dimensions, 100 feet by 50 feet, 2 stories high.

Second. For the erection of a dwelling-house for the president of the college within the inclosure of the college grounds. Dimensions, 50 feet square, 2 stories high.
Upon examining the original irâde for the erection of the college and the Ottoman laws regulating the construction of buildings it was found necessary to apply for an irâde. It was necessary also to file specifications and plans, which was accordingly done.

The application being thus in form, passed through the various bureaus and office provided by law, and was finally submitted to the council of states and the council of ministers. The matter was carefully followed through all these stages by our dragoman, Mr. Gargiulo, and was finally transmitted by the Porte to His Majesty the Sultan.

On the 6th instant the Sultan’s irâde was issued and the necessary formal papers or firman in pursuance thereof will be delivered to the college authorities in the course of a few days.

I have, etc.,

O. S. Straus.

Mr. Straus to Mr. Blaine.

No. 195.]

Legation of the United States,

Constantinople, May 18, 1889. (Received June 3.)

SIR: I have the honor to bring to the attention of the Department the following state of facts concerning the refusal of the Ottoman Government to recognize the American citizenship of Meimarakghli Yorghi, naturalized under the name of George Meimar:

On the 31st January last the Sublime Porte addressed a note-verbale to this legation informing it that, in a suit pending at Smyrna against the said Meimar as defendant, wherein an Ottoman subject, Kapedjioglu, is plaintiff, the said Meimar set up the plea that he was an American citizen. The Sublime Porte requested the legation to instruct its consul at Smyrna not to interfere in the matter, alleging that the said Meimar is an Ottoman subject, and that he has never legally divested himself of his nationality of origin; that while it is true that the said Meimar had gone to America and remained there for a number of years, he had never complied with the requirements of the Ottoman law relating to foreign nationality.

The further facts in the case are set forth in the dispatch of our consul, Mr. Emmet, to the consul-general, No. 90, of March 22, 1889, a copy of which is inclosed.

On the 4th April last, after I received the above dispatch of Mr. Emmet, I replied to the Porte, stating that Meimar is an American citizen, duly naturalized as such, and that therefore the action of the consul was approved by the legation, and it was hoped that, these facts appearing, the ministry of foreign affairs would instruct the authorities at Smyrna to recognize Meimar as an American citizen and accord him the rights appertaining thereto. To this answer and request the Porte made no reply; but in the mean time the court at Smyrna, to wit, March 6 last, gave judgment for the plaintiff against the defendants above named for the sum of £1,400 Turkish, the amount claimed, with interest, overruling the plea of Meimar’s attorney as to the American nationality of his client. In this connection I would state that Meimar in his interview with me said that he has no property out of which the judgment can be satisfied, but that his father, co-defendant, has property. He further stated that if the Ottoman authorities could be made to recognize his American citizenship the judgment would be vacated and the plaintiff would have to begin his action anew.
This is correct, as a foreign subject has to be sued through the intervention of his consul in the mixed tribunal. In the mean time, of course, his father could, if he wished, dispose of his property. Having received no reply from the Porte to my note above mentioned, I asked for one; the minister of foreign affairs stated (verbally) that under the Ottoman nationality law of 1869 no Ottoman subject has the right to change his nationality unless with the consent of the Sultan; that said Meimar had not applied for nor obtained such consent, and that therefore he approved the decision of the court at Smyrna.

The minister of foreign affairs further stated that the Ottoman Government after long negotiations had finally consented to the treaty of naturalization proposed by our Government, with the purpose and object of avoiding the discussions and conflicts arising from disputed nationality, and that until such treaty is accepted his Government felt bound to give validity to its laws within its territory.

In this connection I have the honor to refer you to Secretary Bayard’s instruction No. 30, of July 26, 1887, in reply to Mr. King’s dispatch No. 323, of May 14, 1887, setting forth a number of cases of disputed nationality.

Awaiting your instructions in this matter,
I have, etc.,

O. S. STRAUS.

[Inclosure in No. 195.]

Mr. Emmet to Mr. Pringle.

CONSULATE OF THE UNITED STATES,
Smyrna, March 22, 1889.

Sir: I have the honor to acknowledge receipt of your No. 85, bearing date 15th instant, with inclosures from Hon. O. S. Straus, No. 124, dated February 4, and note-verbale dated January 31 from Sublime Porte in reference to my action in protecting Mr. Meimar.

The facts of the case are as follows:
Mr. Meimaroglou Yorgi, born an Ottoman subject, left Smyrna some years ago and resided in the United States, where he became naturalized on June 23, 1888. Being summoned in great haste to attend the death-bed of his mother, he returned to Smyrna in October last without a passport, but bearing the certificate of his naturalization all in due form. Prior to his departure for America he had been in business here, and was a bankrupt when he left the country.

One of the first things to occur upon his return was the commencement of a suit to settle an outstanding claim. Mr. George Meimar (as named in his naturalization certificate) appeared at this consulate and demanded protection as an American citizen. My answer to him was that although his certificate was in proper form I doubted whether he would be recognized as an American citizen by the local authorities, inasmuch as he had left Turkey after the passage of the law of 1869 and had not obtained an imperial iradé permitting him to change his nationality; that his change of nationality did not prevent his creditors from suing for claims which existed before he left here, and that the only form of protection I could afford him would be to insist upon the presence of the consular dragoon and a delegate to take part at the trial of his suit.

These privileges were demanded at the court, but denied when the case was called for trial, on the ground that Mr. Meimar was an Ottoman subject and not entitled to the protection of this consulate. The trial was postponed. This same view was taken by the secretary of foreign affairs and communicated to me, against which I urgently protested and claimed the right to protect Mr. Meimar by virtue of the papers held by him establishing his American citizenship.

What has become of Mr. Meimar or his case, I am unable to state, as he has not appeared at the consulate for more than a month. His stay in Turkey was to be a short one, and for that reason perhaps the local authorities desire to have undisputed control over him.
When you were in Smyrna last, you may recall meeting two lawyers at this consulate who went over the case and its merits very thoroughly.

I could not do less for Mr. Meimar under the circumstances, and at the same time everything was done in a quiet manner without sacrificing his rights or giving offense to the local authorities. I am somewhat surprised to find that the intervention of the legation has been sought.

I have, etc.,

W. C. Emmet.

Mr. Straus to Mr. Blaine.

No. 196.]

LEGATION OF THE UNITED STATES,
Constantinople, May 27, 1889. (Received June 11.)

SIR: Referring to my dispatch, No. 187, of March 28, 1889, I have the honor to report: The American missionaries throughout the Ottoman Empire have frequently complained that the chief cause of interference by the local authorities with their schools arose from the fact that while they on their side complied with the requirements of the school regulations (Legislation Ottomane, Vol. III, p. 298) the local authorities refused or neglected to perform what the regulations required of them, and the result was frequently after they had submitted their text-books, the curriculum of studies, and the certificates of teachers, these were retained by the academical council, and the authority to open the schools was withheld. After the lapse of some months the governor-general would send an inspector to examine the certificate of teachers and the authority for the opening of the school. These, of course, could not be produced, as the academical council had not taken action upon them, nor returned them. Thereupon orders by the valli would frequently be given to close the schools that had not complied with the regulations aforesaid.

The complaints of the missionaries are set forth in a recent letter, dated Beirut, Syria, April 9, 1889, from Rev. Dr. H. H. Jessup and Rev. George A. Ford on behalf of the Syrian mission of the American Presbyterian Church. A copy of so much as refers to this subject is inclosed.

My own observations confirmed the statements in this letter, and that much trouble would be avoided if the local officials could be made to comply with their part of the school law, and that a degree of permanence for the schools could be assured if the permits provided for were delivered to the schools, thereby preventing them from being subject to the caprices and changes of local officials.

On repeated occasions during the past twelve months I have presented the matter to the Porte, and insisted that orders should be given to remedy the evils complained of. On the 16th May instant a vizierial order was issued by the grand vizier, and has been forwarded to the governors-general of every vilayet wherein there are foreign schools. I succeeded in obtaining a copy, a translation whereof is inclosed.

I have sent copies of this vizierial letter to the consul-general for transmission to our consul at Beirut and for the information of our missionaries.

While considerable delay will doubtless attend the execution of the orders contained in this vizierial letter, yet it will, in the mean time, it is anticipated, enable the missionaries to protect themselves against the arbitrary acts of the local authorities in the several vilayets, and will, it is hoped, ultimately lessen the hindrances and obstructions to which American mission schools have constantly been subjected.

I have, etc.,

O. S. Straus.
SYRIA MISSION OF THE PRESBYTERIAN BOARD OF
FOREIGN MISSIONS, UNITED STATES OF AMERICA.
Beirut, Syria, April 9, 1889.

Dear Sir: The Syria Mission of the American Presbyterian Church would express its high appreciation of the able and efficient manner in which you have conducted the protracted negotiations with the Ottoman Government with reference to the status and the rights of American schools in this Empire.

The ground thus gained is most important.

We have furnished to the local authorities our course of study, the diplomas of our teachers, and a set of our books, according to art. 129, which also provides that the "governor-general and the academical council shall authorize" our schools after fulfilling these conditions.

We claim that they should give us written permits for these schools, as otherwise we have absolutely nothing to show as evidence that we have fulfilled the conditions of the law.

Local mudirs, kaimakams, and mutessarifs are requiring us to produce our "rulkhas" or permits, maintaining that the failure to have such permits is evidence of the non-legality of our schools. We have, at great pains, done our part, and consider that we have the right to insist that the Government do its part.

It is true that we have the recent orders of the Sultan's Government that our "schools shall not be interfered with, that the closed ones be re-opened, and complaints to be sent to the grand vizier" (your dispatch of March 16, 1889); but what we now deem pre-eminently necessary, in order to save further trouble, is that we secure permanence to the status of our schools.

In view of this state of things, and of the fact that your thorough acquaintance with the whole subject gives you a great advantage in the matter, especially while so liberal a man as H. H. Kamil Pacha is at the head of the Government, we have felt convinced that now is the time to push our request for orders to the vails of Beirut and Damascus, and to the mutessarif of Mount Lebanon, to give us official written permits for all our schools, as evidently implied and provided for in art. 129.

HENRY H. JESUP,
Stated Clerk of American Mission.
Geo. A. Ford,
Of the Sidon and Zahleik Stations.

[Inclosure 2 in No. 196.—Translation.]

Vizierial circular addressed to the governors-general of the Empire, dated Ramazan 16, 1306
(May 16, 1889).

The legation of the United States has made a complaint to the Porte, stating that whenever American schools are established, that while the authorities proceed to the examination of their programme (of studies) as well as the certificates of the teachers, yet no official permission in writing is granted, and the above-mentioned certificates are withheld by the authorities, and after a lapse of eight or ten years, when proceedings for the investigation for the condition of said schools are made, the said schools are closed, not because of any irregularity as regards the schools, but because the above-mentioned official permissions and the certificates of the teachers are not in their possession, and in consequence many inconveniences and difficulties are encountered in the effort to re-open the said schools.

Although it is known that some of these schools are closed for legal reasons, it cannot be admitted that long-established schools should be closed as long as their status and the manner in which they are conducted are not such as to render their closing necessary for being contrary to the established regulations. Consequently, you are instructed that whenever a new school is to be established, the formalities required by the special law having been complied with, the governor-general shall grant to the directors of the schools the official permission, and the certificates of the teachers, after being examined, shall be returned to the latter and left in their possession. As regards the old existing schools, whenever any reason for their closing exists, the facts should be reported to the ministry of the public instruction, and, in accordance with the answer thus given, action shall be taken.

The same rule shall apply to the other foreign schools.

F R 89—46
Mr. Blaine to Mr. Straus.

No. 214.]

DEPARTMENT OF STATE,
Washington, May 29, 1889.

Sir: I desire to acknowledge the receipt of your dispatch No. 194, of the 10th instant, reporting that an imperial iradé had been issued for the erection of additional buildings for the use of Robert College at Constantinople, and to express the Department’s pleasure at this intelligence.

I am, etc.,

JAMES G. BLAINE.

Mr. Blaine to Mr. Straus.

No. 215.]

DEPARTMENT OF STATE,
Washington, June 5, 1889.

Sir: I have to acknowledge the receipt of your No. 195, of the 18th ultimo, concerning the protection of George Meimar, a naturalized citizen of Turkish origin, in whose case the Ottoman Government joins issue on the main question of recognition of his American citizenship on the ground that he has not received an imperial iradé permitting him to assume a foreign allegiance.

The action of Mr. Emmet in behalf of Mr. Meimar is approved, and you are instructed to make energetic remonstrance against any action on the part of the Turkish Government tending in any manner to deny or abridge his just rights as such American citizen.

I am, etc.,

JAMES G. BLAINE.

Mr. Straus to Mr. Blaine.

No. 201.]

LEGATION OF THE UNITED STATES,
Constantinople, June 13, 1889. (Received July 1.)

Sir: On March 15, in my dispatch No. 178, I reported the action taken by me respecting several schools of the Presbyterian Board of Foreign Missions which were closed in the district of Gawar, Vilayet of Van, on the Persian frontier. On the 10th instant I received the letter, of which the inclosed is a copy, from Rev. Henry O. Dwight, one of the agents of the American Bible house here at Constantinople, stating that Rev. Mr. Coan, of the Presbyterian Board, writing from Urmiâh, Persia, under date of May 18, reports that the schools have been re-opened and are now proceeding satisfactorily.

I have, etc.,

O. S. STRAUS.

[Inclosure in No. 201.]

Mr. Dwight to Mr. Straus.

BIBLE HOUSE, Constantinople, June 10, 1889.

Dear Sir: Referring to previous communications from Dr. Cochran, and also from myself, concerning certain schools of the Presbyterian Board of Foreign Missions which were closed in the district of Gawar, near the Persian frontier, I have the pleasure to inform you that the Turkish Government has allowed these schools to be re-opened.
Rev. Mr. Coan, of the above-named society, informs me from Urmiah, Persia, under date of 18th May, that the authorities in Gawar have removed the restrictions, and the schools are now proceeding satisfactorily. Mr. Coan desires me to thank you heartily for your kind efforts in behalf of these schools.

Very respectfully,

HENRY O. DWIGHT.

Mr. Blaine to Mr. Straus.

No. 217.]

DEPARTMENT OF STATE,
Washington, June 14, 1889.

SIR: I have to acknowledge the receipt of your No. 196, of May 27, 1889, concerning the vizerial letter to governors-general in Turkey respecting American schools.

I desire to offer the Department's congratulations on the success which has so far crowned your efforts in dealing with this troublesome and vexations question, and to express the hope that now many of the hardships which have surrounded the American schools there, through arbitrary local interference, may speedily disappear in the interest of a better and more satisfactory condition of affairs.

I am, etc.,

JAMES G. BLAINE.

Mr. Straus to Mr. Blaine.

[Extract.]

No. 202.]

LEGATION OF THE UNITED STATES,
Constantinople, June 17, 1889. (Received July 2.)

SIR: In compliance with an invitation, I dined last evening with His Majesty the Sultan at Yildiz Palace.

His Majesty conversed very freely at the table, and expressed great sympathy for the sufferers from the recent flood at Johnstown. He seemed to be conversant with the details of that accident, and stated that he would very much like to contribute to their relief. He asked if I would be the medium of transmitting such a sum as he might send me. I replied to him that I surely would, and that I had no doubt it would be highly appreciated as a mark of his sympathy for the people in my country. I should state in this connection that these expressions on the part of the Sultan were entirely spontaneous, as no reference by me had been made regarding the disaster. His Majesty desired me personally to express his cordial greetings to the President of the United States, and also to inform him of the regret he felt at my departure.

I have, etc.,

O. S. STRAUS.

Mr. Straus to Mr. Blaine.

[Telegram.]

PERA, June 18, 1889.

Sultan donates £200 Turkish relief flood sufferers,

STRAUS.
FOREIGN RELATIONS.

Mr. Blaine to Mr. Straus.

[Telegram.]

DEPARTMENT OF STATE,
Washington, June 19, 1889.

Express grateful appreciation President and Government United States for Sultan's generous relief flood sufferers.


Mr. King to Mr. Blaine.

No. 33.] LEGATION OF THE UNITED STATES,
Constantinople, October 12, 1889. (Received November 4.)

SIR: I inclose for your consideration a copy (in translation) of a note-verbale received in February last from the Sublime Porte, regarding the military service of cavasses and dragomans employed by foreign consulates. (See Legislation Ottoman, Vol. IV, page 16.)

No reply was made to the Sublime Porte, as this matter was to be considered in union with the other legations and embassies. The matter has received attention, and it has been admitted that the cavasses and dragomans are liable to this service; but there is ambiguity in the text of the regulation, and in my reply I have thought it well to make the reservation seen in the parenthesis.

I inclose a copy of my proposed reply, which, if it meet your approval, I will send to the Porte.

I have based it on the note verbale sent by the British embassy, but made it shorter and simpler without omitting (I think) any essential point.

I have, etc.,

PENDLETON KING.

[Inclosure 1 in No. 33.-Translation.]

The Sublime Porte to Mr. Straus.

[Circular note-verbale.]

MINISTRY OF FOREIGN AFFAIRS,
February 3, 1889.

As Article V of the regulation relating to the foreign consulates leads sometimes to erroneous interpretations, the ministry of foreign affairs has the honor to beg of the legation of the United States of America kindly to inform the agents placed under its jurisdiction that the period of five years contemplated in that article having expired since the 23rd of Safer, 1255, any Mussulman, dragoman, or cavass, whose character of privileged employé has been recognized by the local authorities after the above-mentioned date, is bound to take up his military service if his name has been drawn.

As to the Christian employés, a distinction being made in practice between them and the Mussulman employés, the exoneration tax must be collected from the former on the same ground that the latter are subject to the conscription. But these two different applications of the law arise from an identical principle, and are equally obligatory.

[Inclosure 2 in No. 33.]

Proposed note-verbale from legation of the United States to Sublime Porte.

In reply to the note-verbale of the Sublime Porte of February 3, 1889, concerning the military service of cavasses and dragomans employed in foreign consulates, the legation of the United States (omitting for the present the discussion of the differ-
ence existing between the Turkish and the French texts of Article V of the regulation) accepts the interpretation of the Turkish texts of this article as far as regards the cavasses and dragomans employed by the American consulates of this Empire. It consents in like manner to instruct the privileged employés of these consulates to pay the taxes for exemption from military service.

But the legation of the United States respectfully requests, as a matter of courtesy, the Sublime Porte to dispense with the service as redifs of the cavasses and dragomans employed at the present moment by the American consulates.

[Inclosure 3 in No. 23.]

Note-verbale from British embassy to Sublime Porte.

On the 3d of February last the Sublime Porte was good enough to address a note-verbale, No. 9, circular to Her Majesty's embassy on the subject of the liability of dragomans or cavasses employed by foreign embassies and consulates in Turkey to military service.

A careful study of this question has enabled Her Majesty's embassy to establish that the French text of article 5 of the Turkish regulation of 1863, which decides the point in question, does not agree with the Turkish text of the same article.

The latter text establishes, it is true, that during a period of five years from the date of the regulation the cavasses employed by the consular officers be exempt from military service in the "Redifs," while according to the French text this exemption would appear to have a general character, no limit of time being fixed for those who benefit by it.

Consequently, as Her Majesty's embassy cannot accept a regulation entailing upon it any obligation whatever, except when thoroughly acquainted with the import of the regulation in question, it is evident that in the case in point it is the French text of the article above mentioned alone which could have been binding upon it.

However, Her Majesty's embassy is not unwilling to accept the interpretation of the Turkish text of the said article as far as regards the cavasses in the employ of the British consulates in the Empire. It consents in like manner to instruct the privileged employés of these consulates to pay the taxes for exemption from military service.

But Her Majesty's embassy does not doubt that in return for this concession the Sublime Porte will be good enough as a matter of courtesy to dispense with the service as redifs of the cavasses employed at the present moment by Her Majesty's embassy or by the consulates depending upon it.

Further, in order to prevent all difficulties and misunderstandings with the local authorities, the vall of a province should, when the appointment of a cavass is notified to him, be bound to inform the consulate interested, officially, of the exact position of the said cavass as regards his military service.

Her Majesty's embassy would therefore be much obliged if the Sublime Porte would be so good as to send the necessary instructions to the authorities concerned, in order that this formality may be carefully carried out should occasion arise.

Mr. King to Mr. Blaine.

No. 34.]

LEGATION OF THE UNITED STATES,
Constantinople, October 10, 1889. (Received November 4.)

SIR: In 1883 there was an attack made on two American missionaries, Rev. Mr. Knapp and Dr. Raynolds, which was reported to the State Department in Mr. Wallace's No. 234 of June 18, 1883, and was the subject of much subsequent correspondence during 1883, 1884, and 1885.

Moussa Bey, who committed this outrage, has since that time become notorious by his many murders and outrages committed in Kurdistan, especially against the Armenians.

These outrages have attracted wide attention and have become the subject of discussion in the English Parliament. Much information rela-
tive thereto may be seen in a recent publication of the British Government:

Correspondence respecting the condition of the populations in Asiatic-Turkey, 1888-c9. (Presented to Parliament August, 1889.)

Chiefly through the influence of the British ambassador the Turkish Government caused Moussa Bey to come to Constantinople to answer these charges against him; he arrived here in June and is here yet, but he has not been put under arrest. He presented a petition to the Sultan denying the charges and asking for a trial. I inclose a copy of this petition as given in the English "Blue-Book" above spoken of.

In the course of the summer about fifty witnesses against him arrived in Constantinople, mostly Armenians, but including at least one important Mussulman witness.

Moussa Bey is yet under forty years of age, and is a man of well-known family in Kurdistan and he has many influential friends and relations in the employ of the Turkish Government; he has influential friends at the Palace (Yildez), who are trying to screen him in these matters. He has not yet been put on trial in the true sense of the word. An official was appointed to investigate the case and to hear the testimony, but the investigation was made in a manner very unsatisfactory to the witnesses against him. Finally, after long delays it was reported that the testimony against him was of little importance, and that he was not guilty; but from the representations of the British ambassador or other causes immediately another official was appointed to make a new investigation. This second "trial" has been going on for some weeks and is not yet finished.

As soon as the missionaries in Eastern Turkey learned that Moussa Bey was coming to Constantinople, they expressed a wish to have an effort made for his punishment for the outrage against Mr. Knapp and Dr. Raynolds.

Mr. D. A. Richardson, secretary of the Eastern Turkey Mission was here during the summer and I had several conversations with him and Rev. H. O. Dwight, of the Bible House, upon the subject.

Mr. Dwight and Mr. Richardson interchanged opinions with the missionaries in Eastern Turkey, and it was the general opinion that it would be well to re-open the case with the Sublime Porte.

I at first did so by conversation with the grand vizier, but later it was thought best also to send a note to the minister of foreign affairs, of which I inclose a copy.

I did not feel that after the failure of justice in this aggravated case in 1883 and 1884, that I could now secure the punishment of Moussa Bey, except under unusual circumstances, but we hope that my note will strengthen the efforts which the British ambassador, Sir William A. White is making so skilfully against him, and that if not imprisoned he will at least not be allowed to return to Kurdistan.

I have, etc.,

PENDLETON KING.

[Inclosure 1 in No. 34.]

Petition presented to the Sultan by Moussa Bey.

I, your humble servant, am one of those who from their youth up till now have shown fidelity and good service to Your Imperial Majesty both in offices and in war, even to the point of risking life.
A parcel of fabrications have been submitted to Your Majesty, making me out a brigand and a notorious rascal.

I, your servant, while purposing to come to Your Majesty's throne and submit my case and not to accept any one of these fabrications, immediately on your gracious message set out and came to take refuge in Your Majesty's justice.

Now, whoever has suffered any injustice, wrong, or oppression from your servant, let him come forward. I am ready to appeal to your imperial justice. I venture, relying on Your Majesty's clemency, to pray that, if I am found guilty of these fabricated charges I may be punished, but if I am found innocent that the authors of them may be punished for their calumnies and that any right may be made public.

This and all other matters depend on the iradé and firman of Your Majesty.

Your servant,

MIRZA BEY ZADE, MOUSSE BEY.

[Inclosure 2 in No. 34.]

Mr. King to Said Pacha.

LEGATION OF THE UNITED STATES,
Constantinople, October 7, 1889.

SIR: Permit me to recall to your excellency's attention an outrage committed on two Americans, Rev. Mr. Knapp and Dr. Reynolds, in the year 1883, near the village of Ghourie, in the region of Bitilis.

The matter was reported to the Sublime Porte, by General Wallace, United States minister, in his note, No. 167, of June 13, 1883, and in detail in his No. 173, of September 10, 1883.

Many notes were exchanged upon the subject during the years 1883, 1884, and 1885.

United States legation to Sublime Porte, No. 184, November 7, 1883; No. 185, November 12, 1883; No. 190, December 13, 1883; No. 198, January 24, 1884; No. 241, February 27, 1885.

Sublime Porte to the United States legation: June 21, 1883; December 8, 1883; January 28, 1884; February 27, 1884; April 21, 1884; January 12, 1885; April 8, 1885, and others.

Mr. Knapp was severely beaten with a club, and Dr. Raynolds received ten sword cuts. They were dragged into the bushes, gagged, bound, and left to die.

It was well established, as the above notes show, that the leader of the attacking party and the person who inflicted the sword cuts on Dr. Raynolds was Moussa Bey, who has since that time become notorious through many other outrages committed by him.

Through the garbling of the record of the investigation for which the examining magistrate and the deputy imperial prosecutor were afterwards placed under judgment (see notes from H. E. Assim Pacha to General Wallace, April 21, 1884, and January 12, 1885) Moussa Bey was allowed to go free and was not again arrested.

My Government regarded "the case of Knapp and Raynolds as clearly made out and the identification of the principal assailant, Moussa Bey, as complete," and that, because he was never punished "justice was denied," and that the last note from the Sublime Porte was "neither final nor satisfactory," and on account of the "magnitude and cruelty of the offense," Mr. Bayard (Secretary of State) instructed this legation "again to appeal to that sense of justice which should prompt the Turkish Government to make honorable amends for this crime."

Some years have elapsed during which Moussa Bey has gone unpunished for this crime, and his presence in this city to undergo trial for murder and numerous other outrages leads me again to lay this matter before the Sublime Porte, and, while not wishing to interrupt or embarrass the progress of the trial, to request your excellency, first, to take the necessary measures to prevent this criminal from escaping from this city; and, secondly, whatever the issue of the above mentioned trial may be that at its close Moussa Bey may suffer the punishment required by law for this murderous attack on American citizens, as above recalled to your excellency's attention.

Accept, etc.,

PENDLETON KING.
FOREIGN RELATIONS.

Mr. Blaine to Mr. King.

No. 27.]

DEPARTMENT OF STATE,
Washington, November 8, 1889.

Sir: I have received your No. 34 of the 10th ultimo, recalling to the attention of the Department the correspondence with your legation in 1883–85, touching the attack made in the former year on the American missionaries, Rev. Mr. Knapp and Dr. Reynolds in Kurdistan, by Moussa Bey, who, at the instance of the British ambassador, is being tried at Constantinople on charges independent of the above.

Your conclusion that, in view of the apparent miscarriage of justice in Moussa Bey's case to which the correspondence of 1883–85 related, and the presence of the alleged criminal in Constantinople, it would be wise to re-open the matter with the Sublime Porte, seems to be justified by the details of your note of 7th ultimo, to the minister of state, of which you inclose a copy.

Your action is approved. It is hoped, as expressed in your note, that justice, however long deferred, may at last be done in respect of the well-grounded complaints of the United States Government, and its repeated and earnest appeals to the sense of justice and amity of Turkey for adequate redress for the wrongs suffered by these American citizens at the hands of a delegate of the power of the Sultan's Government.

I am, etc.,

JAMES G. BLAINE.

Mr. Blaine to Mr. King.

No. 29.]

DEPARTMENT OF STATE,
Washington, November 8, 1889.

Sir: I have received your No. 33 of the 12th ultimo, referring to a note verbale received in February last, from the Sublime Porte, regarding the military service of cavasses and dragomans employed by foreign consulates.

The terms of your proposed reply to the note of February are approved. It is hoped that the exemption sought for our employés, not being claimed as a right, will be conceded as a favor, so that the business of our officers in Turkey may not be embarrassed by the abrupt withdrawal of such experienced persons from our service.

I am, etc.,

JAMES G. BLAINE.