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Feb 16 1850. No. 11. 11. 11. 11.

Consulate of the United States.  
Havana January 8<sup>th</sup> 1850.

Hon<sup>ble</sup> John M. Clayton,  
Secretary of State,  
Washington City.  
Sir.

There has not necessarily occurred any thing in Havana worthy of being made the subject of an official communication, unless it may be the sailing this morning of the same Squadron consisting of the Baritan, Albany, Hirt, and Water Witch. They separated after leaving the port, but as the Secretary of the Navy has doubtless been informed by Commodore Parker of their different destinations it would be supererogation on my part to attempt to name them.

The Commodore, and the commanding officers of the different vessels of the Squadron were invited with myself to dine with the Captain General on twelfth day, (the Pascua militar of Spain). The guests were about sixty four, embracing the first officers of the Government, Civil,

Military, and Marines. All were very courteously and respectfully entertained, and Commodore Parker says he never saw in Europe any dinner so splendid, elegant, and tasteful. Such things are ~~not~~ trifles, and are only mentioned as evidence of the disposition of the Captain General to respect those who are the employes of the Government of the United States.

I have the honor to be, Sir,

With great respect & esteem,

Yr. Mt. Obedt Servt

Robert W. Campbell

Copy

Consulate of the United States

Havana January 24<sup>th</sup> 1852

To His Excellency  
The Governor Capt General  
of the Island of Cuba

Ye. &c. &c.

Sir

At four o'clock yesterday afternoon I was called on by a lady representing herself as the wife of G. P. V. Leonard, an American citizen, who she stated, had taken out a carte of demeritiation on the twenty ninth of October last, had been arrested the day before at Nueva Paz by order of the Government, and brought to this city for imprisonment. The lady represents herself as knowing nothing of the cause of arrest, but states that her husband directed her to inform me, as the Consul of his country, that he had been arrested, accompanied with a request that I would call at the Royal Prison to see him.

In conformity to that request, I called at the Prison, enquired for the

Alcaide, and was shown a person whom I presumed held that office; from him I learned that no such person was in prison.

About 6 P. M. I was informed by the individual who I supposed to be the Alcaide of the Royal Prison, that he had been mistaken in telling me that Mr Leonard was not in confinement, as upon examination he discovered that he had arrived about 12 M., and that I could see him.

This morning I sent my Clerk to the Prison, who saw the prisoner in the galera de Santa Rosa, and learned from him that he was entirely ignorant of having committed any offence upon this Island, or of the cause of his arrest. The Alcaide however informed my clerk that the prisoner had been sent by the Governor of Alacranes to be placed at the disposition of Your Excellency.

Failing in my efforts to obtain any definite knowledge of Mr Leonard's offence from other sources, and he appearing to

be a prisoner of the Government. Your  
Excellency will excuse my asking of you  
the cause of arrest and confinement in  
the Royal Prison of the American citizen  
C. P. V. Esnard.

An early reply to this communication  
will confer a favour.

I have the honor to be

With considerations

of great respect

Your Excellency's

Most obt. servt.

(signed) Robert B. Campbell

Translation.

(Sup. Secretaría Policia.)

Señalia efectivamente de-  
tenido el individuo C. P.  
Esnard, como sujeto a in-  
vestigación judicial,  
y se lo manifestó a V. d. pa-  
ra su inteligencia, asien-  
do que por ser asunto de  
Gobierno me pertenece exclu-  
sivamente. Dios que a V. S.  
Hd. a Habana 26 de Enero de  
1850. El Virrey de Alcaj.

Political Secretary's Office.  
The individual C. P. Esnard  
is in fact detained as  
subject to a judicial in-  
vestigation, and I com-  
municate to Your Lordship  
for your information, although  
being an affair of the Go-  
vernment it belongs exclu-  
sively to me. God preserve  
Y. Lordship many years. Ha-  
vana 26<sup>th</sup> January 1850.

Comandante de los Estados Unidos

El Comandante de Alcaj.  
To the Consul of the United States

Consulate of the United States

Havana January 31<sup>st</sup> 1850

Personally appeared L. P. V. Leonard, who declared that he was arrested on the twenty second day of January 1850 at his house in Vegas, Department of Alacranes and taken to the city of  Nueva Paz in presence of the Lieutenant Governor by whom he was questioned, where he had resided during his stay on the Island in July last? he answered, upon his father's property. What persons he had visited while there? he answered, Sr Francisco Gonzalez, and no other. When did he leave the Island? answer, the latter end of July. Who had given him passport? Nobody. What port had he sailed from? Havana, and that he had left without a passport with the intention of returning to the Havana with his family, which he did in October last, that upon his arrival at Havana he made application for a certificate of domiciliation which was given to him a few days afterwards, that the agent who got out the certificate for him told him

that his name was on a list which he doubts not has been the cause of his (Leonard's) arrest, that the Governor of Alacranes at the time of the arrest told him that the Captain General wished to get information from him in relation to certain persons, although no names were mentioned. That on the 23<sup>rd</sup> instant he was sent accompanied by the Captain of the Parish of Nueva Paz to the Prison of Havana, to be kept there at the disposition of the Captain General. That during his stay in the Prison, which was to this date, in the department called Santa Rosa, with the thieves and cutthroats of the whole Island, he was not questioned at all. That on the thirty first January he was called by the Jailor, taken in the presence of a respectable gentleman who informed him that he would be set at liberty upon paying a fine of twenty five dollars, and that if ever he made himself liable to suspicion, he would be expelled from the Island; that he answered that he had no money as his wife had gone out to the country, but

the gentleman told him that he could  
take his time for paying the money,  
and that the American Consul having  
lent him the money, he went and paid  
it, but what the fine was for, he is  
entirely ignorant, except what is to  
be seen on the face of the receipt given  
for the money, to wit, for having left  
the Island without a passport.

Charles Peter V. Bernardo.

sworn to before me, on the day of the date  
written on the first page.

Robert B. Campbell.

Consulate of the United States

Havana February 1<sup>st</sup> 1850

Honble John M. Clayton

Secretary of State

Washington City

Sir

I have the honor to enclose herewith a copy of a short correspondence with the Captain General, and of an affidavit of Mr Senard, whose arrest and imprisonment gave rise to the correspondence.

You will observe that my letter to the Captain General is a courteous & prepared request to be informed of the cause of arrest and confinement in the Royal Prison of the American citizen C. P. V. Senard. Is this civil & proper, and in my opinion, necessary request, I am informed by His Excellency that Mr Senard is imprisoned, but the cause is not given, and His Excellency concludes his letter by saying "it being an affair of the Government it belongs exclusively to me". This letter of the

Captain General appears to assume the principle that when an American citizen is arrested with or without cause by the Spanish Authorities, within the Government of the United States, or its agents can claim to be informed of the circumstances which induce arrest and imprisonment.

My feelings and opinions prompted an immediate reply contesting this position, but they yielded to a sense of duty which require <sup>me</sup> to obey instructions contained in your official communication of the twenty sixth day of May 1849 in which, while alluding to difficulties that I then thought might be impending over Americans in Cuba, you say, "Should the difficulties <sup>you</sup> seem to apprehend arise, you will immediately report the occurrence to the Department, which will receive prompt attention." In obedience to which instructions this communication is now made.

In Mr Senard's case it appears somewhat strange that the officer at the

Charles Peter V. Eonard

Prison should in the first instance  
have denied to me having such a  
prisoner in custody, and it is equally  
strange that Mr Inward underwent  
no examination in Havana, although  
he had been informed by the Governor  
of Alacranes "that the Captain General  
wished to get information from him  
in relation to certain persons."

Had the arrest been made solely to  
collect the fine of twenty five dollars,  
the fine could have been collected  
where Mr Inward had funds and  
friends, and he would thereby have  
escaped the painful incarceration  
of more than nine days.

To secure Mr Inward from that  
despondence and alarm so apt to  
overwhelm the firmest when in-  
carcerated in a Spanish dungeon,  
I had him repeatedly visited in  
Prison.

I have the honor to be, Sir,

With great respect & esteem

Yr Mt Obed Servt

Robert B. Campbell



is the original? *R. 11*  
(See. no. Feb. 23. R. 3)

Consulate of the United States  
Havana February 1<sup>st</sup> 1850

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Secretary of State  
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With great respect & esteem

I have the honor to be, Sir,

Yr. Mt. Obed. servt.

Robert W. Campbell

Copy. Sagua la Grande February 23, 1852

My dear Sir,

You have doubtless been informed through our Vice-Consul, Mr. Sean, of the circumstances which have recently occurred here in which I am a sufferer. In addition I take the liberty to address you, having the honor of your acquaintance, and trust that you will on this account as well as in your official capacity extend the aid and advice now needed.

Immediately after the imprisonment of these men, and my own arrest, documents were forwarded to Mr. Sean informing him of the facts, and asking for his interposition. Although four weeks have elapsed, I find myself still in the same position - and but one, so far as I have learnt, of the three men imprisoned, released, he I suppose on account of his youth.

I passed one week of anxiety in undergoing an examination, and interpreting the scrutiny of my papers, as well business as private. at the end of this

time I was told that nothing appearing to my detriment, (and the evidence of other parties going to clear me from all connection with the importation of the Powder) I should soon be liberated, and have my papers restored. Nevertheless this is not done. I am yet without my books and accounts, (which as you may suppose are of the greatest importance to a mercantile man), my property, consisting of lumber and cooper-  
age materials in prospect of being worked,  
all embargoed and liable to seizure, and myself not allowed to leave this town which is at a distance from my business. So, my dear Sir, as you believe me innocent, make exertion on my own, & others behalf. It is not in the nature of man to suffer causelessly without making application or appeal for relief. I have forwarded protests from myself and the men released to my friends in the U. S. to be presented to the Executive - also facts relative to the case of Edward Rice & Lambert still in prison. Trusting this may meet your favourable notice,

I remain

165  
R.  
Diplomatic  
Consulate of the United States  
Havana February 28. 1850.

Honble John M. Clayton.  
Secretary of State  
Washington City.  
Sir.

I have the honor to enclose  
herewith copies of a letter, and of my  
reply thereto, from an American citizen,  
James A. West, established as a mer-  
chant at Laguna la Grande where the  
Consul for Trinidad has a consular agent.

From my letter to Mr West, you will  
perceive that I have declined official  
action on the following grounds.

1<sup>st</sup>. That I am only recognized as Consul  
for Havana. 2<sup>d</sup>. That my interference  
in the affairs of the consulate of Trin-  
idad might be offensive to Mr. McLean.

My letter to Mr West would have  
been more full, but as his papers are  
all seized, it is probable that all letters  
to his address will be intercepted.

To have addressed the Captain  
General officially in behalf of Mr.

West would have drawn from him  
the charge of my desiring to assume  
duties beyond the sphere of the consulate,  
and a quotation from my legation  
to prove its justice.

If an opportunity occurs to  
interpose unofficially it will be  
embraced.

I have the honor to be, Sir

With great respect & esteem

Yr Mt Obedt servt.

- Robert B. Campbell

very respectfully & humbly

Your obt. servt.

(signed) James H. West.

Genl Campbell }  
U. S. Consul }  
Havana }

(copy) Consulate of the United States  
Havana February 28<sup>th</sup> 1852

My dear Sir

Your communication of the 23<sup>rd</sup>  
inst. came to hand yesterday, and in  
reply, it becomes necessary to state that  
my Government only recognizes me as  
Consul for Havana, and whatever may  
be my disposition to interpose in your  
business it would perhaps be just cause  
of offence to the Consul at Havana that  
I should interfere officially in the discharge  
of duties belonging exclusively to him.

There can be no doubt, Mr  
McLean has given prompt attention  
to your application, and it is pre-  
sumed he only withholds his reply

until he has something definite to  
communicate.

very respectfully

Y<sup>r</sup> obt. servt.

(signed) Robert B. Campbell.

James H. West Esq.  
Sagua la Grande.

X

Yaguajay la Grande Feb 5. 1852

Sir,

I have not the honor to acknowledge receipt of any communication from you as yet.

Enclosed please find my Protest made before Notary Public here, which I wish to deposit in your hands in furtherance of my claims, and to be used by you in any manner which your good judgement and friendly sympathies may suggest.

Things remain in the same state as for the last few weeks. examinations, I believe, have closed. Still the American and Frenchmen are yet imprisoned, my property embargoed, my papers unreturned, and my release not granted me.

With much respect

I remain, Sir, ob. servt.

(signed) James H. West

General Campbell  
Comand. U. S.  
Havana

Translation from the Spanish

Protest. In the port of Yaguajay la Grande on the twenty eighth day of February, eighteen hundred and fifty, before me a Notary Public, and the witnesses, appeared Mr James H. West, whom I declare to know, and he said: that under date the thirtieth of January last he was ordered by the Lieutenant Governor of this Port in consequence of a communication from the Government of the town of Santa Clara to keep arrest in this town, this being followed by a sequestration of all his papers as he was believed to be connected in some criminal affair in regard to the security of the country: that this suspicion being completely removed at the end of a week by the search made of the said papers, it would have been just and proper that they should have been delivered to him, and the detention imposed upon him discontinued, more so as the complainant has punctually complied with all the orders given to him by the Government in the course of the proceedings;

but as nothing was decided in regard  
to those matters, and as the complainant  
is suffering enormous losses by a mea-  
-sure which ought to have ceased in view  
of his innocence, he petitioned for his  
release, and the delivery of his papers  
from the Lieutenant Governor of this Port,  
which petition was not acceded to by  
that officer, whereupon he reiterated  
the same petition on the eleventh inst;  
that the papers relating to his private  
business should be returned to him,  
to which no answer has been given  
to this date. Under such circumstances  
he finds himself in the necessity of  
formally entering the most solemn  
protest, once, twice, three times, and  
as many more as may be permitted  
him by the laws, against any party  
whomsoever it may concern for all  
damages, costs, and detriments that  
may accrue to him by the detention  
of his person and papers, leaving in all  
their force and vigor all actions which  
may be his right, to use them, before whom,  
in the manner, and when he may deem

it convenient. In which terms he request-  
ed me to extend this protest, which he  
signed in the presence of D. Juan Gal-  
gado, D. José Bonaw, and D. Manuel  
Martiner, of this place, witnessed -  
James St. West - Before me - Andres  
Arce. -

It is in conformity to the original  
remaining in my power and archives  
to which I refer, and at the request of  
the party I had the present copy  
written on the same day the original  
was granted.

(signed) Andres Arce.

his witness.

R. Consulate of the United States  
Havana March 8<sup>th</sup> 1850

Honble John M. Clayton  
Secretary of State  
Washington City

Sir

I had the honor to forward  
you on the twenty eighth of February  
last copies of a correspondence with  
Mr James A. West.

I have received this morning from  
Mr West, residing at Sagua la Gran-  
de, a letter, and a copy of a protest  
made before a Notary Public of that  
place, copies of which, and a translation  
of the protest, are herewith forwarded.  
By these you will discover that Mr  
West is still a prisoner in certain limits,  
his property embargoed, and his papers  
sequestered.

So far as I am informed of the circum-  
stances of the arrest of Mr West by  
Mr McLean's Agent at Sagua la  
Grande, they are as follows. The  
Brig Colian, Gordon master, arrived

from Boston at Sagua la Grande  
and Granadillo with cargo, a part  
of which consisted of twenty kegs of  
Blasting powder, and two hundreds  
and forty canisters of sporting powder.  
The powder was smuggled on shore,  
and subsequently discovered at a place  
where certain store houses were being  
built. Three white men (two Americans  
and one Frenchman) and two negroes  
belonging to an English planter,  
Mr Finney, were arrested and confined,  
Mr West, and Captain Gordon were  
placed under arrest having the town  
of Sagua la Grande for their limits.  
Captain Gordon after avowing him-  
self as the only party interested in the  
powder got on board of his vessel, and  
proceeded to sea, he was pursued, but  
not overtaken.

My object in enclosing Mr West's  
protest is to enable you, if you  
deem it proper, to give such instruc-  
tions as your better judgement  
may dictate.

I have the honor to be, Sir,  
With great respect & esteem,  
Yr Mt. Obedt servt.  
Robert B. C. in place



Feb 25 1850

R. M. Lusk

Consulate of the United States  
Havana April 17<sup>th</sup> 1850

Honble John M. Clayton  
Secretary of State  
Washington City  
Sir

I have the honor to acknowledge  
having received your despatch of the 2<sup>th</sup>  
of February last, enclosing a communica-  
tion from Mr Lacey, one of the sureties on  
my Consular Bonds. The death of General  
Clinch making it necessary to renew  
the bond. I herewith inclose an executed  
bond, with Thomas Goo and James  
Robb Esq<sup>r</sup> of New Orleans as se-  
curities.

Should these gentlemen be un-  
known to the Department, or the  
officer whose duty it is to judge of the  
sufficiency of the sureties. I beg leave  
to refer to the President as they are  
both his personal friends, and Mr  
Robb is perhaps the most wealthy  
Banker of New Orleans.

With great respect & esteem,

I have the honor  
to be, Sir,

Yr. M<sup>t</sup> Ob<sup>t</sup> serv<sup>t</sup>

Robert W. Campbell

Consulate of the United States

Havana April 17<sup>th</sup> 1850

Honble John M. Clayton

Secretary of State

Washington City

Sir

A circumstance has recently occurred here, details of which I feel it a duty to furnish lest any misrepresentations may be made to you or elsewhere.

Don Ramon Montalvo arrived in Havana on the Georgias from New York about the 19<sup>th</sup> of March; after some days he called at my house, stated that the Captain General had on that day twice sent for him, and at the same time exhibiting to me his passport as an American citizen, signed by you on the eleventh of March, and asked my advice. I told him to obey the Captain General's summons, but to leave his passport in the hands of one of his friends to be handed me in the event of his arrest. I heard nothing more

of Mr Montalvo until about two days after the Georgias sailed upon her last trip for New York, when it was reported that Mr Montalvo had been taken from the Georgias by an officer of the Government, and placed under arrest. I then examined the passport with which he was to have left the Island, and found that it was an original passport given him as a native of the Island in May 1849, countersigned by the Spanish Consul in New York about the 10<sup>th</sup> of March, and countersigned by the Captain General here in this month to return to New York. Upon inquiry I found that Mr Montalvo was not imprisoned, but arrested, and ordered to remain at home. I called to see him accompanied by Commodore Parker, and he told us both that he had in the presence of the Captain General, and other witnesses formally renounced his allegiance to, and the protection of the American Government. I then informed him that I would not interfere in his behalf un-

Let he authorized me to say that his renunciation of allegiance and protection, and assumption of the character of a Spanish subject was involuntary, and induced by moral coercion. This he declined, consequently Commodore Parker and myself both thought gratuitous, unsolicited, and in fact refused interference, would be improper. The second day however after this visit the party was relieved from arrest, and a passport given him to leave the country.

I have the honor to be, Sir,

With great respect & esteem,

Your most obt. servt.

Robert B. C. W. P. C.

There prevails in this city considerable alarm, in relation to cholera, of which disease there have doubtless been some cases. At the military hospital there have been one hundred and ninety cases said to be cholera, of which one hundred and fifty have died. Many Physicians however believe the disease to have been typhus fever.

11. 13. 6.

Feb 15, 1850

W. L. Linton.

R. Consulate of the United States  
Havana May 8<sup>th</sup> 1850

Honble John M. Clayton.  
Secretary of State  
Washington City.  
Sir.

Since the breaking out  
of the Cholera in this city the follow-  
ing Americans have fallen victims  
to the disease.

William Johnson, carpenter, of Georgia  
Patrick Corroy, carpenter, of New York.  
Mrs. Cutbush, widow of the late Doctor  
Cutbush, formerly of the Military  
Academy.

William Bayley, a sailor on the Bark  
Anogene, whose dunnage was taken  
charge of by Mr C. N. Banks, the  
director of a circus company to  
which the deceased was attached.  
A Brazilian named Henry Antho-  
lomico who died on the same Bark,  
also attached to the circus company.  
Benjamin Smith, master of the  
Ship James Drake, also died a

few days ago. He was first attacked  
with Cholera, and then by Erysipela  
which his physicians report as the  
cause of his death.

We have prevailing according to  
information derived from the Board  
of Health much yellow fever, and  
from ninety to one hundred and six  
deaths daily occurring from cholera,  
exclusive of those of the soldiers and  
seamen of the Spanish Army and Navy.  
I have the honor to be, Sir,

With great respect & esteem

Yr. Mt. Obedt. Servt.

Robert B. Campbell

Consulate of the United States  
Havana May 16<sup>th</sup> 1850

Honble John M. Clayton

Secretary of State

Washington City

Sir

I received on the afternoon  
of yesterday an official communication  
from Mr. M. Lean, United States Consul  
at Trinidad, in which he states "I take  
the liberty of calling your attention to  
the case of Mr West of Yaguajay Grande,  
and also that of Edward Reid Lambden,  
a man in the employ of Mr West at  
Villa Clara".

Upon the receipt of Mr. M. Lean's letter,  
I addressed a communication to the Inten-  
dente, the chief of the Real Haciendas,  
a copy of which, with an extract of  
Mr. M. Lean's, is herewith enclosed.

You will perceive by the letter of Mr  
M. Lean that Mr West labours under  
a gross mistake in supposing that the  
State Department had sent me any  
instructions upon the subject, certain-

ly none have been received at this office,  
nor were any expected, for the whole occurrence  
having taken place beyond the jurisdiction  
of this Consulate, the instructions if sent  
would have been I presume to the Consul  
at Trinidad.

About the 22<sup>nd</sup> of February last I received  
the first letter from Mr West, a copy of  
which was enclosed to you with my  
reply giving as reasons for my declining  
the impropriety of interfering with Mr  
M. Lean, who was in all respects com-  
petent to the able discharge of all the  
duties of his office, and the probability  
that my letters would be returned me  
with a reference to my Co-adjutor to  
show that I was only Consul for  
Havana. In the present instance  
I place my action on the ground of  
Mr M. Lean's request. With great  
respect &c I have the honor to be

Sir, Or Mr Olt serv  
Robert B. Cumplace

(Extract) Consulate U. S. A.  
Santiago de Cuba  
Havana May 10<sup>th</sup> 1857

Genl Robert B. Campbell

U. S. Consul

Havana

Dear Sir

I will take the liberty of calling your attention to the case of Mr West of Yaguajay Grande, and also of that of Edward Reed Lambden, a man in the employ of Mr West at Villa Clara. As you no doubt have been placed in possession of all the circumstances connected with their cases, I will only state what steps I have taken in the matter, premising that I understand from Mr West that plenary powers have been forwarded to you by the Secretary of State to demand full satisfaction for the injuries imposed on him and Mr Lambden. I addressed a letter to the Governor of Villa Clara upon being made acquainted with the arrest of Mr West, and the imprisonment of Mr Lambden, but was referred

by him to the 'Comandante Gral' of this Department, who is also Governor of this place. I then applied to the Governor here by note for a copy of the charges preferred against the prisoners, and also requested his immediate attention to their cases, and if no guilt attached to them to order their release. I was officially informed by him that the matter had been sent to Havana for the adjudication of the Cap. Gral, but a few days after was personally told by him that the persons were released from arrest and imprisonment, and that the matter was looked upon as a mere act of contraband, and that no political importance was attached to it. I however on receipt of his 'oficio' wrote a full statement of the affair to the Cap. Gral, and requested if no charge was proved against them, that they be immediately released. The answer received from the Captain General was that he had sent my communication to the 'Sargado de Real Hacienda' for his

action, or decision, and that it was  
not in his power to interfere further  
with it.

Thus the matter rests for the  
present. Some one is responsible,  
and I feel every confidence in your  
being able to attach it to the proper  
person. These matters are extremely  
unpleasant, but the rights and  
privileges of an American citizen  
are subjects of paramount consider-  
-ation, and I well know that by you  
they are so esteemed.

With much respect &c.

(signed) Saml. M. Leau

Cuba  
Consulate of the United States  
Havana May 16<sup>th</sup> 1850

To His Excellency  
The Count of Villanueva  
Superintendent General of  
the Finances of the Island of Cuba.  
&c. &c. &c.

Sir

Mr James H. West, an American Merchant residing at Jagua la Grande, has repeatedly written to me complaining of what he deems the persecutions of this Government as practised towards himself, and an American citizen of the name of Edward R. Lambden, who has for some months been imprisoned. Three occurrences having taken place beyond the jurisdiction of this Consulate, I did not feel authorized officially to intermeddle with them, but personally waited upon the Captain General, and drew his attention to the facts as represented to me. His Excellency stated that nothing political was involved

in the affair, and being only a case of Contraband he had nothing to do with it, the Jurgado de Real Haciendas having the investigation in charge, kindly stating at the same time that he would draw the attention of Your Excellency to the subject. The United States Consul at Trinidad, in the jurisdiction of whose Consulate the occurrences took place, has written me a letter, yesterday received, in which he calls my attention to the fact that Mr James H. West is still under arrest, and Mr Lambden in prison, stating also that he has officially addressed the Captain General upon the merits of their cases, and has been informed by His Excellency that he can do nothing in the affair, as it is pending in the Tribunal immediately under your jurisdiction, but that he had sent the Consular Communication to you.

The Consul at Trinidad has therefore requested my interposition as the case seems pending in Havana, before the Tribunal of which you are the Chief. Your Excellency cannot fail to



perceive the grievous injury inflicted upon Mr West by his long arrest, and the sequestration of papers thereby depriving him of all facilities of business, and the means of making an honest subsistence for his family.

Bad as the case of Mr West is, that of Mr Lambden is still more painful, for to similar evils are superadded the suffering of an incarceration of his person, and deprivation of liberty, one of the greatest evils known to man. I beg leave therefore to call the prompt attention of Your Excellency to the condition of these unfortunate men, in the hope that you will take such steps as will ensure a speedy termination of their trial, which has already been either progressing or stationary for about four months, thereby causing a delay harassing and grievous, and equivalent to a temporary denial of justice.

Mr West and Lambden are of necessity either guilty, or they are innocent. If guilty, the law prescribes

the punishment, and no complaint can be made of its being inflicted. If innocent, justice requires that they should be promptly discharged, that their arrest, and imprisonment should terminate, and their reputations relieved from the imputations cast upon them.

Should the laid delays cause these two American citizens to be kept longer in arrest, and confinement, I must ask the favor of Your Excellency to furnish me a copy of the charges against them, and of the proceedings had thereon that they may be forwarded to my Government, to which I have understood serious complaints have already been made by influential friends of Mr West residing in the United States.

I have the honor to be  
With considerations  
of great respect & esteem  
Your Excellency's  
Most Obedt Servt  
(signed) Robert B. Campbell.

(Real)

Recibi' la comunicacion que V. S. se sirvió darme con fecha diez y seis del mes actual, y de lo que sobre el particular de que trata me ha consultado el Sr. Asesor gral de esta Superintendencia, y de los antecedentes que he tenido a la vista, resulta que si bien los Ciudadanos de la Union Mr James H. West, y Eduardo R. Lambden se hallan en prision a consecuencia de la causa que se sigue por el Jurgado de la Audiencia de Puerto Principe, y no por el de esta, con motivo de la aprehension de 20 barriles de pólvora que se trataban de introducir de contrabando en el partido de Granadillo, y en cuya causa aparecen culpables dichos individuos; no por eso sufren vejaciones de ninguna clase, y yo por mi parte he esitado ya el celo de la citada Intendencia de Puerto Principe para la pronta conclusion de las diligencias del asunto.

Sin embargo en obsequio a lo que V. S. me manifiesta, y conformandome con

la insinuacion que me hace el mismo Asesor, repito mis ordenes al Sr. Intendente de la expresada provincia, a fin de que sin faltar a los trámites juridicos, se que no puede prescindirse, active y termine la causa de que se trata lo mas pronto que sea dable: y lo pongo en conocimiento de V. S. en respuesta a su presentada comunicacion.

Dios que a V. S. me at. Habana 19 de Mayo de 1850.

(signed) El Conde de Villanueva.

Vr. Consul de los Estados Unidos en esta plaza.

(Seal)

I received the communication which Your Lordship was pleased to address me under date of the 16<sup>th</sup> Inst. and from what upon the subject referred to has been advised me by the Intendant General of this Superintendencia, and from information which I have had before me, it appears that although the citizens of the Union Mr James H. West, and Edward R. Lambden are in prisons in consequence of the cause prosecuted by the Court of the Audiencia of Puerto Principe, and not by the Court of this Superintendencia by reason of the seizure of 25 barrels of powder which had been attempted to be introduced by contrabands in the Parish of Granadillo, in which cause said individuals appear to be culpable, they do not on that account undergo any suffering, and I for my part have already moved the Real of the Chief of the aforesaid Intendencia of Puerto Principe for the prompt termination of the proceedings upon

the subject.

However in compliance with what Your Lordship expresses to me, and conforming to the suggestion made to me by the same Intendant, I repeat my orders to the Intendant of the said province, to the ends that without neglecting any judicial procedure, which cannot be dispensed with, he will quicken and terminate the cause referred to with the least possible delay. Which I communicate to Your Lordship in answer to your communication before mentioned. God preserve Your Lordship many years.  
Havanas May 19<sup>th</sup> 1850.  
(signed) The Count of Villanueva.

To the Consul of the United States in this City. —

Recd 25 May 50.

K. Consulate of the United States  
Havanas May 17<sup>th</sup> 1850

Honble John M. Clayton  
Secretary of State  
Washington City  
Dist.

Fearing I should be sus-  
pected of negligence in attending  
to your instructions for the recovery of  
the effects of Mr. Muencher, who died  
in Matanzas, I will state that im-  
mediately upon receipt of your  
instructions I addressed a letter  
to the Captain General upon the  
subject. Knowing all proceedings on  
the part of this Government to be  
dilatary, I awaited an answer for  
some time; then addressed the  
Secretary who informed me that no  
reply had been received from the  
Juzgado de difuntos. On yesterday  
I again addressed the Captain General  
drawing his attention to my first com-  
munication in reply to which I have  
this day received the enclosed reply,

Real Political Secretary's Office.

Your Lordship's communication of  
the 20<sup>th</sup> ult<sup>o</sup> having been received,  
it has not been possible to come to a  
decision, as the "Delegado de bienes de  
difuntos" at Matanzas has not sent  
the proceedings about the death of Mr.  
Muencher in consequence of the proce-  
-dure he may have had to establish,  
but under this same date I have offe-  
cially written to the Court to remit  
the result with the least possible  
delay. Which I say to your Lordship  
as a temporary reply to your commu-  
-nication of yesterday's date about  
the subject.

God preserve Your Lordship many  
years.

His Excellency the Governr. Cap. Genl  
being unwell

Crispian Pineda Sandoval.

To the honor of the Republic of the U. S.

May 25 1850

M. de Riant  
to compare with Clayton  
R. Consulate of the United States  
Havana May 19th 1850.

Honble John M. Clayton  
Secretary of State  
Washington City  
Sir

On the arrival of the Steamer Ohio, the Captain General ordered that she should not be permitted to occupy her usual anchorage, but ordered her anchored at the mouth of the harbor, and that none of her passengers for Bahagoes be permitted to land. The Captain thought the anchorage unsafe, and protested against it without avail, the Government at the same time denying any responsibility for accidents that might happen to the Steamer from the insecurity of her position. The cause of the order is only conjectural, but is supposed to proceed from despatches received from New Orleans by the Schooners Fairy and Heroine that arrived some forty hours in ad-

vance of the Ohio, under charter (it is said) by the Spanish Govt.

You are better informed of what has passed, and is passing in relation to the expedition than we can be in Havana, and I will not therefore presume to give you reports, but only observe that great excitement prevails here, some nineteen arm-  
-ed vessels of the Spanish Navy are  
coasting around various parts  
of the Islands to intercept the  
reported expedition. I do not myself believe them very efficient, and should the invaders be in Steamers, doubt not but they will be enabled to effect a landing.

The Government is receiving three  
thousand militia in Havana to  
garrison and protect the city in the  
event of the necessity of sending all  
the troops to the interior. Those officers that are placed in commands, with whom I am acquainted, have never discharged a military duty, or fired a gun.

We shall probably have a good deal of disorder in the city, if civil war should break out. The lower classes are ignorant, idle, debased, and only kept in order by the strong arm of the military.

When that is removed, it is not easy to foretell the consequences, as they may think insults and attacks upon Americans would be acts acceptable to the Authorities who are believed to doubt the good faith of the President, the entire Government, and suspect the connivance of all Americans.

Would it be proper for the President of the United States to intimate to <sup>our</sup> this Government any opinion of the course of policy to be pursued by the United States in the event of the slaves of Cuba being armed?

Would it be proper to send me specific instructions to govern my <sup>own</sup> action in the protection of American citizens and property? Such instructions would add to my ability to serve them.

I enclose herewith a trans.

lated editorial of the official Marine paper of this day, and of an order published in the Gazette of the 18<sup>th</sup> Inst. by which you will see what the Spaniards think of the expeditions. The order exhibits their methods of arresting fugitives.

I have the honor to be, Sir

With great respect & esteem

Yr M<sup>ost</sup> Obedt <sup>Servt</sup>.

Robert B. Campbell

Duplicate  
right sent  
to St. Ohio

Consulate of the United States

Havana May 19<sup>th</sup> 1850.

Honble John M. Clayton.

Secretary of State.

Washington City.

Sir.

On the arrival of the Steamer Ohio, the Captain General ordered that she should not be permitted to occupy her usual anchorage, but ordered her anchored at the mouth of the harbour, and that none of her passengers for Chagres be permitted to land. The Captain thought the anchorage unsafe, and protested against it, but without avail, the Government at the same time denying any responsibility for accidents that might happen to the steamer from the insecurity of her position. The cause of the order is only conjectural, but is supposed to proceed from despatches received from New Orleans by the Schooners Fairy and Heroine that arrived some forty hours in advance of the Ohio under charter (it is said) by the Spanish Consul.

Your Obedt Servt

Robert B. Campbell

Consulate of the United States

Havana May 22<sup>d</sup> 1850

Honble John M. Clayton  
Secretary of State  
Washington City  
Sir

I have the honor to enclose herewith a copy of a short correspondence with the Captain General growing out of a publication in the evening Bulletin of the 20<sup>th</sup> of one of the Government papers. The Bulletin stated that the General of Marine had captured at Cooty two vessels and some hundreds men.

Knowing nothing of the particulars beyond the report which you will find republished in the paper of the morning of the 21<sup>st</sup> herewith transmitted, my letter to the Captain General was written with great caution and respect, as you will see.

I shall not renew the correspondence until the arrival of the captured vessels, unless I find that the twelve prisoners said to have arrived are about to be punish-

ed. Should that event be likely to occur my present impression is that duty will require me to say to the Captain General that every person without regard to nationality in a regularly documented American merchant vessel is entitled to the protection of the American Government.

I enclose herewith a translated Proclamation, and Edict of the Captain General, declaring the Island in a state of siege, and proclaiming martial law, &c. &c. — A translated copy of the account given of the capture of two vessels, and about one hundred men at Cooty with the comments thereon. — An account of the landing of Lopez at Cardenas, and of his reembarking. The particulars of the landing of Lopez from the most reliable sources are as follows. — At 3 o'clock A. M. of the 19<sup>th</sup> the Steamer Loreto arrived at the wharf at Cardenas. Lopez at the head of about four hundred men immediately landed. The Governor and his command of some seventy soldiers retreated and occupied



a house from which they were dislodged after some firing by the application of fire to the building. The Governor and two other officers were made prisoners, and a portion or perhaps all the soldiers, with one sergeant, joined Lopez. private property of all kind was respected, all supplies were liberally paid for. The money in the Cash on Hand (\$4000) was taken, and about sixteen hundred dollars belonging to the Ayuntamiento. In the evening Lopez reembarked some of his men being drunk, and wandering about the streets, he left an officer to collect and bring them on board. At this time a party of lancers arrived at the spot & charged upon the few men that had been collected. The lancers lost eight men and ten horses. The loss of Lopez was about eight killed, twenty wounded and seven left, who were made prisoners. among the killed was Sanchez Benaga, and among the wounded were Col. White, and the creole Gonzales.

Lopez put to sea with the Governor

(who is a nephew of the Captain General) and two other officers, but after being out some time he placed them on a fishing vessel to be carried back to Cardenas, first receiving a pledge from the Governor that his men who had been made prisoners should be released. Captain Trott of the ship St. Peter just arrived at this port saw a steamer supposed to be the Creole at 12 1/2 of the 21<sup>st</sup> in Lat 23.45, twenty miles southwest of Double headed Shot Keys heading N. W.

The Steamer Peruvio under the command of the General of Marine left Matanzas at about 4 P. M. of the 21<sup>st</sup> in pursuit of Lopez, and the Captain of the Port at Matanzas states, to a highly respectable American, that "if the General of Marine finds Lopez and the Creole at Key West, he would capture them, and settle the hash."

I have the honor to be, Sir  
With great respect & esteem  
Yr. Mt. Obedt. Servt.,  
Robert B. Campbell

(Copy.)  
Consulate of the United States  
Havana May 20<sup>th</sup> 1850.

Or  
His Excellency  
The Count of Alca  
Govr Captain General  
of the Island of Cuba.  
    &c.   &c.   &c.  
Sir.

Having understood that His Excel-  
lency the General of Marine had captured  
on or near the Isle of Contoy two vessels  
and about one hundred men, I would  
respectfully ask of Your Excellency whe-  
ther the vessels were or not under the  
American flag. If under the American  
flag, whether or not they were furnished  
with regular and proper papers; whether  
the men were in whole or in part Ameri-  
can citizens. Should the captured vessels  
be bona fide American, and the men  
or any part of them, American citizens,  
I would at the same time respectfully  
ask of Your Excellency to be informed  
of the circumstances of the capture and  
arrest, and the nature of the offence  
charged against them.

I have the honor to be

with considerations of  
great respect & esteem  
Your Excellency's

M<sup>o</sup>. D<sup>o</sup>. S<sup>o</sup>. S<sup>o</sup>.

(signed) Robert B. Campbell.

(Copy)

(Real) Secretaria Política.

No habiendo llegado a este Puerto los buques que apresaron, los de que me trata V. S. en su comunicacion de ayer, ni hallarse en él el Sr. Comandante General de este Apostadero, no me es posible contestar a los particulares que abraza en citado escrito, lo cual podria significar con conocimiento de antecedentes luego que regrese V. S. Lo que digo a V. S. en contestacion. Dios que a V. S. m. a. Habana 20 de Mayo de 1850.

(signed) El Conde de Alcorq.

El Consul de los Estados Unidos de America.

Translation of the above.

(Real) Political Secretary's office.

As the captured vessels referred to in Your Lordship's communication of yesterday have not arrived in this port, and his excellency the Commander in Chief of this Naval Station is not here, it is not possible for me to give an answer to the particulars embraced in your said letter, which I shall be enabled to do upon having information when His excellency returns. Which I communicate to Your Lordship in answer. God preserve Your Lordship many years. Havana 20<sup>th</sup> of May 1850. (signed) The Count of Alcorq.  
To the Consul of the United States of America.

Translation.

20<sup>th</sup> May 1850

Government, and Captain Generalcy  
of the Always faithful Island of Cuba.  
Political Secretary's Office.

Inhabitants of the always faithful  
Islands of Cuba.  
The Governor, Captain General and  
Commander in Chief of Her Majesty's  
Army, today addresses you to make  
known to you that some depraved  
foreigners without opinions or prin-  
ciples, without country, or feelings, the  
miserable dogs in their greater part,  
which the commotions of Europe have  
thrown upon America in these last  
years, and the same who last year  
attempted to come to the Island from  
the territory of a friendly nation  
where they commenced to assemble,  
are at last this day upon our soil  
to try to realize their rash and inju-  
rious undertaking, an undertaking  
unexampled in the annals of the  
civilized world: a vandalic attempt  
having no other object or purpose but  
pillage, licentiousness, the ruin and

destruction of a country, a model of happiness, which they barefacedly announce as offering them a better field for enriching themselves than the Californias, with the spoliation of all property to be distributed amongst themselves as the recompense of their exploits, with the breaking up of all the bonds, and the relaxing of all those ties which constitute society in this precious Antille, and by which Means she has arrived to that state of prosperous fortune she now flourish-  
es in. Their vehement desire is to sink her to a state of anarchy, and bring on the horrors of a civil war, but of a civil war, the character and consequences of which I need not enumerate to you.

But keep calm, however, I was prepared to receive them, their destiny carries them to their goal, and they shall obtain it. I assure you that the sacred rights of nations and of Spanish nationality cannot be violated, at a less cost. Your well

known fidelity, more than the interests of family and property, are to me a perfect guaranty: I understand the cry of indignation with which you will repel the villains, but their blindness deceives them, and they perhaps do not hear it. it is on this account that I take charge of the message with the loyal and brave army under my command, in the same manner that Her Majesty's Navy will do it on the waters of the Islands and anywhere that they should run to hide themselves. Inhabitants: I hope that no one will observe a wrong conduct: trust to the vigilance of the Authorities, and in the forces of the Queen confided to me for your protection, and for the defence of her dominions.

A respect for the laws and consideration for the noble behaviour of every honest resident will be the soldiers' guide: a rigorous and unlimited punishment, mind you, will await those who should forget what the country expects of all her children, let them <sup>10</sup> Spaniards

of one or the other hemisphere.  
The hour of combat has sounded, and  
its effects shall be heard of in these  
 seas, without any human consideration  
 or reflection. Restraining me: do not  
however forget that calm will soon  
awake again.

Havanna May 19<sup>th</sup> 1850.  
(signed) The Count of Alcoy.

Translated from the Diari de la Mañana  
of Havana, May 21<sup>st</sup> 1850.

Our readers have already seen in the  
Extra published yesterday by us, the result  
of the first attempt which our most Excellent  
Commander General made with a part of  
those who no doubt in a moment of drunken-  
ness intended to disturb the peace we enjoy.  
We are informed that such was their fight,  
the meanness and cowardice ~~they~~ displayed  
in his presence by those who call themselves  
the heroes of Palo Alto, that they inspired  
him with the most profound and deserved  
contempt. They not only surrendered without  
fighting, not only weakly implored like  
miserable women for an undeserved pardon,  
but they had no hesitation in resorting to the  
meanest and most contemptible means.  
Such are the men who in their drunkenness  
dreamed of conquering the Island of Cuba!  
Compare that conduct to that of our gallant  
soldiers, and the world will wonder at their  
stupid attempt.

The case is this: they believed they had  
merely to arrive, and reap the profits of their  
foray. In their delirium they imagined them-

selves owners of the thousands of dollars  
offered them by the traitors, and of the  
rich soils, the products of which were  
to furnish them the means of easily en-  
riching themselves. This hope increased  
their ambition, and they said, let us  
go to Cuba, but they met on their way  
a man with a Spanish heart, and the  
sight of him terrified and confounded them,  
and in his presence they become humili-  
ated, discouraged and debased. The  
same will very soon happen with the rest,  
it is probable that ~~they~~ worthy chief,  
celebrated in other lines of action, will  
seek in a shameful flight the only means  
of getting out of his difficulties; but  
unless our worthy authorities have  
taken the necessary measures, and the  
hour of expiation has already sounded  
for him.

We do not know whether any of our brave  
men have sealed with their blood their  
loyalty to the throne, and their country.  
Should it be so, we shall mourn for the  
victims sacrificed on the altars of duty,  
but besides the consolation that their blood

will be revenged, we have that of saying with  
a noble pride that the bravery of the indomitable  
Spartan is now the same as in the times  
of the illustrious Greece that brought to  
these lands civilization and religion.  
Still more: that if there exist any deceived  
persons in the neighbouring nation that  
imagine such undertakings easy, they  
will be undeceived now that they have  
practically viewed not only a determined  
and gallant army and navy, but number-  
less enthusiastic youths who when the  
least danger appeared hastened to arm  
themselves for exterminating the banditti.  
In the place of proselytes, perhaps expected  
by them in their delirium, they found in  
all the inhabitants without distinction  
strong hearts ready to repel that loathsome  
and vile canaille. From this day the  
Queen of the Antilles will march secure  
of her future by the road of prosperity  
that has been opened to her for sometime  
by the protecting hand of our Sovereign,  
and the solicitude, tact and care of the  
Authorities that so well govern us.

Translation.

Government and Captain Generalcy  
of the always faithful  
Island of Cuba.  
Military Secretary's office  
An Edict.

Don Federico de Roncali, Count of  
Aleo, Governor and Captain General  
of the Island of Cuba, and Commander  
in Chief of the Army, I make known  
that the foreign pirates who have been  
assembled and ready for some time,  
having already landed upon the  
territory confided to me by her Ma-  
jesty for the purpose of carrying into  
effect their sacrilegious designs: in  
the sacred duty of preserving the  
interests of the country, as well as of  
protecting the lives and property of  
its faithful inhabitants, making  
use of the extraordinary powers in-  
voked, and of those to me apper-  
taining as Commander in Chief,  
I ordain and command.

Art. 1<sup>st</sup>. All the territory of the Island  
of Cuba, its cities and adjacent Keys  
are declared to be in a state of siege

and thereby subjected to all its legal  
consequences as long as the circumstances  
causing it shall continue.

Notwithstanding the active and pre-  
eminent <sup>action</sup> which by this declaration the  
Military jurisdiction becomes entitled  
to, all other tribunals and courts will  
continue in their respective exercise,  
having jurisdiction in all common  
or ordinary business not excluded  
by this Edict.

Art. 2<sup>d</sup>. All the coasts of the Islands, and  
its waters are declared in a state of  
blockade by H. M.'s naval forces  
and in consequence thereof all vessels can-  
be required to produce their papers and  
documents, and be scrupulously examined.  
Those coming loaded with passengers  
whatever the port they come from or  
are bound to, may be, as by that fact  
considered suspicious, but if their papers  
and registers do not confirm them as such  
they will in that case only be ordered  
to keep away; should the contrary be  
the case, such as a marked defect  
in their papers, having cargoes of



arms & ammunition, or effects which in any manner may bring on civil war on the Islands, they will immediately be declared enemies and treated as pirates in conformity to the ordinances of the Royal Navy.

Art. 3<sup>d</sup>. All persons detected in any number belonging to the invading bands, will be immediately shot.

Art. 4<sup>th</sup>. Although there is not the remotest expectation that any inhabitant of this country will be found associated with the horde of robbers, forgetting his sacred duties to his Queen, Country and family, and unknowing his own interest, should any one however by misfortune commit such an infamous crime, he will be considered as one of the said foreign horde, and subjected to the same penalty mentioned in the previous article.

Art. 5<sup>th</sup>. Any one serving them as a spy, or voluntarily aiding them with news, money, arms, provisions, or doing them any service will be immediately shot.

Art. 6<sup>th</sup>. To the same penalty will be condemned all those who by public, or hidden and criminal means should attempt to change the good opinion of the inhabitants, the subordination of the slaves in the plantations, or in the least alter their internal order, or that should not hasten to give aid, advice and cooperation with immediate obedience to the legitimate authorities.

Art. 7<sup>th</sup>. Commandants General of Departments, Lieutenant Governors in their districts, and commanding officers of troops of operations, and also those in garrison in castles and forts are charged with the most exact & punctual compliance. All public employes of any rank belonging to any class or branch of the Government will cooperate for the best of the service. Any negligence or connivance will incur the penalty of death.  
Havana May 19<sup>th</sup> 1850.  
(signed) The Count of Alcañices

Translated from the official Gazette of  
Havana, May 21<sup>st</sup> 1850.

Long live Queen Isabel! Long live Spain!

Hardly had the noble cry of indignation burst out from these faithful inhabitants produced by the news that the vandals had already set foot on her, scarcely had the words of our Superior Authority in his proclamation and edict, published by us last night, been heard, when we have already the enjoyable pleasure of being able to announce a victory.

The arrival of H. M. S. Steamer *Peñaró* which came in today having on board His Excellency Fr. D. Francisco Amoro y Peñaranda, Commandant General of this Naval Station, has furnished us the important news of the event of two vessels belonging to the vandals having been captured.

The said steamer had sailed from this port on the evening of the 16<sup>th</sup>. On the 17<sup>th</sup> she learned at the light house on Cape San Antonio that nothing had occurred on that side, and having after-

wards met the Brig *Habana*, she towed the Brig, and both vessels went upon country where a ship and a hermaphrodite Brig were lying, both being merchant vessels. These vessels had on board upwards of one hundred men, of various nations, badly dressed and equipped, who had arrived from the Isles of Canto & Mujeres near Guatan, and which were the rendezvous of the pirates engaged in the expedition.

The result of this encounter, and of the proper measures taken by the most worthy and intrepid Genl. Amoro has been the capture of both vessels and of all the adventures that were on board, and likewise of the whole correspondence of D. Narciso López, the chief of the expedition that two days before the event we relate had taken a course northwards with some people to fall into, as doubtless they have fallen at this time, the hands of our brave troops, and paid with a shameful death his detestable conduct. The correspondence taken will furnish very interesting facts for a complete knowledge of that hair-brained criminal plan, so that we ought on many accounts

to consider this event of the greatest importance.

The Pizarro has brought fourteen of the prisoners that exceed a hundred. By their own saying they appear to be leaders of the expedition: they belong to various nations, and have shown such an inexplicable pusillanimity for men who had dreamed of so daring an undertaking.

We have also learned by the Pizarro that all the force the adventurers rely upon does not exceed five hundred men: that their intention was to land in the jurisdiction of Matanzas, and direct their steps afterwards to Havana; to this Havana that had scarcely read the Edict of the Superior Authority saw to call for arms to help him in case of necessity for the chastisement of the expeditionists! to this Havana, where in twelve hours of voluntary enlistments has placed at the disposition of the Government thirteen thousand able men ready for war! What will those miserable men say at the sight of

such enthusiasm, decision, and patriotism? But could they expect any thing else, being men whose only object was pillage, men who thought to divide among themselves our property, to be able to give to every officer 2,000 of gold an estate, and to each soldier 400 of at the end of the campaign.

It is to be hoped that this lesson will undeceive those miserable men who being thirsty for gold and blood undertake adventures in search of booty to satiate their hunger. If there are unfortunate countries existing in which they might perhaps try with impunity their daring, now they will have perceived that it is impossible in any part of the Spanish Monarchy, and less so in this rich and happy Island, sensible and loyal that owes her prosperity and aggrandisement to her undeviated fidelity, and that contented, proud and grateful relies for existence and future on her inalterable union with the Metropolis.

With General Campbell's letter of 19<sup>o</sup> May, 1850.

18/4. Don Francisco Javier Mendoza, caballero de la Real orden de Isabel la Católica, capitán de infantería, condecorado con un escudo de distinción, y uno de los fiscales del Tribunal de la Comisión militar ejecutiva permanente de esta Ysla.

Habiéndose ausentado de esta plaza, y otros lugares de la isla donde estaban averandados D. Cirilo Villaverde, que hizo fuga de la cárcel de esta capital, D. José María Sánchez Snaga, D. Ambrosio José González, D. Juan Manuel Macías, Ldo D. Pedro Aguero, D. Victoriano de Arrieta, D. Gaspar Betancourt y Cisneros (a) el Lugareño, y D. Cristóbal Madan, a quienes estoy procesando por el delito de conspiración contra los legítimos derechos de S. M. (L. D. G.) dirigidos a insurreccionar el país e Ysla de Puerto Rico, para efectuar su independencia de la Metrópoli, insistiendo en ese criminal propósito los dos primeros que antes han sido enjuiciados, recayendoles penas como rebeldes, usando de las facultades que por las Reales ordenanzas se conceden a los oficiales del ejército, por este mi primer edicto, cito, llamo, y emplazo a los antenominados individuos para que en el término im-

prorrogable de nueve dias contados desde  
esta fecha, se presenten personalmente  
en la cárcel pública de esta plaza  
a producir sus descargos, y legítimas de-  
fensas, en concepto que de no verificarlo  
en el indicado término, se les seguirá la  
causa y sentenciara en rebeldia por el  
consejo de guerra de este tribunal, sin  
más llamarlos ni emplazarlos por ser  
asi la voluntad de S. M. - Fijese este  
edicto en los lugares de costumbre, y  
publiquese en la Gaceta oficial para que  
llegue a noticia de todos. Habana 17  
de Mayo de 1850. - Francisco Javier Mendora.  
Jose Fernandez Cota, secretario.

with General Campbell's letter of 19 May 30.

Translation.

Don Francisco Javier Mendonza, Knight of the Royal American Order of Isabel the Catholic, Captain of infantry, with a medal of distinction, and one of the prosecuting attorneys (fiscal) of the Court of the permanent executive Military Commission of this Islands.

Whereas D. Cirilo Villaverde, who made his escape from the Prison of this Capital, D. José María Sánchez, Niágas, D. Ambrosio José González, D. Juan Manuel Macías, the Licentiate D. Pedro Agüero, D. Victoriano de Arrietas, D. Gaspar de Betancourt y Cisneros (alias) el Ligüerino, and D. Cristóbal Mádán, whom I am prosecuting for the crime of conspiracy against the legitimate rights of Her Majesty (Whom God save) directed to bring on an insurrection in this country and the Island of Puerto Rico, to obtain their independence from the Metropolis, the two former who have before been tried, and incurred the penalties of rebels, insisting in their previous criminal projects, have absented themselves from this city and other places of the Island, where they had been residing, exercising the powers conferred by Royal ordinances upon officers of the Army. I do by this my first proclamation, cite, call, and

Summon the above named individuals  
to present themselves personally within  
the precise term of nine days at the Public  
Prison of this place to produce their pleas  
and legitimate defences, in the understand-  
ing that if it is not complied with in the  
given time, the actions will be continued  
against them, and they will be sentenced  
as rebels by the Council of war of this  
Court without being further called or  
summoned, for such is Her Majesty's  
Will. Let this proclamation be fixed  
at the customary places, and published  
in the official Gazette that it may reach  
the notice of all. - Havana May 17<sup>th</sup> 1850  
Francisco Javier Mendoza - José Fernan-  
des Botá, Secretary. —————

Ed. George Campbell's letter of 19 May, 1850.

Translated from the Diario de la Marina of Havana, dated Sunday May 19th 1850.

It is publicly said that the pirates are about to carry into effect their villainous plans of invasion of this tranquil antile. The last news from the neighbouring continent appear to leave no doubt about the preparations made for undertaking an enterprise, the result of treason, and which could only have met the concurrence of the most ignorant and desperate rabble, that does not mind dangers, does not examine risks, and for whom the most ~~precious~~ rapacity is the supreme law of action.

In truth it was time that the pirates should go to sea, that they should come out displaying their forces and vigor, it was time for them to come to try on our coasts that heroism they boast of: it was time that the heroes of the most infamous vandalism should become acquainted with the loyalty, bravery and discipline of our navy and army, the loyalty, bravery and patriotism of the inhabitants of Cuba. And it would really be a pity that they should not reach our coast, a pity that the snail of Spanish policy should frighten away the vultures! A great pity that those boasts should become reduced to mere sham! Great crimes need a greater chastisement, and we would ambition for our history the honor of inflicting it. Is it not to be permitted a faithful people to wish occasions on which to display to the world with pride their honest & generous heart?

It is true that the quality of the undertaking and the importance of those who intend to



carry it on. Do not even present them to us in such a shape that a victory over them could flatter the pride of those who have in their veins the blood of Pelays & Boite's. But small as the glory might be, that rabble being a real plague, in destroying it; would not we do a signal service to Humanity? This is precisely the reason why we anxiously desire the villains to attempt coming upon our coast —

On the other part, after so much that has been said about the pretty expedition, when an attempt has been making to wound the susceptibility of our race, is it not to be allowed us to anxiously desire that the purity of our blood should be put to the proof, if it is only that of one single man that any one should wish to examine? It is well to consider the forces of the expedition contemptible before our immense resources, and small the honor we might acquire by destroying those pirates, but let them come to our shores that we may at once know the extent of their madness, and exhibit on them an imperishable chastisement.

Rec'd 14<sup>th</sup> June 1850

Duplicate. Orig. for steamer Isabel.  
Consulate of the United States.  
Havana May 22<sup>d</sup> 1850.

Honble John M. Clayton.  
Secretary of State.  
Washington City.  
Sir.

I have the honor to enclose  
herewith a copy of a short correspondence  
with the Captain General growing out  
of a publication in the evening Bulletin  
of the 20<sup>th</sup> of one of the Government papers.  
The Bulletin stated that the General of  
Marine had captured at Contoy two  
vessels, and about one hundred men.  
Knowing nothing of the particulars  
beyond the report which you will find  
republished in the paper of the morning  
of the 21<sup>st</sup> herewith transmitted, my letter  
to the Captain General was written with  
great caution and respect as you will  
see. I shall not renew the correspondence  
until the arrival of the captured vessels  
unless I find that the twelve prisoners  
said to have arrived are about to be  
punished.

I should that event be likely to occur.  
My present impression is that duty will  
require me to say to the Captain General  
that every person without regards to na-  
tionality in a regularly documented  
American merchant vessel is entitled  
to the protection of the American Government.  
I enclose herewith a translated procla-  
mation and edict of the Captain General  
declaring the Island of Cuba in a state  
of siege, and proclaiming martial law,  
&c. &c. A translated copy of the account  
given of the capture of two vessels, and  
about one hundred men at Contoy,  
with the comments thereon. The account  
of the landing of Lopez at Cardenas,  
and of his reembarking.

The particulars of the landing of  
Lopez from the most reliable sources are  
as follows: At 8 o'clock A. M. of the 19<sup>th</sup>  
the Steamer Isabel arrived at the wharf at  
Cardenas. Lopez at the head of about  
four hundred men immediately landed.  
the Governor and his commands of some  
seventy men retreated and occupied a  
house from which they were dislodged. after

some time by the application of fire to the building. The Governor and two other officers were made prisoners, and a portion, or perhaps all the soldiers with one sergeant joined Lopez. private property of all kinds was respected, all supplies were liberally paid for, the money in the Custom House (2,400\$) was taken, and about sixteen hundred dollars belonging to the Ayuntamiento. In the evening Lopez reembarked, some of his men being drunk, and wandering about the streets, he left an officer to collect, and bring them on board. At this time, a party of lancers arrived at the spot, and charged upon the few that had been collected. the lancers lost eight men, and ten horses, the loss of Lopez was about eight killed, twenty wounded, and seven left who were made prisoners. among the killed was Sanchez Benavides; among the wounded were Col. White, and the Orde Corrales. Lopez put to sea with the Governor (who is a nephew of the Captain General), and two other officers, but after being out some time he placed them on a fishing vessel to be carried

back to Cardenas, first receiving a pledge from the Governor, that his men who had been made prisoners should be released.

Captain Fott of the ship St Peter just arrived at this port saw a steamer supposed to be the Coro at 12 M. of the 21<sup>st</sup> in Lat. 23. 45, twenty miles South West of Double headed Shot Key. Heading N. W.

The Steamer Piraro under the command of the General of Marine left Matanzas at about 6 P. M. of the 21<sup>st</sup> in pursuit of Lopez, and the Captain of the Port at Matanzas stated to a highly respectable American that if the General of Marine found Lopez and the Coro at Key West, he would capture them, and settle the hash.

I have the honor to be, Sir,

With great respect & esteem

Yr. Mt. Obed. servt.

McIntosh & Co. place

(Copy)  
Consulate of the United States  
Havana, May 20<sup>th</sup> 1850

To  
His Excellency  
The Count of Alcoy  
Governor and Capt. General  
of the Island of Cuba  
&c. &c. &c.

Sir,

Having understood that His Excellency the General of Marine had captured on or near the Isle of Contoy two vessels, and about one hundred men, I would respectfully ask of Your Excellency whether the vessels were or not under the American flag. If under the American flag, whether or not they were furnished with regular and proper papers; whether the men were in whole or in part American citizens. Should the captured vessels be bona fide American, and the men, or any part of them, American citizens. I would at the same time respectfully ask of Your Excellency to be informed of the circumstances of the capture and arrest, and the nature of the offence charged against them.

I have the honor to be  
With considerations  
of great respect & esteem  
Your Excellency's  
Most Obedt Servt  
(Signed) Robert B. Campbell

(Copy)

(Real) - Secretaria Política

No habiendo llegado a este Puerto los buques que aprehendí, los de que me trata V. S. en su comunicacion de ayer, ni hallarse en él el Excmo. Sr. Comandante General de este Apostadero, no me es posible contestar a los particulares que abraza su citada escrito, lo cual podré verificar con conocimiento de antecedentes luego que regrese S. C. Lo que digo a V. S. en contestacion. Dios que a V. S. me as.

Havana 20 de Mayo de 1850. (signed) El Conde de Alcoy

Sr. Consul de los Estados Unidos de America.

Translation of the above.

[As the captured vessels referred to in Your Lordship's communication of yesterday, have not arrived in this port, and His Excellency the Commander in Chief of this Naval Station is not here, it is not possible for me to give an answer to the particulars embraced in your said letter, which I shall be able to do with a knowledge of circumstances when His Excellency returns. Which I communicate to Your Lordship in answer. God preserve Your Lordship many years. Havana May 20<sup>th</sup> 1850. (signed) The Count of Alcoy  
To the Consul of the United States of America.]

June 12 1855  
Duplicate original sent to St. George via New York  
Consulate of the United States  
Havana May 31<sup>st</sup>

Hon<sup>ble</sup> John M. Clayton  
Secretary of State  
Washington City  
Sir

I have the honor to enclose herewith duplicate copies of a correspondence with the Captain General of the 20<sup>th</sup> Inst. An original letter to the Captain General of the 20<sup>th</sup> Inst. which upon being informed of the subject of which it treated, he declined to receive on the grounds that diplomatic powers were not vested either in himself or me, and the affair could only be treated of, and settled by yourself and Mr. Calderon. A statement of a conversation had in an interview of Captain Randolph and myself with the Captain General, and General of Marine. Copy of a telegraphic despatch to the collector of all bills dated 24<sup>th</sup> Inst. to be sent to you. Copy of a letter of the 27<sup>th</sup> Inst. written at the request of Captain Farnall, and the Captain General's reply thereto. Copy of a letter of the 27<sup>th</sup> Inst. to the Cap.

tain General with extracts from a letter from Mr. Marvin, proving that the persons arrested at Contoy had no participation in the expedition of Lopez. Copy and translation of a letter from the Captain General, dated 29<sup>th</sup> Inst. being a second letter in reply to my communication of the 20<sup>th</sup> Inst.

The foregoing papers will explain my opinions and acts on the capture made at Contoy. The letter, the reception of which was declined by the Captain General, was written on the morning of the 24<sup>th</sup>, sealed, and about to be sent, when Captain Randolph arrived in the Albany. Hoping that the verbal interview about to be had with the Captain General would end in the delivery of the ships and prisoners, the letter was not sent, but placed in my pocket to be delivered in the event of our reasonable requests, and (as I observe) just demands being refused - they were refused, and my letter was offered and taken, but returned for the cause before stated.

After our interview with the Captain General, and the General of Marine (who

admitted the captured vessels to be American) Captain Randolph immediately proceeded to sea, followed the next morning by the Serranito, Captain Lowndes) with a determination, if possible, to intercept and retake both the vessels and prisoners should they be alone, or under custody of Spanish men of war. This in consultation we agreed he had a right to do under the laws of nations, in conformity to the policy of the United States, as ably set forth by Mr Webster in the Ashburton correspondence, and under the Act of Congress authorizing our men of war to capture any vessel which should unnecessarily detain an American merchant ship in the Gulf of Mexico. All must admit that these ships were unnecessarily detained after having been demanded to be sent home for trial, and that demand refused.

Captain Fittnall's view of the right or expediency of Captain Randolph's intended course must have been different, as I understood from him on his return

that he had ordered Captains Randolph and Lowndes temporarily to other cruising grounds. Captain Fittnall, however, on his first visit explicitly informed the Captain General that "if he fell in with the captured vessels, he should feel it to be his duty to overhaul them, interrogate the officer in charge, and then judge for himself of the course to be pursued".

The Garanae, Captain Fittnall, returned from Key West, and yesterday (30<sup>th</sup>) he, with Judge Marvin, Collector Douglas of Key West, and myself, called on the Captain General, and Captain Fittnall said to the Captain General that 'he was about to return to the United States, and should be highly gratified to be able to communicate to his Government that he had been permitted to see and converse with the prisoners from Cortoz, as under existing circumstances it might do much good, and tend to allay any excitement that might exist at home'. The Captain General turning to me said, 'personally he had no objection to permit the prisoners to be

seen and conversed with, but the law would not permit it, and were he to grant permission, the Audiencia could, and would accuse him of violation of the law, and have a right to censure his conduct; that the prisoners here were well treated, and there was nothing of which they could complain unless it was their not being permitted to go into the streets; that the Marine Court before which their trial was pending consisted of calm and intelligent officers, who would dispassionately weigh the testimony, and do full justice. The question being Captain Fittnall's, the answer intended for him, and Captain Randolph's with myself having previously though fruitlessly demurred to the decision as a violation of the rights of the prisoners under Treaty stipulations with Spain, which guarantee to them free access to counsel of their own selection, and that this Government under no circumstances had a right to bring them to trial, I did not attempt to controvert what he said.

The whole subject will be before you. Your Consul - your naval officers can do nothing for the relief of the parties; and it is left for the President to adopt such measures as his well known firmness, patriotism, and devotion to the honor and interest of his country may dictate.

With great respect & esteem

I have the honor to be, Sir,

Yr M<sup>t</sup> Obedt serv<sup>t</sup>.

Robert B Campbell



Consulate of the United States  
Havana May 20<sup>th</sup> 1850

Se

His Excellency  
The Count of Alca  
Gov and Capt General  
of the Island of Cuba  
Se Se Se

Sir

Having understood that His Excellency  
the General of Marine had captured on  
or near the Isle of Abitoy two vessels and  
about one hundred men, I would respect-  
fully ask of Your Excellency whether the  
vessels were or not under the American  
flag. If under the American flag, whe-  
ther or not they were furnished with regular  
and proper papers; whether the men were  
in whole or in part American citizens.

Should the captured vessels be bona fide  
American, and the men or any part of  
them, American citizens, I would at the  
same time respectfully ask of Your  
Excellency to be informed of the circumstances  
of the capture and arrest, and the  
nature of the offence charged against  
them.

I have the honor to be  
with considerations  
of great respect & esteem  
Your Excellency's

Mt. Mt. servt.

(signed) Robert B. Campbell.

(Copy)

(Seal) Secretaría Política

No habiendo llegado a este Puerto los buques que apresaron: los de que me trató V. S. en su comunicacion de ayer, ni hallarse en él el Excmo. Comandante General de este Apostadero, no me es posible contestar a los particulares que abraza su citada escrito, lo cual podre verificar con conocimiento de antecedentes luego que regrese S. E. Lo que digo a V. S. en contestacion.

Dios que a V. S. me at

Habana 20 de Mayo de 1850

(signed) El Conde de Alcy

For Commr of the United States of America

Translation of the above

(Seal) Political Secretary's office

As the captured vessel referred to in Your Lordship's communication of yesterday have not arrived in this port, and His Excellency the Commander in Chief of this naval station is not

here, it is not possible for me to give answers to the particulars embraced in your said letter, which I shall be able to do with a knowledge of circumstances when His Excellency returns. Which I communicate to Your Lordship in answer.

God preserve Your Lordship many years.

Havana May 20<sup>th</sup> 1850

(signed) The Count of Alcy ]

For  
The Commr of the United States of America

(Copy)  
Consulate of the United States  
Havana May 24<sup>th</sup> 1854

Er  
His Excellency  
The Count of Alca  
Governor and Capt. General  
of the Islands of Cuba  
vs vs vs

Sir

All attempts which were being made to disturb the tranquillity of this Island, having signally failed, and no present interest or emergency existing to bias the judgement or prevent a calm and dispassionate view being taken of all the circumstances attendant upon, and connected with the capture of the two vessels, and all on board at Cotoy by His Excellency the General of Marine, and that officer having been in port some thirty hours without my receiving the information which from Your Excellency's official communication, of the 20<sup>th</sup> inst I had a right to expect, and was most anxious to receive, before again addressing Your Excellency. Having heard

however, that a portion of the prisoners are placed, or are immediately to be placed upon trial, I feel it a duty to draw the attention of Your Excellency to a few suggestions made for the purpose of avoiding in certain contingencies misunderstandings, and possibly difficulties between the Government of the United States, and Her Majesty the Queen of Spain.

One of the vessels captured at Cotoy is said to be the American Bark Georgiana, by reference to the New Orleans Price Current, I find that the American Bark Georgiana, Buison master, was on the 25<sup>th</sup> of April regularly cleared by J. W. Breedlove with a cargo of coal for Ciego de Avila, which proves the sailing of that particular vessel to have been with the knowledge of the Collector of the Port, and that her papers were in due order.

Should the Georgiana be one of the vessels captured by His Excellency the General of Marine, she is an American, and could only have been legal-ly captured for the actual or intended

violation of law in Spanish waters. To establish this position, I would ask, can Spanish law extend out of, and beyond Spanish Territory? can it be enforced on the high seas, or in foreign jurisdiction? Must it not be admitted that the prerogative of Her Catholic Majesty cannot legally extend beyond her dominions, and would not any attempt to enforce it, beyond such limits, be assuming for Spain the exercise of an Authority extra-territorial, and which might be exercised, if it has not already been done, to the injury of the persons and property of the Citizens of other nations, while on the high seas, and under the flag of their country? The doctrine which has been advanced and advocated, by one of the greatest Statesmen of the age, and which in my opinion the Government of the United States has held, and is determined to hold in all future time, and at all hazards, is, that every merchant vessel on the high seas is rightfully considered as a part of the territory to which she belongs, and the forcible

entry upon any such vessel by a foreign force is *prima facie* a wrong, and the Government under which such entry is made must show cause of justification.

There may have been justification in this particular instance for temporary detention of the two vessels; but for aught I know to the contrary no overt act has been committed against the Spanish Government by the master or those on board the captured vessels; there may have been intention, but that intention may have been repented of and changed; but if even the intention of overt acts against this Government was entertained at the time of capture, it cannot vest as power in this Government to arrest the parties in a foreign country to be brought to Cuba for trial. To illustrate this, it may not be amiss to refer to the case of the *Duc d'Anguien*, (with which Your Excellency is familiar) to prove the opinion of the civilized world on a parallel case. If (so far as appears) offence against any Government has been committed by the master or those

on board the captured vessels (supposing them to be American with regular papers) the offence has been against the laws and Government of the United States, and to that Government alone are they amenable, unless they have in some way violated the laws of Mexico.

The foregoing views are briefly submitted to Your Excellency in the confident belief that they are correct, and if so, that the parties already here with the ship and others to arrive will immediately be given up that they may be sent to the United States for trial, and the legality of the capture and detention to be left to the Governments of the United States and Spain to be decided upon.

I have the honor to be

With considerations

of great respect & esteem

Your Excellency's

Most obt. servt

(signed) Robert B. Campbell

Telegraphic despatch from the United States Consul at Havana, to the Honble John M. Calhoun, Secretary of State at Washington, to be forwarded immediately upon receipt by the Collector at Mobile.

The Albany and Genesee arrived at Havana on the 24<sup>th</sup> Inst.

The Steamer Saranac arrived on the 25<sup>th</sup>.

Captain Randolph immediately on landing called with the Consul to see the Captain General, and first requested, and then demanded of the Captain General to see the prisoners brought from the Island of Coney which was refused. Captain Randolph then asked if upon the arrival of the vessels captured at Coney, they would be given up with the prisoners to be tried in the United States, which was answered in the negative.

The General of Marine admitted the captured vessels to be American, and also refused permission to see the Prisoners.

The Albany and Genesee were cruising off the harbour yesterday to intercept the captured vessels, and a Spanish frigate kept near them.

The Saranac left port yesterday evening, destination unknown.

Four out of the five prisoners taken at Coney were shot on Saturday.

The Spanish Government have on this station about twenty one (21) vessels of war.

Consulate U. S. A.

Havana May 27<sup>th</sup> 1856

(signed) Robert B. Campbell.

Copy. Havana, May 24<sup>th</sup> 1850.  
The United States Sloop of war Albany,  
J. M. Randolph, commander, having this  
day arrived in the port of Havana, and it  
having been reported to Captain Randolph,  
that two vessels, and several men said to be  
Americans had been captured at or near  
the Island of Cortez, belonging to Cuzatan,  
he, with the Consul of the United States  
for Havana, called upon the Captain  
General for the purpose of investigating  
the matter.

After the usual salutations, Captain  
Randolph told the Captain General that  
he had understood that two vessels re-  
ported to be American had been captured  
by the General of Marine together with about  
one hundred men, of whom some fourteen  
had been brought to this port.

The Captain General replied that two  
vessels with some men had been captured;  
that this Government had in their posses-  
sion proof that those vessels and men  
were connected with the expedition which  
left New Orleans for the invasion of  
this Island.

Captain Randolph then desired to know,  
whether the captured vessels had the Ame-  
rican colours flying? whether they were on  
neutral ground or on the high seas? or  
on Spanish waters? whether the men  
captured were Americans in whole or  
in part? whether any overt act had  
been committed by them upon Spanish  
territory?

The Captain General said that owing  
to the General of Marine's short stay  
in this port, he had not received official  
information of the circumstances connected  
with the capture to enable him to give  
answers to the questions propounded to  
him; but observed that pirates could  
be captured wherever found, whatever  
flag, or papers they might have.

Captain Randolph said to the Cap-  
tain General that vessels under American  
colours could not be stopped on the high  
seas by a foreign force unless suspicions  
were entertained of their being engaged  
in piracy, and then, if proper papers were  
found on board, the vessels and men had  
to be delivered up to the Authorities of the

United States, and in consequence he-  
Captain Randolph, demanded from the  
Captain General the delivery to him of the  
two vessels, and the men captured by the  
General of Marine, that they might be  
carried to the United States for trial,  
which the Captain General refused to accede  
to, saying that he had no jurisdiction  
over the matter, it being a case which  
was to be tried by the Marine Court, over  
which he had no jurisdiction.

Upon being asked by Capt. Randolph for  
permission to see the prisoners now in the  
port of Havana, the Captain General  
answered that he had no authority, that  
the General of Marine being the Judge  
of the cause would do, if he could, let Capt.  
Randolph see the prisoners, but that if  
permission was not granted, the cause  
would be that the prisoners being under  
the action of law, the comminatory pro-  
ceedings not having come to an end,  
they, by the Spanish laws could not be  
permitted to hold communication but  
with the Court.

On being referred to the General of Marine

the Council and Captain Randolph asked  
the Captain General if he was not the Head  
and Chief of this Government. He answered,  
Yes. He was then told that he was the  
source from which information ought  
to be sought, and not from his subordinates.

The Council and Captain Randolph  
explained to the Captain General their  
views in regards to the policy heretofore  
pursued by the Government of the United  
States in relation to the right of visit and  
search, and expressed their opinion  
that the affair they had been referring  
to, was more serious than His Excellency  
thought of, for it might involve the question  
of war.

His Excellency thought differently,  
and said that he was personally willing  
to give all satisfaction, but that he could  
not give way to threats, and if war was  
the consequence, he was prepared to meet  
it, using the expressions "que vengan",  
"let them come".

Captain Randolph informed the  
Captain General that as he had not been  
able to obtain any satisfactory information

The Council and Captain Randolph dis-  
claimed any intention of making threats.



and was not permitted to see and converse with the prisoners, he would report to his Government that two American vessels, and several American citizens had been captured on the high seas, or on neutral ground, and brought to this port as prisoners, and that in consequence, war virtually existed between the United States and Spain.

The Captain General said that Captain Randolph might do as he pleased, but the report would not be correct, for the vessels and men captured formed part of the expedition under Lopez, were nothing but pirates, and therefore subjected to the laws of nations enforced by the power to which the cruiser that captured them belongs.

Captain Randolph observed that he would perhaps think proper to address His Excellency a communication upon the subject, and desired to know if it would be received.

The Captain General answered that if Capt. Randolph's letter was in proper terms, it would be received, a copy thereof

sent to the General of Marine to obtain information, and when this was obtained, he, the Captain General, would be happy to answer Capt. R.'s communication accompanying a copy of the General of Marine's report in relation to the capture of the vessels and men, &c. and that he would also forward to Mr. Calderon, the Spanish minister at Washington, a copy of the correspondence, as it was a subject which had to be arranged by the Representatives of the two Governments, Mr. Clayton and Mr. Calderon, who alone had diplomatic power.

In the course of conversation, the Consul took out, and presented to the Captain General a sealed communication he had prepared which His Excellency upon learning from the Consul the contents thereof, refused to receive, asserting that the Consul had merely commercial functions, and therefore had no right to interfere in the affair, and observed also, that he, himself, nor Capt. Randolph had any diplomatic powers.

The Captain General tried to persuade

Captain Randolph not to do any more in the business, for that he had already done everything which his duty as an officer of the United States required of him, and more so, when it was in favor of men undervaluing of his sympathy, and who had a year ago abused him for the affair at Round Islands.

The Captain General was considerate in conversation, and appeared to be trying to impress his opinion upon our minds.

Immediately after the above interview, Captain Randolph and the Consul called upon the General of Marine to investigate the same affair.

Captain Randolph said to the General that he had come to inquire of him whether it was true that he had captured two vessels and some men; to which the General answered that such was the fact.

Captain Randolph then desired to be informed if the vessels had American colors flying, and the men were Americans?

The General answered that the vessels had

no colors flying, and that the men on board, some 60 or 70, were partly Americans, and the rest of various nations. Captain Randolph asked if the vessels and men were in Spanish or neutral waters? The General replied that they were on neutral grounds, it is true, but that having proofs in his possession that they formed a part of the expedition which was about to invade his country, he had gone and captured them as pirates, and that some of the men are now in the port.

The General was asked by Captain Randolph what evidence he had that those vessels and men formed a part of the expedition? the answer was, that he had reliable information corroborated by the papers found with them, and their own confessions.

Whether force or threats had been used to obtain those confessions?

The General said that this was a question which he could not accept. Being asked by Capt. Randolph whether the vessels and men had any papers, and answered

themselves to be Americans: the General replied that they had not avowed any thing; that when his steamer was seen by them approaching, they understood their position; and said nothing; that he had not examined the papers; that his stay there was very short, merely long enough to put the captured vessels and men in charge of a sailing vessel of war to bring them to this port: and that he picked out and brought in the Steamer Piraro such as he considered leaders.

Captain Randolph also inquired what class of vessels they were: the General answered that two Brig: whether one of them is a Barque? the General did not think any of them had three masts.

Captain Randolph then said to the General of Marine that he had been informed that two American vessels having American flags and papers had been captured with a number of men on the high seas, and beyond Spanish jurisdiction; and he therefore

demande the immediate delivery of the captured vessels and men to him to take them to the United States for trial by the laws of the United States.

The General answered that he had no authority; that the vessels and men had been captured as pirates; that he had proof of it, and that the law of this country would try them.

Capt Randolph requested permission to see and converse with the prisoners that are here, so as to obtain a fair statement, which was refused. Captain Randolph then demanded it as a right; the General refused it again. Observing that as the two captured vessels, and the greater part of the men had not yet arrived in this port, no declarations had been taken from them; that the summarial proceedings were not finished, therefore the laws of the country did not permit the prisoners to hold communication but with the court that was to try them: that after that they would be allowed counsel, and all facilities for making their defence.

Capt. Randolph said to the General of Marine that it was rumoured that confessions had been extracted from the men by putting the rope to their necks. to this the General answered that those were vulgarities; that no judicial investigation had yet commenced that the men in conversation had acknowledged that they formed a part of the expedition which under the command of Lopez was to invade this Island. after that conversation the General stated that the captured vessels were American, and the men in part Americans.

The Consul and Captain Randolph observed to the General that it would be bitter for him to deliver up the vessels and men; that the laws of nations were plain; that the capturing of the vessels and men on neutral ground was illegal. The case of the Duke d'Enghien under the Empire was cited by us as a parallel, and to bring to the General's mind the intense excitement produced in Europe and the world by that outrage. The General repeatedly asserted that the cases

were not parallel, that the Duke was a gentleman. The Consul observed that the Duke d'Enghien had nothing to lose but his life, and his soul if he was not prepared for death, and those men were in the same positions. Captain Randolph said the only difference was that the Duke belonged to the blood royal, and these were obscure citizens. But the General still thought as he had before expressed it, and appeared greatly astonished that we should want to consider the two cases as parallel.

The result of the interview was that the General of Marine refused to deliver up the vessels and men, and denied permission to Captain Randolph to have communication with the prisoners now in this port, observing that if the Captain would do remain some days longer in the port, he and the Consul could then have the opportunity to learn the result of the trial, and to communicate with the prisoners.

Copy. Consulate of the United States  
Havana, May 29<sup>th</sup> 1850.

To  
His Excellency  
The Count of Alcaz  
Gov. Capt. Gen. of Cuba.  
&c. &c. &c.

Sir.  
Captain Fittmull, of the United States Ship 'Garana', who has this day arrived from Key West, states that in conversation with some of the persons recently engaged in the expedition to Cardenas, they had mentioned to him that a second expedition of a similar character but of larger number, was to sail on the 21<sup>st</sup> but destined as the last.

Capt. Fittmull does not know whether the report is entitled to credence, but deemed it advisable that Your Excellency should be placed in possession of it.

I have the honor to be, with considerations of great respect & esteem  
Your Excellency's most obedt. servt.  
(Signed) Robert R. Campbell

(Yes) Political Secretary's Office.  
I remain informed of, and feel obliged to Your Lordship, as well as to the Commander of the steamer 'Tama', Mr. Fittmull, for conveying to me the intelligence he obtained from the piratical adventurers of the steamer 'Cocle' themselves, respecting a second expedition which was about to sail on the 21<sup>st</sup> with the same destination and object as the first. Both the expeditions must form part of the vast plan, as Your Lordship is well aware, carried on upon territory of the United States, but as I have in advance information of the whole, I am prepared to receive as I did the first expedition, those who should again attempt their rash undertaking.

God preserve Your Lordship many years.  
Havana, May 21<sup>st</sup> 1850.  
(Signed) The Count of Alcaz.

To  
The Consul of the United States of America,

Consulate of the United States.  
Havana May 29th 1850.

His Excellency,  
The Count of Alcañices,  
Govt & Capt General of Cuba:

Sir

Notwithstanding Your Excellency  
having declined to receive my last  
communication upon the grounds that  
the subject of the recent capture made  
by the General of Marine must be  
arranged between Mr Clayton and  
Mr Calderon, who alone have the necessary  
diplomatic power, I am again induced  
to address Your Excellency in behalf of  
the unfortunate men taken at Contró  
in consequence of receiving from Judge  
Marvin, the Judicial officer before whom  
was taken the testimony of the Lopez  
party at Key West, the following letter.  
Learning from an investigation had  
before me into the affair at Cardenas  
that the persons left on board the Ame-  
rican Barque Georgiana, and the Brig

Susan Louisa, at or near the coast of  
Cuba, constituted no part of the ex-  
pedition, that were to land at Cardenas,  
but were persons, who had gone on board  
these vessels at New Orleans in good  
faith, as passengers bound to Chagres,  
thence to California, and finding when  
the Steamer Brete joined them, that  
they had been deceived, and that no  
descent was intended to be made by  
General Lopez and others upon Cardenas,  
these persons, the passengers of the Barque  
and Brig, promptly refused to go on the  
expedition, said they had been deceived,  
and never joined in any way any such  
expedition. I beg to call your attention  
to these facts, that justice may be done  
to the innocent. I speak in general  
terms, and say, that it became evident  
upon an examination of the persons  
brought before me, and accused with  
a violation of our laws, that the persons  
on board the Barque and Brig captured  
by the Spanish vessels, never intended  
to be connected with the expedition to  
Cuba, but supposed the vessels were

"brought to Ahagres, and they were on  
boards as passengers"

The above letter in general terms,  
and may admit of exceptions, but if  
the representations made upon oath  
at Key West be true, it is manifest  
that most or all of the prisoners captured  
at Cortez were innocent not only in  
acts but intention, and abandoned  
the party as soon as its purposes were  
discovered, and are consequently  
not only entitled to compassion for  
their ignorance and credulity, but  
their immediate discharge.

Nothing contained in this letter is to  
be construed into an admission of the  
legal right of His Excellency the Gene-  
ral of Marine to capture American  
vessels with the persons on board on  
the high seas, or beyond Spanish  
territory.

Judge Manwin, and the collector  
of Key West are now in Havana,  
and if desired, I will with them  
wait upon Your Excellency, that  
you may know what has transpired

in Key West.

I have the honor to be  
with considerations  
of great respect & esteem  
Your Excellency's  
Most obt. servt  
(Signed) Robert B. Campbell.

(H. Ab.) Secretaría Política.

Para lo que pueda convenir o interesar a los negocios de comercio de que V. S. como Comis. de los Estados Unidos en esta plaza se halla encargado, y teniendo a la vista su comunicacion fecha 20 del actual, debo decirle despues de adquiridos los antecedentes que el estado de la causa seguida en el Tribunal de Massachussetts, permite, que efectivamente en la mañana del día 18 del mes actual fueron capturados por los buques de guerra de G. B. en las aguas inmediatas a la isla ordinaria y mente deshabilitada de Corstey, un Brick Blanca y un Bergantin Golito llamado segun luego se vio "Georgiana Encumbly" y "Isabella Laudo", los cuales no tenían arboladas, ni hicieron bandera alguna, ni pesar de que presentaron despues papeles como pertenecientes a los Estados Unidos. De los individuos que se arrestaron no es posible todavía asegurar si algunos o todos eran ciudadanos de los Estados Unidos, pero si es notorio que el motivo del arresto que sufren es el de averiguar la parte onas o menos directa que han tenido en

la expedicion de aventureros piratas que salia de Nueva Orleans para invadir esta Ysla, como lo verificaron en el indefenso pueblo de Córdomas lo que condujo el vapor "Cecille", y debi ser parte de la misma conspiracion fraguada en los Estados Unidos de que ya V. S. tiene conocimiento. Los dos expresados buques aparecieron que salieron de Nueva Orleans con gente, armas, víveres, municiones, y carbon de piedras y ámbos comunicaron con el vapor "Cecille" trastornandole armas, carbon, provisiones, y cuanta gente pudo tomar, entre las que se contaron el capitán y el cocinero del Bergantin golito citado.

Al dicho V. S. todo lo que a su caracter y destino puede interesar, y aunque tal vez con demasiados detalles, me ha quedado el deseo de enterarle en lo posible de lo que a V. S. habrá causado sin duda tan profunda indignacion como a toda la capital sin distincion de Nacionales y Estrangeros incluso los mismos Norte Americanos aqui residentes, por que ese escandaloso atentado de los modernos filibusteros.



es rechazado por todas las Naciones  
civilizadas, y sus cómplices condenados  
por todas las Leyes, y el derecho de gentes,  
como lo fueron a la faz del Mundo  
en el año pasado por el digno Presi-  
dente Genl Taylor los que se reunieron  
en la Ysla Redonda los mismos  
malvados precisamente, y con idéntico  
fin que en la madrugada del 19 lo-  
graron poner el pie en tierras en el  
indefenso pueblo de Cardenas.  
Dios que a V. S. M. A. Habana 29  
de Mayo de 1850.

(signed) El Conde de Alcoy.

Gr. Consul de los Estados Unidos.

Translation.

(said) Political Secretary's office.

As the ends that may be of interest to the  
commercial affairs of which Your Lordship  
has charge, as Consul of the United States  
in this place, and having before me your  
communication dated the 20<sup>th</sup> Inst. I must  
say to you after having obtained the circum-  
stances which the state of the cause prose-  
cuted before the Marine Court, permits, that  
it is true, that on the morning of the 18<sup>th</sup>  
of the present month were captured by H.  
M.'s men of war in the waters imme-  
diate to the generally uninhabited Island  
of Contoy, a Barque and a hermaphrodite  
Boat, called as was afterwards discovered,  
"Georgiana Concumbly" and "Susan Land",  
which vessels had no colours flying, nor  
did they hoist any, notwithstanding they  
subsequently presented papers showing them  
to belong to the United States. Of the in-  
dividuals arrested it is not yet possible  
to assure whether any or all are citizens  
of the United States; it is, however,  
notorious that the object of the arrest  
they now suffer is to ascertain the more

or less direct share they have had in  
the expedition of piratical adventurers  
that sailed out of New Orleans to invade  
this Island, which was effected upon  
the defenceless town of Cardenas by  
those conveyed by the Steamer "Locelle",  
and they must form a part of the vast  
conspiracy planned in the United States,  
which Your Lordship is aware of.

It appears that the two vessels mention-  
ed sailed out of New Orleans with  
men, arms, provisions, ammunition  
and coal, and both communicated  
with the steamer "Locelle" transferring  
to this arms, coal, provisions, and  
the number of men the consuls take  
among whom were the master and cooks  
of the said steamship *Prig*.

I have already told Your Lordship  
all that may be of interest to you.  
Character and office, and although  
perhaps with too many details, I have  
been guided by a desire of giving you  
all possible information in regard to  
what no doubt has caused in you  
the most profound indignation, the same

as in all the inhabitants of this city—  
without distinction, whether national  
or foreign, including all North Americans  
here residing, because that detestable  
attempt of the modern buccaniers is  
repelled by all civilized nations, and  
their accomplices condemned by all laws,  
and the law of nations, as were the  
face of the world on the last year by the  
worthy President General Taylor those  
who assembled upon Ponce Island,  
who are the same wretches precisely and  
for the same purpose that on the dawn  
of the 19<sup>th</sup> last succeeded in landing  
in the defenceless town of Cardenas.

Ever, Sir, Your Lordship's many years.

Havana May 29<sup>th</sup> 1850

(Signed) The Count of Alcoy

To

The Consul of the United States

Duplicate

Consulate of the United States

Havana May 31<sup>st</sup> 1850

Hon<sup>ble</sup> John M. Clayton  
Secretary of State  
Washington City  
Sir.

You are doubtless informed from Key West that the two vessels captured at Contoy, were, the Barque Georgianos, and the Brig Susan Loucks, both of which cleared at New Orleans for Chicago. The Captain General in his letter has not given correctly the name of the Barque; he has added I presume, to her name the place to which she belongs.

The names of a portion of the men shot at Matanzas, so far as I can learn, were, George Warner, son of Nelson Warner, of Evansville, Indiana; Kelly, a resident of Cincinnati. Mr. Greggor, residence unknown. I have not been able to ascertain the name of the other man who was shot, or of the man whose life was spared, and have no means of getting the information. The Consul at Matanzas may perhaps be able to obtain their names.

I have the honor to be, Sir, with great respect  
& esteem, Your most obed<sup>t</sup> serv<sup>t</sup>  
Robert B. Campbell

Wed June 27 1850

Telegraphic

R.

Hon. John M. Clayton  
Secretary of State

Mobile, June 1st 1850 -

From the Collector of Mobile, The Albany, and Germantown arrived at Havana on 26th inst. The Steamer Saranac arrived on 25th inst. Capt. Randolph, immediately on disembark, called with the Consul to see the Capt. General, and first requested, then demanded, from the Captain General to see the prisoners brought from the Island of Contoy, which was refused, Capt. Randolph then asked if upon the arrival of the vessels captured at Contoy, they would be given up with the prisoners, to be tried in the United States, which was answered in the negative. By the general of Marine admitted the captured vessels to be Americans, and also refused permission to see the prisoners. The Consul desires particular instructions in relation to the captured vessels and prisoners. The Albany and Germantown were cruising off the Harbor yesterday to intercept the captured

vessels, and a Spanish frigate kept near them. The Saranac left port yesterday evening, destination unknown. Four out of the five prisoners taken off Cardenas, were shot on Saturday. The Spanish government have on the station about twenty-one vessels of war.

Robt B. Campbell  
Consulate U. S. Havana  
May 27th/50

June 14<sup>th</sup> 1850

R.

Consulate of the United States  
Havana, June 4<sup>th</sup> 1850.

Hon<sup>ble</sup> John M. Clayton.  
Secretary of State.  
Washington City.  
Sir.

You are already aware that the Count of Miraflores, late Captain General of Madrid, is here.

The object of his mission has not certainly transpired. He has with him in officials the duplicates of the chiefs of a Government as organized in this Islands.

The Count's mission is reported as twofold. First - In person to organize a Government under Spain in the Spanish part of the Islands of St Domingo.

Second - to carry out an understanding said to exist with Barrera, late President of Guatemala, for the reconquest of that country for the Spanish Monarchy.

These reports look to action apparently so incompatible with the present condition of Spain, that I cannot believe them

entitled to consideration, although it is characteristic of the Spaniards to think his Government competent to any undertaking. Men are certainly being recruited for some purpose.

Thinking it may by possibility be useful to you to know the strength of the Spanish Marine in these waters, I furnish the following list of their ships - time of being built - number of guns, and men, composing the Squadron of the Antilles.

	Names.	Guns.	time built -	men
Ships of the Line	Soberano	74	1761	612
	Guerrero	"	1735	more or less
Frigates	Cesperanza	42	1834	366
	Perla	42	1839	344
	Isabel 2 <sup>a</sup>	42	1836	341
	Cortes	32	1836	278
Sloops	Luisa Fernandez	24	1844	161
	Colon	16	1843	119
Brigs	Patricio	20	1828	138
	Habanero	18	1843	140
	Mercurio	16	1839	115
	Villaviciencia	6	1846	47
	Carried over	332		2666

Names.	Guins.	time built	men
Brought forward.	332.	v.	2,666
See Schroners with 19 in all.			232
<u>Blasco de Saray.</u>	6.	<sup>hous. frames</sup> 350 1845	122
<u>Pizarros.</u>	6.	350 1849	122
<u>Alvar de Bazan.</u>	5.	160 1840	92
<u>Congreso.</u>	5.	160 1840	92
<u>Isabel la Católica.</u>	3.	interior 1850	con. frames
<u>Sanbat Donacion.</u>	1.	1832	23
	<u>375.</u>	<u>1020</u>	<u>3339.</u>

I have the honor to be, Sir  
 With great respect & esteem  
 Your most obedt. Servt.  
 Robert B. Campbell

22 June

R Consulate of the United States  
Havana June 4<sup>th</sup> 1850. 3 P.M.

Honble John M. Clayton  
Secretary of State  
Washington City.  
Sir.

The American vessels captured  
at Contoy, by the Spanish Steamer Pi-  
xarro have not yet arrived in this  
port. The prisoners now here are still  
incommunicado and on trial.

With great respect + esteem

I have the honor to be, Sir

Yr most obt servt

McList Blauplace

2.00 25 June 1858  
Mr. L. K. ...

(Duplicate.)  
Consulate of the United States  
Havana June 5<sup>th</sup> 1858

Honble John M. Clayton  
Secretary of State  
Washington City  
Sir

The Barque *Georgiana* and  
Brig *Luisa Goud* captured by the  
General *de Alarines* at Cortoy both ar-  
rived in this harbour on the morning  
of the 5<sup>th</sup> Inst. They are said to have  
entered without a national or other  
flag flying. At the time of their arrival  
the *Tarasac*, *Albany*, and *German town*  
were in or near the harbour.

The prisoners captured with the *Barque*  
and *Brig* are still incommunicado,  
and the trial progressing. All proceedings  
under the summarial or first process being  
suspended, it is impossible to obtain reliable  
information of what is being done by  
the Marine Court before which the case  
is pending. I take it for granted from  
the place at which they were captured,  
and the circumstances connected with

it, that the parties and vessels must  
be released, although report, confirmed  
by opinion somewhat general, represents  
that the masters will be executed, and the  
men generally sentenced to a punishment  
not so severe.

Much excitement prevails in Havana,  
and great hostility to all Americans  
is manifested and expressed by the  
Spanish part of the population. I have  
not myself seen any exhibition of it, but  
hear much of it from different Ameri-  
can masters.

In saying above that the parties and  
vessels under trial must be released,  
it does not design to be understood as  
meaning that they will under existing  
circumstances be given up to our Govern-  
ment. The whole conversation of the Cap-  
tain General and the General of *Alarines*  
with Captain *Randolph* and myself  
is at variance with such a course.  
They appeared determined to try all  
the parties under and by their own  
laws and usages, and to follow out  
those laws better for acquittal or con-



denomination. I feel it duty to say this much  
(notwithstanding the papers already for-  
warded establish the fact) lest from  
any delay of energetic action at Washington  
the lives of some of the prisoners be sacrificed  
to the rigor of their Government, a danger  
which possibly can only be averted by  
immediately demanding through me  
or some other mode the delivery of  
the prisoners.

I have the honor to be, Sir,

With great respect + esteem

Yr. M<sup>t</sup>. Ob<sup>t</sup>. serv<sup>t</sup>.

Robert B. Campbell.

N.B.

The Steamer Pinarro sailed last  
evening from this port in pursuit of  
an expedition said to have sailed  
or that was about to sail from New-  
Orleans.

N. B. C.

June 25 June  
R.

Consulate of the United States  
Havana June 10<sup>th</sup> 1850.

Hon. John M. Clayton,  
Secretary of State,  
Washington City,  
D.C.

I have the honor to enclose  
with a copy of a correspondence with  
Mr James H. West, of Yaguajay, Cuba,  
and a copy of a letter from the  
Intendente in reply to my letter of  
May 16<sup>th</sup> & it is not forwarded with  
the expectation that it can essentially  
benefit Mr West, but to relieve myself  
from the effect of an insinuation of  
Mr West's that I was prejudiced against  
his case, and had not done all which  
could have been done.

When I received Mr McLean's  
letter, which I considered my first and  
only authority for officially interfering  
in the affair, the trial had been pending  
for months. I could neither arrest  
or annul proceedings. I could only com-  
plain of delay, and urge a prompt

decision on the case: my letter induced  
the Intendente to write to Principe where  
the case was pending, and hasten a  
verdict; although that verdict has  
disappointed Mr West, I have no authority  
or right to go to Principe for the purpose  
of appeal.

I regret the necessity of troubling you  
with anything personal to myself, and  
my unwillingness to remain under  
the suspicion of not doing official  
justice to Mr West, is my only apology.

The friends of Mr West appear to  
think it the duty of the American Go-  
vernment to see that he is indemnified  
for injuries and damages accrued and  
to accrue.

With great respect & esteem,

I have the honor to be, Sir,

Yr. Most Obedt. Servt

Wm. M. C. ...

copy. Consulate of the United States.  
Havana June 7<sup>th</sup> 1850.

James H. West Esq.  
Laquea la Grande.

Dear Sir

I have received yours of the 30<sup>th</sup> ult<sup>o</sup>,  
and particularly notice your expressions:  
"I fear that you have received some wrong  
impressions in regard to the particulars  
of my case, as I cannot but think that  
otherwise you would have afforded me  
your effectual assistance." This would seem  
to imply that I had not done for you all  
which lay either officially or personally  
in my power. If this be your impression  
you do me great injustice: as proof, I  
draw your attention to the facts. You first  
wrote me about your affairs, I replied  
that I was only Consul for Havana,  
and its jurisdiction, that my interference  
therefore would with propriety be expected  
by the Government, and that it would be  
an improper intermeddling in the Consulate  
of Mr. M. Leary. Do you not admit this  
to be true? I am not Consul General

and have no power to act beyond my Consular  
Jurisdiction. I did however send copies  
of your letter of the 25<sup>th</sup> February last and  
of my reply to the Secretary of State for his  
action if he deemed it necessary, although  
I was aware that if instructions were sent,  
they would probably be sent to Mr. M. Leary,  
in whose jurisdiction the circumstances trans-  
pired. I called personally to see the Captain  
General in your behalf: he told me that  
he had no jurisdiction over the subject,  
as it was pending before the Intendencia,  
but he would speak to the Intendente  
to have the affair despatched. The Captain  
General on a second interview informed me  
that he had as promised spoken to the Inten-  
dente upon the subject. On the afternoon of  
the 15<sup>th</sup> ult<sup>o</sup> I received a letter from Mr. M. Leary,  
which was my first authorization to act official-  
ly for you without offending Mr. M. Leary.  
I immediately addressed a letter to the  
Intendente, and received his reply, a copy  
of each of which letters is herewith enclosed.  
Justly or unjustly a trial was pending,  
I had no power to have the proceedings quashed,  
nor have I now the power to revise, after the

decision or appeal therefrom. This can only be done by your attorney. It is the duty of a consul to protect his countrymen to the extent of his official power, but you must be aware that his powers are very limited, and that for my exertions in more cases than one to extend protection. I have been charged with transcending my powers: such charges will never deter me from discharging my whole duty, and so when it can be done for protecting my countrymen, going perhaps a step beyond them; I would rather incur the responsibility of doing too much than too little. You must see, my dear Sir, that as your case now stands there is nothing that a consul could do for your relief; While in a foreign country, we are all subject to the laws, and be the laws good or bad, we are not permitted to change, modify, or interpret them, and that when a decision is once given under the form of law, it is entirely beyond the power of any consul of any or of all nations to change that decision. You state that you have written to Mr. McLean: he will doubtless do (as I myself am disposed) all he can, but if you expect him to obtain

a reversal of the decision I fear you will be disappointed. You will perceive by the letter of the Intendente that your case was not in Havana, it was pending at Principe; all I could do was to urge despatch: the Intendente promised his efforts to obtain it, the decision has been given, and is different from what I supposed it would be, as you stated your entire innocence of the charges made against you. I do not know what course to recommend, but I suppose it would be best for your lawyer to obtain a copy of the whole proceedings, that you may send them to the State Department at Washington.

Very respectfully  
Yr. Svt. Servt.  
(Signed) Robert B. Campbell.

Sagua la Grande May 30<sup>th</sup> 1850

Wm. Campbell Esq.  
Consul  
Havana

Dear Sir

I had written to Mr. W. W. ...  
today, and had hoped to inform you of the substance of  
my communications - viz. that a decision had been re-  
-ached in my case, to the effect that I pay a million of  
pesos for being concerned in the importation of the powder  
by the Colian, that until payment of this sum the  
Cargo of said vessel shall remain restricted, myself  
under arrest - I have declared myself unable to pay  
this fine, & am under apprehension of being placed in  
close confinement in consequence - I had been  
proved to have been not only innocent of the importation  
of the powder, and ignorant of it, and cannot think that  
any law will sanction such a course of proceedings as has  
been held against me. I fear that you have been  
led into some wrong impressions in regard to the partic-  
-ulars of my case, and cannot but think that otherwise  
you would have afforded me your effectual assistance.

In regard to my having made a short entry of a  
portion of the cargo by the Colian, that was an entirely  
separate affair, and discovered in consequence of the  
seizure of my papers under suspicion of being a polit-  
-ical offender - The amount that interest was  
confiscated by the custom house here, and sold at auc-

time, and I became the purchaser, but after paying my  
money I learned that I could not enjoy what I had  
bought of the Real Hacienda, because it was already  
under embargo for political causes. - In short I  
was tricked. If this can be treated into matter  
against me, I confess I cannot see how - The  
papers in the investigation will confirm every allusion  
I have made to you - these papers I have not access  
to. - Allow me to say to you my dear Sir, that  
every one in this place who is conversant with the cir-  
cumstances, <sup>among</sup> ~~both~~ my countrymen and citizens of the  
country, considers my case, <sup>one</sup> of peculiarly hard & unmer-  
ited suffering. My business has been ruined, and  
when the matter shall end, I cannot foresee, my books  
& papers are still in prison - My carpenters have  
not been allowed to use their tools or clothes which  
came in the Lancia, they are about returning to the  
Island without them. - How the Cargo of the vessel  
every thing, can be kept under restraint, after the  
instructions of the Captain General that the matter  
should be dropped in a political light, and after  
the Custom here had seized & sold all that was there  
interred, I am not able to divine.

In haste

Respectfully  
James H. Miller

(Seg.)

Recibi la comunicacion que V. S. se digno dirigirme en fecha 11 del mes actual, y de lo que sobre el particular de que trata me ha consultado el Sr. Asesor General de esta Superintendencia, y de los antecedentes que he tenido a la vista, resulta que si bien los ciudadanos de la Union Mr James A. Frost, y Eduardo R. Lambdeno se hallan en prision, a consecuencia de la causa que se sigue por el Jurgado de la Audiencia de Puerto Principe, y no por el de esta, con motivo de la aprehension de 20 barriles de pólvora que se trataba de introducir de contrabando en el partido del Granadillo, y en cuyas causas aparecen culpables dichos individuos, no por eso sufre vejaciones de ninguna clase, y por mi parte, he excitado ya al Jefe del Jefe de la citada Intendencia de Puerto Principe para la pronta conclusion de las diligencias del asunto.

Sin embargo, en obsequio a lo que

V. S. me manifiesta, y confiandome con la intencion que me hace el mismo Sr. Asesor, repito mis ordenes al Sr. Intendente de la expresada Provincia, a fin de que sin faltar a los trámites juridicos, se que no puede prescindirse, active y termine la causas de que se trata lo mas pronto que sea posible: y lo pongo en conocimiento de V. S. en respuesta a su presentada comunicacion.

Dios que a V. S. Mil. ad. H. ob. av. 19 de Mayo de 1850.

(Seg.) El Conde de Villanueva.

G. Comd. de los Estados Unidos en estas  
plazas.

translation of the preceding.

(Real)

I received the communication Your Lordship was pleased to address me under date of the 11<sup>th</sup> Inst. from what upon the subject treated therein I have been advised by the Assessor General of this Superintendencia, and from the information I have had before me, appears, that although the citizens of the Union, Mr James H. West, and Edward R. Lambden, bind themselves in prison in consequence of the cause prosecuted by the Court of the Audiencia of Puerto Principe, and now by that of this Superintendencia, by reason of the discovery of 20 barrels of powder which were intended to be introduced by contrabands in the District of Granadilla, and in which cause this individuals appear culpable, they do not thereby suffer any violation whatever, and I for my part have already urged the real of the Chief of the aforesaid Intendencia of Puerto Principe for the prompt termina-

-tion of the proceedings upon the affair.

A consideration however to what Your Lordship states, and accepting the suggestions made to me by the said Assessor, I repeat my orders to the Intendente of the before mentioned province to the end that without omitting any of the judicial proceedings, which cannot be dispensed with, he shall hasten and terminate as soon as possible the cause referred to, which I inform you in answer to your said communication.

God preserve Your Lordship many years  
Havana May 19<sup>th</sup> 1850.

(signed) The Count of Villaverde.

To  
the Consul of the United States in  
this City.



Consulate of the United States  
Havana June 10<sup>th</sup> 1850.

Honble. John M. Clayton  
Secretary of State  
Washington City  
Sir

I have the honor to enclose  
herewith a copy of a correspondence with  
Mr James H. West of Sagua la Grande,  
and a copy of a letter from the Intendente  
in reply to my letter of May 16<sup>th</sup>. It is  
not forwarded with the expectation that  
it can essentially serve Mr West, but to  
relieve myself from the effects of an insi-  
mulation of Mr West's that I was pre-  
judiced against his case, and had  
not done all which could have been done.

When I received Mr Bell's letter,  
which I considered my first and only  
authority for officially interfering in  
the affair, the trial had been pending  
for months. I could neither arrest  
or annul proceedings. I could only com-  
plain of delay, and urge a prompt  
decision on the case; my letter induced

the 'Intendente' to write to Principe  
when the case was pending, and hasten  
a verdict, although that verdict  
had disappointed Mr West. I have  
no authority or right to go to Principe  
for the purpose of appeal.

I regret the necessity of troubling  
you with any thing personal to myself,  
and my unwillingness to remain under  
the suspicion of not doing official jus-  
tice to Mr West is my only apology.

The friends of Mr West appear to  
think it the duty of the American Go-  
vernment to see that he is indemnified  
for injuries and damages accrued  
and to accrue.

With great respect and esteem

I give the honor to be, Sir,

Yr. M<sup>ost</sup> Obed<sup>t</sup> Servant  
Nobert B. Sampson

Translation. (Contd.)

I received the communication Your Lordship was pleased to address me under date of the 10th Inst; from which upon the subject treated therein I have been advised by the Assessor General of this Superintendencia, and from the information I have had before me, appears, that although the citizens of the Union, Mr James H. West, and Edwardo R. Cambden find themselves in prison in consequence of the cause prosecuted by the Court of the Audiencia of Puerto Principe, and not by that of this Superintendencia; by reason of the discovery of 20 barrels of powder which were intended to be introduced by contrabands in the District of Granadillo, and in which cause those individuals appear culpable they do not thereby suffer any molestation whatever; and for my part have already urged the real of the Chief of the aforesaid Audiencia of Puerto Principe for the prompt termination of the proceedings upon the affair.

In case denoted however, to what Your Lordship states, and accepting the suggestions made to me by the said Assessor, I repeat my orders to the Intendente of the before-mentioned province to the end that without omitting any of the judicial proceedings, which cannot be dispensed with, he shall hasten and terminate as soon as possible the cause referred to: which I inform you in answer to your said communications. God preserve Your Lordship many years.

Havana May 29<sup>th</sup> 1850.

(signed) The Count of Villanueva  
To the Consul of the United States in  
this City.

Copy. Sagua la Grande May 30th 1850.

R. B. Campbell Esq.

Consul &c

Havana

D. Sir

I have written to Mr. McLean today, and beg leave to inform you of the substance of my communication, viz. that a decision has been rendered in my case to the effect that I pay a multa of 4000 for being concerned in the importation of the Powder by the Colian, that until payment of this sum, the cargo of said vessel shall remain restricted, and myself under arrest. I have declared myself unable to pay this fine, and am under apprehension of being placed in close confinement in consequence. I have been proved to have been not only ignorant of the importation of the powder, but ignorant of it, and I cannot think that any Law will warrant such a course of proceedings as has been held against me. I fear that you have been led into some wrong impressions in regard

to the particulars of my case, as I cannot but think that otherwise you would have afforded me your effectual assistance.

In regard to my having made a short entry of a portion of the cargo of the Colian, that was an entirely separate affair, and discovered in consequence of the seizure of my papers under suspicion of being a political offender. The amount short entered was confiscated by the Custom House, and sold at auction, and it became the purchaser, but after paying my money, I learned that I could not enjoy what I had bought of the Real Hacienda, because it was already under embargo for political cause. In short I was tricked. If this can be twisted into matter against me, I confess I cannot see how. The papers in the investigation will confirm every assertion I have made to you. These papers I have not access to. Allow me to say to you, my dear Sir, that every one in this place who is conversant with the circumstances, both among my countrymen, and citizens

of the country; consider my case one  
of peculiarly hard and unmerited  
suffering. My business has been ruined,  
and when the matter will end I can  
not foresee. My cooper and mayordo-  
mo are still in prison. My carpenters  
have not been allowed to use their tools  
or clothes which came in the Colian,  
they are about returning to the U. S.  
without them. How the cargo of the  
vessel, and every thing can be kept  
under restraint after the instructions  
of the Captain General that the matter  
should be dropped in a political light,  
and after the custom here had seized  
and sold all that was short entered,  
I am not able to divine.

In haste

very respectfully  
(signed) Thomas H. West

Copy. Consulate of the United States  
Havana June 7<sup>th</sup> 1850.

James H. West Esq  
Laquea las Grand.

Dear Sir

I have received yours of the 30<sup>th</sup> ult<sup>o</sup>; and particularly notice your expressions: "I fear that you have received some wrong impressions in regard to the particulars of my case, as I cannot but think that otherwise you would have afforded me your effectual assistance." This would seem to imply that I had not done for you all which lay either officially or personally in my power. If this be your impression you do me great injustice: as proof, I draw your attention to the facts. You first wrote me about your affairs, I replied that I was only Consul for Havana, and its jurisdiction, that my interference therefore would with propriety be rejected by this Government, and that it would be an improper intermeddling in Consulate of Mr. M. Lean. Do you not

admit this to be true? I am not Consul General, and have no power to act beyond my consular jurisdiction. I did however send copies of your letter of the 25<sup>th</sup> February last, and of my reply, to the Secretary of State for his action if he deemed it necessary, although I was aware that if instructions were sent they would probably be sent to Mr. M. Lean in whose jurisdiction the circumstances transpired. I called personally to see the Captain General in your behalf; he told me that he had no jurisdiction over the subject, as it was pending before the Intendencia, but he would speak to the Intendente to have the affair despatched. The Captain General on a second interview informed me that he had as promised spoken to the Intendente upon the subject. On the afternoon of the 15<sup>th</sup> ult<sup>o</sup> I received a letter from Mr. M. Lean, which was my first authorization to act officially for you without offending Mr. M. Lean. I immediately addressed a letter to the Intendente, and received his reply, a copy of each of which letters is herewith enclosed; justly or un-

justly a trial was pending. I had no power to have the proceedings quashed, nor have I now the power to revise, alter the decision, or appeal therefrom. This can only be done by your attorney. It is the duty of a Consul to protect his countrymen to the extent of his official power, but you must be aware that his powers are very limited, and that for my exertions in more cases than one to extend protection, I have been charged with transcending my powers. Such charges will never deter me from discharging my whole duty, and when it can be done for protecting my countrymen, going perhaps a step beyond them. I would do rather indeed the responsibility of doing too much, than too little. You must believe my dear sir, that as your case now stands there is nothing that a Consul can do for your relief. While in a foreign country we are all subject to the laws, and to the laws good or bad, we are not permitted to change, modify, or interpret them, and that when a decision is once given under the forms of law, it is entirely beyond the power of any Consul of any or of all nations to change

that decision. You state that you have written to Mr. M. Lean; he will doubtless do (as I myself am disposed) all he can, but if you expect him to obtain a reversal of the decision, I fear you will be disappointed. You will perceive, by the letter of the Intendente that your cause was not in Havana; it was pending at Principe; all I could do was to urge dispatch. The Intendente promised his efforts to obtain it; the decision has been given, and is different from what I supposed it would be, as you stated your entire innocence of the charges made against you. I do not know what course I recommend, but I suppose it would be best for your lawyer to obtain a copy of the whole proceedings that you may send them to the State Department at Washington.

Very respectfully  
Yr. Obedt. Servt  
(signed) Robert B. Campbell.

Rec<sup>d</sup> June 26. 1850

R

Consulate of the United States  
Havana June 15<sup>th</sup> 1850.

Honble. John M. Clayton.  
Secretary of State.  
Washington city.  
Sir

I have the honor to forward  
herewith enclosed a despatch to  
your address, this day received from  
the Consul of the United States at  
Trinidad.

You will perceive that upon opening  
the cover to my address, the seal  
adhered to the envelope of the com-  
munication addressed to you, and  
broke it. The envelope to me is  
enclosed to show the mode in which  
the accident occurred.

With great respect & esteem,  
I have the honor to be, Sir,

Yr. Most Obedt. Servt  
Robert Blair Bruce

Recd. 26th June 1850

[

R

Consulate of the United States  
Hawana June 19<sup>th</sup> 1850

Honble John M. Clayton  
Secretary of State  
Washington City  
Sir

I had the honor to receive yesterday by the steamer Ohio from New Orleans your telegraphic despatch of the first instant. The telegraphic report not appearing entirely correct, and feeling an anxious desire to arrange the subject of which it treated in a manner least offensive to this Government, and at the same time fully to carry out the views of the President, I called on the Captain General immediately after its receipt with as faint hope of success, and now report in substance the conversation held, and the result of the interview.

The Captain General was informed that I had received instructions from the Secretary of State in relation to the

prisoners captured at Contoy, but from my desire to preserve the friendly and amicable relations existing between the Governments of the United States and Spain, I deemed it advisable to call personally and ascertain if an amicable arrangement could be made by which he would either send the prisoners to the United States for trial, or deliver them over to me to be so sent.

The Captain General replied that they were being tried here, that he had positive proofs in his possession that the men captured at Contoy formed a part of the expedition of Lopez and that the capture was in every way justifiable, acknowledging at the same time that their criminality was not so great as that of the individuals who had landed in Cardenas.

I observed that no man should be tried for the intention to commit a crime, intentions were not cognizable before human Courts, they



could only judge of acts, and if even an intention of crime existed with these men, the crime had not been committed, and the situation may have been abandoned.

The Capt. General said that it was more than intention that these men had already started upon their object, that they belonged to the party who had carried their piratical plans into effect, and landed in Cardenas, and were clearly criminal, though not to the same extent with that party that landed at Cardenas, but had commenced to act upon their plan, and were awaiting the arrival of reinforcements to carry it out, and were guilty of piracy, and having been found and captured by the forces belonging to the Government, it rested a perfect right to try them for the purpose of arriving at the degree of guilt of each individual concerned.

I observed that the President of the United States does not admit the

rights of the Spanish Government to capture these men, they never having been on Spanish territory, could not have committed any derelictive of Spanish law. Even admitting them to be guilty, their guilt was against the laws of the United States. They are amenable to those laws, and to no others.

The Capt. General reasserted that these men were pirates, and that the laws against pirates held that they could be captured and punished where ever found. That neither himself nor the General of Marine had the power to deliver up men who are on trial under the laws, and that he would not deliver them up, and desired me to inform you that the question was one which ought to be left to time.

I then stated to the Capt. General that my instructions to demand that the men be sent home were positive, and as he said he would not give up the prisoners, although it

was unpleasant to do, and not agree-  
able to him. I should put it a duty  
to send him a copy of my instructions  
accompanied with a demand, to  
which the Captain General replied,  
he would not deliver up the prisoners,  
nor would he receive any communica-  
tion upon the subject. The Government  
of the United States could make their  
demand upon Mr. Calderon in Wash-  
ington, or through Mr. Bassinger at  
Madrid - that this Government  
is only a dependency and has no  
diplomatic power.

After some further conversation,  
the Captain General agreed to receive  
the communication, but that he  
would forward it to Mr. Calderon.  
The Capt. General repeatedly urged  
that as the Government of the United  
States had a Minister at Madrid,  
and Her Catholic Majesty a Mi-  
nister at Washington, all questions  
arising between the two Governments  
must be settled through those Re-  
presentatives.

I have this morning addressed  
a communication to the Capt. General  
with an extended extract from your  
instructions of the first instant.  
Owing to the inaccuracy before men-  
tioned in the telegraphic despatch,  
the extract was taken from the  
instructions as they appeared in  
a Savannah paper, as expressed  
for the National Intelligencer.  
The extract would not have been  
made and sent to the Capt. General,  
but for its universal publicity. I  
should have deemed it sufficient  
to have said that I had been in-  
trusted by my Government.

A copy of my communication to  
the Captain General is herewith  
forwarded.

From the conversation of yesterday,  
it is fair to infer that the prisoners  
will neither be sent home or placed  
at my disposition. The trial will  
progress to a conclusion, and if  
acquitted, the prisoners will probably  
be placed at liberty to get away as

they best can. Should conviction  
take place, it is difficult to say  
whether they will be pardoned or  
punished as of the right to try,  
which this Government assumes  
and acts upon be once conceded,  
we cannot complain of the enforce-  
ment of a sentence, for we will have  
yielded every thing.

The Capt General says the prisoners  
are all well, and I presume he is  
fully informed. Street reports seldom  
reliable represents many of them  
as sick, and harshly treated.

I have the honor to be, Sir,  
With great respect & esteem

Yr. M<sup>t</sup> ob<sup>t</sup> serv<sup>t</sup>  
Robert B. Campbell

Consulate of the United States  
Havana June 19<sup>th</sup> 1850

To  
His Excellency  
The Count of Alcañiz  
Govr. Hapt. Genl  
of the Island of Cuba  
To - - - - -

Sir  
I have the honor to communicate to  
Your Excellency the following extract  
from a letter of instructions address-  
ed to me by the Honorable John M.  
Blayton, Secretary of State of the U-  
nited States of America  
"From various sources of information,  
I conjecture that the Spanish authorities  
in Cuba, in their excessive zeal to pu-  
nish the invaders of that Island and  
all connected with them, while flush-  
ed with victory, may possibly forget  
the difference between crime and  
intention to commit it, and wreak  
their vengeance on American citizens,  
either native or naturalized, not  
guilty of any act of invasion or

degradation upon Spanish territo-  
ry. It is said and believed here  
that many such were arrested on an  
island near the coast of Guantamo,  
called Secoto, within the territory  
of a Power having friendly relations  
with the United States. All the  
facts are not in our possession,  
the judgment we may have formed  
of the capture, abduction, and pu-  
nishment of these men may possibly  
be very erroneous.

But let us suppose that the men captured  
on the Mexican islands were American  
citizens, and had occupied it in-  
tending to invade Cuba, still I can-  
not recognize the right of the Spanish  
Authorities to hang, castrate or shoot  
them for that intention. There was  
yet a locus penitentiae left for every  
man of them, and they might have  
returned to the United States, guilty,  
indeed, of a violation of the laws  
of their own country, but of no law,  
that I am aware of, under which  
Spain could have punished them.

The intention to commit a crime is not  
per se a crime. Some overt act must  
accompany the intent. A design to  
commit murder is not murder, nor  
is it, without some attempt to carry  
it into execution, punishable by the  
laws of man, however guilty the of-  
fender may be in fact, consuetudine,  
and by the ordinances of his Creator.

The President means to claim for the  
American occupants of the Mexican  
island, that they were not guilty of  
any crime for which, by the laws of  
civilized nations, they should suffer  
death. They may have been, and probably  
were, guilty of crimes for which the  
Government ought, in good faith,  
to punish them, under the act of  
Congress of 20<sup>th</sup> April, 1818. But  
supposing the facts relating to their capture  
to be as they are represented to us, the  
President is resolved that the United  
States must and shall protect them against  
any punishment but that which  
the tribunals of their own nation  
may award.

All the sins of Achan to send them  
home to encounter a punishment,  
which, if they are honorable men, would  
be worse than any he could inflict, in  
the indignant frowns and denunciations  
of good men in their own country, for an  
attempt to violate the faith and honor  
of a nation, which holds its character  
for integrity of more value and higher  
worth than all the virtues together.  
But warn him in the most friendly  
manner, and in the true spirit of our  
ancient treaty, that if he unjustly  
sheds one drop of American blood  
at this existing period, it may cost  
the two countries a sanguinary war.

The foregoing extract will inform  
Your Excellency of the opinion of the  
President of the United States in  
relation to the capture made at or  
near Contoy, and of the requirement  
of my Government that the prisoners  
be sent to the United States for trial.

I flatter myself, from the  
long continued harmony which  
has subsisted between our mutual

Governments, and the importance  
to each Government, that the same  
friendly relations should be preserved  
unimpaired, that Your Excellency  
will dispassionately view the subject  
in all its bearings, and spontaneously  
and promptly comply with the re-  
quirement.

I would respectfully ask  
from Your Excellency a reply to  
this communication at as early  
a period as your convenience  
may permit.

With considerations  
of great respect & esteem  
I have the honor to be  
Your Excellency's

M<sup>ost</sup> Obedt serv<sup>t</sup>

(signed) Robert B. Campbell.

2 July

W. L. G. Exports

Consulate of the United States  
Havana June 19<sup>th</sup> 1857

Honble John M. Clayton,  
Secretary of State,  
Washington City,  
Sir.

I have the honor to acknowledge  
the receipt of your official despatch  
of 21<sup>st</sup> of May received by the Georgia,  
and now delivered.

The despatch of the 1<sup>st</sup> of June having  
been already acted upon, leaves me  
nothing to do, as far as the contraband pri-  
soners are concerned, in fact it became  
manifest as early as the 24<sup>th</sup> of May,  
as you are already informed in my com-  
munication of the 21<sup>st</sup> of May, that neither  
myself or your naval officers could do  
anything for the relief of the prisoners,  
then as now upon their trial.

The instructions now received shall  
be obeyed, as others have been, in all  
things. So far as I can learn no Ame-  
rican citizen has been recently arrest-  
ed in the jurisdiction of this consulate,

and more in a situation to require my  
present interference.

In my anxiety to forward an account  
of my action under instructions of the  
1<sup>st</sup> instant by the vessel which has  
sailed, it was not possible to get the time  
to notice other parts of those instructions,  
without losing the opportunity of that  
mail. The Falcon to sail at daylight  
for New Orleans enables me to prepare  
duplicates, and further to notice and  
obey.

You say, 'the President has resolved  
that the Eagle must and shall protect  
them against any punishment, but  
that which the tribunals of their own  
nation may award.' I know the  
patriotism, the firmness, devotion to  
principle, and the honor of his country's  
flag, which has prompted, and will  
prompt all the acts of the President,  
and conceding all these, it is still  
impossible to carry out his determination.  
He may, and no doubt will redress the  
wrongs heaped upon his countrymen,  
but he cannot recall the sufferings

already endured, and the punishment  
already inflicted upon the prisoner  
by close confinement, and possibly in  
chains, fast on board a man of war  
written in the prison cell.

You instruct me to keep you advised  
of everything here, and in conformity  
thereto.

The island so far as I know is quiet  
the volunteers are still organized, and  
regularly drilled. The feeling towards  
Americans unchanged since my last  
mention of it. The present number  
of expeditions.

We have much yellow fever, and the  
cholera has not left us, but its greatest  
ravages are now near Laguna Grande  
and other points of the interior.

The German town is off the port. The  
Albany has left for Pensacola and  
is expected.

I have just been informed that Mr  
Loran of New Orleans has been arrested,  
imprisoned, and incommunicated at  
Cienfuegos, where I believe Marshall  
has an agent.

When such arrests are made upon po-  
litical charges, the parties have no  
liberty to communicate by word or letter  
with their friends, and it is accidental  
if their condition is known.

I understand great excitement  
prevails in the city in certain classes  
against me for some expressions in  
one of my letters to you that has found  
its way to the press.

I have the honor to be, Sir,

With great respect & esteem

Yr. Mt. Obedt servt.

Robert W. Campbell



23 July

R

Consular Bureau

Consulate of the United States  
Havana June 21<sup>st</sup> 1850

Hon<sup>ble</sup> John M. Clayton  
Secretary of State  
Washington City

Sir

I avail myself of the opportunity of the sailing of the ship James Drake for New York to say that nothing has transpired since my communication of the 19<sup>th</sup> worthy of an official communication.

The Congress has not arrived, and we have no men of war in port. The Germantown is cruising off the harbor.

At the conclusion of my letter of the 19<sup>th</sup> inst. it was stated that great excitement prevailed in the city against me for expressions in one of my letters to you, which had found its way to the press. The letter was of the 19<sup>th</sup> May last, and was written in consequence of being called upon by American merchants urging

the necessity of having some of our men of war in port for the protection of American interests; and without asking for the men of war, I stated my opinion of the then existing state of things, and left it to you, as best able, to judge of what steps should be taken.

That letter, published in the 'Chronica' of New York, has reached here, and produced an excitement against me, such as I have never known to exist against any individual. The part speaking of the inefficiency of the Spanish Marine to guard the extensive coasts of this Island against the landing of men from Steamers, is viewed as encouraging expeditions against the island. The part in relation to lower classed seas, by the great mass of Spaniards, and the hunters, been considered as applied by me to them. I hear everywhere of threats of vengeance, where it will end, I do not know.

I have the honor to be, Sir,  
with great respect  
and esteem,

Y<sup>r</sup> M<sup>t</sup> Obedient  
Pet<sup>l</sup>ist &amp;c  
J. M. Campbell

Recd. 8<sup>th</sup> July.

Mr. De Witt Extract

Consulate of the United States

Havana June 27<sup>th</sup> 1850.

Hon<sup>ble</sup> John M. Clayton

Secretary of State

Washington City

Sir,

I have nothing of importance to communicate as having occurred in this Consulate since my last

The situation of the Boston prisoners so far as I can learn remains unchanged; it is believed that the investigation has concluded, and copies of all the proceedings sent both to Madrid, and Mr. Calderon. Report represents a difference of opinion as to the propriety of yielding to your demand of a surrender of the prisoners, as existing among the principal officers of this Government, and it is presumed no positive action will be had upon the demand until positive instructions are received from Madrid, unless the demand is backed by a strong naval force.

The Coronation was in port for three

days, and since yesterday morning is cruising near the harbor. No other American man of war has arrived.

Mr. Giraud, of whose arrest you were informed by me has regained his liberty, and is now in Havana. A crew will receive full accounts from Mr. M. Sean, it is unnecessary for me to trouble you with them.

I yesterday received a letter from a highly respectable merchant at Cardenas dated 24<sup>th</sup> instant, stating that Mr. Edmund Doyle, native of New York, and Mr. Gustavus Rolando, native of Charleston, S. C. had been taken from their beds at 11 P.M. of the preceding night, tied and carried off, the former to the house of the Captain of the Pastida, and the latter to prison. The arrest was caused, the writer states, by Mr. Rolando purchasing a cap while preparing his gun for an intended shooting excursion to the country on the next day.

The Consul at Martinias will undoubtedly do all in his power to

have the parties released and will  
inform you of all particulars.]

Is it not the duty of our Govern-  
ment to demand and exact full in-  
remnity to American citizens when  
arrested, and imprisoned by a foreign  
Government without cause, or on  
fivolous pretexts.

The Government here appoints a  
censor of the Press. & therefore takes  
the liberty of drawing your attention  
to two paragraphs which are marked  
in the papers herewith enclosed.

I have the honor to be, Sir

With great respect & esteem

Y<sup>r</sup> M<sup>t</sup> Obedt serv<sup>t</sup>

Robert B Campbell

29 July

Le Restive

W. H. P.

Consulate of the United States

Havana June 30th 1854

Wm. M. Clayton

Secretary of State

Washington City

Sir

I have the honor to acknowledge having received on yesterday from Commodore McKeever, then just arrived with the Congress, duplicates of your despatches of the 31<sup>st</sup> ultimo, and 4<sup>th</sup> instant, numbered 1. & 2.

I also received at the same time your instructions of the 3<sup>rd</sup> of June directing my communications to be numbered in future.

With Commodore McKeever, several officers of the Congress, and Captain Saunders of the Germantown, I waited this day upon the Captain General. He was as always, polite and courteous, spoke of the Cortez prisoners, and said *verra y viviran, they live and will live*: from which it is to be inferred that no capital punishment is contemplated

He also expressed the opinion that the summarial proceedings would be concluded in a few days, that some of the prisoners were in truth passengers for California, but that the masters of the vessels were cognizant of the expedition, and had knowingly taken on board men, arms, and munitions of war.

The conversation with Commodore McKeever was more at length, but the above embraces all of any interest unless it may be expressions complimentary to General Taylor.

From the conversation above reported you will be informed that the summarial proceedings against the Cortez prisoners are still in progress, and the right to try on the flank of this Government practically enforced.

With great respect & esteem

I have the honor to be, Sir

Yr M<sup>ost</sup> Obedt. Serv<sup>t</sup>

Robert D. Blair

Recd 9 July

No. 2

Consulate of the United States

Havana July 3<sup>rd</sup> 1850

North John M. Clayton

Secretary of State

Washington City

Sir

By my communication of the 9<sup>th</sup> ult. you were informed of the arrest of Messrs Doyle and Rolando at Cardenas.

Mr Doyle sent a special messenger to Cardenas on the first instant enquiring of me whether I had received a copy of his protest and a letter sent by mail to my address. I have received neither; whether they have miscarried or been intercepted I am not informed.

The messenger under Mr Doyle's instructions represents the cause of arrest as previously stated, and that Mr Doyle is suffering serious loss in his business. Rolando is represented as confined, and uncommunicated in a cell of a prison, with a stone floor and a twelve inch

grated window, the only means of ventilation, two other prisoners are confined in the same cell.

There is nothing new in relation to the prisoners, that are here.

The Congress and Government are both in Spain.

Much anxiety has existed for some time in the minds of Americans here, and this has been greatly increased by an editorial in the *Diario de la Marina* of yesterday, which is herewith enclosed.

I am convinced in my own mind that no American in Havana has been in any way concerned with the late expedition, but they having so long enjoyed the liberty of speech at home, it is possible, nay, probable that expressions unacceptable to this Government may have been used. Others may be correspondents of newspapers in the States, and their letters may not always have been unobjectionable to this Government. All who have committed the one or the other

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vernment may have been used.  
Others may be correspondents of news-  
papers in the States, and their letters  
may not always have been unob-  
jectionable to this Government. All  
who have committed the one or the other

impudence may be able to arrest.

I have the honor to be, Sir,

With great respect & esteem

Your most obedt servt

Wm. L. Sampson

July 15 1850

Mr. Secretary

N<sup>o</sup>. 4.

Consulate of the United States

Honolulu July 8<sup>th</sup> 1850

Hon<sup>ble</sup> John M Clayton

Secretary of State

Washington City

Sir

The Congress Albany and  
Saratoga are in port. The officers  
and crew are generally well. The  
sick list of the Congress is now about  
twenty less than when she sailed from  
Norfolk.

Commodore McKeever had intended  
sailing on yesterday for Rio de  
Janeiro but has changed his determi-  
nation, it is supposed, in consequence  
of a conversation held with the Captain  
General in relation to the prisoners.

Rumor says are they well founded  
is ripe today that the trial of the pri-  
soners is about to be concluded, and  
that they will be given up to Com-  
modore McKeever, or placed at  
liberty.

In the event of the release of the

prisoners, my personal services tempo-  
rarily here will not, I think, be essential,  
and I will be much obliged if you will  
grant me leave of absence for two  
months, as I have been several years  
without visiting the States, under the  
state of my health needs a short  
change of climate. I believe I am  
the only Consul who has remained  
on the Island two consecutive summers.  
Mr. Morland who habitually acted  
in the absence of Mr. Frist, and subse-  
quently of Mr. Calhoun, would effi-  
ciently discharge the duties, and I  
shall hold myself responsible for  
all his acts.

JOHN  
MORLAND

I have the honor to be, Sir

with great respect & esteem

Yr. Most Obedt. Servant

Robert B Campbell

duplicate Recd 23 July W. H. W. H.

Consulate of the United States  
Havana July 8<sup>th</sup> 1850.

Honble John M. Clayton  
Secretary of State  
Washington City

Sir,

The Congress, Albany, and  
Saratoga are in port. The  
officers and crews are generally well.  
The sick list of the Congress is about  
twenty less than when she sailed from  
New York.

Commodore McKeever had intended  
sailing on yesterday for Rio de Ja-  
neiro, but has changed his determina-  
tion, it is supposed in consequence of  
a conversation held with the Captain  
General in relation to the prisoners.

Rumor, apparently well founded,  
is now today that the trial of the prison-  
ers is about to be concluded, and that  
they will be given up to Commodore  
McKeever, or placed at liberty.

In the event of the release of the  
prisoners, my personal services temporary-

ly here, will not I think be essential,  
and I will be much obliged if you will  
grant me leave of absence for two months,  
as I have been several years without  
visiting the States, and the state of my  
health needs a short change of climate.  
I believe I am the only Consul who  
has remained on the Island two con-  
secutive summers.

Mr. John Morland, an American,  
who habitually acted in the absence  
of Mr. Frist, and subsequently of Mr. Bickham,  
would efficiently discharge the duties  
of the office, and I shall hold myself  
responsible for all his acts.

I have the honor to be, Sir,

with great respect & esteem,

Yr. M<sup>t</sup>. Obed. Serv<sup>t</sup>.

Robert B. Cochrane



July 8th

New York

messrs J. P. & W. L. Barber - July 8th 1850

Dear Sir

In behalf of widow Susan  
Thompson. I have taken up my pen  
to address you.

Her son James R. Thompson  
residing near Preston N.Y. and a  
native of that State. left his home  
some time since to join the Cuban  
Expedition under Genl. Lopez and  
has not since been heard of. although  
every means to obtain information in  
New York and of persons elsewhere  
have been adopted. but without  
success.

Knowing your kind disposi-  
tion and feeling heart. I have at the  
particular desire of his mother and

appeal to you.

If dear Sir you have any views  
of obtaining the much wished for reform  
at Washington. and would so much  
interest yourself to make the necessary  
efforts to obtain the same. and would  
kindly transmit it to me - you would  
confer a lasting obligation on Mrs.  
Thompson - who much fears her is a  
person in Cuba.

<sup>you will not</sup>  
I hope <sup>not</sup> be offended - at this  
request. it is to save the expense, and  
if a poor man the liberty is taken.

Please answer soon. and  
believe me  
Yours most truly

Edw. A. Stanley

To  
Hon. Wm. L. Dayton Esq

See. If any infor-  
mation on the within  
subject is in the hands  
I best to know what it  
is. Resp y.  
W. L. Dayton.

98  
W. L. Dayton



Free  
J. M. T. J. M. T. J. M. T.

Recd July 15<sup>th</sup> 1850  
Washington and New-Orleans Magnetic Telegraph Company.

The following communication was dispatched from  
Havana O'clock minutes AM.  
Dated Havana July 8<sup>th</sup> 1850  
To Hon<sup>ble</sup> M Clayton

The Congress Albany  
& German town are now  
here. The Controy prisoners  
are yet in State Gas  
it is expected that they  
will be releast in a few  
days the american consul  
asks leave of absence  
for two months conditioned  
upon the release of the  
controy prisoners Mr John  
Morland an american  
for whose acts I shall hold  
my self responsible will  
discharge the duties of the  
office during my absence  
turn over on other side

please communicate your  
reply by telegraph to the  
collector of the port of  
Charleston

Respectfully  
- Robt B Campbell,  
- No 8 Consul,

Rec'd 23 July.

R.

N<sup>o</sup> 5

Consulate of the United States  
Havana July 12<sup>th</sup> 1850.

Hon<sup>ble</sup> John M. Clayton  
Secretary of State  
Washington City  
Sir

I have the honor to acknowledge the receipt of your despatch of the 29<sup>th</sup> ult<sup>o</sup> transmitted by Commissioner Morris, who arrived in this port on the 21<sup>st</sup> inst<sup>o</sup> of the 10<sup>th</sup> instant.

The despatch states for reasons given that "The President has thought proper to transfer the duties in regard to these prisoners, heretofore enforced upon you to the Commodore."

Such interference on my part would be improper & I see it a duty, however to mention that the summary proceedings in relation to forty two of the prisoners have been concluded, the final decision was given on the 9<sup>th</sup> approved on the 10<sup>th</sup> instant, and published in the papers of today officially.

Forty one of the prisoners are absolved

for want of evidence, the forty second called Wood is also at liberty in consequence of a pardon previously promised by the General of Marine. The cause of the promise is left to conjecture. The whole forty two are however sentenced to two years of hard labor should they hereafter be found on the island of Cuba or Porto Rico. These prisoners are now on board the Albany to sail in the morning for Pensacola. Rufus Brown, master, and John A. Griffon, mate, of the Georgiana, with Thomas G. Hale, mate of the Susan Cook are detained for further trial, the remainder of the two crews consisting of seven persons are also detained. The vessels with all their appurtenances are adjudged to be lawful prizes and confiscated to the use of the Spanish Government. The summing up of the decision is now rendered in English is as follows: -  
"In view of all that has been stated, the Auditor is of opinion that Your Excellency be pleased to declare, 1<sup>st</sup> legal as founded on article 26 treating

title 5<sup>th</sup> of the ordinances of the 17<sup>th</sup> of January of 1793, the detention at board of the Brig Georgiana and Brig Susan by His Excellency the Governor and in Chief of this station, and naval forces, in opening and becoming informed of the correspondence of the pirates having made use of the Authority granted by H. M. for these cases in the royal order of the 12<sup>th</sup> January 1803

2<sup>da</sup> That considering the undoubted illegal occupation of the said vessels detained at board, it having been superabundantly proved that they conveyed men, arms, munitions, and provisions for the piratical expedition of Lopez, that they be confiscated with all their appurtenances for the benefit of the state.

3<sup>da</sup> That no recurso proceed be entered in relation to the 42 passengers already named, setting them at liberty for the reasons before stated, with the consent first obtained of their Excellencies the Captain General of the island, and the Commander in Chief of the station

upon the particulars before named  
4<sup>th</sup> That the descriptions of Captain Pundleton, and the three sailors that proceed in the vessel be sent to the Captain General.

5<sup>th</sup> and last That the summarial proceedings be returned to the fiscal that he may continue the prosecution against the above named Benzon, Griffin and Hale, the before mentioned sailors continuing detained.

Your Excellency will likewise determine what you should deem most proper. Havana July 9<sup>th</sup> 1800. (signed) Vicente de Ramos

From the foregoing decision you will discover that this Government has acted with consistence, firmness and pertinacity. The legality of the capture as also the right to try the prisoners was claimed at the outset. There has been no suspension of proceedings, no giving up of prisoners. The Court gives a final decision in the case of forty two, and recommends to the Captain General that they shall not be permitted

prison, the vessels and persons detained  
at Country must be tried by the Marine  
Court, and agreeably to the dispositions  
of the ordinances of the Navy, and sub-  
sequent laws in conformity thereto  
to the existing sovereign dispositions,  
the proceedings which are now under  
consideration must be divided into  
two parts entirely distinct in them-  
selves, one of them to embrace the  
condemnation or acquittal of the  
vessel, having beforehand effected the  
most necessary investigations to prove  
their occupation, or place they came  
from, which in conformity to Art. 13<sup>th</sup>  
of the Royal order of 25<sup>th</sup> June 1801 has  
been decided by the Military Courts of  
the Navy, and therefore by that of Your  
Excellency with the subscribing Officers,  
who constitute the Court for this Station.  
The persons must be tried by the forms  
established by the Royal order of the 8<sup>th</sup>  
of January 1780, in all that they can be  
applicable to the present case  
to decide of the fate of the Georgian,  
and other Bonds, there exist more

facts than are needed in the summary  
proceedings, for it appears evidently  
established that those vessels, after they  
cleared from New Orleans with the appa-  
rent object of conveying passengers to  
and Chagos, were engaged in carrying  
men, arms, provisions, and munitions  
to attack the island of Cuba, as was  
effected by the landing of Lopez and  
some 500 of his followers in Cardenas,  
where they perpetrated the crimes al-  
ready related in this place they arrived  
in the Steamer "Borde". This vessel  
was despatched with the same pretext  
as those mentioned before; there appearing  
and being manifest, that altho' they  
left New Orleans on different days,  
they held communication with one  
another on the high seas and at last  
transferred arms and men from one to  
the other, and acted in a manner  
that shows that they had made a  
previous combination, and appointed  
as a place of rendezvous the island  
of Mayores, which the Georgiana could  
not reach in spite of her repeated ef-

foots having been prevented by currents  
and contrary winds, for which reason  
she had to go back to Boston, for which  
place the breeze went for the arms and  
men she had taken out of New Orleans,  
and which was the same place where  
the Susan Louisa afterwards joined them.

Altho' what is above stated is sufficient  
to prove the true intent of the voyage of  
these vessels, it will be well to copy here  
the original document of page 95  
translated on page 223, which says:

"This expedition has been perfectly  
combined, as they have given us tickets  
for charges, so that in case of search  
by the Authorities they may not do  
any thing to us: we took on board of  
our Whaka at the mouth of the Mississippi  
a quantity of arms, and being at us,  
a revenue vessel passed by our side  
yesterday, but they knew what we were, for all  
the world is in favor of the expedition:  
we are armed with musket, short sword,  
and revolving pistols, the officers in the  
same manner: we are confident of  
success. Genl Lopez is at the head of

500 of us, and if we come out victorious  
we shall receive our four thousand  
dollars and live in peace."

It appears also that the Susan  
and breeze recognized each other  
by signals which necessarily must  
have been previously agreed upon, as  
also that during the night they sailed  
together keeping lights up to preserve  
them together, and above all, as it  
appears that in the log books of one and  
the other vessel no remarks have been  
made which in any manner could  
excuse the faults already observed;  
and as there does not appear that the  
Georgian had the proper license to  
ship the arms and munitions she received  
at the Belize, there is no doubt left  
that according to art 2<sup>d</sup> & 3<sup>d</sup> of the  
agreement with it of the Royal order  
of 20<sup>th</sup> June 1801, they must be declared  
by Your Excellency good prizes, and  
confiscated to the benefit of the State,  
with all their apparel, sails, instruments,  
boats, provisions, the rest of the arms  
found on board, & every other thing



belonging to the same group and  
 a count of the same to all that  
 they may be applied to the use of N.  
 should deem best, unless to avoid  
 the loss or damage they might suffer,  
 before the Sovereign's resolution can descend.  
 Your Excellency should prefer to sell  
 them at auction, or in any manner  
 employ them for the benefit of the State.  
 The Auditor having concluded  
 with the statement in the preceding  
 paragraph, touching the vessel de-  
 tained at Centry, passes over to occupy  
 himself of the 42 passengers who  
 were found on them, named:  
 Edward R. Davis - John Finch - William  
 Penton - David Hinger Smith - James  
 M. Gowan - John W. Winter - John Gibb -  
 Thomas M. Armstrong - William D. Smith -  
 William M. Irish - James Selger - John  
 Cranin - Geo. Brown - Alexander Miller -  
 Henry Stearns - William P. Lake - James  
 M. Martin - Henry Smith - John Little -  
 Joseph Byrnes - Antonio Francisco -  
 Jimmy J. Walsh - Phill O'Gorman - A-  
 lexander M. Smelly - Joseph Reed -

A. B. Moore - Charles A. Paris - William  
 J. Holland - James O'Donnell - Arthur  
 M. Guire - Samuel Coolson - Joel D.  
 Hogg - Stephen Hovenstrou - John L.  
 Carter - Allen P. Leonard - James Barron -  
 William J. Hardy - John Blackstone -  
 Charles B. Matthews - James Tully -  
 George M. McDaniel - William Brown -  
 The first seventeen left New Orleans  
 in the Georgian, the eight following  
 in the Susan Louie, and the remain-  
 ing seventeen in the Steamer Cecile - of  
 all these A. B. Moore alone has  
 clearly confessed his participation  
 in the undertaking: but taking into  
 consideration the statement of His  
 Excellency the Commander in Chief  
 of the Station in his communication  
 dated the 5<sup>th</sup> inst. at the margin of  
 which this report commences, it is  
 necessary that Your Excellency should  
 confirm the pardon expressly grant-  
 ed to Moore in the name of H. M. with-  
 out entering into any observations  
 which are foreign to this place.  
 Whether the statements of the remain-

may be passengers be true or false, neither  
in the summarial proceedings, nor elevating  
them to a prosecution, nor carrying them  
arbitrarily to the court where a great  
extension might be given to the evidence,  
could any thing be obtained that would  
contradict their assertions, or that would  
establish that only fear for the con-  
sequences of the crimes that were about  
to be committed in Candemas, or the  
want of room in the vessels to convey them,  
was what detained them at sea.  
The fact proved and uncontroverted is,  
that they remained many leagues from  
our coast, then appearing also from  
the documents numbered 12. 15. 28...  
55. 60 + 63, the translations of which  
are shown on pages 226 227 240 257  
260 + 263, that claims were brought  
against Lopez for deception, that dis-  
agreements had occurred among the  
expeditionists, and in one word that  
the Chief Lopez placed the Georgians  
at the disposition of all the direct-  
ed of the expedition that they might  
return to New Orleans. What is moral

conviction for a man is not enough  
for a judge.  
Without offending common sense, and  
according to all the rules of reasoning,  
it may be supposed that when those men  
engaged or enlisted in the United States,  
they must have known, if not positively,  
at least by inference, that the object  
of the expedition was not lawful or per-  
mitted, they being conveyed gratis, and  
offered a remuneration which did not  
appear proportionate to any undertaking  
not offering great risks. The greater  
part of those passengers can write.  
The avidity with which the North Amer-  
ican people read the public papers  
is well known, and it is notorious  
that long before the expedition was  
carried into effect, the project was  
spoken of, and especially in the prin-  
cipal Southern towns, where the majority  
of those people were recruited. All  
this however is nothing but opinion,  
more or less founded, so that in the  
conviction that nothing will be obtained  
by elevating the summarial proceedings

to a prosecution, the Auditor deems it strictly just that a "mole" passage shall be entered in relation to the passengers, and that they be set at liberty. —

Be it however permitted to the subscriber before going further, to express his humble opinion to Your Excellency that it would not be prudent under the present circumstances to allow those men to walk the streets and select the vessel and moment for returning to the United States. It will not be out of place to draw Your Excellency's attention to the fact that such mercenary beings disposed to enter into, and form part of any undertaking without stopping to examine into its morality, it is to be presumed, would easily increase the number of a new expedition that might reckon upon more resources and larger numbers, and although in the private opinion of the Auditor such a new and reinforced expedition would have no other result but that of giving a greater occupation to those

whose duty it would be to try and punish them, the Government however cannot neglect, it being their duty, adopting all the precautions which their wisdom may suggest for preserving order and public tranquillity, such as that of forbidding all those concerned in this affair from ever returning to the territory of this island and that of Puerto Rico, in the understanding that in case of non-compliance they will be condemned to public works for two years. To which end their description may be taken for the information of the Government. But as nothing of this belongs to your Excellency's jurisdiction, the Auditor thinks that Your Excellency should propose to the Superior Chief of the Station, to have an understanding with the principal civil and military Authority of the island upon the means of conveying those men, and the precautions with which they are to be permitted to return to the Union, delivering upon that being effected,

their money and other private property to them belonging, for as stated before, the vessels and their appurtenances together with the captured possessions and arms must remain confiscated for the benefit of the State of which duty the fiscal may be put in charge to have it effected with all possible despatch by means of a judicial investigation.

The Captain that was of the Susan Lord and the three sailors that proceeded to Cardenas in the vessel, have been declared as beyond the pale of the law by the Captain General's edict of the 19th of May last - therefore it will be proper to furnish His Excellency the Captain General, the descriptions of those individuals as they appear upon the crew lists of the vessels, that the law may be carried into effect in case that their persons be obtained.

The subscriber intentionally absters himself from entering into observations and particulars of any kind respect-

ing Rufus Benson, master of the Georgiana, and her mate Joseph A. Craffon, and the sailors belonging to the same. Nathan Dawson, Robert L. Burdy, James Newys, the mate of the Susan Lord Thomas L. Hale, and sailor of the same James Stewart, Daniel Blair, John Haman, Andrew Sirkhaner, as the proceedings respecting Benson, Craffon and Hale must continue according to the form prescribed in the Royal order of the 8th of January 1830 to which end the summaral proceedings will return to the fiscal as soon as what has been determined before shall have been effected, the sailors continuing detained until a further determination.

Recapitulating - In view of all that has been stated, the Auditor is of opinion that Your Excellency do declare: 1<sup>o</sup> the detention of the Bark Georgiana and Brig Susan Lord as bontoy legal, it being founded on Art. 86 Treaty 24<sup>th</sup> Feb. 5<sup>th</sup> of the royal naval ordinances of 1793 - His Excellency

by the Commander in Chief of this station and of the naval forces having made use, on opening and becoming informed of the correspondence of the pirates, of the Authority granted by H. M. for these cases in the royal order of the 12<sup>th</sup> of January 1803. 2<sup>d</sup> that considering the undoubted illegal occupation of the said vessels detained at Country, it having been superabundantly proved that they conveyed men, arms, munitions and provisions for the piratical expedition of Lopez, that they be confiscated with all their appurtenances for the benefit of the state. 3<sup>d</sup> that a 'nolle prosequi' be entered in relation to the 42 passengers already named, setting them at liberty for the reasons before stated, with the consent first obtained of their Excellencies the Capt. General and Commander in Chief of the station, as to the particulars before named. 4<sup>th</sup> that the descriptions of Captain Pendleton and the three

sailors that proceeded in the vessel be sent to the Captain General's 5<sup>th</sup> and last, that the summary proceedings be returned to the fiscal that he may continue the prosecution against the above named Perion, Graffon, <sup>and Holt</sup> the before mentioned sailors continuing detained.

Your Excellency will however determine what you should deem most proper having on July 7<sup>th</sup> 1803. Most Excellent Sir - Vicente de Ramos. I conform to it, and let it be fulfilled the 42 passengers named in the preceding report remaining at liberty, placing them at the disposition of their Excellencies the Capt. Genl. and Comm<sup>o</sup> in Chief of this station for the purposes expressed in the same report, that portion of which relating to it will be conveyed in a polite communication to those Authorities the fiscal being charged with the delivery of the effects and property in the form specified by the Auditor, and as such fiscal attending and being present.

to the delivery of the said individuals,  
stating in the said proceedings the  
manner in which it has been effected.  
I also issue a correct certificate of  
the report of the Auditor, and of this record  
for their insertion in the official part  
of the Diario de la Administracion in three  
consecutive numbers, returning the  
proceedings to the said fiscal for  
the fulfillment of the part appertaining  
in this view, after having passed  
through the Secretary's office the  
communications and certificate or-  
dained - (signed) Pablo de Arce - Note -  
that part of the preceding superior  
decree having relation to the Secretary's  
office has been complied with - date  
as above - (signed) José Antonio Nieto -



or toil brought them many known ad-  
vantages, they also relied upon that  
numerous and almost daily immigra-  
tion from Europe arriving to the neighbour-  
ing Union, in which are found mixed  
up with them any unfortunates who seek  
shelter and bread by means of the works  
they cannot find in Europe, and as any  
real emigrants for political causes, not  
a few wretches stained with enormous  
crimes, or a census of id and loss funds,  
or at least imprudently without all the views  
that prepare them to enter into any under-  
taking promising them lives or gains.

To prepare public opinion a news  
paper was established & written in Spanish  
and English, but of such small dimensions,  
and little merit as scarcely were the talents  
and resources of the new propagandists.  
In that news paper were published  
with impudent perseverance the grossest  
calumnies against the first Authorities  
of the island, supposing it weighed down  
by enormous taxes, and in a state of  
oppression and general discontent.  
These gratuitous and ridiculous assura-

tions and the false charge of oppression,  
misfortune and discontent which impelled  
the island to a desire of being separated  
from Spain, soon found echo in other  
News papers of the Neighbouring Union.  
It is known that for some time past,  
the most irritating rivalry is ferment-  
ing between the provinces of the North  
and South, and with the intention of  
interest the provinces of the South,  
and to stimulate them, they circulated  
the malignant calumny that such  
was the reigning discontent in Cuba  
that she was only expecting a first  
occasion, or any aid to constitute as  
nucleus that she might form herself  
into a republic annexed to the United  
States. With this fantastic plan many  
deluded men of the South have succumb-  
edly dreamt, and believed they had found  
the quickest and easiest means of obtain-  
ing over their walls the freedom as well  
they aspire to.

The prospect of an expedition against  
Cuba, became so general amongst ad-  
venturers thirsting for gold, and acquired



such consistency and almost instantaneity of an immediate realization that the illustrious President of the United States believed himself obliged to circulate the well known proclamation of the 11<sup>th</sup> of August 1849, by which after bringing to mind the duty of observing the faith of treaties and of preventing any aggression on the part of his fellow citizens against the territories of friendly nations, he declared that none of those who should take part in the expedition could calculate upon the American Government interfering in their behalf, to whatever extremity they might find themselves reduced in consequence of their conduct and undertaking.

To this manifestation immediately followed the compelling the expeditionists assembled on Rowland Island to disperse; but the speculators and other chiefs of the project altho they deferred it to a better opportunity, since afterwards broke off having continued their infamous preparations with more experience and caution, to the point of profusely issuing

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paper payable in Havana with this paper and the distribution of property over the whole island speculations have been carried out, and as it is publicly avowed some fortunes have been made, and large sums offered likewise payable in Havana. Some being well informed and others deceived with the promise of being conveyed to California assembled numbering about 500 under the command of Don Narciso Lopez at New Orleans from hence they left in three different days upon three same two vessels detained at Monterey by His Excellency the Commander in Chief of this Station and its naval forces, and on board of the latter vessel, the only one that succeeded in reaching Cardenas, the soil of which selected for their landing was stained with the known to all it is notorious that a few hours after the expeditionists were compelled to reembark routed by the small force which upon the first notice went to attack them.

That unexampled and unqualified attempt produced a general cry of indignation

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nations in the faithful Article, the  
of which had been heard in the English  
Chamber and in the Capital of France.  
But the Auditor in his capacity as a  
Magistrate will set aside these deman-  
dations to occupy with all the impossi-  
bility and moderation required by law  
of the facts springing out of the sum-  
marial proceedings and to conclude  
afterwards proposing to Your Excellency  
the verdicts which according to his  
opinion be just.

Of the five parts comprising the proceed-  
ings the fiscal (prosecuting attorney) has  
made thereby showing an example  
of praise worthy industry, a minute  
extract from which it appears that  
the Bark named Georgiana Vincumbly,  
one of the vessels detained at Centry, left  
New Orleans on the 25<sup>th</sup> of April of the  
present year, bound for Chagres with  
provisions and passengers. On the 27<sup>th</sup>  
she reached the Belice, and at night  
received from a fishing boat several  
Cases, which were said to contain  
Machinery, and afterwards turned

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out to the mountains and coast. After  
receiving them she went to sea, and in  
nine or ten days anchored at the Island  
or Key of Centry, upon which the passen-  
gers landed with their arms, were en-  
gaged in drilling and afterwards return-  
ed to the vessel, which made sail for  
the island of Mupres, taking on board  
for that purpose a pilot from among  
some fishermen they found. contrary  
winds did not permit them to reach  
their place of destination, notwithstand-  
ing they were for several days making  
efforts against those and the currents,  
for which reason they returned to Centry,  
where in three or four days after the  
Steamer Corco made her appearance  
with an unknown flag, which the  
accused call Cuban. The so called  
Colonel or General O'Hara, who com-  
manded the people on the Georgiana went  
on board the Steamer, and after commu-  
nicating with her, returned to his vessel  
the Corco starting for the Island of  
Mupres, from which she came back  
to Centry in two or three days, and

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when she had anchored, one of the chiefs went on board the Georgian and, arising upon the quarter deck, spread out the so called Cuban flag, made a speech to the passengers upon the object of the expedition, and returned to the bridge, from which a short time after another boat came with some twenty five men, discontented with the expedition. One of the vessels then took a position alongside of the other, and the operation of transferring the cases of arms, provisions and coal from the Georgian to the Cord, commenced, and lastly was effected that of the passengers who it is said were some two hundred men well armed and uniformed.

The hermaphrodite Brig Susan Lord, which is the other vessel returned at last, left New Orleans on the 2<sup>d</sup> of May of the current year, cleared for Cadiz with provisions and passengers, and having sailed to when she reached 26 degrees of latitude and 87 long. she waited some days for the Cord, which in effect joined her to receive on board all the

passengers taken out of New Orleans by the Brig, excepting the two named John Estill, and Hugh Byrnes, who being themselves not to go on board the steamer, and both vessels afterwards bore their course towards the island of Mexico, from whence the steamer departed for Havana, and the Brig went to Boston, where she anchored alongside of the Georgian.

The steamer Cord also left the port of New Orleans, on the 5<sup>th</sup> day of the said month of May, with about 140 men as passengers, and on reaching the Peline received arms, provisions and munitions, distributing them on the day after she left the river, putting on cockades, and those who were called chiefs buckling on swords. two days after this they met the Susan Lord, and the shifting of men by means of the boats of both vessels took place, and after having determined upon the operations of the Brig, as already stated, and the transferring of men having been effected, the so called Col. Bunche, made them

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a speech on the object of the expedition, offering them, that the named General Lopez would subscribe in their favor as document binding himself to the fulfillment of the offer of eight dollars per month and besides four thousand dollars at the termination of the expedition, and immediately afterwards proclamations and the biography of Lopez were distributed.

In the Georgiana and the same Lord was found at the time of the detention 53 persons, ten of whom belonged to the crew, and 42 who embarked in New Orleans as passengers: their names and surnames, with the expression of class, vessel in which they left that port, and number of pages of the consular proceedings, showing their respective declarations, have been specified in the statement accompanying this report, made to avoid the confusion of quotations, which would necessarily be caused by the multiplicity of declarations that have had to be taken from foreigners whose names our copiesists easily mistake. Of those forty two passengers, only the individual called A. B. Moore has confessed that he embarked

being cognizant of the true object of the expedition, of which he formed a part as commissary with the rank of captain: he has also stated that on the night previous to his embarking on the vessel he attended a secret meeting in which had been discussed several affairs having connection with the expedition, and among other things about the reinforcement that were intended to follow them, under the command of the United States General Guzman. The remaining forty one passengers have maintained in their declarations that they were told the voyage in the understanding of being directed to Chagres and California, and that having received notice on board that the true intent of the expedition was to attack the island of Cuba, they had refused to follow it, for which they were left at Cortez to go back to New Orleans.

From the letters and papers forwarded by His Excellency the Commander in Chief of the fleet at the time of the detention of the vessel, which docu-

ments from the fifth part, and appear translated from pages 226 to 230 both inclusive, and from the papers found by the fiscal in the desk of the captain of the Brig Susan Condr, James Redden, the originals of which are from pages 226 to 230 and the translations there of from pages 234 to 235 it is seen, that in New Orleans, and several other places of the United States, a adventurers were enlisted to invade the island of Cuba, these papers show, that the expeditions formed companies with their respective officers, and that to each one enlisted of the class of privates was offered from one to four thousand dollars at the end of the year of their engagement, besides the eight dollars per month payable for the day of sailing, and to the class of officers nineteen to twenty thousand dollars besides the pay corresponding to the respective rank.

On pages 424 425 & 428 appear the original testimonials of some of the expeditionists, translated on pages the reverse of 236, 237 238 by which they

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signate and dispose of the property they expected to obtain in Cuba. On page 440 is found original the appointment as second lieutenant of Cavalry in favor of John Herbert, signed by St. Hill at the so called Headquarters of the liberating Army of New-Orleans, writer of the Authority, he believes himself invested, with by appointment of Gen. Narciso Lopez, Commander in Chief of said Army, in which besides expressing that the said Herbert was appointed to 2<sup>d</sup> lieutenant of Cavalry with the pay and honor appertaining to that rank, he was authorized to recruit and bring to the city of New-Orleans as great a number of volunteers for the Cavalry service, destined for said Hill's Battalion, as he could engage, those volunteers were to present themselves with arms, the value of which would be paid them in Cuba, and One thousand dollars besides, or their equivalent in cash at the termination of the campaign. The reward to the Chiefs would be proportionate to their rank in Cash or estates;

without their being in case of death  
the right to those remunerations, which  
would be religiously paid over to their  
legitimate heirs. In that remarkable  
document, it is likewise stated that  
besides that remuneration the officers  
and soldiers were to receive according  
to their grades, pay equivalent to that  
received by the volunteers of the Mexican  
campaign, the amount of which  
was to be paid them by the Pay-master  
General of the Army of Cuba, when the  
said funds should be collected, payable  
from the day of enlistment.

From page 497 to 504 is found a printed  
biography of D. Narciso Lopez, and  
on pages 499, 501 & 502 three copies of  
the proclamations, likewise printed,  
which were distributed on board of the  
Steamer Cocle, the day after she left  
the mouth of the Mississippi.

That biography or historical notice of  
D. Narciso Lopez full of misrepresentations,  
and of facts invented to exalt him and  
brave and learned hero, full of merit and  
adorned with all the virtues, exaggerates

his great influence in the interior of  
this island, and states that Lopez  
had some years ago formed the resolution  
of making her independent, that the  
movement was to have commenced in  
the summer of 1848, but that being  
discovered and persecuted by the Govern-  
ment of this island, Lopez had escaped  
being arrested, as by embarking on board  
a vessel bound to Portugal, finding  
himself, says the hero, obliged to take  
this step to avoid the fate which him-  
self and friends would undoubtedly  
have experienced of being shot in a  
few days, for which reason he referred  
to some future time the realization of  
his project, which he has no doubt he  
could accomplish with the greatest ease,  
when he thought the proper hour had arrived  
for making his voyage to Cuba, as his  
great popularity, especially in the  
Central department, insured his  
triumph, the result of which would  
be the success of his mission, that  
is emancipating Cuba from the  
odious yoke, says Lopez, of Spanish

tyranny, it is in fact true that the  
Captain General, having died about  
the middle of the year 1848 the imprison-  
ment of the then General Lopez, who  
was residing in one of the interior towns  
of the island, he succeeded, showing the  
good faith and gentlemanly behavior  
of the Governor of Matanzas, in escaping  
having to give an account of his operations  
to the military commission, charged with  
his trial, as he had effected his flight  
from that post. The proceedings continuing  
however against him as a rebel, and  
the sentence pronounced on the 23<sup>d</sup> of  
April 1849, condemning him to loss  
of office, rank and crosses, saw the  
public light in all the newspapers  
of this capital Lopez, as was to be  
expected, having taken refuge in the  
United States, increased the numbers  
of the anarchists, and forgetting to  
his eternal shame all the wrongs  
to Spain from his most tender years,  
offends himself, or rather made himself  
the Chief of the expedition, the preparations  
for which caused the already mentioned

proclamations or manifests of the 11<sup>th</sup>  
of August of the same year 1849, to the  
publication of which immediately follow-  
ed the forcible dispersion of the wretches  
assembled upon Ponce Island.  
It is notorious that the Press of  
all colours in the United States, and the  
Newspapers of this Capital, have more  
or less extensively spoken from the  
beginning of April of this year of the  
second expedition to invade Cuba,  
or be it that which effected a land-  
ing in Cardenas, yet being remark-  
able that there appear in it, as well  
by the revelations of the original docu-  
ments, which are of indisputable authen-  
ticity, accompanying the summarial  
proceedings in the said 5<sup>th</sup> part thereof,  
as by the newspapers, the names of  
the North American Genl. Gutman,  
Judge Pinkney Smith, ex-Senator  
Henderson, the editor Sigur, O'Sullivan,  
O'Hara, Pickett, & others who need  
not be specified when those named  
are sufficient to prove that that  
expedition has been set on foot, favori-

ed by and composed of, not only of  
law men, but also of men whose social  
position, it appeared natural, should  
keep them away from having connection  
with such undertakings, and it is  
most remarkable and unexampled  
that persons of that kind should  
find a civilized country, in the streets  
of which they can appear with their  
heads high, with officers and rank  
that in no enlightened country can  
hold so even those who are only suspect-  
ed of such crimes.

From the official communication  
of His Excellency the Governor and  
Captain General of this Island, and  
the accompanying copy thereof on pages  
216 to 221 both inclusive appear proved,  
in the legal form sufficient for proceedings  
of this nature, the consummation of  
the attempt on the 19<sup>th</sup> day of May last,  
or be it, the tissue of crimes committed by  
Don Narciso Lopez from half past three  
of the morning on which he and his follow-  
ers invaded the port and town of Cadix  
belonging to the territory of their own faith.

ful island. They forcibly dispersed and  
imprisoned the chief authority of the place,  
burned the house in which that authority  
made a heroic resistance, robbed the  
public funds they could lay their hands  
upon, invited the inhabitants to rebel,  
and spill innocent blood, and finally  
they hoisted up in the public square  
an unknown flag. They likewise  
showed a decided intention of conti-  
nuing in the exercise of their crime  
by going into the interior of the country,  
which they did not succeed in achieving  
because, as before stated, a few hours  
after on the same day the 19<sup>th</sup> they were  
charged upon, and overtaken by a handful  
of brave men who compelled them to re-  
embark.

That attempt, unexampled in history  
on account of the exceptional circum-  
stances attending it, of the actors  
having assembled, and the means been  
prepared for its perpetration, in a  
friendly country, leaving one of its  
principal ports to attack treacherously,  
cautiously, and secretly, the territory of a



nation than as now as person with all  
the world, has already been unanimously  
qualified by the press of all colours,  
with only some few exceptions, such as  
the Sun, the Delta & others which for  
their interests & private views stand  
confronted the shame of constituting  
themselves the champions & defenders  
of Lopez's piratical expedition.

That name has been given to it in the  
British Parliament by one of the most  
distinguished writers & jurists of the  
House of Lords, and in the same qualifi-  
cation made by the President of the United  
States, when he issued the before mentioned  
proclamation of the 11<sup>th</sup> August, because  
only by considering the organizers of the  
army expedition it refers to, as pirates,  
could have been declared that none  
of the persons connected with it should  
expect the interference of the Govern-  
ment of the United States in their behalf,  
however great the extremity they might  
be reduced to in consequence of their conduct  
and undertaking, which in few words  
means that the Chief of the State put

beyond the pale of law any substan-  
tance of the Union connecting himself  
with the project.

The Auditor, according to the strictest  
principles of the law of nations also  
qualifies the attempt of Lopez, as a  
piratical act, with new and appropria-  
ting circumstances of such a nature,  
that they add a new species to the  
Catalogue of piracy. A pirate, by com-  
mon law, is he who traverses the seas  
by his own authority, without a known  
flag, committing all sorts of crimes, un-  
der by force of arms, in peace or in  
war, attacking all the vessels he meets  
without distinction or difference of  
flag. The buccaners, who undoubt-  
edly were pirates, and were as such  
treated, increased piracy with their  
particular class, in the same manner  
as Lopez has done it with his expe-  
dition against Cuba.

The buccaners did not merely commit  
robberies and infamous acts upon the  
vessels they met on the seas, but extend-  
ed their acts to attacking some parts

and coats which they plundered, set  
fire to, and destroyed in several ways.  
The pirates and buccanniers now at-  
tempted to palliate their iniquity with  
political pretences, nor aspired to obtain-  
ing a great name or fame, nor had  
they newspapers to defame them, nor  
generals and judges that would  
degrade themselves as to be connected  
with them, wishing to show their  
pillage and robbery all these are pe-  
culiarities of the so-called expedition of  
Lopez, which doubtless will constitute  
an era in history, in as much as it  
has been regarded in a friendly country,  
leaving one of its ports, to go to burn,  
rob and kill upon the territory of an  
other friendly nation, at the direction  
that there was flying on the building  
of a newspaper office established in  
one of the most public streets of New York,  
hoisted on a pole a painted piece of  
bunting, with emblem and colours,  
to which was given the name of Cuban  
flag, and was the same taken by  
Lopez to Cardenas.

In the punishment of the same species  
of piracy, invented by a few speculators  
of our neighbouring Republic, and  
headed by Lopez, are interested at the  
same time as Spain, all other nations of  
the world, without distinction of hemisphere  
or flag; for in the same manner that  
Spain was attacked on the 19<sup>th</sup> of May  
in the port & town of Cardenas, any other  
day under equal or similar pretences  
might England be attacked in Canada  
or the Barbadoes, France in Guadaloupe,  
or Martinique, Holland in Surazon,  
Denmark in St. Thomas, and Sweden  
in St. Bartholomew, the Spanish  
American Republics in any parts  
of their territories, and in one word  
all the other nations without exception.  
It is not necessary to insist that  
it exclusively belongs to the jurisdiction  
of Marine Courts all that relates  
to privateering, prizes, pirates, mu-  
tiny, and any other crime committed  
on the seas, and as the crime, or rather  
the combination of crimes perpetrated  
in Cardenas unquestionably constitute

to land or when the vessel in which  
to return to the States to carry out  
that recommendation it is understood  
that the Captain General at about  
6 A. M. of the morning of the 11<sup>th</sup> in-  
formed Commodore McKewen that the  
prisoners would be sent to the Surgeon  
during the morning and they were  
sent accordingly. The trial of these  
maunders if pressure will be prosecuted  
to conviction or acquittal in the absence  
of or under pressure of a second demand  
from the President from the opinions  
believed to be entertained by the Captain  
General I do not think he would admit  
the right of the President to make any  
demand upon him, or be induced to  
enter into a correspondence directly  
with a foreign Government. I may  
be mistaken but deem it probable  
that should Commodore Morris make  
his demand in writing the subject will  
again be referred to Mr. Calderon as  
the diplomatic Agent of his Govern-  
ment.

In conformity to your suggestion

I have this morning at the request  
of Commodore Morris and in his com-  
pany seen the forty two prisoners who  
were tried and liberated, and held  
conversations with many of them.  
They state generally that they never  
formed, or intended to form a part  
of an expedition against that or any  
other country, that they were bona  
fide emigrants for California and  
had paid their passage money for  
Chagres, that while confined they  
had not suffered for want of food,  
but were ironed for six or more weeks  
most of the time in double shackles.  
They make many other statements with  
which it is unnecessary to trouble you,  
as their affidavits and protests will  
be made and forwarded to you on  
their arrival in the States.

I send herewith a translated copy  
of the entire argument of the Auditor  
of the Marine, and approval of  
his decision.

I have the honor

to be, Sir,

With great respect & esteem

Yr M<sup>t</sup> Obed<sup>t</sup> Serv<sup>t</sup>

Robert Taylor

23 July

R. E.

W. L.

Consulate of the United States  
Havana July 16. 1854

Honble. John M. Clayton  
Secretary of State  
Washington City  
Sir

The Captain, two mates  
and seven seamen detained by this  
Government have not yet been  
relieved from incarceration,  
but permission being granted to  
Commodore Morris for him and  
myself to see the prisoners we first  
called at the Military Hospital at  
10 1/2 St. M. of this day to see Captain  
Binson, who had been placed in the  
hospital, as was understood on account  
of indisposition. We found him in  
a room with grated windows, and  
had the pain and mortification to  
discover that his intellect was entire-  
ly destroyed, and he had become a  
raving maniac. The madness  
is manifestly real, and not assumed.  
The acts and words of a madman, &c

would be idle to report, and I there-  
fore pass them unnoted.

Being informed by the fiscal that  
our visit to the prisoners was only  
permitted from courtesy, it would be  
expected of the Commodore and myself  
to ask no questions in relation to the  
total or circumstances attendant upon  
their capture: we thus found ourselves  
limited to the questions of their health,  
treatment, and whether or not all  
were alive, they answered that all  
were well, except the Captain and  
one man who had been sent to the  
hospital, that they had been well  
treated, and none were dead. We  
understood from the officers that  
the seaman in the hospital was  
convalescent. The questions were  
asked, and answers given in pre-  
sence of the fiscal, interpreter of the  
Captain of the Port, and other Spanish  
officers.

After leaving the Solerama 74,  
on which were the two mates and  
six seamen, Commodore Morris

and myself called on the General of  
Marsine. After some observations of  
courtesy to the Commodore inquiring  
of the General of Marsine when he  
thought the trial of the prisoners  
would terminate. He answered in  
about ten days. The Commodore  
stated that he was about to leave  
the port, and it would be well to give  
the prisoners when released in charge  
to the Consul. The General replied  
that he could not do so, for the  
parties would then be at full liberty  
to select the time and mode of leaving.  
I observed to the General of Marsine  
that certain papers were necessary  
to enable sailors and others to depart,  
I therefore hoped he would deliver  
to them such papers as would remove  
all difficulties at their departure,  
this he promised to do.

The answer of the General of Marsine  
to Commodore Morris furnished ad-  
ditional evidence that this Govern-  
ment is determined exclusively to  
direct every thing connected with

the capture, and that the prisoners  
shall not have even the appearance  
of being given up to any official  
of our Government.

My feelings have been so harassed  
and wounded by the melancholy and  
hopeless condition of Capt. Benson,  
and the conviction that with the  
strongest desire I have been impotent  
to save him from so sad and cruel a fate  
that I hope I shall be excused by the  
President, should I for a time visit  
the States even in advance of permission  
being received. A few days however  
may lessen the present intensity of  
feeling; should they not I shall  
leave by an early opportunity.

I have the honor to be, Sir,  
With great respect & esteem

Yr M<sup>ost</sup> Obedt Serv<sup>t</sup>

W. L. G. to the place

Recd 18 July

Mr. L. Keintz

Ms. C

Consulate of the United States  
Havana July 16<sup>th</sup> 1850

Honble. John M. Clayton  
Secretary of State  
Washington City  
Sir

I have the honor to enclose  
herewith a Bill of Lading for the  
effects of Mr. Menschen received  
through your instructions

With great respect & esteem

I have the honor to be, Sir,

Yr. most Obedt. servt

Robert B. Campbell

(Bill of Lading sent to Hon. Mr. Clarke, Sec. of State)

August 17 1850

Consulate of the United States.

Havana July 15<sup>th</sup> 1850.

I, Robert B. Campbell, Consul of the United States of America for the City of Havana, do hereby certify that the copy of an Instrument of Protest hereto attached is a true and correct copy of an original Instrument of Protest of record in the archives of this Consulate.

In testimony whereof I have hereunto set my hand, and affixed the seal of my office at Havana on the day of the date above written.

Robert B. Campbell

in 25 July

123  
to

Consulate of the United States  
Havana July 14<sup>th</sup> 1850

Honble John M. Clayton  
Secretary of State  
Washington City

Sir

I have the honor to acknowledge  
the receipt of your communication of  
the 4<sup>th</sup> instant, and telegraphic despatch  
of the 12<sup>th</sup> instant, and now return  
you my grateful acknowledgements  
for the leave of absence so promptly  
and kindly given.

The trial of the Conroy prisoners is  
I suppose being proceeded with Cap-  
tain Benson of the Georgiana as it is  
believed has been removed to a  
Sanatic Hospital. I feel a deep  
interest in his fate, and very much  
fear that his mind cannot be  
restored so long as he continues in  
a situation where he never hears his  
native language, or sees a familiar  
face. Should any thing occur by  
which officially or personally I

can in any manner serve him, the  
contingence will be immediately avail-  
able of.

It is believed that the Georgiana,  
and Susan Trade have been hauled  
into a dock, and are unloading,  
preparatory to taking in cargoes  
of timber for Spain.

With great respect & esteem

I have the honor to be Sir,

Yr M<sup>t</sup> Obedt serv<sup>t</sup>

- Robert B. a. a. p. l. c.



July 29

M. La Rive

No. 11

R.

Consulate of the United States  
Havana July 20th 1850

Hon<sup>ble</sup> John M. Clayton  
Secretary of State  
Washington City  
Sir

I have the honor to acknowledge the receipt of your despatch of the 8<sup>th</sup> in which it is requested at my earliest convenience to repair to Washington. The despatch being received a few minutes after the sailing of the Ohio for New York I shall be compelled to await the sailing of the Isabel to leave on the evening of the 22<sup>d</sup>.

I beg your acceptance of my heartfelt thanks for the very kind manner in which you have pleased to notice the discharge of my official duties. I have certainly endeavoured to act in accordance with the best dictates of my judgment as to what the honor of our flag and the rights of our countrymen demanded, and am more than rewarded by the complimentary approval of your Department

The melancholy death of General Taylor has spread a gloom over the hearts of all Americans in Havana. There is not one among them who does not deeply feel and deplore it. The American vessels in Port had their flags at half mast, as did the only English man of war in the harbor: if the same tribute of respect was paid by Spanish men of war, I am not advised of it.

In the hope of meeting you in a few days,

I have the honor to be, Sir,

with great respect & esteem

Yr. Mt. obt. servt.  
Robert W. Campbell

Consulate of the United States

Havana November 7<sup>th</sup> 1850.

Honble Daniel Webster

Secretary of State

Washington City

Sir

Having been left in charge of this Consulate by Mr Campbell on his departure for the United States, I should have addressed you before if there had occurred anything to render it necessary, and now I have merely to advise receipt of despatches for Mr Adams, Consul at St. Jago de Cuba, and Mr McLean, Consul at Trinidad, all of which have been by me forwarded per mail.

I am now advised that by a transfer of Mr Campbell to some other branch of public service of the United States, this Consulate is vacated. If you please, I shall continue discharging with zeal and fidelity the duties of the office until your further directions.

I have the honor to be, Sir,

With great respect,

Yr. M<sup>t</sup> Obedient

J. Norvell



Consulate of the United States.

Havana November 21<sup>st</sup> 1850

Hon<sup>ble</sup> Daniel Webster  
Secretary of State.  
Washington City.  
Sir.

Since the day of my last communication to you, on the seventh Instant, nothing of importance has taken place here, except that the new Captain General of this Island, General Don José de la Cueva, arrived at this Port on the 10<sup>th</sup> in the Spanish Steamer Caledonia, and was installed in office on the following day. A communication to that effect was immediately addressed by him to this Consulate.

The late Captain General, the Count of McCoy, left this port this morning for Cadix in the said Steamer, and great demonstrations of respect and regard were shown him by the inhabitants and the foreign vessels in the port, at the moment of departure.

I have the honor to be, Sir,

With great respect

Yr. mt. obt. serv<sup>t</sup>

Jos. Moreno



ULTIMAS PEGAS RECIBIDAS EN ESTA REDACCION.

Table listing received newspapers from various cities including Madrid, New Orleans, Havana, and others with their respective dates.

La opinion de la prensa europea acerca de las cuestiones suscitadas en América, y sobre todo acerca de aquellas que con nosotros pueden tener alguna relacion, no puede dejar de interesar á nuestros lectores...

«Sabido es hace largo tiempo que quien dice democracia no dice libertad y los republicanos de los Estados Unidos se encargan diariamente de ofrecernos pruebas de ello. La Carolina del Sur ha prohibido por una ley la permanencia en su territorio de todo hombre de color libre...

Parece que el gobierno americano se contentó con responder que era impotente para hacer observar el tratado; que no tenia medio alguno de obligar á la Carolina á revocar ó modificar su ley...

Es por cierto muy curioso el ver como los Estados Unidos entienden las obligaciones internacionales. Todos sabemos que la Isla de Cuba es para una porcion de los Estados Unidos objeto de estrechada codicia...

«Pero hay algo más extraño todavía. Los habitantes de la antigua parte española de Santo Domingo se separaron de los haitianos y se erigieron en estado bajo el nombre de república dominicana...

Hemos sido siempre poco díciles á los halagos de las más brillantes utopías, pero sean cualesquiera nuestras creencias acerca de la perfectibilidad social tenemos por seguro que no necesitamos llegar al porvenir en que algunos ven un poco menos que la reduccion de las naciones á una sola...

nos con nuestra nacionalidad, siempre dispuestos á sostenerla inmaculada aun á costa del sacrificio de nuestras vidas, nunca hemos dejado de mirar al extranjero pacífico con el espíritu de fraternidad, de caridad evangélica tan ostensiblemente manifiesta en la hospitalidad española...

No nos mueve á que en un vano deseo de ostentacion; no aunque en algun país nos calamita, suponiéndonos intratables y casi salvajes; aunque se nos suponen procederos los más infames con ciertos extranjeros nosotros no nos ocupamos hoy del asunto si no nos moviera á ello un objeto realmente muy importante. Tenemos motivos para creer que entre nosotros viven algunos emulados del continente vecino que demasiado olvidados de los deberes que para con sus pais contrajeron al salir de él...

Regimiento de Nobles Vecinos.

Quando recordamos el importante servicio que en momentos criticos puede prestar un cuerpo formado de vecinos honrados entre los cuales figuran como en los de la Habana la riqueza territorial, el comercio y la industria del pais...

Pero este servicio será más cumplido á nuestros ojos, y prestará más mayores garantías para todos, cuando á la moralidad y al interés personal que hoy distinguen á las personas que constituyen aquel cuerpo se unan también la instrucción del arma que el Gobierno ha confiado á su lealtad y la disciplina militar que es necesaria para que produzca su efecto la milicia. Por esto aplaudimos sinceramente cada día los esfuerzos voluntarios que los vemos hacer...

Es tanto más de celebrarse á juicio nuestro el entusiasmo que en tan penosa tarea manifiestan cuando que excepto algunos de sus miembros á quienes pueda momentáneamente halagar servir su elegante y sencillo uniforme en una parada con los más de ellos personas de comodidades que á su alcance tienen otros gozos y otros medios de figurar en la buena sociedad. De donde debemos inferir que los Nobles Vecinos son muy pocos en sus continuadas faenas por un sentimiento de esfera muy superior al de una pura ostentacion...

En la instrucción y disciplina militar, tal cual convenga á un cuerpo de vecinos como el que hablamos, vemos nosotros garantías para la sociedad á quien espontáneamente sirve, para el gobierno de quien inmediatamente depende y para sí mismo en cualquiera momento de peligro. Para la sociedad porque sin menoscabar en su ápice los buenos principios que adornan á los Nobles vecinos como simples particulares reunidos ya en cuerpo han de ajustar su conducta en el servicio á los trámites y disposiciones que la experiencia y la ilustrada discrecion del que gobierna juzgar conveniente señalar para que de este modo un regimiento por numeroso que sea, presente en sus resultados la unidad de accion, la firmeza ó la templeza cual si fuese un hombre solo. Para el gobierno porque la instrucción y la disciplina serán en todo evento una poderosa palanca que facilitará el movimiento que á los batallones quiera dárles, y para sí mismos en fin porque en una crisis que sobreviniese, una cosa sería si los Nobles vecinos conociesen el uso del arma y la táctica que hace fáciles á los ejércitos y otra si hubieran de ser considerados como pelotones de hombres ajenos al arte de la guerra.

Fundados en estas opiniones damos un plan más sincero á los batallones por el alance que en metristro manifestar, deseamos ver repetidos los ejercicios que el sábado y domingo practicaron y andáramos que cuanto antes pudieran ser citados como modelos de instrucción y de disciplina, porque así es como á nuestro entender se captarán justamente la confianza y la benevolencia de las autoridades y habitantes de la Habana que miran ya en ellos una prenda más de orden y detranquilidad.

Con la misma satisfaccion que tenemos en dar cabida en nuestras columnas al informe so-

lido el colera leido en la sesion celebrada en la villa de Guanabacoa el día 26 de junio último publicáramos la de nuestro Excelentísimo Municipio si por ventura hubiese llegado ya aquella feliz oportunidad. Mientras esto sucede, que á juicio nuestro no puede tardar mucho, á juzgar por el buen estado de salubridad que ya se observa en la Habana como en sus arrabales, celebráremos siempre el que en los pueblos de la Isla vaya desapareciendo una enfermedad cuyas influencias maldicas para el país es pernicioso siempre, ya se desarrolle en las poblaciones ó ya se traslade á los campos. De todas maneras podemos congratularnos de que el colera en Guanabacoa, como en todos los demás puntos donde apareció el año 33, no se ha propagado con la fecundidad mortífera que en aquella fecha, y que realmente no ha invadido casi nunca á ningún individuo que no haya cometido algun exceso señalado, y principalmente en la comida. Debemos pues gracias al Omnipotente por su misericordia divina en haber salvado á nuestros hermanos de la villa y esperamos nosotros dirigirla en breves días el Te Deum en accion de gracias también por habernos dispensado igual beneficio.

Presidencia de la junta subalterna de Sanidad.—Incluyo á Vds. adjunta una copia del acta celebrada el día de ayer por la junta subalterna de Sanidad de esta villa, reglamentada se sirvan insertarla en su apreciable periódico, á cuyo favor quedará agradecido.

Dios guarde á Vds. muchos años. Guanabacoa y junio 27 de 1850.—Francisco Chaparrón.—Sres. Redactores del Diario de la Marina.

En la villa de Guanabacoa en veinte y seis de junio de mil ochocientos cincuenta se reunió en la sala del Teniente Gobernador, D. Francisco Chaparrón y Correas, para celebrar una junta de sanidad bajo su presidencia, los señores Ldo. D. Juan José Rosell, D. Francisco Fuerte y Mora y el infrascrito vocal secretario.

Leida el acta anterior quedó aprobada. Se dió lectura á un informe que á la letra es como sigue.—Señores.—El vocal secretario dice, que hace diez días que no se ha presentado un solo caso del colera, que reinó oportunamente en esta villa, acreditando esta asercion al que constando su poblacion de diez mil almas, incluiva en ese número dos mil de los que vienen de la capital y otros puntos de temporada á gozar de sus medicinales baños y salubroso temperamento, solamente ha habido cincuenta y seis casos, verdad justificada tanto con los partes de los profesores encargados de los barrios y el hospital de coléricos á esta secretaria como con los de los señores regidores inspectores de los mismos al señor Teniente Gobernador, agregándose á esto la rebaja que debió hacerse de veinte de los que vinieron á invadidos de la poca de haber llegado de la Habana, de Regla, y uno de los que vinieron de los alrededores en su mayor parte al hospital, donde de alguno solo llegó en estado de curación, entre los atardecidos cinco proclivados, de manera que con los vecinos de Guanabacoa solo se han sido veinte y seis, y con muy rara excepcion todos por falta absoluta de método y excesos muy notables en la ingesta. Y como su corriere con profusion noticias no solo inexactas sino exageradas, suponiendo un gran número de los que aquí fallecieron del colera, sin cargo alguno de alguna presidencia local, y esta fe que como al Campesanto de esta villa se le atribuyen á llevar los negros y yucatecos que moran en la enfermería de la calzada de Becerra, y uno que otro del partido de Buenavista, hasta que la mano salvadora de la Isla, el ilustre General Rosell, dispuso S. E. con la prevision que dirige todos sus beneficios actos entre otras las de darles disposición de la del enterramiento provisional de los que fallecen en las fincas de donde se ingresa en este asilo, causado por consiguiente el ingreso en este asilo de un número de individuos de color que en su mayor parte son de color oscuro, y regenerados de la villa, que no solo le plugo á Dios y á su Santísima Patrona concederle esa dote que le hicieron el pais de los longevos. Restale decir otra verdad también demostrada, es haber contribuido en gran parte el señor Teniente Gobernador presidente con sus eficaces y oportunas medidas, las que merecieron la superior aprobacion del Excmo. Sr. Gobernador y Capitan General, á remover y poner en ejecucion cuantos recursos le dictara su ardiente celo con el fin de neutralizar si era posible la causa del mal que nos amenaza, y patrocinando á su solicitud todo por ser repetidas veces invitó en calidad de los señores regidores y caballero de la villa á que le propusiese cuando les pareciese para el logro de tan importante bien, todo el que habia de la que se relacionaba con los fines de donde se ingresa en este asilo, y en fin, que cuando se ingresa en este asilo, como cuando le propuso en bien de la salud pública, como igualmente las indicaciones que con tal objeto se le hicieron en esta junta, además tuvo el honor de pasar diferentes veces y compañía de un señor y otros señores al hospital de coléricos, donde inspeccionaba personalmente el establecimiento y dirigía palabras de consuelo á los enfermos que yacian en el lecho del dolor.—Lo que oída con marcada atencion por la Junta acordó: 1.º que se hiciese pública esta acta por medio de la Imprenta Oficial de la Habana y Diario de la Marina para general inteligencia y depre de las personas que las inexactas noticias de los estragos que se suponen habian sufrido esta villa, y que por el contrario se veian en estado de salud, y que se les invitase á que se presentasen con inclusión de la villa, el método que usaban, y que se les diese respecto al hospital provisional por estar ya cerrado en los términos que propuso el señor Presidente y acordó el E. Ayuntamiento: 2.º que se sigan á prevención las otras medidas dictadas hasta nueva disposicion: 3.º y último que por el mismo señor Presidente se eleve por conducto del señor secretario de la Excmo. Junta superior de Sanidad á manos del Excmo. Sr. Gobernador y Capitan General copia íntegra de esta acta para el superior conocimiento de S. E. y el de aquella Excmo. Corporacion, y también lo participó al Ayuntamiento á los efectos consiguientes. Con lo que terminó la sesion.—Francisco Chaparrón.—Dr. José Carbonell, vocal secretario.—Es copia.—Dr. José Carbonell.

AMERICA DEL SUR.

CHILE.—Los periódicos de esta república que recibimos últimamente congran estensos artículos á la situacion en que se hallan las provincias del Sur del mismo país y á las cuestiones pendientes con los indios araucanos, que se ha encargado de ventilar por disposicion del Gobierno el general Cruz. Antes de tomar de dichos periódicos ninguna de las noticias que sobre ese asunto insertan vamos á presentar á nuestros lectores el estado en que hoy se nos presentan los araucanos, por el cual podrán comprenderse mejor los datos curiosos que en seguida publicaremos, y que nos parecen interesantes bajo muy diversos aspectos. Dice una correspondencia:

«Después de los siglos que se trabaja para reducir á estos indios á la vida social poco ó nada se ha avanzado con ellos; quizá se hallan en peor estado que en la época de la conquista, pues que entonces estaban organizados de alguna manera en su estado bárbaro y hoy se confunden entre lo bárbaro y lo salvaje y han perdido mucho de aquellos sentimientos nobles que manifestaron por su independencia. Exceptuando los pocos que se han sometido por la doctrina de las misiones y la inmediacion de los pueblos los demás viven abandonados á sus ritos grotescos y brutales sin ninguna forma civil con que pudieran dar alguna esperanza de mejorar su condi-

cion por los principios de la moral y buenas costumbres.

Aunque los medios de enseñanza que se han practicado con ellos no han sido los más apropiados, porque las misiones no se hallan establecidas en lo general bajo el régimen que debian prescribir ciertas obligaciones civiles de los misioneros, principalmente sobre el método más adecuado de instruir para convertir, ni los empujados de indios tampoco han tenido reglamentados las leyes, sin embargo bastante se ha hecho para que diesen señales de alguna inclinacion de apego á nuestras instituciones y costumbres, separándose aunque fuera lentamente de las suyas con el convencimiento á la vista para apreciar las ventajas que reportarian con aquellas en lugar de las males que reciben con estas.

No solo con las misiones ha propendido la nacion á su bien sino con las dádivas, distribuyéndose constantemente el gobierno abundantes regalos de todo género, dando auxilios y gratificaciones á los enciegos ó de algun modo pretados con sus servicios ó su amistad al cultivo de la civilizacion y manteniéndolos multitud de intérpretes empleados con sueldos para entenderse con ellos, y aconsejarles las costumbres de la vida civil. Este es el interés que se lleva por sus participando recíprocamente de los bienes sociales como miembros útiles de la nacion chilena. Jamás se ha dejado de respetar sus propiedades y hasta la independencia brusan en que han querido permanecer. Pero todo es en vano, porque todo lo desprecian y miran con indiferencia por vivir en el abandono de su estado informe y salvaje. La experiencia de siglos ha hecho conocer que ni las misiones, ni las dádivas, ni los consejos, ni la enseñanza de las escuelas tienen valen alguno para estos indios, delante del ídolo de sus costumbres, de la supersticion y preocupacion en que se han criado siempre, que se les deja de libertad de elegir la intraccion para dedicarse á ella. La condicion de su raza los inclina más á las maneras de su usanza que á todas las ventajas y felicidades que se les quiere persuadir, es preciso por tanto obligarlos por la fuerza á que se presten á conocer el bien de la educacion por evitar que con su ignorancia nos langan mal.

Ellos tienen dividido el territorio de la república é interrumpida la accion del Gobierno en su parte é.—Colocados á un lado del centro ocupan como ochenta leguas de los mejores terrenos de Sur á Norte con toda la estension de Mar á Cordilleras sin que en este espacio pueda tomar parte la Administracion Pública para hacer la prosperidad que ellos usurpan á la nacion con su propio detrimento. Es hasta un obstáculo que el medio de jente civilizada se tropieza con estos indios, tolerando su vida torpe y errante y las mayores extravagancias de su ignorancia. A las provincias colaterales de Concepcion y Valdivia toco una vecindad tan odiosa, de quiza tiene que lamentar amargos recuerdos.

Con los indios que quedaron al Sur de la provincia de Valdivia separados de los araucanos tenemos el más decidido desagrado del carácter de esta raza por su natural aversion á todo principio de educacion. Hasta el año de 1792 se les dejaba en posesion de sus campos, de los llanos y Osorno con la esperanza de atraerlos por medio de las misiones, las dádivas, los consejos cuantos intereses de su conveniencia pudiera ofrecer; pero nada bastó para lograr su union ni aun contentarlos, pues combinaron un levantamiento, destruyendo las misiones y pequeñas poblaciones inmediatas, y á no haber sido una parte del batallon de Valdivia en su oposicion habrian hecho general el movimiento para apoderarse de todos los pueblos, atropellando sus pactos y promesas que siempre han hecho de vivir en amistad. A consecuencia de este accidente se encontraron las ruinas de la antigua Osorno, cuya ciudad se empezó á reedificar por un fuerte y se restableció la comunicacion con la provincia de Chilló, descubriendo el cambio de la antigüedad que se hallaba ignorado desde la destruccion de Valdivia, Osorno y demás poblaciones por los indios á principios del siglo XVII. Diez y seis años antes del año 92 se habia fundado el fuerte de Rioburno, y al impulso de estas medidas y amparo de las guarniciones que se establecieron ingresaron pobladores de Chilló y Concepcion, con que á proporcion han prosperado estos pueblos, en cuyos campos por sus producciones consiste el principal recurso de la provincia de Valdivia. Ya los indios de los llanos y Osorno son en su mayor número pobladores útiles, trabajando en la agricultura y la industria como peones de las haciendas unos, y como propietarios otros, y los demás se mantienen sujetos á las misiones, aunque observando todavía ciertas costumbres de su orijen por la consecuencia con que se les deja abandonados en la pereza sin salir á trabajar como los otros á título de pertenecer á misiones de que sacan un pretexto para no observar el régimen con que la policia de los pueblos persigue á los vagos y ociosos. La fuerza fué la que los puso en el camino de bien que nunca habrian adoptado por su voluntad, y por la fuerza empezaron á comprender esto bien para haber llegado á otro estado superior, por lo que se han adelantado, obteniendo al mismo tiempo la nacion la posesion con utilidad de todo el territorio que hoy comprende la provincia de Valdivia. Esto prueba que la fuerza es el único remedio para sacar á los indios de la ignorancia, y hace observar cuanto poder tienen en ellos la inclinacion á la vida natural, pues que aun los más dóciles y reducidos á misiones todavía se resisten á la civilizacion.

El año que recibe la nacion por la ignorancia de los indios no solo es la ocupacion inútil que hacen de una parte considerable de su territorio sino que va más adelante. En correspondencia de la amistad y de los beneficios con que siempre se les brinda han pretendido traicionándose, todo porque no conocen ni respetan ninguna derecho. Las provincias de Concepcion y Valdivia han sido víctimas de sus astucias, y esta última y la de Chilló están contrariadas con el poderoso obstáculo que pone á su progreso la interposicion de los araucanos, que las dejan aisladas del resto

(1) Llamamos la atencion del lector acerca del lenguaje del Constitucional, que hombre honrado de Europa puede calificarse de otro modo un acto semejante al de los incios bravos.

lenko debía advertir al vencedor que se detuviese por un momento tuvo intencion de hacerlo: «El Emperador, dice Mr Fann, descomulgó ya,

y entonces asistia con silenciosa indignacion á la devolucion de su pais. Una serie de batallas presentadas y rechazadas

Se habia notado un gran movimiento en el campo moscovita; las tropas estaban sobre las arribas de Kutuzoff, rodeado de los rones (1) y un

Madrid, mayo.....	18	New-Orleans, junio.....	19
Barcelona, mayo.....	18	Charleston, junio.....	19
Cádiz, mayo.....	18	Méjico, junio.....	19
Paris, mayo.....	18	Veracruz, junio.....	19
Londres, junio.....	1	Mérida (Yucat.) mayo.....	19
Liverpool, junio.....	1	Guatemala, mayo.....	24
New-York, julio.....	13	Valparaiso, abril.....	20

Por el paquete inglés hemos recibido periódicos de Nueva Orleans fechados hasta el 18 y una carta de nuestro correspondiente del 19, de la cual tomamos las siguientes líneas:

Nueva-Orleans 19 de junio.

«La irregularidad con que llegan a Mobile los vapores ingleses me impide dirigir á Vds. en esta ocasión una carta estensa, pues acabo de saber que solo se reciben hasta los 103.

«El asunto del ex-general López por disposición del comisionado se ha pasado al gran Jurado, el cual está entendiendo en el desalojo ayer pero no esperamos que nos ofrezca otro resultado que el de la guardadad del tribunal de la corte del distrito; nada entre dos platos. Creo que este asunto va á hacer época en los Estados-Unidos, porque las naciones todas conocerán cuales serian las consecuencias de que en adelante volvieran á repetirse sucesos iguales sin otra trascendencia. Lo que es por aquí ya lo sabemos, negocio y trampa adelante.»

«A lo que dice la precedente carta nada nos ofrecen que añadir los periódicos, pues nada adelantamos.»

PATRIOTISMO ESPAÑOL.

Vamos á publicar un artículo tomado del Eco del Comercio de Veracruz que estamos seguros verán nuestros lectores con grande satisfacción. Y decimos esto no porque sea cosa inesperada la conducta observada por los españoles residentes en Veracruz, que como todos los españoles se han indignado al observar la infame conducta de los autores y fuutores de la invasión, sino porque los actos previstos con mas anticipación no pueden dejar de producir su efecto en el momento de ser conocidos. En cuanto á lo que el Eco manifiesta con respecto á nuestros compatriotas residentes en Nueva-Orleans tambien nosotros habíamos recibido iguales noticias; pero ahora debemos agregar que según una carta de persona muy respetable en Veracruz no solo se disponian á venir muchos de nuestros hermanos sino que los impedidos de hacerlo preparaban suscripciones para contribuir con sus intereses al pago de los gastos de la guerra. Lo repetimos para nosotros lejos de ser sorprendente esa conducta estamos seguros de que sería imitada por todos los españoles que residen en los diversos estados que un dia formaron parte de nuestra nacion, estados que de paso sea dicho como indica nuestro correspondiente de Méjico en la carta que mas abajo insertamos, no podrán menos de considerar nuestra existencia política en Cuba como un gran cuestion de raza. Así lo prueba tambien el Eco, cuyo artículo aludido es el siguiente:

«Las noticias que nos llegaron de Nueva Orleans sobre los aprestos que se hacen para invadir la isla de Cuba, y privar á la España de la posesion de esta provincia han producido un sentimiento general de indignacion entre los españoles residentes en esta ciudad, tanto mas profundo cuanto que todos ellos tienen frescos en la memoria los vejámenes que los hijos del norte pretendieron inferir durante la guerra con Méjico á los naturales é descendientes de la nacion española. Todos ellos saben que el pueblo americano abriga la creencia insultante de que sus hijos son física y moralmente superiores en un todo á la raza española, y considerando que esa creencia es el origen de la invasión actual, miran con indolible pesar la opinion que los propone para dar un desengaño á los destructores del nombre español, vengando el agravio que creyeron recibir en la excursion y vencimiento de la República Mejicana. Su patriótico entusiasmo, su noble amor á la raza á que pertenecen los ha llevado hasta proponer la formacion de una compañía que vaya á ponerse á las órdenes de las autoridades de Cuba para batirse con los invasores. Los nombres mas respetables de los españoles de esta ciudad figuran entre los comprometidos á tomar las armas ó contribuir con su dinero para llevar á cabo este pensamiento, cuya realizacion depende de las primeras nuevas que se reciban de la Habana.

Segun escriben de Nueva-Orleans á un amigo nuestro los españoles de aquella ciudad no se muestran menos celosos del honor de su patria, ni menos interesados por el triunfo de la causa española en Cuba. Tambien allí se pensó formar un cuerpo contra-espedicionario para marchar á medir sus fuerzas con los invasores de la isla, y en muy poco tiempo pasaron de quinientos los enganchados con aquel fin. La misma carta asegura que ya habia un vapor dispuesto para el transporte de esa gente y que solo se esperaba noticias positivas del desembarco de los expedicionarios para emprender viaje.

Estos hechos nos prueban con evidencia seria la lucha entre españoles y americanos llegado el caso de un rompimiento entre las dos naciones, y como probación es la suerte de los expedicionarios si no cuentan con una victoria

que los que pueden proporcionar algunos parciales.

De todos modos es natural que el comercio y los intereses materiales de Cuba sufran mucho á causa de la intencional revolucionaria pero los trastornos que hoy experimentarían servirán para inspirar mas confianza en su porvenir y dar mayor estabilidad y engrandecimiento á su venidera resistencia.

Nosotros, que nos enorgullemos con nuestro origen, que creemos nuestras las glorias del pueblo español, y que en el presente caso no vemos en los norteamericanos sino los enemigos de nuestra raza; nosotros, á quienes estos sentimientos hicieron abrazar la causa de Méjico cuando mas desesperada se creia, y emplear todas nuestras pocas fuerzas en desvirtuar la politica de los invasores de la República, no podemos menos de admirar y aplaudir esas nobles disposiciones de los hijos de España y significarles por este medio todo el aprecio que nos merece su acrisolado y ardiente patriotismo. ¡Cuan disipata hubiera sido la suerte de la República en la pasada guerra si hubiesen dado algunos ejemplos como el que hoy presentan al mundo los españoles de Veracruz y Nueva Orleans!»

Méjico.

El paquete inglés que entró el sábado en la noche nos ha traído correspondencia y periódicos de Veracruz fechados hasta el 13 del primer punto y hasta el 15 del segundo. A continuación publicamos una carta de nuestro apreciable correspondiente, á la que agregaremos algunas otras noticias que en los periódicos hallamos.

Méjico 13 de junio de 1850.

Ningun acontecimiento político ha venido á turbar la tranquilidad de que se disfruta en la República. Solo en Puebla y Tlaxcala han tenido lugar algunos ligeros movimientos de escasa importancia é interés local que inmediatamente fueron sofocados por las autoridades competentes.

El Congreso general debe reunirse el 20 del corriente para dar principio á las sesiones extraordinarias, en las cuales se debe ocupar: 1.º De suministrar recursos al gobierno para cubrir los gastos de la administración, decretando al mismo tiempo las economías que juzgue convenientes; 2.º Proceder al arreglo general de la Hacienda y del crédito público tanto con respecto á la deuda interior como á la exterior, sin poderse ocupar de otro arreglo particular; 3.º Decidir el negocio pendiente acerca del ayuntamiento de Méjico y á tratar de los asuntos económicos de cada cámara y de los del gran jurado.

Se nota en la mayoría de los diputados mucho empeño para el arreglo definitivo del ramo de hacienda como cuestion de vida ó muerte que se le afirma ó destruye de una vez nuestra vacante nacionalidad. No ocupa menos la atención de aquellos representantes la próxima eleccion del presidente de la República, que según la ley fundamental debe llevarse á efecto en el inmediato setiembre. Los candidatos que hasta ahora presentan las diferentes fracciones políticas son: El actual ministro de la guerra, D. Mariano Arista, D. Manuel Gomez Pedraza, Don Luis de la Rosa, D. Nicolás Bravo y D. J. N. Almonte. De estos señores los que reúnen mas probabilidades de salir electos son los señores Arista y Almonte, y me atrevería á asegurar que el primero ocupará la silla presidencial.

Me consta que este Superior Gobierno ha recibido con sumo agrado las noticias comunicadas por nuestro consúl en esa ciudad referentes al triunfo obtenido por un puñado de españoles sobre la pandilla de piratas que invadieron á Cárdenas. La noticia se propaló á los pocos minutos de haber llegado á Veracruz el extraordinario Veracruz. Entonces el entusiasmo fué general. No es de extrañar! La cuestion es de raza. La sangre mejicana es hermana de la española; ambas forman un lazo indisoluble cuyo nudo es tanto mas fuerte cuanto mayor sea la proximidad de las respectivas intenciones. Un cuarto de Cuba no puede ser indiferente á los hijos de este suelo, sobre todo después que estos por su desistimiento, por no haberse entendido, han cedido á los Estados-Unidos del Norte la parte mas floreciente y rica de su circuito, y entiéndase que en esta solemnidad participamos de lo que opinan que la felicidad y fuerza de una nacion están en razon directa de la estension de su territorio. Puede ser que esta máxima, elevada á axioma por algunos hombres de estado norteamericanos, sea la primordial causa de esa debilidad que se principia á observar en la accion del gobierno de Washington, y la misma que indudablemente originará un inmediato divorcio en su federacion. A propósito entender la felicidad y fuerza de una nacion pueden estar en razon directa, y esto hasta cierto punto y en determinadas circunstancias, con la poblacion que contenga é instituciones que la rijan, pero de ningun modo con la mayor ó menor estension de su territorio.

Vds. que conocen la república, habrán tomado en cuenta que á pesar de la escasez de vastos terrenos para obtener la paz con los Estados Unidos, la que son elementos, pero muy grandes, de felicidad y bienestar, con tanto mas motivo cuanto que Méjico, y no se pierda esto de vista, no es hoy una nacion, en toda la fuerza de la palabra, ni mercantil, ni industrial, ni agrícola, ni pura y esencialmente minera. Su primordial riqueza depende de los mines. Estas se hallan hoy, en un modo, todas en bonanza, y mientras estas subsistan, mientras estas dependan de su

territorio, Méjico tiene elementos de vida, Méjico tiene recursos para su regeneracion y para su preponderancia sobre las demás repúblicas del continente americano, inclusa la que pretende dar la ley al Nuevo Mundo.

Desde que tenemos noticias de la atrevida intencional del cabecilla Lopez, todo buen mejicano se ha detenido á examinar la anexion voluntaria ó forzada de Cuba á los Estados Unidos del Norte de diversos modos. Uno como mercantil y economico, otro como filósofo y político. Considerando la cuestion bajo el aspecto de aquel en poco ó nada se perjudicaría á la nacion mejicana; empero si se la considera bajo el prisma del segundo fuerza es convenir que es de mucho interés para Méjico que en las costas del Norte y Cuba se continúe oadeudando el pendon de Castilla. Si el corto espacio de una centena de millas que pronto y muy pronto desaparecerá su nombre del mapa de esta parte del Continente americano, dejando solo á la historia el triste y fatidico *¡Aquí existió Méjico!!!*

El colera nos invadió á mediados del pasado. El primer caso acaeció el 16 de mayo. Desde aquel dia á la fecha la epidemia ha ido en aumento, sobre todo en las barrias, donde parece haberse cebado. La mortandad, según parte oficial de que respondo, ascendió ayer á 170 de 220 atacados. Una de las primeras victimas ha sido el ex-ministro de relaciones y últimamente senador D. Mariano Otero; fué atacado á las diez de la noche, á las doce no tenia pulso y á la una de la madrugada ya habia pasado á mejor vida. El señor Otero era un distinguido literato, un buen ciudadano y un excelente amigo. Su muerte ha sido muy sentida. El gobierno ha tomado serias medidas para evitar la propagacion de tan temible enfermedad; empero todos sus desvelos son inútiles, todas sus disposiciones inefectuosas, pues la epidemia sigue su curso y el terror pánico que se le tiene contribuye á aumentar el número de las victimas. Créntase entre estas algunas personas de visay está circunstancia es un poderoso aliciente para tener á toda la ciudad en completa zozobra. No puedo decir á Vds. que método curativo es el que ofrece mejores resultados, pues se ha observado que en el primer periodo de la enfermedad todos los sistemas son buenos; no así cuando aquella ha tomado incremento; entonces no queda mas recurso á los desgraciados invadidos que la muerte. ¡Dichosos una y mil veces Vds. que ya se ven libres de tan cruel azote!!!

Leemos en el Arco Iris:

Últimas noticias del interior.—Chiapas.—Por transcripcion que la comandancia general se sirvió hacer al Excmo. señor gobernador de la comunicacion oficial que con fecha 20 del corriente le ha dirigido el gobernador del departamento de Tehuantepec, comandante de batallon y en gefo de las fuerzas que obraban sobre la faccion de Juchitán, y por cartas particulares que tenemos á la vista fechadas el dia 19 del mismo despues de tres horas de un reñido combate cambiaron los estandartes del orden, dejaron el campo sembrado de cadáveres y dando por resultado su obnubilada resistencia al incendio de aquel desgraciado pueblo, cuando por los fuegos de artillería y ametrallado por á viento favorable que á lo vez captaba.

La faccion de Juchitán se ha suicidado en su propia sangre y el pueblo juchiteco, victima de su rebelde obstinacion, presenta el cuadro triste y amargo de un arroyamiento tardío de su subyugacion é impiedad.

Veni en Juchitán mencionado consumida su obra los iniquos y ante esta imagen de destruccion retrocedan los enemigos del orden, abandonen sus filas, arrojando las de la ley y la paz y hagan con la libertad de la patria la de sus generaciones y conculquemos.

Oaxaca.—El dia 28 del que acaba fué gobernado atacado de apoplejia el ilustre Sr. Obispo en los momentos de recibir para consagrar nuevos votos. A toda prisa y con la solemnidad posible en el caso se le hizo el sagrado viatico, habiendo recibido antes de manos del señor provincial el Santo Sacramento de la eucaristia. Siguenos que despues del primer ataque ha estado en algun modo desahogado que solo continúe y que se restablezca su salud.

Guajuatim.—Segun sabemos el terrible azote del colera ha causado el sacrificio en aquel punto.

Funciones de guerra.—El ministerio de relaciones ha expedido una circular con el objeto de que sea adelantado en los Estados con una funcion existiese en accion de guerra el plan de abastecimiento de la entrada de Por IX en Roma. Llamamos la atencion acerca de esta operacion, por estar probado que son peligrosas las grandes reuniones en los puntos invadidos por el colera.

Presentaciones.—Las que ha resuelto hacer el supremo gobierno en los señores Sr. D. Lazaro de la Garza y Sr. D. Juan José Gonzalez Melero del primer para el cargo de Méjico y del segundo para el cargo de Puebla, han sido recibidas con sumo agrado en los Estados, cuyo gobierno está diligencia al general por tal motivo las mas expresivas felicitaciones.

YUCATAN.—La villa del Carmen, teatro poco tiempo ha de dos terribles incendios que destruyeron muchos de sus mejores establecimientos y edificios, ha vuelto á sufrir otra calamidad de la misma especie y casi de igual magnitud. He aquí como la describe un periódico de Veracruz del 13 del corriente:

«La villa del Carmen ha sufrido un nuevo incendio en el cual fueron destruidas 47 de las mejores casas que escaparon de las llamas en los dos fuegos anteriores. Este horrorosa calamidad tuvo lugar el 5 del presente mes entre la una y las tres de la tarde. El incendio empezó por la casa del alcaide P y se propagó con espantosa velocidad á favor de un fuerte viento que soplaban en aquellos instantes.

«El dia 8, á la salida de la barca Laura, de cuyo capitán tenemos estas noticias la poblacion del Carmen quedaba en la mas terrible alarma porque se habia corrido la voz de que el fuego iba á empezar de nuevo por la noche. En medio del terror que producen siempre las grandes calamidades no es extraño que aquellos moradores vivieran llenos de sobresalto, y que persudidos de que debían sus desgracias á la malevolencia, para lo cual los sobran ya motivos, concluyeran por abandonar la isla.»

Otra calamidad amenazaba tambien á la misma poblacion del Carmen. El colera se habia presentado ya en la Palizada y así es que en la misma proxima aparicion en la Laguna sin embargo de la rigorosa cuarentena que sufrían los buques procedentes del punto infestado. No hay pues que decir que tanto esta medida precautoria como los incendios ocurridos y el temor de otros tantos paralizados el tráfico del palo de tinte, único considerable del Carmen.

El vapor de Veracruz nos ha traído un papel publicado en aquella ciudad, y aserito por *Unos guachinangos*, en el cual se ha tomado por motivo una frase poco clara de uno de nuestros autores para suponer que nosotros intentamos saltar a los mejicanos. Dicha frase fué suprimida por nosotros mismos al reproducir el artículo en que se hallaba, porque despues de impropio objetar y por lo mismo pudiera dar lugar á sinistras interpretaciones, lo cual probaria por el solo caso lejos estaria nuestro ánimo de herir susceptibilidades si nuestras simpatias por aquellos que llevan nuestra propia sangre no fueran bastante conciliadas.

Sin embargo el papel á que aludimos no ha sido publicado por mejicanos; los guachinangos que la suscriben no nacieron ni son ciudadanos de la república y por el contrario están íntimamente ligados con los enemigos de ella, en prueba de lo cual pudiéramos citar la persona y casa que en Veracruz eligieron para ir á celebrar la publicacion de su papel. Damos pues esta es plicacion mas por lo que á nosotros mismos nos debemos que por lo que importarnos pudieran las diatribas de gente denaturada.

Nueva-Orleans.—Tomamos las siguientes noticias comerciales del *Crescent* de Nueva-Orleans del dia 15, recibido por el vapor inglés de Veracruz:

El mercado del algodón abrió ayer sin animacion, pero á su conclusion mejoró la demanda y se colocaron 25000 picas á precios algo mas subidos por las clases mediana. Reformamos pues nuestras cotizaciones, dando las siguientes: Inferior 93 á 101 cts. libra; ordinario 11 á 113; Mediano 115 á 121; id. bueno 121 á 123; regular mediano 123 á 125; regular (*fair*) 125 á 133; regular bueno 133 á 135; bueno y fino nominal.

Los azúcares y mieles tambien habian mejorado en precio, pero al parecer unicamente respecto del fruto del país. En cuanto al nuestro nada se dice. Las harinas continuaban llegando en abundancia y esto hacia que los precios fueran en baja. Damantea se habian vendido 7000 cuñetes á 73 cent. la libra de la calidad llamada *prime*.

Ayer tarde se reunieron en el Campo Militar los cuatro batallones de *Nobles vecinos* con el fin de verificar una *prada* en la calle de la Reina; mas cuando se disponian á marchar á sus respectivos puestos amenazó el cielo de cargar un día de esos terribles aguaceros que tan frecuentes son en los trópicos, y por esto dispuso su coronel, el Excmo. Sr. Conde de Fernandis, toer fogata, aplazando para otro dia la referida *prada*. Sensible debió ser á poco despues el haber mandado retirar á los batallones, porque habiendo cesado las lluvias que habian comenzado á caer, y disipádose completamente la turbulencia, quedó tarde mas bella que pudiera haberse desado para la funcion militar preparada. Pero en vez de no haber perdido el tiempo para casi tres de los batallones que quedaban en el campo, porque los aprovecharon en el ejercicio de varias maniobras de batallon desempeñadas si no con toda perfeccion, con mucho mas aplomo, presteza y exactitud del que debiera esperarse encontrar en un regimiento de voluntarios crendo hace treinta dias solamente. Las evoluciones que observamos así para formar en columna como para desplegar en batalla fueron hechas toda con seriedad, y la marcha que practicaron por mitades de compañía los batallones al rededor del Campo militar al paso que nos hizo observar la union y las distancias que en ella guardan los *Nobles vecinos* nos sorprendió agradablemente por la marcialidad y paso firme y resuelto que llevaban, circunstancias muy difíciles por cierto de cumplirse en un lugar cuyo suelo es bastante sinuoso, y además cubierto de yerba, y aun de la sara en algunas partes.

De todas maneras es el cierto que los batallones de *Nobles vecinos* ofrecieron ayer tarde á la Habana entera, que con placer los miraba, uno de aquellos cuadros que escitan vivamente el entusiasmo, como tambien lo es que de dia en dia, y tal vez deberíamos decir de hora en hora; se conoce en ellos el progreso que hacen en la táctica militar. Otra vez lo hemos dicho y hoy volvemos á repetirlo: con tales elementos de defensas no es fácil que vuelvan á alterarse la paz y tranquilidad de que afortunadamente gozamos.

PROTESTA DEL SEÑORINO PONTIFICIO.—Es sabido de Roma.

El cardenal Pacci, uno de los señores de Conalvi, que se habia retirado, corrió al lado del Santo Padre. Ambos á dos gritaron: *Consummatum est!* El obrero del cardenal, Tiberio Pacci, les lleva un ejemplar impreso del decreto de Napoleón; el cardenal le toma, se acerca á una ventana cuyos postigos cerrados apenas dejan entrar la claridad insuficiente; quiere leer el papel, y lo consigue al fin con trabajo viendo á algunos pasos de distancia á un infeliz que sobra

MEMORIAS POSTUMAS

MR. DE CHATEAUBRIAND.

Adios monasterios á quienes echó una mirada desde los valles de la Sierra Nevada y desde las playas de los mares de Murcia! Ah, al toque de

dar eterno cuando no ponga imperios á una carta jugaba una fantasía.

Es probable que en el fondo de aquella mixtura hubiese algun ruidido de dominio, algunos recuerdos históricos entrelazados de través en sus ideas é implacables en el siglo. Toda autoridad (nun la del tiempo y de la fe) que no estaba autorizada á su persona parecia al Emperador una usurpacion. La Rusia y la Inglaterra auguraban su sed de preponderancia, la una con su autoridad y la otra con su supremacia espiritual. Romparto recordaba la fuerza de la hermenen-

Al reina sobre los espíritus cuando yo solo reina sobre la materia; los sacerdotes guardan el alma y me dejan el cadáver. ¿Qué! la vida le da de Napoleón á esa correspondencia entre dos hombres, uno de pié sobre las ruinas nuevas y otro sentado en las ruinas viejas, y solo quedará un fondo extraordinario de grandeza

Una carta fechada en Benavente de España, teatro de la destruccion, viene á mezclar lo cómico á lo trágico; cree uno sentir á una escena de Shakespeare; el señor del mundo ordena á su ministro de negocios que se acerque al emperador