PERU.

Mr. Hicks to Mr. Gresham.

No. 482.] LEGATION OF THE UNITED STATES,
Lima, April 3, 1893. (Received April 22).

SIR: Late on the evening of Monday, March 27, a report reached Lima that a serious riot had occurred at Mollendo, a small village about 400 miles from Lima, in the south of Peru, in which the American consular agency was sacked and the acting consular agent wounded by a bullet. I at once telegraphed Mr. A. J. Daugherty, consul at Callao, to ask if he had received any report from the consular agent. He had not, and then, at my suggestion, after the arrival of the steamer, he telegraphed the consular agent as follows:

HENRY MEIER:
Acting Consular Agent, Mollendo:
Are you wounded? Was consulate invaded? Nothing received from you by mail.
DAUGHERTY.

Two holidays intervened when no business was done, and on April 1, Mr. Meier replied:

Bullet in the left leg. Office partly destroyed. Archives saved. Wrote to-day. Feel better.
MEIER.

When the next steamer arrives from the south, which will probably be to-morrow, the 4th, Mr. Meier's report will be received and will then be transmitted to this legation. Pending its receipt I can only wait for further information.

As reported by the newspapers and by the officers of the Masonic grand lodge of Peru, the unfortunate affair is explained in this way: Señor de Cazorla, a prominent Peruvian and member of the Peruvian Senate, a resident of Mollendo, died at La Paz, Bolivia, a short time before, and his remains were brought home and buried. The Masonic lodge at Mollendo, of which Señor de Cazorla had been a member and at the time of his death was the master, made arrangements to pay their respects to the memory of the deceased by public funeral exercises, to be held in the lodge room on Saturday evening, March 25. About 150 persons were present, men and women, composed of some of the leading citizens of Mollendo. A traveling company of musicians, called the Estudiantina Americana, en route to Lima, offered its services and took part in the musical programme of the evening. About 8:30 p. m. the lodge room was attacked by a mob, which threw stones and clubs at the doors and windows, broke up the meeting, drove the audience into the street, and created a period of terror and consternation. As soon as the people had left the Masonic hall the mob entered, took possession of the furniture in the lodge room, as well as the musical instruments of the Estudiantina Americana, and removed the furniture

and instruments to the street below, made a bonfire of the whole property, and burned it to ashes. Several houses and offices in the immediate vicinity were sacked in the same manner.

The office of Henry Meier, the acting consular agent of the United States, was near the lodge room and suffered from the attack. Several persons were reported seriously wounded by stones and Mr. Meier is said to be suffering from the effects of a bullet in his leg. One person is said to have been killed.

It is said that the action of the mob grew out of a bitterness felt by the people against the Masonic fraternity, and it is also further alleged that one or more priests were present at the time of the attack and urged the rioters to their work.

It is also further stated in the Lima newspapers that the subprefect of Mollendo was absent at the time and that the police force was limited to seven men, and that these seven men were present at the time of the attack, but did nothing to prevent it.

Without having the official report of the acting consular agent at hand, I am of the impression that the attack was a domestic affair growing out of religious differences, and that the damage or injury to the consular agency was incidental to the attack upon the Masonic meeting.

As soon as the official report is received from Mr. Meier, I shall give it prompt attention.

I am, etc.,

JOHN HICKS.

Mr. Hicks to Mr. Gresham.

[Telegram.]

LEGATION OF THE UNITED STATES,
Lima, April 5, 1893. (Received April 5.)

Mr. Hicks reports that the consulate of the United States at Mollendo was incidentally invaded in the course of a riot during which the masonic lodge was attacked and sacked and the furniture burned on the street by a mob. The archives of the consulate were saved from injury but the furnishing was destroyed and the consular agent shot in the foot. He says that there was a squad of Peruvian police present but that it looked on without interfering with the acts of the mob. He announces the mailing of particulars.

Mr. Gresham to Mr. Hicks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, April 6, 1893.

Mr. Gresham directs Mr. Hicks to enter a protest against the lack of protection to the consulate on the part of the authorities, and in the event of the circumstances being found to have been as reported, to ask that reparation be made for the injury inflicted on the person and property of an American, regret expressed, and offenders promptly prosecuted.

Mr. Hicks to Mr. Gresham.

[Telegram.]

LEGATION OF THE UNITED STATES,
Lima, April 9, 1893. (Received April 9.)

Mr. Hicks reports that he has received a reply to a note that he had addressed to the Peruvian government before sending his telegram of the 5th to the Department and in which he had asked for information and called attention to the grave nature of the incident; that reply expresses regret, promises that reparation will be made for damage sustained and the guilty parties at Mollendo punished, and announces the removal of the subprefect in charge. He suggests that in view of equity displayed in the reply protest should not be made unless so directed by the Department.

Mr. Gresham to Mr. Hicks.

[Telegram.]

DEPARTMENT OF STATE,
Washington, April 10, 1893.

Mr. Gresham expresses gratification at the promises made by the Government of Peru in regard to the incident at Mollendo and the confidence with which it is expected these promises will be speedily fulfilled. He directs him to report on that point.

Mr. Hicks to Mr. Gresham.

No. 485.] LEGATION OF THE UNITED STATES,
Lima, April 10, 1893. (Received May 1.)

SIR: Referring to my No. 482, of April 3, I have to say that on the 5th instant the official report of the acting consular agent at Mollendo was received, giving full particulars of the riot and attack on the consular agency of the United States on the 25th ultimo. I at once directed to the minister of foreign affairs a note calling attention to the serious feature of the affair—that while the mob was primarily a domestic affair with which I had nothing to do, yet where the sanctity of the consular agency of the United States was invaded and its acting consular agent wounded in defense of the office, it became a grave international offense, which was heightened by the presence of Peruvian gendarmes, who made no attempt to defend the consular agency or repress the riot.

On the same day I had transmitted to the Department a telegram containing a brief account of the affair, and on the 6th instant I received a reply from the Department, directing me to make a protest and, if the facts were well established, to ask an expression of regret and an assurance that the guilty parties would be punished and reparation would be made.

Inasmuch as my note of the 5th to the foreign office, while not couched in the form of a protest, practically answered the purpose, I decided

to await the reply of the minister before communicating with him further. I was induced to this course by an informal notice from the foreign office to the effect that the minister in reply to my note would concede exactly the points which I was directed by the Department to request.

Late on the evening of the 8th instant I was waited upon by a clerk from the foreign office who presented the reply of Doctor Don Cesareo Chacaltana to my note. As I had anticipated, the minister regrets the incident, which is distinctly disavowed by the Government. He also announces that the subprefect in charge at Mollendo has been removed and will be submitted to an examination so that his guilt or responsibility may be determined, and that all the parties concerned in the affair are to be prosecuted and reparation will be made to the victims. The note is expressed in friendly terms and I think was written in a genuine spirit of equity and good feeling toward the United States.

As soon as I could make a translation of the minister's note, I dispatched to the Department a telegram stating the receipt of the note, and that in my opinion it fully met the purposes of a protest, and declaring that, unless the Department directed otherwise, I did not now consider any protest necessary.

I shall wait a reasonable time for further advice by telegram from the Department, and then nothing further having been received, I shall reply to the minister, expressing my satisfaction at the prompt and voluntary apology and promise of reparation which he has given, and the hope that the incident may be closed to the mutual satisfaction of both countries.

I append in this connection a copy of the correspondence, with a translation of the minister's note, as well as a copy of the telegrams sent by the legation to the Department, and the telegram received by this legation from the Department.

I have, etc.,

JOHN HICKS.

[Inclosure 1 in No. 485.]

Mr. Meier to Mr. Daugherty.

CONSULAR AGENCY OF THE UNITED STATES,
Mollendo, April 1, 1893.

DEAR SIR: By cable you will have been informed, no doubt, of the disturbances that occurred at this port Saturday night (25th instant), during which I unfortunately was wounded in the leg by a bullet, in my attempts to extinguish the fire that threatened to declare itself in the balcony of the adjoining house. Fortunately this could be avoided.

My wound is not very serious, and I have been allowed to leave the bed to-day, hoping to be able to walk in a few days more.

My house and office, which is next to the one where the lodge was assembled, has been nearly completely destroyed, and my iron safe was intended to be broken, but proved too much for them. The archives of the consulate were of no interest to the mob and have not suffered.

If nothing further happens I do not intend to make a claim of any importance, but trust that as well yourself as Mr. Hicks will assist me to be refunded by the Government for the actual damage suffered.

During the outrage of the mob there were stationed eight soldiers with a major in front of the people, as it seemed protecting them, and with strict orders from the subprefect not to interfere, according to the explanation of the officer on being called upon to avoid such excesses.

Unfortunately we are exposed to much more serious occurrences. The urban guard that was formed has been disbanded by order of the prefect of Arequipa,

and with the threat "to be dissolved by firing on them" added by the subprefect here.

The prisoners taken by the judge, who understands the matter, were put into liberty by the subprefect, and this model authority appears to remain in his place.

In sight of these facts we can not know what remains in store for Mollendo, and being without any guaranty of life or property, we must look for help from our representatives in Lima and Callao. A cablegram will most likely be sent to this effect to-day by the consular body here.

Excuse the hurry I am writing in, and believe me,

Yours, most truly,

ENRIQUE MEIER,
Acting Consular Agent.

[Inclosure 2 in No. 485.]

Mr. Hicks to Señor Chacaltana.

LEGATION OF THE UNITED STATES,
Lima, April 5, 1893.

Mr. MINISTER: It is with feelings of regret that I am compelled to lay before your excellency an official report from the acting consular agent of the United States at Mollendo, Mr. Enrique Meier. This report presents the details of a most distressing event, in which the sanctity of the American consular agency seems to have been grossly violated by a mob, the property of the acting consular agent destroyed, and his person put in jeopardy, even to the extent of gunshot wounds. According to the said report this unfortunate outbreak took place in the presence of the official representatives of the Government of Peru, that is, the gensd'armes, under command of an official of the army, all said to be acting under the order of the subprefect. It is said that these officials, instead of quelling the mob and affording protection to the defenseless victims, actually aided the rioters in their work and thus for the time gave official approval to the outrage.

So far as the riot was concerned in its relations generally to the parties attacked I have nothing to say, further than to express the regret which all good citizens must feel at such an unfortunate occurrence. But when the consular representative of the United States is maltreated and the consular building, bearing the shield of the United States, is invaded, insulted, and its contents partially destroyed, contrary to the spirit of good will existing between two friendly nations, the affair becomes one of grave international importance, especially when these unfortunate acts seem to have been committed under official sanction. I have felt it my duty to transmit to my Government a report of the occurrence by cable, and I shall also send by mail a copy of the report of the consular agent and of this note to your excellency.

I need not assure your excellency that in so doing I am actuated only by a sense of responsibility to my Government, and personally I have no doubt that your excellency's Government will as soon as practicable favor me with a full explanation of this most deplorable affair, which I will be most happy to transmit to my Government.

I am, etc.,

JOHN HICKS.

[Inclosure 3 in No. 485.—Translation.]

Señor Chacaltana to Mr. Hicks.

DEPARTMENT OF FOREIGN RELATIONS,
Lima, April 8, 1893.

Mr. MINISTER: The undersigned has received the courteous note of your excellency dated the 5th instant, referring to the event which occurred in Mollendo on the 25th of March last, and the inclosed copy of the report sent to your legation by Mr. Henry Meier, acting consular agent of the United States at that place.

Your excellency represents that the immunity of the said consular agency has been violated, the property of the consular agent has been destroyed, and the life of the consular agent has been put in danger; that officer having been wounded by a bullet in the leg. Your excellency adds that these acts of injustice having

occurred in the presence of the gens d'armes and the officer acting under the orders of the subprefect, it would seem that they were in a certain sense authorized.

Your excellency considers that these acts become invested with a grave international importance when considered as outrages, violations, and insults consummated on the person of the consular representative of the United States, and on the habitation of that official, expressing a contempt for the relations which exist between two friendly nations. Your excellency announces that you have forwarded to your Government a report of these transactions, and you conclude by expressing the hope that my Government will furnish a detailed explanation of these deplorable events.

The Government of the undersigned, moved to-day as always by the spirit of a just and elevated policy in its relations with friendly powers, does not hesitate to furnish to your excellency the explanation which you solicit, and it does this with great pleasure, not only suggesting the most efficacious means of repairing the injury but with the constant purpose which it has to give confidence to its own citizens and to foreigners, and especially to the official agents of friendly states, by the earnest efforts which it displays to make effective the sacred guarantees of universal laws and the laws of the country.

It follows, then, that the Government of the undersigned would have been the first to deplore the riot at Mollendo, and the consequent outrages which followed, for these events merit, from the beginning, its most explicit reprobation. It decided to dictate the necessary measures, within the sphere of its constitutional powers, to punish the guilty and to provide just reparation to the injured. The Government resolved, in fact, when the first intelligence was received of these events, to order the prosecution of the authors and accomplices in the mob, as well as the assailants of the house of the consular agent of the United States. It resolved, likewise, to put in exercise the powers which the law gives it to prosecute the case with all the activity called for by the satisfaction due to those persons whose guarantees were trampeled upon.

In regard to the attitude taken by the police force, the Government is without sufficient data to enable it to accept the theory that the police were the accomplices of the assailants. The subprefect of the province, under whose orders it was, in his official report of the affair, which he has sent in, explains the passive attitude of his subordinates by their reduced number, and states that in his belief they were powerless to contend against the crowd.

The Government of the undersigned, nevertheless, inspired by the necessity of a better and clearer statement of the facts, decided to order that the subprefect should be submitted to trial in order that his conduct and responsibility should be thoroughly ventilated and that in the meantime he should be suspended from the duties of his office.

The Government of the undersigned, painfully impressed by the affair at Mollendo, has deplored in a special manner the incident affecting the consular representatives of the United States and the building in which is situated his office. The undersigned is very glad, however, to remind your excellency that in this affair the tumult and disorder were not inspired by a spirit of hostility against the consular representative of the United States. The outbreak was caused in the beginning by motives and tendencies of an entirely different spirit and one which implied not the slightest feeling of antagonism to the good and loyal friendship of Peru toward the country which your excellency so worthily represents. The injury to the consular functionary and his office was almost incidental. It occurred in the midst of disorder and was brought about solely by the proximity of the office to the building which was the direct object of attack. It was committed by a group of persons whose actions had merited in every case the reprobation of the Peruvian society and the Peruvian Government. Animated always by a desire to strengthen the bonds of friendship with the nation and with the Government of the United States, such acts have not received for a single instant, nor can they receive, official sanction.

With these considerations in view, your excellency can be assured that the events referring to the consular agent of the United States in Mollendo, and the measures adopted by the Government of the undersigned, can not weaken the bonds of reciprocal affection which have existed between the two countries for so many years.

The Government of the undersigned, yielding to the inspirations and to the highest interests of justice, has been moved, as can be seen, to take measures for the clearing up of these acts, for the punishment of the guilty, and the consequent reparation due to those, like the consular agent of the United States, who have been the victims of the outbreak.

I am, etc.,

CESAREO CHACALTANA.

Mr. Hicks to Mr. Gresham.

[Extract.]

No. 486.] LEGATION OF THE UNITED STATES,
Lima, April 15, 1893. (Received May 8.)

SIR: Referring to my No. 485 of April 10, I have to say that on the 11th I received a telegram from the Department expressing gratification at the reply of the Peruvian foreign office, and the hope of a speedy fulfillment of its promises. I then replied to the note of Dr. Chacaltana, minister of foreign affairs, conveying the substance of the telegram, and requiring as forcibly as was consistent with the dignity of the subject a speedy settlement of the affair.

In order that there should be no reasonable excuse for delay, I verbally directed the consul at Callao, Mr. A. J. Daugherty, to direct the consular agent to present his claim for indemnity at once, and I have received a note from Mr. Daugherty, in which he states that on the 13th he cabled the consular agent to send in his claim, and that he has received a reply to the effect that the claim would be sent in immediately.

I have reason to believe that if the claim presented by the consular agent is reasonable, the Government will settle it at once.

I append a copy of my note to the foreign office and of the telegram received from the Department.

I have, etc.,

JOHN HICKS.

[Inclosure in No. 486.]

Mr. Hicks to Señor Chacaltana.

LEGATION OF THE UNITED STATES,
Lima, April 11, 1893.

MR. MINISTER: I have the honor to acknowledge receipt of the note of your excellency, dated April 8, in regard to the recent attack upon the consular agency of the United States at Mollendo. I have read with much pleasure the courteous and friendly statement therein made to the effect that the Government of your excellency expressly asserts its reprobation of the action of the mob at that time, as well as regret for the inefficiency of the police force and the failure of the *gens d'armes* to give the necessary protection to the consular agent of the United States. I am also greatly pleased at the promise of your excellency that the Government of Peru will at once order a judicial examination of the affair, to the end that the guilty participants may be punished and the sufferers may be indemnified for their injuries, and that the subprefect in charge at the time will be put upon trial to determine whether or not he was guilty of complicity in the unfortunate affair.

While the eminently fair and honorable position taken by your excellency in this matter is in strict accord with the line of conduct followed by all high-minded nations, and is exactly what I had expected from your excellency, it affords me additional satisfaction to know that your proposition for a settlement of this unfortunate affair was entirely spontaneous, and if it is carried out in the same friendly spirit it will serve to strengthen the good feeling which has so long existed between the two countries, and will be particularly gratifying to the Government which I represent.

I will add for your excellency's pleasure that on receipt of yours of the 8th instant I at once notified my Government by cable of its contents and have received a prompt reply to the effect that the President is gratified at the promises conveyed in your excellency's note, and that he confidently awaits their prompt fulfillment, which I am directed to report at once.

I trust, therefore, that I shall soon have the great pleasure of notifying the Department at Washington that the Government of your excellency has complied with the propositions made in your note and that the incident is terminated to the mutual satisfaction of all concerned.

I improve, etc.,

JOHN HICKS.

Mr. Hicks to Mr. Gresham.

No. 493.] LEGATION OF THE UNITED STATES,
Lima, April 29, 1893. (Received May 19.)

SIR: Referring to my No. 482 of April 3, 1893, No. 485 of April 10, 1893, and No. 486 of April 15, 1893, I have the honor herewith to inclose* a copy of the claim for damages against the Peruvian Government, submitted through Mr. A. J. Daugherty, consul at Callao, by Mr. Henry or (Enrique) Meier, acting consular agent, growing out of the attack upon the consular agency of the United States at Mollendo, March 25, 1893. This claim I at once forwarded to the foreign office and also had an interview personally with the minister of foreign affairs, urging a prompt settlement of the same.

I append also a copy of my note to the minister of foreign affairs, transmitting Mr. Meier's claim.

I am, etc.,

JOHN HICKS.

[Inclosure in No. 493.]

Mr. Hicks to Dr. Chacaltana.

LEGATION OF THE UNITED STATES,
Lima, April 29, 1893.

MR. MINISTER: Referring to the courteous and honorable communication of your excellency, dated April 8, in regard to the lamentable incident at Mollendo, and my note of the 11th instant, replying thereto, I now have the honor to transmit herewith the account of Señor Don Enrique Meier, acting consular agent of the United States at that port, for the actual cost of repairing the damages to his office caused by the mob, and for the injuries received to his person by reason of a gunshot wound in his leg. I am assured privately by Señor Meier that he is still in great danger from the effects of this wound, and at times there have been grave fears that the injury would result in the amputation of the limb.

The account which Señor Meier has rendered is substantiated by the necessary affidavits, and it appears not only to be made out in proper legal form, but that its charges are exceedingly fair and reasonable.

Your excellency will at once agree with me that the account of Señor Meier can not be considered in the same light as an ordinary claim for damages. Señor Meier stands as the representative of the authority of the United States, the legal representative of a friendly nation, who, resting in fancied safety under the ægis of the national escutcheon, was rudely attacked by a mob of disorderly citizens in the presence of the police of Peru, who utterly failed to afford him any protection. Your excellency, with a noble spirit of equity and justice, promptly disavowed any intention of injury and promised the prompt condemnation of the act by the punishment of the offenders and the indemnification of the injured.

The President of the United States, who was informed of the proceedings and of your excellency's courteous reply, expressed to me by telegraph his satisfaction with the benevolent sentiments which your excellency expressed, and signified his confident expectation that your excellency's Government would at once fulfill the promises made, which he instructed me to report to him at once by telegraph.

I trust, therefore, my dear Mr. minister, that I may at once have the pleasure, as well by the kindly feelings I have always entertained for this country as by the sincere desire I have that this incident should be harmoniously closed, of notifying my Government that your excellency has promptly fulfilled the gracious and praiseworthy promises contained in your excellency's letter.

With assurances, etc.,

JOHN HICKS.

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* Inclosure omitted.

Mr. Gresham to Mr. Hicks.

No. 289.] DEPARTMENT OF STATE,
Washington, May 3, 1893.

SIR: I have to acknowledge the receipt of your No. 485, of the 10th ultimo, inclosing copy of the note from the Peruvian foreign office, apologizing for the attack made by the mob on our consular agency at Mollendo and promising to punish the guilty parties and make due reparation to the agent.

As stated in my telegram of the 10th ultimo, the Department is gratified to receive these promises from the Government of Peru, and confidently awaits their prompt fulfillment.

The facts as reported justify our belief that the just and friendly disposition of that Government will prevail to insure due punishment of the offenders and reparation for the loss accruing to our consular agency.

The Department approves Mr. Meier's purpose not to ask anything beyond compensation for property actually destroyed.

A tender by Peru of reimbursement of his expenses of medical attendance, etc., consequent upon his wound, would be a gracious act and probably acceptable.

I am, etc.,

W. Q. GRESHAM.

Mr. Hicks to Mr. Gresham.

[Extract.]

No. 496.] LEGATION OF THE UNITED STATES,
Lima, May 8, 1893. (Received June 1.)

SIR: Referring to my Nos. 486 of April 15, 1893, and 493 of April 29, 1893, I have now to transmit a copy of the reply of the minister of foreign affairs acknowledging receipt of my note of April 29 transmitting the claim of Enrique Meier, acting consular agent at Mollendo, with a translation of the same.

The minister states that the Peruvian Government is awaiting the official report of the Mollendo authorities on the attack on the consular agency and that as soon as such report is received the Government will make a "definite and précise answer respecting the claim of Enrique Meier."

I have been to the foreign office this afternoon in regard to this matter and I am told by the chief clerk that the municipality of Mollendo is expected to make a detailed report of the affair, with an estimate of the amount of damage done to different persons, and it is this report for which the Government is waiting.

I have, etc.,

JOHN HICKS.

[Inclosure in No. 496.—Translation.]

Señor Chacaltana to Mr. Hicks.

FOREIGN OFFICE,
Lima, May 4, 1893.

MR. MINISTER: I have the honor to acknowledge the receipt of your excellency's attentive note of April 29, with inclosures, referring to incident in Mollendo occurring to the consular agent of the United States on the night of the 25th of March.

My Government expects to complete its documents regarding this case. To this end it has repeated the respective orders to the Mollendo authorities, and, as soon as it receives this latest data required for the solution of this affair, I will then, without delay, give your excellency a definite and precise answer respecting the claim of Mr. Enrique Meier, as always in agreement with the ideas expressed in my note of the 8th of last month.

I have, etc.,

CESÁREO CHACALTANA.

Mr. Hicks to Mr. Gresham.

[Extract.]

No. 499.] LEGATION OF THE UNITED STATES,
Lima, May 20, 1893. (Received June 13.)

SIR: The new cabinet was duly installed on the 13th, and for the first few days the ministers were receiving and making the visits of ceremony incident upon a change of cabinet. I have made three visits to the foreign office, having in mind the final settlement of the claim for indemnity presented by the acting consular agent of the United States, Don Enrique Meier, growing out of the assault upon the consular agency on the night of March 25 last.

To-day I succeeded in getting a good interview with the minister, and discussed with him the claim of Mr. Meier at length.

Naturally the minister knew little or nothing about the matter, his knowledge having been obtained solely from newspaper reports of the affair when he was not in office, and he admitted that he had not read the official reports sent from Mollendo. I therefore related to him the incidents of the affair and mentioned my note to the minister, his predecessor, my telegram to the State Department, and the reply of the Department.

The minister then said that the law of Peru compelled the authorities, in case of damages by a mob, to begin a judicial process against the offenders and that Mr. Meier's recourse was in a civil action against the leaders of the mob.

I assured him that the case of Mr. Meier was not an ordinary claim for damages, but it involved a point which, perhaps, had escaped him. Mr. Meier's claim was not based simply upon the fact that he had suffered damage to his house, his goods, and his person at the hands of a mob. The affair was far more grave than any ordinary outbreak, and the facts gave it an international importance which would continue until disposed of by the action of the Peruvian Government in complying with its promises.

The *gravamen* of the case was that the consular agency of the United States was invaded and the acting consular agent had his house partially destroyed and was seriously wounded in the leg by disorderly persons, who committed this outrage in the immediate presence of the *gendarmes* of Peru, who claimed that their noninterference, it is said, was by command of the subprefect, an official directly under the control of the President. While I did not believe for a moment that the act of the subprefect and the passiveness of the soldiers were authorized by the Government, yet, until the reparation promised by Peru and accepted by my Government was duly consummated, the responsibility was upon the Government of Peru.

The minister expressed his regret at the occurrence and inquired if his predecessor, Dr. Chacaltana, had expressed any opinion to me on

the affair. I then explained that he had entirely disavowed any indorsement of the outrage, apologized for it, and had removed the subprefect and promised complete indemnity for the damages. Later, when his attention had been again called to it by me, Dr. Chacaltana had explained his delay by the statement that he was awaiting the receipt of the official report from Mollendo. However, I informed the minister the report was now on his desk ready for his action, as I had been told the day before by his chief clerk. He then inquired the amount of the claim. I informed him that it was 5,963.90 sols. I said, in addition, that Mr. Meier had been told by several parties that he had made his claim ridiculously small; that the amount asked for would not pay the expenses of a journey to Europe for surgical treatment, which might be necessary, and that he ought to have made a claim for 50,000 sols at least. I added that I had told Mr. Meier to make out his claim at a reasonable figure, not too large nor too small, and I was convinced that the sum was very reasonable.

The minister inquired if I could not get him to accept a smaller sum, as the country was very poor and it was with the greatest difficulty any money could be raised. I replied that if the Government was ready with cash in hand to make any reasonable offer of a settlement, even if it were less than the amount claimed, I would transmit the offer to the State Department and the claimant, with a view to an acceptance, although I believed the sum named was as small as the Government ought to expect in a case as serious as that of Mr. Meier.

The minister then explained that he personally was in favor of a prompt and satisfactory settlement of the case and on Monday he would take it up and give all the documents in the case a careful reading. But, he said, it was a matter of grave importance and must be dealt with by the President and the council of all the ministers. The President is now very ill and it may be several days before he is well enough to attend to any business. He assured me with great courtesy that the matter should receive prompt attention and he would be very glad to have it closed in a manner satisfactory to both parties.

I have, etc.

JOHN HICKS.

Mr. Gresham to Mr. Hicks.

No. 302.] DEPARTMENT OF STATE,
Washington, June 9, 1893.

SIR: I have received your dispatch No. 496, of the 8th ultimo, in further relation to the destruction by a mob of the property of the United States consular agency at Mollendo.

The facts stated, and the proofs of injury and loss submitted by Mr. Meier, appear to leave the matter in good shape for offering reparation for property destroyed, and for a voluntary tender by the Peruvian Government of a fitting indemnity to Mr. Meier. My instruction of May 3, (No. 289), which you have probably received by this time, will have suggested to you the measure and manner of indemnification which would be acceptable to this Government.

The Peruvian representative in this capital has spoken to me on the subject and assured me of the best disposition on the part of his Government to do all that international comity and a due sense of equity can suggest as right and proper. I told him that the prompt and

friendly promise of Peru, in advance of formal demand, to make all appropriate redress for the wrongs suffered, had been highly appreciated, and that I felt confident that his Government would, of its own motion and without pressure, do everything that could be reasonably expected, both as regards the property destroyed and the personal injuries sustained by our agent. Gen. Canevaro positively promised this, adding, however, that the straitened resources of Peru might lead his Government to expect some indulgence from us touching the time of payment, and he intimated that your pressure for an immediate settlement was embarrassing, because tending to limit the good desires of his Government in regard to the reparation to be tendered to Mr. Meier.

In this relation, I should also acknowledge your No. 493, of April 29, touching the extent of Mr. Meier's injuries and losses. The claim thus made does not fully comport with Mr. Meier's original announcement of his purpose not to ask anything beyond compensation for property actually destroyed. His statements, supported as they are by concurrent testimony, furnish good ground for expecting an adequate offer of reparation, the amount of which may be determined in friendly conference with the minister of foreign relations, without undue pressure and subject to such reasonable latitude as to the time and manner of payment as may appear to be proper.

I am, etc.,

W. Q. GRESHAM.

Mr. Hicks to Mr. Gresham.

No. 506.] LEGATION OF THE UNITED STATES,
Lima, June 12, 1893. (Received July 1.)

SIR: Before the receipt of Department's No. 289, of May 3, 1893, I had a long interview with Dr. Jimenez, the minister of foreign affairs, in regard to the outrage upon the consular agency at Mollendo, in which I requested some action immediately, as my term of service was drawing to a close, and I wished to terminate the incident before I left. The minister, with great fairness, acknowledged the regret that Peru had for the affair and pleaded the extreme poverty of the country as a reason why no large indemnity could be paid. I assured him that the U. S. Government was not after money at all; that his predecessor had voluntarily proposed to pay the necessary expenses growing out of the disturbance, and that my only desire was to have the incident closed on terms equally satisfactory to the two Governments. I also assured him that if he would make me any proposition he chose, I would take great pleasure in transmitting it to the Department. Upon this, the minister promised to take it into immediate consideration and notify me as soon as a decision was reached.

Upon receipt of Department's No. 289, of May 3, 1893, I was instructed as follows:

> A tender by Peru of reimbursement of his (Mr. Meiers') expenses of medical attendance, etc., consequent upon his wound, would be a gracious act and probably acceptable.

Inasmuch as the Department on May 3 had not received the papers in the full claim submitted by Mr. Meier, I judged that this suggestion possibly might be a little milder than the Department would have made had all the documents in the case been at hand.

I at once called upon the minister again, and while courteously expressing the same desire to do complete justice to the United States and to its representative at Mollendo, he stated that according to official reports received from his subordinates in Mollendo the damage sustained by Mr. Meier personally had been greatly exaggerated and that the extent of the injury to his property had also been unduly increased through the connivance of personal friends; and further, that at the time of the attack the escutcheon of the United States was not in its place upon the front of the building, thus establishing the hypothesis, if his information is correct, that the mob did not know that the building was, and for the purposes of, a consulate.

I assured the minister that I could not personally vouch for the correctness of Mr. Meier's claim; that it was the minister's right and duty to investigate thoroughly all the circumstances; that the Government of the United States cared more for the maintenance of the friendly relations between the two countries than for any pecuniary indemnity, and that I felt under the instructions recently received that I could safely leave to him the question of the amount. He then expressed the belief that 1,000 sols would be about the proper sum, and I agreed to telegraph the offer to the Department and advise its acceptance. The minister promised to make the written proposition in a few days, and the interview closed.

On the 9th instant I received a note from the minister, couched in exceedingly friendly terms, and raising the amount offered to 2,000 sols. I replied at once to the minister and sent by telegraph to the Department a synopsis of the minister's offer. A copy of the notes to and from the minister is attached herewith.

I am now awaiting Department's instructions. Should my action and the minister's proposition receive the Department's approval, I feel like extending congratulations to all concerned, because I consider the action of the Peruvian Government exceedingly fair and even generous.

I am, etc.,

JOHN HICKS.

[Inclosure 1 in No. 506.—Translation.]

Señor Jimenez to Mr. Hicks.

MINISTRY FOR FOREIGN AFFAIRS,
Lima, June 9, 1893.

Mr. MINISTER: In the note of April 8th last Señor Chacaltana, my honorable predecessor, expressed to your excellency the regret of the Peruvian Government for the attack against the consular agent of the United States at Mollendo, on the 25th of March, and the measures which had been voluntarily taken for the punishment of the guilty parties, and the consequent reparation for the damages suffered by the said agent.

With this view your excellency was pleased to transmit on April 29th the account of Señor Meier, who believes this a just claim for the material injury to his house, for expenses of curing the wound he received, and for the consequences which may happen to him.

Mr. Chacaltana expressed to your excellency, on receiving advice of the said communication, that he hoped to complete the data asked for from the Mollendo authorities, and repeated the same to your excellency in the various conferences which he had the honor to maintain on the same subject.

Having received the necessary documents the last day of the past week, when we had another interview, I am pleased to give your excellency a definite and equitable answer, proposing to give Señor Meier the sum of 2,000 sols, as a total pecuniary indemnity.

I consider that this amount is proportionally in keeping with the injury suffered, and that the first report of 5,963 sols and 90 cents was exaggerated, as claimed for

damages and a wound that appears already cured without grave complications, and again allowing him to continue in his usual occupation.

I shall not finish this note without thanking your excellency for the high sentiments of equity which you have observed in concluding this question in a manner equally satisfactory to both Governments.

I am, etc.,

JOSE M. JIMENEZ.

[Inclosure 2 in 506.]

Mr. Hicks to Señor Jimenez.

LEGATION OF THE UNITED STATES,
Lima, June 10, 1893.

Mr. MINISTER: I am pleased to acknowledge receipt of the courteous note of your excellency, dated June 9, in which your excellency tenders, in settlement of the damages growing out of the unfortunate affair at Mollendo on the 25th of March last, the sum of 2,000 sols to be paid to Enrique Meier. Better than the offer of the money payment are the generous and kindly expressions of good will with which your excellency makes the tender, and for which I am sure the Government of my country will be greatly pleased. For my part, I am deeply grateful to your excellency for this mark of kindness.

I have this day transmitted your proposition to the Department of State, at Washington, by telegraph, and have counseled its acceptance. As soon as I receive further instructions on the subject I will at once advise your excellency.

JOHN HICKS.

Mr. Hicks to Mr. Gresham.

No. 512.] LEGATION OF THE UNITED STATES,
Lima, June 17, 1893. (Received July 6.)

SIR: Referring to my No. 506, of June 12, I now have the pleasure of announcing that the Peruvian Government has paid to me the sum of 2,000 sols in full settlement of the claim of Enrique Meier, acting consular agent at Mollendo, for indemnity on account of damages to his person and property, caused by a mob on the night of March 25, 1893.

Inasmuch as this is the first payment made by Peru, to my knowledge, on account of claims for damages, during my residence of four years in the country, I feel greatly pleased at the result. The whole affair has apparently engendered only the kindest feelings on the part of the Peruvian Government, and instead of resulting in coldness and estrangement it has, to all appearances, had the effect of producing a cordial feeling towards the United States.

In order that the Department may understand the whole matter, I inclose a copy of my notes to the foreign office and the reply of the minister, with the decree of the President, my note to Mr. Meier and finally a receipt for the cash from Messrs Grace Brothers & Co., a duplicate of which was forwarded to Mr. Meier.

I have, etc.,

JOHN HICKS.

[Inclosure 1 in No. 512.[

Mr. Hicks to Señor Jimenez.

LEGATION OF THE UNITED STATES,
Lima, June 14, 1893.

Mr. MINISTER: Referring to your excellency's note of June 9, 1893, in regard to the unfortunate affair at Mollendo on March 25, I am directed by my Government to accept the proposition made by your excellency to pay to Enrique Meier the sum of

2,000 sols in full payment of all claims for damages arising from injury to the building in which was the consular agency of the United States, as well as for the damages to the person and property of Mr. Meier, the acting consular agent, growing out of the unfortunate affair before mentioned.

As I expect to close my official relations with Lima within a few days, it would be extremely gratifying if the payment of the sum mentioned could be consummated as soon as possible.

I have, etc.,

JOHN HICKS.

[Inclosure 2 in No. 512.—Translation.]

Señor Jimenez to Mr. Hicks.

FOREIGN OFFICE, *Lima, June 15, 1893.*

Mr. MINISTER: His excellency the President of the Republic has issued a decree yesterday (No. 196), of which I inclose to your excellency an authentic copy, ordering the payment of 2,000 sols to the consular agent of the United States at Arequipa, Mr. Enrique Meier, thus settling the claim made by him for damages caused him through the lamentable occurrences of the 25th of last March.

I have, etc.,

JOSÉ M. JIMENEZ.

[Inclosure 3 in No. 512.—Translation.]

LIMA, *June 14, 1893.*

The claim presented by the envoy extraordinary and minister plenipotentiary of the United States of America for an indemnity to Mr. Enrique Meier, consular agent of that Republic at Mollendo, for damages and a wound received by him on the night of the 25th of March, having been arranged by the decision of the council of ministers, and in fulfillment of the diplomatic arrangement that appears from the notes exchanged in reference to this matter, it is decreed: That the general treasury shall pay to the said Mr. Meier, or his representative, the sum of 2,000 sols, to be placed to the debit of the extraordinary expenses of the foreign office. To be communicated, registered, and sent forward to the ministry of finance for its execution.

[Sign-manual of the President of Peru.]

JIMENEZ.

Correct.

CARLOS WIESSE,
Chief Clerk.

[Inclosure 4 in No. 512.]

Mr. Hicks to Señor Jimenez.

LEGATION OF THE UNITED STATES,
Lima, Peru, June 17, 1893.

Mr. MINISTER: I have the honor to acknowledge the receipt of your excellency's esteemed note of June 15, transmitting a copy of the decree issued by his excellency the President of the Republic on the 14th instant, ordering the payment of 2,000 sols to the order of Enrique Meier, acting consular agent of the United States at Mollendo, in full settlement of his claim for indemnity growing out of the lamentable affair of the 25th of March.

I have also to acknowledge receipt of the 2,000 sols by the hand of Dr. Don Carlos Wiesse, chief clerk.

I beg to congratulate your excellency upon the happy and honorable termination of this affair.

Be pleased, etc.,

JOHN HICKS.

[Inclosure 5 in No. 512.]

Mr. Hicks to Mr. Meier.

LEGATION OF THE UNITED STATES,
Lima, June 17, 1893.

SIR: I have the pleasure of inclosing herewith a receipt from the house of Messrs. Grace Brothers & Co., showing that I have this day deposited to your credit the

sum of 2,000 sols, being the amount received from the Government of Peru in full settlement of your claim for indemnity on account of the attack upon the Mollendo consular agency, March 25, 1893.

Please acknowledge receipt of this.

I have, etc.,

JOHN HICKS.

[Inclosure 6 in No. 512.]

LEGATION OF THE UNITED STATES,
Lima, Peru, June 17, 1893.

Received from John Hicks, U. S. minister to Peru, the sum of 2,000 sols silver, to be deposited to the credit of Don Enrique Meier, acting consular agent of the United States at Mollendo.

GRACE BROS. & CO.,
Per JAS. BROOKE.,

Duplicate sent to Mr. Meier.

Mr. Gresham to Mr. McKenzie.

No. 9.] DEPARTMENT OF STATE,
Washington, July 7, 1893.

SIR: I have received Mr. Hicks, No. 512, of the 17th ultimo, reporting the final settlement of the claim of Enrique Meier, our acting consular agent at Mollendo, by the payment to him for the claimant of 2,000 sols from the Peruvian Government, and am gratified to learn that the settlement was reached in this straightforward and friendly way.

I am, etc.,

W. Q. GRESHAM.

Mr. McKenzie to Mr. Gresham.

No. 50.] LEGATION OF THE UNITED STATES,
Lima, October 23, 1893. (Received November 13.)

SIR: I have the honor to transmit to the Department of State a copy of a law in regard to "Immigration," together with translation thereof, which passed the Peruvian Congress on the 7th of October, 1893.

I have the honor, etc.,

J. A. MCKENZIE.

[Inclosure in No. 50.—Translation.]

IMMIGRATION.

The President of the Republic:

Whereas Congress has passed the following law:

The Congress of the Republic of Peru, considering: That the natural sources of wealth of the Republic will be better turned to account by a system of immigration attracting labor and capital to the country, has passed the following law:

ARTICLE 1. The State protects and encourages immigration.

ART. 2. Those considered immigrants are: (1) All foreigners to Peru of white race, being under 60 years of age, who came to the territory of the Republic for the purpose of establishing themselves, and who place themselves under the dispositions of this law and exhibit to the authorities appointed by the Government the corresponding certificate furnished them by the Peruvian consuls or agents abroad concerning their morality, trade, or profession. (2) Colonists uniting the requisites mentioned in the preceding paragraph are specially contracted to settle given spots in the Republic.

ART. 3. Immigrants are entitled to: (1) Board and lodging at the nation's expense during the first seven days after their arrival in Peru. (2) To introduce free of duty all articles intended for their personal use, clothes, articles for their domestic use, firearms for hunting, agricultural implements, tools used in the exercise of their respective arts and trades, in such number as the Government shall prudently fix.

ART. 4. In addition to the concessions mentioned in the foregoing article the colonists will be entitled to the following: (1) A free passage, third class, on board such ships as are going to Peru. (2) The number of hectares of land as the Government shall assign to them at the place to be settled. (3) To be conveyed at the expense of the Government after their arrival in Peru or from their lodging to the spot to be settled. (4) To be maintained at the expense of the Government for three months from their arrival at the settlement. (5) Exemptions from all direct taxation for the term of five years. (6) To be supplied but once with agricultural implements and tools designated by the Government.

ART. 5. The supreme Government is empowered to contract colonists in Europe at such places as it may deem convenient.

ART. 6. The board of directors of the department of public works shall be charged with the care of immigration and colonization.

ART. 7. There shall be established a central board of immigration and colonization in the capital of the Republic, to be composed of 25 members, to be appointed by the Government, for the purpose of promoting, to encourage, and to develop immigration in the nation.

ART. 8. The central board shall be empowered to establish auxiliary immigration and colonization boards in those provincial and district capitals as it may deem convenient.

ART. 9. The said board shall adopt a system of rules and regulations to be the base of their organization, the same to be submitted to the Government for its approval; it shall also establish rules and regulations for the boards depending upon it.

ART 10. The duty of the members of the board of immigration and colonization is to give counsel, and they are obliged to serve for the term of four years, and the post can only be vacated before the authority that made the appointment when a just cause has been found to exist.

The boards will be renewed every two years; that is to say, half at a time, the renewal of the first half being effected by drawing lots, that of the following by law.

ART. 11. The central board of emigration and colonization shall present to the Government once a year, and when required, a report upon the conditions and requirements of the different centers of colonization, embracing the data and information supplied by the provincial boards as regards the branches of industry actually existing, or such as are about to be established, salaries, climate, and other matters referring to colonization.

ART. 12. That the same boards as regards emigration be vested with the initiative expressed in art. 17 of the law of decentralization from the central government as far as it concerns the services and modes of dispensing the same, best adapted to protect the work of colonizing with emigrants.

ART. 13. The Government shall appoint such technical commissioners as are indispensable for the study and encouraging colonization.

ART. 14. The consuls-general of the Republic appointed in foreign countries shall, at their respective offices, open bureaus of information, in order to make known the advantages of emigrating to the Republic.

ART. 15. During the arrangement of buildings for the reception of the colonists, the Executive is authorized to provide 60 cents a day for the support of adult emigrants, and 30 cents for children under twelve years of age.

ART. 16. The emigrants brought to Peru under the authority of the law of November 23, 1889, as referring to colonization and the prolongation of the Oroya Railroad are not included with those who are entitled to the benefits of this present law.

Let this be communicated to the Executive, so that the necessary steps for rendering it effective may be taken.

Given at the House of Congress this 7th day of October, 1893.

FRANCISCO ROSAS,
President of the Senate.
MARIANO NICOLAS VALCARCEL,
President of the Chamber of Deputies.

LEONIDAS CARDENAS,
Secretary of the Senate.
ELISEO ARANJO,
Secretary of the Chamber of Commerce.

To His Excellency the Constitutional President of the Republic.

I consequently order the impression, publication, circulation, and due carrying out.

Given at the Government House in Lima on the 14th day of October, 1893.

REMIGIO MORALES BERMUDEZ,
ALFREDO GASTON,