INTERNATIONAL COURT OF JUSTICE

CASE CONCERNING

ARBITRAL AWARD OF 3 OCTOBER 1899

CO-OPERATIVE REPUBLIC OF GUYANA

v.

BOLIVARIAN REPUBLIC OF VENEZUELA

GUYANA'S MEMORIAL ON THE MERITS

VOLUME III

---

8 March 2022

VOLUME III

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Annex 1

Otto Schoenrich, "The Venezuela-British Guiana Boundary Dispute", *The American Journal of International Law*, Vol. 43, No. 3 (July 1949)

relates to Article III concerning annual membership dues; the other amendment relates to Article VIII concerning resolutions.

As a result of the discussion in the Executive Council on April 22, 1948,[1] regarding the advisability of raising the membership dues in the Society in order to meet the increasing publication costs of the *Journal* and *Proceedings,* the President of the Society appointed a committee, under the chairmanship of Mr. Howard S. LeRoy, to inquire into the whole question of dues and expenses and to report to the Society such recommendations as might seem appropriate. In its report to the Council on April 28, 1949, the committee recommended that the Executive Council be given discretion to fix the amount of annual membership dues in the Society, and that the Constitution be amended as follows:

> That Article III of the Constitution of the Society relating to annual members be amended in lines 3 and 4 by omitting the words "of five dollars" and substituting therefor the words "as the Executive Council shall determine."

The Society at its annual meeting in 1948 had considered a proposed amendment to Article VIII of the Constitution concerning resolutions.[2] In view of the differences of opinion expressed during the extended discussion of the subject, the amendment was tabled and the President of the Society was authorized to appoint a committee to report again upon the matter. The committee, under the chairmanship of Mr. George A. Finch, reported to the Executive Council on April 28, 1949. The committee's report, which was approved by the Council, recommended the following amendment to the Society's Constitution:

> That Article VIII of the Constitution be amended by adding the following sentence: "Resolutions may be submitted for consideration by the Executive Council in advance of any meeting of the Society by depositing them with the Secretary in due time."

The members of the Society are hereby notified that the above amendments will be voted upon at the next annual meeting in April, 1950.

EDWARD DUMBAULD
Secretary

THE VENEZUELA-BRITISH GUIANA BOUNDARY DISPUTE

The recent death of Severo Mallet-Prevost, a distinguished international lawyer of New York, has removed from the scene the last of the men who intervened in the adjustment of the Venezuela-British Guiana boundary dispute just fifty years ago. While recalling the tension then existing between the United States and Great Britain, it also permits the publication

[1] See Proceedings of the Society, 1948, p. 148.
[2] *Ibid.,* p. 108.

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of an incident which indicates how the Arbitration Tribunal reached its disappointing award.

The tract in dispute between Venezuela and Great Britain covered an area of 50,000 square miles, somewhat more than that of the State of New York, somewhat less than that of England. Venezuela claimed as successor in title to Spain by virtue of its revolution against Spain in the year 1810. Great Britain claimed by conquest from the Dutch, whose rights in turn rested on their occupation of Spanish territory. While subjects of Spain the Dutch had revolted and, during their long war, had established several settlements in Guiana as far west as the Essequibo River, and when at length a treaty of peace was signed in 1648, Spain allowed them to retain such places as they then held. Dutch traders later sometimes penetrated westward, occasionally even to the Orinoco, but were promptly driven back by the Spaniards. Gradually the Dutch authorities regarded the Moruca River, about 125 miles east of the Orinoco, as the utmost boundary of their colony, although Spain continued to deny their claim and considered the Essequibo, about 185 miles east of the Orinoco, as the boundary. During the Napoleonic wars, Great Britain, at war with Holland as well as France, took possession of Demarara and Essequibo and by the treaty of peace of 1814 Holland ceded to Great Britain the settlements of Demarara, Essequibo and Berbice.

The tendency to colonial expansion which marked the nineteenth century soon became evident in Guiana, where Great Britain began to assert claims to territory far beyond the Essequibo and even the Moruca. In 1834 the British Government sent Robert Herman Schomburgk, a distinguished German naturalist, to explore Guiana, and in view of his brilliant report he was commissioned in 1840 to make a survey of the country. In doing so, he naturally kept the interests of his employers in mind. Without consulting the Venezuelan authorities, and without considering that any rights of the Dutch, under whom Great Britain claimed, must be rights established by occupation and not by furtive visits, he set up boundary marks in the jungle even to Point Barima at the mouth of the Orinoco, the possession of which he deemed of importance to Great Britain as a strategic place commanding the entrance to that river. When Venezuela protested and insisted on the removal of these boundary marks, Great Britain consented to do so, explaining that they had merely been the indication of a claim. Schomburgk also submitted a map showing a boundary line between British Guiana and Venezuela. A considerable dispute later arose as to the identity of this map and the location of the original Schomburgk line.

When British subjects gradually infiltrated into the territory so claimed, Venezuela, weak and torn by civil strife, could only protest. In 1877 an official map of British Guiana was published, dated 1875, showing as the boundary a line designated as the Schomburgk line, including Point Barima and the entire territory then claimed by Great Britain, but with a note to

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the effect that it must not be taken as authoritative as it had not been adjusted by the respective governments. When gold deposits were discovered in this region, a new map was published in 1886, still dated 1875, but showing the Schomburgk boundary pushed far to the west, adding a huge tract to British Guiana and omitting any indication that it was tentative or subject to adjustment. Venezuela thereupon in 1887 formally demanded the evacuation of the territory held by Great Britain from a point east of the Moruca River and broke off diplomatic relations with Great Britain when the demand was rejected.

Lord Salisbury, the British Foreign Minister, refused Venezuela's requests for arbitration and brushed aside the offers of mediation made by the United States. His attitude aroused indignation in the United States, and the consequence was Cleveland's famous message to Congress of December, 1895, recommending the appointment of a commission so that the United States might determine for its own purposes where the true divisional line lay. Congress unanimously acceded to the request. In January, 1896, the American Government appointed as members of the Boundary Commission authorized by Congress: David J. Brewer, Associate Justice of the Supreme Court; Richard L. Albey, Chief Justice of the Court of Appeals of the District of Columbia, a Spanish scholar; F. R. Coudert, a distinguished member of the New York Bar; Dr. D. C. Gilman, President of Johns Hopkins University; and Dr. Andrew D. White, of Cornell University. Severo Mallet-Prevost, a Spanish scholar and expert in Latin American law, was appointed Secretary. The Commission immediately began a thorough work of investigation.

It was evident that the report to be made by the Commission might be very embarrassing for Great Britain. The British Foreign Office, realizing the situation, receded from its former stand, and in February, 1897, Great Britain and Venezuela signed a treaty of arbitration submitting the boundary question to an arbitration tribunal which was to hold its sessions in Paris. The United States Boundary Commission thereupon disbanded and its work was passed on to the new tribunal.

Under the arbitration treaty between Great Britain and Venezuela, five judges were appointed: Lord Chief Justice Russell and Lord Justice Collins of Great Britain, Chief Justice Fuller and Justice Brewer of the United States Supreme Court, and, as president, Professor F. de Martens, a distinguished Russian writer on international law. In March, 1898, each party submitted its case with accompanying papers: Venezuela, three volumes and an atlas; Great Britain, seven volumes and an atlas. In July, 1898, the counter-case was submitted: Venezuela, three volumes and an atlas; Great Britain, two volumes and maps. In November, 1898, the parties submitted printed arguments: Venezuela, two volumes, Great Britain, one volume. After a brief inaugural session in January, 1899, formal sessions for arguments began in Paris in June, 1899, and lasted for fifty-four sessions of

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four hours each, ending September 27, 1899. Great Britain was represented by four counsel: Sir Richard E. Webster, Attorney General; Sir Robert T. Reid, ex-Attorney General; Mr. G. R. Eskwith and Mr. Rowlatt. Venezuela was represented by four distinguished American counsel: ex-President Benjamin Harrison; ex-Secretary of War, General Benjamin S. Tracy; Mr. Severo Mallet-Prevost; Mr. James Russell Soley. Attorney General Webster, on behalf of Great Britain, opened with a speech lasting thirteen days, Mr. Mallet-Prevost, on behalf of Venezuela, followed with a speech of thirteen days. The debates were closed by a speech of Attorney General Webster for Great Britain and by a brilliant speech of ex-President Harrison for Venezuela. The speeches, the questions asked by the judges, and the answers given by counsel, were all reported in shorthand. The proceedings were later printed and issued in eleven volumes.

On October 4, 1899, the Arbitration Tribunal handed down a unanimous award. It was exceedingly short, gave no reasons whatsoever for the decision, and merely described the boundary line approved by the Tribunal. The line so designated began at Point Playa, about 45 miles east of Point Barima, thence continued to the junction of the Barima and Mururuma Rivers and south along the Amacura River. The award granted Great Britain almost ninety per cent of the territory in dispute, but the mouth of the Orinoco and a region of about 5000 square miles on the southeastern headwaters of the Orinoco went to Venezuela.

The award created general surprise and disappointment. Students of international law regretted the absence of any reasons or arguments in the award. Students of the Venezuelan side of the controversy were shocked at the excessive grant of territory to British Guiana, clearly beyond any line to which the colony could justly be entitled. However, there was nothing to do about it. The friends of arbitration pointed out that a war had been avoided, the cost of the arbitration was less than the cost of a single day of war, and, after all, Venezuela had retained the mouth of the Orinoco and a region in the interior on the headwaters of that river. The award was recognized to be a compromise. Justice Brewer himself conceded this to be the case when he said:

> Until the last moment I believed a decision would be quite impossible, and it was only by the greatest conciliation and mutual concession that a compromise was arrived at. If any of us had been asked to give an award, each would have given one differing in extent and character. The consequence of this was that we had to adjust our differing views, and finally draw a line running between what each thought was right.

The Venezuelans were particularly embittered by the result and have never become reconciled, although they have honored the counsel who defended their rights. In January, 1944, the Venezuelan Government conferred the Order of the Liberator on Severo Mallet-Prevost in recognition of his services in connection with the boundary dispute, but even in his

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speech of presentation, the Venezuelan Ambassador expressed his indignation at the injustice suffered by his country.

Mr. Mallet-Prevost had in the course of the years become the senior partner of a New York law firm of which I have the honor to be a member. A few days after receiving the Venezuelan decoration, he happened to remark in the course of conversation that, despite the criticism, the award was of enormous value to Venezuela because it granted Venezuela the mouth of the Orinoco and thereby the control of that great river and the country dependent upon it. He added that the American members of the Arbitration Tribunal had favored granting Venezuela much more territory and had resented the pressure brought upon them to avoid such an award. The word "pressure" aroused my astonishment, for the only pressure I could imagine was pressure by the American Government, and it was inconceivable that the American Government would exert pressure on the judges or that they would tolerate it. I inquired what he meant by the term, and also how the Tribunal could have been induced to render an award so greatly at variance with the evidence.

Mr. Mallet-Prevost then gave an amazing explanation from which it appeared that the American Government had nothing to do with the pressure. He said that after the arguments had been heard by the Tribunal and when the matter was ready for decision, Justice Brewer, one of the American judges, requested him to come to an interview at the hotel where the Justice was staying. Justice Brewer then stated that Professor Martens, the Russian President of the Tribunal, had called on the two American members to say that he and the two British members were anxious to have the Tribunal give a unanimous award. He proposed as a compromise that the award designate a boundary line east of the mouth of the Orinoco, the line which was in fact adopted. If the American judges agreed to this line, he and the British judges would also vote for it and the award of the Tribunal would be unanimous. If the American judges did not agree to it, he would vote with the British judges for the line claimed by Great Britain, which would thus become the boundary line by majority vote of the Tribunal. Justice Brewer said that he and Justice Fuller, the other American judge, were greatly disturbed by the proposal, for they thought the evidence clearly showed Venezuela's right to considerable territory east of the Orinoco. He and Justice Fuller were ready to reject the Russian's proposal and issue a strong minority opinion in favor of the line they thought the proper one. However, the result would be an award by majority vote granting Great Britain a valuable territory of which Venezuela would thus be deprived. The two American judges had therefore determined to lay the matter before the legal counsel representing Venezuela and let counsel decide whether they should accept the proposed compromise or file a minority opinion.

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Mr. Mallet-Prevost answered that he must consult with ex-President Harrison, the Chief Counsel. When he returned to his hotel and reported the conversation, General Harrison was incensed. Swearing roundly, he walked up and down the room saying that the only proper course was a strong minority opinion. On further reflection, however, he arrived at the conclusion that such a course would entail consequences which counsel for Venezuela could not and should not permit. It would deprive Venezuela of very valuable territory, and, what was more important, of the mouth of the great Orinoco River, which traverses such a large portion of the country. However disgusted they might be, the counsel for Venezuela and the American judges could not do otherwise than agree to the compromise proposal, by which they would save important advantages for Venezuela, including a great expanse of territory and the control of the Orinoco.

Mr. Mallet-Prevost stated he felt sure that the stand of the British members and the Russian member of the Arbitration Tribunal was the result of some deal between Great Britain and Russia by which the two Powers induced their representatives on the Tribunal to vote as they did, and Great Britain probably gave Russia advantages in some other part of the globe. Three circumstances, especially, led him to this opinion. One was the fact that the justice of the Venezuelan case had been overwhelmingly demonstrated. Another was the attitude of Lord Russell, one of the British judges, as expressed in a conversation with Mr. Mallet-Prevost. When Mr. Mallet-Prevost remarked that the judges were expected to consider only the evidence submitted to them, Lord Russell replied very decidedly that he was of a different opinion and that they should also be influenced by broad considerations of policy. The third circumstance was the sudden marked change in the attitude of Lord Collins, the other British judge, who at first took a lively interest in the evidence and arguments, indicating a sympathetic understanding and a recognition of the justice of Venezuela's claims, but after a visit to England during a recess of the Tribunal, suddenly became taciturn and listless.

I urged Mr. Mallet-Prevost to write an account of the incident which could be published after his decease if he did not wish to publish it before, insisting that he owed such a statement to himself and to the memory of the American judges on the Arbitration Tribunal. He said he would do so and about a week later told me he had dictated the memorandum.

Mr. Mallet-Prevost died in New York December 10, 1948. After his death the following document, which indicates that Venezuela is justified in her resentment, was found among his papers:

Memorandum Left with Judge Schoenrich
Not to be Made Public Except at His
Discretion after My Death

Justice Brewer and I sailed for Europe in January of 1899 in order to attend the first meeting of the Arbitral Tribunal which was to meet in Paris for the purpose of deciding

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the boundary between Venezuela and Great Britain. The terms of the Protocol which had been signed between Great Britain and Venezuela required that the Tribunal should meet at that time. However, as it was found inconvenient for all of those who should be connected with the arbitration to meet on that date it was decided to hold merely a preliminary meeting, so as to comply with the terms of the Protocol, and to then adjourn to a more convenient date.

Before going to Paris Justice Brewer and I stopped in London. While there Mr. Henry White, Charge d'affaires for the United States, gave us a small dinner to which Lord Chief Justice Russell was invited. I sat next to Lord Russell and, in the course of our conversation, ventured to express the opinion that international arbitrations should base their decisions exclusively on legal grounds. Lord Russell immediately responded saying: ''I entirely disagree with you. I think that international arbitrations should be conducted on broader lines and that they should take into consideration questions of international policy.'' From that moment I knew that we could not count upon Lord Russell to decide the boundary question on the basis of strict rights.

When we assembled in Paris the following June I met Lord Collins for the first time. During the speeches by Sir Richard Webster, the Attorney General, and by myself (the two of which consumed 26 days) it was quite obvious that Lord Collins was sincerely interested in getting at the full facts of the case and in ascertaining the law applicable to those facts. He, of course, gave no indication as to how he might vote on the subject but his whole attitude and the numerous questions which he asked were critical of the British contentions and gave the impression that he was leaning toward the side of Venezuela.

After Sir Richard Webster and I had concluded our speeches the Tribunal adjourned for a short two weeks holiday. The two British arbitrators returned to England and took Mr. Martens with them.

When we resumed our sittings at the end of the recess the change in Lord Collins was noticeable. He asked very few questions and his whole attitude was entirely different from what it had been. It looked to us (by which I mean to the counsel for Venezuela) as though something must have happened in London to bring about the change.

When all the speeches had been concluded in the month of August or early September the court adjourned so as to allow the arbitrators to confer and render their decision. Several days passed while we anxiously waited but one afternoon I received a message from Justice Brewer saying that he and Chief Justice Fuller would like to speak with me and asking me to meet them at once at their hotel. I immediately went there.

When I was shown into the apartment where the two American arbitrators were waiting for me Justice Brewer arose and said quite excitedly: ''Mallet-Prevost, it is useless any longer to keep up this farce pretending that we are judges and that you are counsel. The Chief and I have decided to disclose to you confidentially just what has passed. Martens has been to see us. He informs us that Russell and Collins are ready to decide in favor of the Schomburgk Line which starting from Point Barima on the coast would give Great Britain the control of the main mouth of the Orinoco; that if we insist on starting the line on the coast at the Moruca River he will side with the British and approve the Schomburgk Line as the true boundary.'' ''However,'' he added that, ''he, Martens, is anxious to have a unanimous decision; and if we will agree to accept the line which he proposes he will secure the acquiescence of Lord Russell and Lord Collins and so make the decision unanimous.'' What Martens then proposed was that the line on the coast should start at some distance southeast of Point Barima so as to give Venezuela control of the Orinoco mouth; and that the line should connect with the Schomburgk Line at some distance in the interior leaving to Venezuela the control of the Orinoco mouth and some 5,000 square miles of territory around that mouth.

''That is what Martens has proposed. The Chief and I are of the opinion that the boundary on the coast should start at the Moruca River. The question for us to decide

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Annex 1

is as to whether we shall agree to Martens' proposal or whether we shall file dissenting opinions. Under these circumstances the Chief and I have decided that we must consult you, and I now state to you that we are prepared to follow whichever of the two courses you wish us to do.'' From what Justice Brewer had just said, and from the change which we had all noticed in Lord Collins, I became convinced and still believe that during Martens' visit to England a deal had been concluded between Russia and Great Britain to decide the case along the lines suggested by Martens and that pressure to that end had in some way been exerted on Collins to follow that course. I naturally felt that the responsibility which I was asked to shoulder was greater than I could alone bear. I so stated to the two arbitrators and I asked for permission to consult General Harrison. This they gave and I immediately went to General Harrison's apartment to confer on the subject with him.

After disclosing to General Harrison what had just passed he rose in indignation and pacing the floor described the action of Great Britain and Russia in terms which it is needless for me to repeat. His first reaction was to ask Fuller and Brewer to file dissenting opinions, but, after cooling down and considering the matter from a practical standpoint, he said: ''Mallet-Prevost, if it should ever be known that we had it in our power to save for Venezuela the mouth of the Orinoco and failed to do so we should never be forgiven. What Martens proposes is iniquitous but I see nothing for Fuller and Brewer to do but to agree.''

I concurred with General Harrison and so advised Chief Justice Fuller and Justice Brewer. The decision which was accordingly rendered was uanimous but while it gave to Venezuela the most important strategic point at issue it was unjust to Venezuela and deprived her of very extensive and important territory to which, in my opinion, Great Britain had not the shadow of a right.

The above has been dictated by me on February 8, 1944.

OTTO SCHOENRICH
Member of the firm of Curtis, Mallet-Prevost, Colt & Mosle, of New York.

SAUDI ARABIAN OFFSHORE LEGISLATION

An interesting recent development in the law relating to territorial waters and to submarine areas beneath the high seas is to be found in action taken by Saudi Arabia on May 28, 1949. On that date King Ibn Saud signed a decree defining the territorial waters of the Kingdom and a royal pronouncement dealing with the subsoil and sea bed of areas of the Persian Gulf outside of territorial waters.[1] English translations of these two documents appear in the Supplement to this issue of the JOURNAL.[2]

The decree on territorial waters, which applies to all of Saudi Arabia's coasts on the Gulf of Aqaba, the Persian Gulf, and the Red Sea, establishes a six-mile belt of coastal sea, following in this respect regional precedents set by the Ottoman Empire in 1914, by Syria and Lebanon in 1921, and

[1] The two documents were officially published in Arabic in *Umm al Qura* (Mecca), Supplement No. 1263, dated 2 Sha'ban 1368/May 29, 1949. The text, together with the English translation appearing in the Supplement to this issue of the JOURNAL, was subsequently printed as an official document by the Saudi Arabian Government.

[2] Below, p. 154.

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Annex 2

Willard L. King, MELVILLE WESTON FULLER – CHIEF JUSTICE OF THE UNITED STATES 1888-1910 (Macmillan Company, 1950) (excerpt)

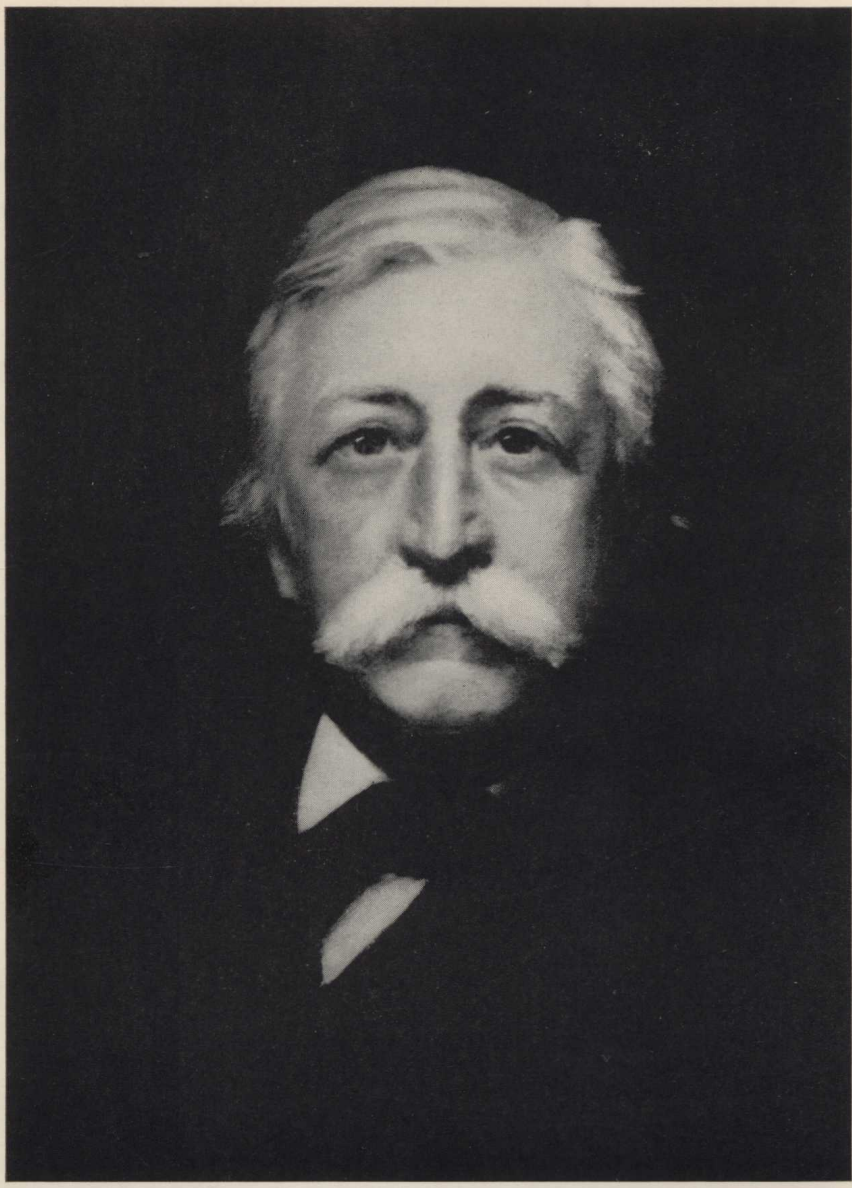


PHOTO BY CLARENCE BUCKINGHAM MITCHELL, FROM
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MELVILLE WESTON FULLER

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Melville Weston Fuller

CHIEF JUSTICE OF THE
UNITED STATES
1888–1910

By WILLARD L. KING

New York
THE MACMILLAN COMPANY

1950

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First Printing

PRINTED IN THE UNITED STATES OF AMERICA

CHAPTER XIX

VENEZUELAN BOUNDARY ARBITRATION

In 1897 Fuller, with Justice Brewer as his colleague, accepted appointment as an arbitrator in the boundary dispute between Venezuela and British Guiana.

These countries lie side by side on the north coast of South America, with Venezuela to the west and British Guiana to the east. The disputed territory was between the Orinoco River in Venezuela and the Essequibo River in British Guiana, a distance on the coast line of nearly two hundred miles. Venezuela at one time claimed as far east as the Essequibo, and the British had extended their demands as far west as the mouth of the Orinoco, so that the coastal claims overlapped for a distance of about two hundred miles. In the interior the British claims had been pressed still further to the west. For more than fifty years the dispute had raged intermittently, with Great Britain expanding her claims from time to time and refusing Venezuela's pleas for arbitration.

Venezuela had early appealed to the United States for aid, and the State Department had tried since 1876—first gently and later with increasing insistence—to induce Great Britain to settle or to arbitrate the dispute. These efforts came to a crisis in 1895, when Great Britain definitely refused to arbitrate concerning any part of the territory lying within its so-called Schomburgk line. This line had originally been drawn in 1841 by an enthusiastic explorer named Robert Schomburgk. His line went far beyond any area occupied by the British and included control of the mouth of the Orinoco. When the line was marked, Venezuela had protested and had been told by Lord Aberdeen, the British Prime Minister, that it had been drawn

only for the purposes of discussion and, after further protest, the posts marking the line at the coast were cut down by Lord Aberdeen's orders. Thereafter he had offered to settle on a line short of the Schomburgk line, but this proposal had been rejected by Venezuela.

In 1896 President Cleveland and his Secretary of State, Richard Olney, scored a diplomatic triumph by compelling arbitration. They drafted a message to Lord Salisbury, the British Prime Minister, in which they stated that under the Monroe Doctrine the honor and interests of the United States were involved in the dispute and requested a "definite decision" as to whether Great Britain would "consent or would decline" to submit the whole matter to impartial arbitration.

After some delay Salisbury replied, explaining in a patient, didactic tone that the Monroe Doctrine might enjoy great popularity in the United States but that it had no application to a boundary dispute such as this. He refused to arbitrate except as to territory beyond the Schomburgk line. Cleveland laid Salisbury's reply before Congress and asked for a commission to find the true line. "When such report is made and accepted," he said, "it will, in my opinion, be the duty of the United States to resist by every means in its power . . . the appropriation by Great Britain of any lands . . . which after investigation we have determined of right belong to Venezuela." Congress immediately appropriated the requisite funds, and the President appointed a commission of five distinguished citizens, with Justice Brewer as chairman, to determine the true boundary.[1]

All through 1896 two lines of effort went feverishly forward. Justice Brewer's commission engaged a group of cartographers and historians who ransacked the archives in London and Holland for material bearing on the historic boundary. It soon

[1] The other commissioners were: Chief Justice Alvey of the Court of Appeals of the District of Columbia, Frederic R. Coudert, of New York, Daniel C. Gilman, president of Johns Hopkins University, and Andrew D. White, president of Cornell University.

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became apparent that the report of the commission would probably be adverse to most, if not all, of the British claims. As this outcome became clearer, Salisbury and Olney negotiated strenuously to draft an arbitration treaty which would obviate a report by the commission. Salisbury finally was glad to accept a treaty which not only applied to all the disputed territory but provided in effect that possession of any part of it for less than fifty years should not make good title. (Few persons then realized that Great Britain was being drawn inexorably into the orbit of the United States.) Although the arbitration treaty was not signed until February 2, 1897, Olney wrote Brewer in strict confidence on November 10, 1896, that it had been agreed upon. Olney indicated that it was of great importance that he should be able to assure the parties that the commission would immediately suspend its "deliberations." He therefore had secured the President's authority to ask the commission to make no findings.

As soon as the boundary commission was appointed, on January 1, 1896, the British prepared a Parliamentary Blue Book to present their side of the controversy. The eminence of the author of this anonymous work and the speed with which it was prepared are shown by a letter dated February 1, 1896, from Sir Frederick Pollock to Oliver Wendell Holmes, Jr., then a Justice of the Supreme Court of Massachuetts. "For the last 3 weeks," Pollock wrote, "I have been hard at work drafting a statement of our case in the Venezuelan affair. . . . It is to be laid before Parliament as soon as possible. . . . The thing had to be done against time—I should have liked to have [had] 2 or 3 months instead of 3 weeks." Pollock apparently started to prepare this book within a week after the American commission was appointed. Two months after Pollock's letter to Holmes, Sir Julian Pauncefote, the British ambassador, sent a complimentary copy of the Blue Book to the Chief Justice, whose interest in the subject was then only academic.

Under the terms of the treaty one arbitrator was to be designated by the President of Venezuela and one by the Justices

of the Supreme Court of the United States, while two British arbitrators were to be nominated by the Judicial Committee of the Privy Council. The four so selected were to name the fifth arbitrator, who was to be president of the tribunal.

In January, 1897, overtures were made to Fuller to act as an arbitrator. He thought it his duty to accept but hesitated because embarrassing questions of precedence might arise if the Privy Council should appoint his opposite number, the Lord Chancellor. But on January 10, 1897, Olney wrote to Fuller that former Lord Chancellor Herschell was likely to be the principal arbitrator for Great Britain. "If I do not hear from you," Olney wrote, "I shall understand that Ex-s do not count—that your judgment as to being on the Commission yourself is not changed." Fuller was modest as a mouse until the dignity of his office was involved, and he tried to avoid situations where the deference due his position might be slighted.

In February the President of Venezuela appointed Fuller and the Justices of the Supreme Court selected Brewer as arbitrators under the treaty. As soon as the arbitrators were appointed, the British suggested that the governments agree on the fifth arbitrator and save the arbitrators the burden of his selection. Fuller and Brewer acceded. "Judge Brewer thought that there was no objection," Fuller wrote to Olney, "to the representatives of Great Britain & Venezuela agreeing on the fifth arbitrator & so signified to Sir Julian.[1] . . . In respect to the choice I am perfectly clear that it is a jurist & *Not* a diplomatist that is needed."

But when no selection had been made by the end of July, with the ninety days for the appointment almost half gone, the Venezuelan minister suggested to Fuller that he and Brewer write their British colleagues on the subject. Justice Brewer concurred. He said: "I should put the matter as a query, saying we had been advised that the two nations would agree on the fifth Arbitrator or at least suggest names [and] that hear-

[1] Sir Julian Pauncefote, the British ambassador.

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ing nothing we ask if the following names would be satisfactory, suggesting Calvo, Bar, Martens. I have no objections to President Díaz, but is he a jurist?[1] . . . Would it be better to ask them [the British arbitrators] to suggest names in the first instance, leaving to us to pick from the names they suggest?" Fuller adopted this last course because he could not get a reply to his letters to the Venezuelan authorities requesting approval of any names. "If you had had as much experience as I have had," Brewer wrote, "with those gentlemen at Caracas you would not be so much astonished. . . . I think however the testimony has been so fully collected that they can not blunder much." The documents submitted to Brewer's commission were being published in four volumes, and its report (without any findings), in three volumes. Brewer's overconfidence in this great mass of material was to prove a weakness before the arbitration had ended.

But weeks passed and no reply came from either London or Caracas. "I do not wonder at your irritation," Brewer wrote. "I never would put anything in which I had any interest in the hands of those gentlemen of South America. They seem to have no idea of promptness." But Brewer thought that no further letters on the subject should be written to the British arbitrators. He wrote to Fuller: "As to writing again to our British friends, I doubt the wisdom of it. Do we want to appear anxious about the matter? Are we any more responsible than they? Does the duty rest upon us alone? Are they to pose as the indifferent ones and we to revolve around or ask favors of them? It seems to me that, in the dignified suggestion we made we have done our duty. If their response leads to nothing we can justly say that we moved in the matter & they did not."

But just before the time for the appointment expired, Venezuela notified the Chief Justice that Great Britain had sub-

[1] Carlos Calvo (1824–1906), Argentine jurist; Karl Ludwig von Bar (1836–1913), German jurist; Frédéric Frommhold de Martens (1845–1909), Russian jurist, who was subsequently accepted as the fifth arbitrator; José de la Cruz Porfirio Díaz (1830–1915), President of Mexico.

mitted a list of names from which Venezuela had chosen Frédéric de Martens, a Russian jurist, as the fifth arbitrator. "Monsieur de Martens," the Venezuelan minister wrote, "was formerly the President of the Institute, Professor of the University and of the Law School at St. Petersburg, and for a long time member of the Council of Foreign Affairs of Russia. He stands it appears very high as a writer and as a man. He is considered a person of independent mind and his writings show judgment and practical good sense." Martens had acted as an arbitrator in the Newfoundland controversy in 1891 and the Bering Sea arbitration in 1893. He had received honorary degrees from Oxford and Cambridge and—because he had presided at so many international arbitrations—was sometimes referred to as the "Lord Chancellor of Europe."

Under the treaty each side was to file its printed case with its evidence within eight months; its countercase within four months thereafter, and its printed argument three months after that. Extensions were granted on request, and the last arguments were not filed until December, 1898. These documents embraced 23 printed volumes and make, with the 7 volumes of the American Boundary Commission, 30 volumes. It is not surprising that, as this flood of material poured in upon him, the Chief Justice began to doubt whether he should have accepted a place on the tribunal. "At the time I assented to . . . accept the position," he wrote to President McKinley, "it seemed best that I should do so but I have become satisfied since that I was mistaken." Every day that passed in the next year made Fuller more certain of this error.

The treaty provided that the arbitrators should meet in Paris within sixty days after the filing of the printed arguments. It was early apparent that this date would fall in the midst of the court term of 1898 and 1899. As soon as this situation was discovered, Fuller wrote to Lord Herschell: "It is well nigh impossible for two Justices of the Supreme Court to be absent next winter and absolutely so as to the Chief Justice. It is true that I might withdraw, and, except that I should

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regret being deprived of the pleasure of making your acquaintance and that of our colleague [Lord Collins], I am personally entirely willing to do so, but I cannot help thinking that it would be awkward and inadvisable.

"I should be gratified if the hearing could be postponed to the middle of May or the first of June, 1899. As such an adjournment would require the tribunal to meet, either Justice Brewer or myself, perhaps both, could come over to participate in that action, which, necessarily should be assented to beforehand."

Fuller wrote to the same effect to Martens, who immediately responded, reluctantly consenting to the extension of time for the hearings. In January, 1899, Brewer went to Paris, and a brief meeting of the Tribunal was held, continuing the hearings to May 25. They were afterward continued to June 15.

Lord Herschell died suddenly at the British Embassy in Washington on March 1, 1899. He had been in this country for several months as a member of the Joint High Commission to consider several subjects of controversy between the United States and Canada, including the Alaskan boundary. It appears from the letters of John Hay, the Secretary of State, that Herschell was trying to pay off the United States for the defeat the British had suffered in being compelled to arbitrate the Venezuelan boundary. He demanded an arbitration treaty on the Alaskan boundary which would submit to arbitration large tracts of what had always been regarded as territory of the United States. It was characteristic of Fuller, under the circumstances, to exert all of his charm upon Herschell. Fuller gave a dinner party for him and had called on him at the Embassy just before his death. The day after his death the Supreme Court adjourned to honor him; it was the first time that such a compliment had been paid to a foreign dignitary. Lord Russell of Killowen, the Lord Chief Justice, succeeded Herschell on the Venezuelan boundary tribunal.

By the time the arbitration tribunal met in Paris in the summer of 1899, the lines of argument were well marked out.

It must be remembered in considering these arguments that, in the greater part of the disputed territory, neither side had any settlement that had existed for more than fifty years.

Venezuela's position was that Spain had discovered Guiana from the Amazon to the Orinoco and had perfected her title by exploration and occupation. Spain's explorers had circumnavigated the so-called "island" of Guiana by ascending the Amazon and the Río Negro rivers and coming down the Orinoco. Spain had taken ceremonial possession of the whole province and island and had founded settlements at Santo Thome and other places. Spain's grant to Holland of the territory which subsequently became British Guiana was limited to the area occupied by the then existing Dutch settlements which did not include any substantial part of the disputed territory. Venezuela had succeeded to all the rights of Spain in Guiana.

The arbitration treaty provided that the tribunal should ascertain the extent of the territory which might be lawfully claimed by Holland and by Spain in 1814, when Great Britain acquired British Guiana from Holland. It also provided that "adverse holding" for fifty years should make good title. Venezuela claimed that under the treaty the fifty-year period must be measured back from 1814. The British protested against this interpretation and produced the diplomatic correspondence between Salisbury and Olney indicating that the fifty-year period was to be figured from the date of the treaty. Sir Richard Webster, the Attorney General, made it clear at the outset that if the Venezuelan position on this point were accepted by the tribunal, the British counsel would leave the room and end the arbitration.

Britain's position was that the claim of Spanish possession of the disputed territory was not well founded; that the territory was essentially no man's land and that the Indian tribes living in it had alliances with the Dutch rather than the Spanish. The Dutch, they argued, had thus acquired a sphere of influence in the territory which was continued and fostered by

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the English so that the Indians in effect became British subjects.

For fifty-five days the arbitrators listened to the arguments. Great Britain was represented by her Attorney General, Sir Richard Webster, afterward Lord Chief Justice as Lord Alverstone. He was assisted by the Attorney General of the prior administration, Sir Robert Reid, afterward Lord Chancellor as Lord Loreburn. They were supported by George Askwith, later Sir George Askwith, and Mr. Rowlatt, later Mr. Justice Rowlatt. The senior counsel for Venezuela was former President Harrison, though Mr. S. Mallet-Prevost, General Benjamin F. Tracy, and James Russell Soley all took a prominent part.

In the course of the arguments a question of the production of a document arose. The British had printed as part of their case the correspondence between Lord Aberdeen and the governor of British Guiana at the time the Schomburgk line was drawn. One such letter was omitted, although it was known to exist because a subsequent letter referred to it. It seemed probable that this missing letter gave the reasons which induced Lord Aberdeen to repudiate the Schomburgk line and offer a line nearer the Essequibo. In the course of the argument Fuller called Sir Robert Reid's attention to the absence of this letter. Reid answered that it could not be produced because it related to high governmental policy. Two days later the president of the tribunal stated that some of the arbitrators desired to see the dispatch in question, but the Attorney General absolutely refused to produce it. The president then stated that all the members of the tribunal agreed that it was sufficient to have the statement in the record that the document could not be produced. The letter must have been damaging indeed to the British case to cause the Attorney General deliberately to submit to the inferences which would flow from his refusal to produce it.

But the British made the better presentation of the arguments, both printed and oral. Their Attorney General was ex-

perienced in international arbitrations. The British love of conciseness and organization was invaluable in a case involving such an immense mass of material. The Venezuelans had no counsel comparable to Sir Frederick Pollock to prepare the original outline of the argument. Although President Harrison was probably the ablest lawyer ever to be President,[1] the mistake was made of letting him speak last, at the end of weeks of argument, when all ears were wearied of the subject. Similarly in the printed cases, countercases, and arguments, the British developed their full theory in their case, the first document submitted; the Venezuelans withheld theirs for the final printed argument. The British printed argument was a short outline of their case; the Venezuelan filled two thick volumes. On oral argument Venezuelan counsel could only repeat what they had just said in print, while the British had a fresh story to tell. Furthermore, Lord Alverstone thought, after experience in three international arbitrations between English and American advocates, that the British division between barristers and solicitors showed to advantage in such a proceeding. The American presentation, he said, was adversely affected by the lengthy labor of securing the evidence. The lawyer who prepares the case is inclined to emphasize the points that he has dug out, but the barrister, with all the evidence laid before him, is more likely to choose his emphasis to impress his tribunal.

The heat was oppressive in Paris in the summer of 1899, and the Chief Justice found the arguments tedious. His family, however, enjoyed in France, during the arbitration, their first automobile ride. But Fuller was caught up in a social whirl: every member of the tribunal gave a dinner party—a thing

[1] Roland Gray, of Boston, who was the Chief Justice's Secretary in Paris, commented on reading this statement: "I think he [Harrison] was more than that. I never heard him argue in Washington and he did not appear very well in Paris. But my uncle [Justice Horace Gray] once said to me that in his opinion the four ablest counsels who argued before him in Washington were Mr. James Carter, Mr. Joseph Choate, Mr. John Johnson of Philadelphia and President Harrison." Gray to the author, Nov. 2, 1948.

that he had always found distressing. The Dreyfus case was then being retried at Rennes; and it, rather than the arbitration, was the principal topic of conversation.

With relief the arbitrators heard the end of the arguments and went into their final conference. That their ultimate unanimity was not spontaneous is apparent from the fact that this conference lasted six days. The British theory that the Dutch had acquired sovereignty over the territory by alliance with the Indians roaming in it was preposterous to American lawyers. No sovereignty had ever been acquired by giving presents to the Indians and making alliances with them. The American Indians were never considered as having any sovereignty. Chief Justice Marshall had declared that the governments of Europe in settling America, and especially England, had agreed to the rule that discovery gave to the nation making it the sole right of acquiring the soil from the natives. "The absolute ultimate title," Marshall said, "has been considered as acquired by discovery, subject only to the Indian title of occupancy, which title the discoverers possessed the exclusive right of acquiring." Spain was the admitted discoverer of Guiana.

But Martens fervidly desired a unanimous decision, and this attitude on his part gave the British an advantage. The fact that they had been dragooned into the arbitration made them desperate in their threats to ignore the award if it did not suit them. Counsel for Venezuela were not of a temper to threaten to withdraw from the arbitration or refuse to produce an obviously pertinent document as the British did. And similarly, the American arbitrators were not able in the conference to assume the fire-breathing attitude of their British colleagues. The Americans doubtless threatened to dissent, but without the heat with which the British threatened. Furthermore, Britain had an equity in its favor which was cut off by the arbitration treaty. For some years (though not fifty) British subjects had been operating gold mines in the disputed territory. One cannot help sympathizing with a man whose possession has existed for a long time but is a few years short of

the period prescribed by a statute of limitations. Martens wavered and finally leaned toward the British view. Perhaps Marshall's pronouncement did not seem as conclusive to a Russian jurist as it did to the Americans.

In the main the Schomburgk line was adopted as the boundary, but the American arbitrators forced two great gaps in it. On the coast the line was pushed back several miles from the mouth of the Orinoco, giving Venezuela undisputed control of that river. In the interior the line of the Wenamu River was adopted instead of the Cuyuni, allowing Venezuela another substantial area east of the Schomburgk line. Thus Venezuela was awarded substantial parts of the territory which Britain had originally refused to submit to arbitration, as well as all the territory claimed by Britain beyond the Schomburgk line.

But the British were jubilant over the result and the Venezuelans disappointed. Great Britain received all the gold mines and the far greater part of the disputed territory. Sir Richard Webster was made a baronet and Sir Robert Reid received the Grand Cross of St. Michael and St. George for their services as advocates in the case and the British arbitrators on their return were feted by the Royal Societies Club.

However, the suggestions of a British publicist that Venezuela received practically nothing of value under the award is far from true. Barima Point at the mouth of the Orinoco may be swampy and worthless land, but the possessor of it could levy duties on Venezuelan commerce, for it controls the mouth of a river which is the great inland waterway of Venezuela. And for Venezuela to have the boundary settled after more than fifty years of strife and constant encroachment by a powerful neighbor was in itself a victory.

Fuller's rare good will—his capacity for cultivating those who irritated him—is illustrated again by this arbitration. Though he privately expressed some bitterness toward the British, he carried on for the remainder of his life a cordial correspondence with his English colleagues. The following year Lord Russell of Killowen invited Fuller to visit him in Eng-

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land and, upon Russell's death a few months later, Fuller was an active member of the memorial committee. The next year Martens received an honorary degree from Yale, and the Chief Justice gave a dinner for him in Washington. Fuller exchanged many letters with Lord Alverstone and Lord Collins, visited Lord Collins in England in 1905, and in 1907 gave Justice Holmes a letter of introduction to Lord Loreburn, the Lord Chancellor, eliciting an enthusiastic response.

Fuller's capacity for suppressing his resentment and his unusual facilities for friendship were thus a factor in creating the present relations between Great Britain and the United States. "You will be just as likely to be chosen President," Grandma Weston had written to her hot-headed grandson when he was twenty-three, "if you don't knock everybody down who presumes to differ from you." [1] For more than forty years, under the spur of that advice, he had cultivated a capacity for controlling his temper. Anglo-American relations are perhaps indebted to Paulina Weston. It was prophetic that among the Chief Justice's book purchases in London in 1899 was a book called *The River War,* dedicated to Lord Salisbury by a young English writer named Winston Churchill.

[1] See Chap. III, *supra.*

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Clifton J. Child, "The Venezuela-British Guiana Boundary Arbitration of 1899", *American Journal of International Law*, Vol. 44, No. 4 (1950)

THE VENEZUELA-BRITISH GUIANA BOUNDARY ARBITRATION OF 1899

By Clifton J. Child

Formerly Commonwealth Fund Fellow, University of Wisconsin

In his note on "The Venezuela-British Guiana Boundary Dispute," (this Journal, Vol. 43 (1949), pp. 523–530), Judge Otto Schoenrich publishes a memorandum by the late Severo Mallet-Prevost which, if it were the only evidence upon which the fairness of the arbitration of 1899 could be judged, would bring the justice of the award seriously into question. Fortunately, however, it is not necessary to rely either upon the recollections of Mr. Mallet-Prevost or upon the construction placed upon these and other facts relating to the boundary dispute by Judge Schoenrich in order to learn the truth of how the Tribunal came to make its award. There are the voluminous files of the British Foreign Office on the arbitration to which reference may be made [1] and there is the verbatim record of the Tribunal, taken down by six shorthand writers, printed day by day as the Tribunal sat, and then issued in 54 parts. There are also the files —often most informative—of contemporary newspapers (for the arbitration took place at the French Ministry of Foreign Affairs under the watchful eye of the press).

It was perhaps only to be expected that some day, after turning the matter over in his mind for so long, Mr. Mallet-Prevost would eventually produce a theory to justify the attack which he and General Harrison, the senior Counsel for Venezuela, launched upon the Tribunal immediately after the award was announced on October 3, 1899.[2] On that occasion Mr. Mallet-Prevost and General Harrison made a statement to Reuter's correspondent which, after claiming "victory" for Venezuela in terms which will be referred to later in this paper,[3] concluded as follows:

> The President of the Tribunal . . . had in his closing address today commented on the unanimity of the present judgment and referred to it as a proof of the success of the arbitration. It did not, however, require much intelligence to penetrate behind this superficial statement and see that the line drawn was a line of compromise and not a line of right. If the British contention had been right, the line should

[1] The Foreign Office papers on the Arbitration of 1899 in the Public Record Office, London, fill 15 bound volumes. They are *FO 80:* 411–424 inclusive, and *FO 80:* 474.

[2] The award was announced on Oct. 3, and not on the 4th, as stated by Judge Schoenrich.

[3] See below, p. 691.

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> have been drawn much further west. If it had been wrong, then it should have been drawn much further east. There was nothing in the history of the controversy, nor in fact in the legal principle involved, which could adequately explain why the line should be drawn as it was now found. So long as arbitration was to be conducted on such principles it could not be regarded as a success, at least by those who believed that arbitration would result in an admission of legal rights and not in compromises really diplomatic in their character. Venezuela had gained much, but she was entitled to much more, and if the arbitrators were unanimous it must be because their failure to agree would have confirmed Great Britain in the possession of even more territory.[4]

In view of the charges which have now been ventilated in Mr. Mallet-Prevost's memorandum, the language of this attack is significant. For it will be noted that, although he and General Harrison did not spare the Tribunal, nor, indeed, the two American judges who were members of it, the only suggestion of impropriety which they made in connection with the award was that it was essentially a compromise, rather than the admission of right on the part of one side or the other, and that it consequently deprived Venezuela of territory to which her Counsel (naturally enough) believed her to be legally entitled. There was no complaint that this compromise resulted from undue pressure upon the judges by the Russian President of the Tribunal, M. de Martens, or from a "deal" between Russia and Great Britain, as alleged in Mr. Mallet-Prevost's memorandum. Nor was there any appeal to the American judges, as there might reasonably have been, if Mr. Mallet-Prevost's present charge is true, to enter a protest against the false position in which they had supposedly been placed by the President of the Tribunal and to let it be known that, if they had concurred in the unanimous award of the Tribunal, they had done so against their own better judgments.[5] In fact, apart from the resentment which the Counsel for Venezuela apparently felt against the verdict, there were none of the elements of the story as Mr. Mallet-Prevost now tells it—a circumstance which makes it tempting to assume that, in nursing his grievance against the Tribunal through the years, Mr. Mallet-Prevost allowed his imagination to supply a number of details which were missing from the statement which he and General Harrison made in 1899.

This was not the only extent to which the picture apparently changed in Mr. Mallet-Prevost's mind between 1899 and 1944, when he dictated his statement; and thus, before proceeding to examine his principal allegation regarding the "deal" between Great Britain and Russia, it becomes necessary to consider some of the major errors which he allowed to creep into

[4] The Times (London), Oct. 4, 1899, p. 6.

[5] So far from entering such a protest, Justice Brewer went on record with the statement, which Judge Schoenrich himself quotes, to the effect that all the arbitrators had differing views as to where the true boundary should be drawn, etc.

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the story and, above all, to call attention to the tricks which his memory apparently played with the facts which he adduces in support of his statement.

The first error in Mr. Mallet-Prevost's account relates to the rôle of Lord Chief Justice Russell, one of the British judges, in the arbitration. After recording the conversation which he had with Lord Russell at dinner in January, 1899, Mr. Mallet-Prevost observes that, from that moment, he knew that he "could not count upon Lord Russell to decide the boundary question on the basis of strict rights." The fact is, however, that, in January, 1899, when Mr. Mallet-Prevost dined with him, the Lord Chief Justice was in no way connected with the boundary dispute and had no prospect of being involved in the arbitration. At that time the arbitrators were M. de Martens, Chief Justice Fuller, Justice Brewer, Lord Justice Collins and Lord Herschell—as provided for in Article II of the Anglo-Venezuelan Treaty of February 2, 1897. As the first British arbitrator nominated by the Judicial Committee of the British Privy Council, again in accordance with Article II of the Treaty, Lord Herschell was, in January, 1899, actively concerned with the preliminaries of the arbitration, although he was prevented by other business (as was Chief Justice Fuller) from attending the brief and formal first meeting of the Tribunal on January 25. And it was only with his sudden death, after a fall in the street in Washington, D. C. on March 1, 1899 (*i.e.*, two months after Mr. Mallet-Prevost's conversation with Lord Russell), that it became necessary to bring in another arbitrator to replace him. It was then, and only then, that Lord Russell became involved in the arbitration, and it is consequently sheer nonsense for Mr. Mallet-Prevost to suggest that, from the moment when he dined with the Lord Chief Justice in January, he knew that he could not count upon the latter to be fair, and for Judge Schoenrich to adduce this "circumstance" as having led Mr. Mallet-Prevost to the opinion that a "deal" was concluded behind the scenes between Great Britain and Russia.

In the case of Lord Justice Collins, the other British arbitrator, Mr. Mallet-Prevost's memory seems to have been equally at fault. Of Lord Justice Collins Mr. Mallet-Prevost says that, at first, "his whole attitude and the numerous questions which he asked were critical of the British contentions and gave the impression that he was leaning toward the side of Venezuela"; and that, after the "short two weeks holiday" of the Tribunal (when he and Lord Russell allegedly took the President of the Tribunal with them to England and when the "deal" between Great Britain and Russia was allegedly concluded) the "change in [him] was noticeable," *i.e.*, "he asked very few questions and his whole attitude was entirely different from what it had been."

Now, as Mr. Mallet-Prevost must have known in 1899, even though he apparently overlooked the fact later, every word spoken by Lord Justice

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Collins as long as he sat on the Tribunal, and every word spoken by every other judge and counsel participating in the arbitration, was entered in the verbatim record which was printed at the end of each day's proceedings; so that, had Mr. Mallet-Prevost checked his statement against the record, the following facts could not possibly have escaped his notice:

1. Taking his recorded remarks as a whole, Lord Justice Collins gave no tangible indication that he was "leaning toward the side of Venezuela" or, indeed, toward the side of Great Britain, either before or after the crucial recess. He allowed Lord Russell to do the greater part of the questioning during Sir Richard Webster's opening speech for Great Britain (June 15–July 13). He followed Mr. Mallet-Prevost with a number of critical questions and observations during the latter's opening speech for Venezuela (July 21–August 10), mildly rebuking him on July 24 for the manner in which he presented his evidence.[6] He gave the same alert attention to the ensuing speeches (Mr. Soley, August 12–29; Sir Robert Reid, August 30–September 4; Mr. G. R. Askwith, September 5–7; General Tracy, September 7–15; Sir Richard Webster, September 15–19; and General Harrison, September 19–27). He questioned the British Counsel, Sir Robert Reid and Mr. Askwith, as frequently as he questioned General Tracy, with whom he had long exchanges on September 12 over the latter's interpretation of the Treaty of Münster.[7] Both he and Lord Russell continued to put searching questions to Sir Richard Webster during the latter's summing up.[8] On the other hand, his interruptions during General Harrison's final speech were on the whole not unhelpful to the latter in rounding off the case for Venezuela.

2. Lord Justice Collins' questions and interjections varied in number from 0 to 30 per session before the recess, except on July 31 and August 3, when they numbered 36 and 72 respectively (during Mr. Mallet-Prevost's own speech). They varied from 0 to 29 per session after the recess, the total reaching 29 during the first session after the recess, when the change in him would presumably have been most noticeable had he suddenly become "taciturn and listless" (as Judge Schoenrich puts it).

3. After the recess, as indeed before, Lord Justice Collins tended to ask as many questions as Chief Justice Fuller and Justice Brewer, who were presumably not "taciturn and listless."

Apart from these errors in regard to the rôles of Lord Russell and Lord Justice Collins, there are minor misstatements of fact in Mr. Mallet-Prevost's narrative which also show how badly his memory must have served him. For instance, he states that after he and Sir Richard Webster had concluded their speeches "the Tribunal adjourned for a short

[6] Seventeenth Day's Proceedings, Meeting of July 24, p. 993.

[7] Forty-Fourth Day's Proceedings, Meeting of September 12, pp. 2556–2560.

[8] They were often more searching than those put by Chief Justice Fuller and Justice Brewer.

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two weeks holiday." Now had he deemed it worth his while to refresh his recollection by reference to the printed record, Mr. Mallet-Prevost would have been reminded that the Tribunal did not adjourn after hearing Sir Richard Webster and himself, but went straight on to hear the "argument" of Mr. Soley. It was then, in the very middle of Mr. Soley's "argument," that the Tribunal did adjourn, but only for nine days (August 16–25), and not for "two weeks," as stated by Mr. Mallet-Prevost. (This was only one of the Tribunal's ten adjournments, but as it was the longest, although not by very much, we must assume that it was the one which Mr. Mallet-Prevost had in mind.) [9]

As for Mr. Mallet-Prevost's cardinal allegation that a "deal" was concluded between Great Britain and Russia in 1899 to decide the arbitration in the manner described in his statement, it ought perhaps in the first place to be pointed out that the very suggestion that the British felt it necessary to negotiate such a "deal" implies that by the end of Mr. Mallet-Prevost's speech the proceedings were going so badly for them that they felt that they had to resort to subterfuge in order to make their position more secure. The fact is, however, that Mr. Mallet-Prevost's case gave the British no cause for anxiety. At one stage in his "argument" the President of the Tribunal had felt constrained to suggest to him that, in the interest of brevity, he might make certain changes in his method of presenting his evidence; [10] and, after he wound up on August 10, the British Agent, Mr. George W. Buchanan, was able to report to Lord Salisbury that the Tribunal had not, in his opinion, been very profoundly impressed by his performance. He wrote:

> The speech which Mr. M–P thus brought to a close has not, I believe, made any real impression on the Tribunal. It has attacked the British position too much in detail, and any success which he may have obtained has been of a purely negative character.[11]

Nor did Mr. Buchanan feel at any time that the case was going badly for Great Britain. On the contrary, he continued to send in optimistic reports throughout the proceedings. At the end of Mr. Soley's speech he thought that the Tribunal was impressed by the fact that Point Barima lay within the British sphere of influence.[12] He considered that General

[9] The Tribunal had to take three long recesses in June and early July in order to permit M. de Martens to attend the First Hague Conference.

[10] *Cf.* the remarks by the President and other members of the Tribunal, in Twentieth Day's Proceedings, Meeting of July 31, pp. 1213 ff.

[11] Mr. Buchanan to Lord Salisbury, No. 81 of August 10, 1899, in *FO 80:* 420. Venezuela, Guiana Boundary Arbitration (Archives), Drafts 1–82, January-August 12, 1899.

[12] Mr. Buchanan to Lord Salisbury, No. 104 of August 29, 1899, in *FO 80:* 421. Venezuela, Guiana Boundary Arbitration (Archives), Drafts Nos. 83–169, August 13–January 4, 1900.

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Tracy,[13] who had "wearied his listeners by reading out a written speech full of endless repetitions," had "made no impression whatsoever on the Tribunal";[14] and of General Harrison's final speech he wrote:

> In spite of the force and eloquence with which General Harrison has supported the contention that Venezuela as successor to Spain is invested with a prior and paramount title to the territory in dispute, the speech which he has today brought to a close has, I think, failed to make any serious impression on the Tribunal.[15]

It is consequently not surprising, perhaps, to find that, in the fifteen bound volumes of British Foreign Office papers relating to the arbitration[16] and in the almost equally voluminous dispatches and telegrams which passed between London and St. Petersburg during this period[17] there is not one single document which by the widest stretch of the imagination could be considered to indicate a "deal" between Great Britain and Russia of the sort suspected by Mr. Mallet-Prevost.

How, in any case, do the steps which were allegedly taken to conclude that "deal" during the crucial recess of the Tribunal in August fit in with what is otherwise known of the movements of the leading figures in the drama? If we are to believe Mr. Mallet-Prevost, "the two British arbitrators returned to England" during the recess "and took Mr. Martens with them." In the case of Lord Russell the first part of this statement is certainly true, for there is confirmation in the London *Times* of August 18, 1899, Court Circular (page 4), that "the Lord Chief Justice (Lord Russell of Killowen) returned from Paris yesterday to his country house, Tadworth Court, near Epsom." There is, however, no mention of the movements of Lord Justice Collins. Nor is it recorded that M. de Martens accompanied Lord Russell. In fact there is no mention of M. de Martens having visited Great Britain at all, although M. de Martens was very much in the public eye at the time, not only as President of the Tribunal, but as a prominent figure at the First Hague Conference; so that it seems hardly likely that the *Times* would have ignored him if it had been known that he was returning with Lord Russell.[18] The absence of any mention

[13] Whom Judge Schoenrich erroneously describes as an "ex-Secretary of War." He was, as is well known, an ex-Secretary of the Navy.

[14] Mr. Buchanan to Lord Salisbury, No. 131 of September 15, 1899, in *FO 80:* 421.

[15] Mr. Buchanan to Lord Salisbury, No. 156 of September 27, 1899, *ibid.*

Mr. James C. Tilley, Mr. Buchanan's assistant, wrote in a somewhat lighter vein: "General Harrison is very good in his own style, which includes a good deal of furniture smashing, but I do not think that he is good enough to turn the scale." Mr. Tilley to Mr. Cartwright of September 20, 1899, in *FO 80:* 419. Venezuela, Guiana Boundary Arbitration (Various), June-December, 1899.

[16] *FO 80:* 411–424 and 474.

[17] *FO 65:* 1579–1583, Russia.

[18] On August 23 (Court Circular, p. 7) the Times reported that "Lord Russell of Killowen has left London for Paris," but again there was no mention of M. de Martens or Lord Justice Collins.

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of the movements of Lord Justice Collins is also remarkable because there is a full account of the movements of the others concerned in the arbitration. For instance, the *Times* of August 19 (Court Circular, p. 7) reported that Sir Robert Reid, one of the Counsel for Great Britain, had "returned to his country house at Kingsdown, near Walmer, from Paris"; and the *Times* of August 18 (Court Circular, p. 4) likewise reported that the Attorney General, Sir Richard Webster, had "left Paris for Switzerland for a short holiday." [19]

But supposing that M. de Martens was taken to England unnoticed by the press in order to participate in a "deal" between Great Britain and Russia, is it likely that the leading British Counsel and the Law Officer of the British Crown most intimately concerned with the handling of the British case—Her Majesty's Attorney General—would have chosen this particular moment to go off in the opposite direction to Switzerland for a holiday? And would Lord Salisbury, who was following the proceedings with the utmost interest, also have chosen this particular time to retire to Walmer Castle in order to be with the Marchioness (then recovering from a serious illness),[20] so that he was right out of the picture until the Queen summoned him to Osborne on August 24? [21]

Had Mr. Mallet-Prevost reflected for a moment upon the state of relations between Great Britain and Russia in the summer of 1899 he must inevitably have realized how difficult, if not impossible, from a political point of view, a "deal" between the two countries would have been. One agreement—the Exchange of Notes of April 28, 1899, defining spheres of influence for the construction of railways in China [22]—had admittedly been reached earlier in the year, but this had done so little to relieve the tension between the two countries in the Far East that this was still at its height when Mr. John Hay, the United States Secretary of State, stepped in to proclaim his "Open Door" policy. Such, indeed, were the relations between Great Britain and Russia in the summer of 1899 that the First Secretary at the German Embassy in St. Petersburg, von Tschirschky, was constrained to report:

> I do not believe that there is scope within the framework of Russian policy—or, as far as I can imagine, within that of English policy—[for the two countries] to reach agreement and bind themselves in writing on general political questions of this nature. Moreover, it seems to me that the basis for such an agreement between these States is lacking because, in view of the inability of Russia in practice to

[19] On August 23 (Court Circular, p. 7) the *Times* reported that "the Attorney-General (Sir R. Webster) and Sir Robert Reid, Q.C., M.P., have both returned to Paris for the Venezuelan arbitration." Again there was no mention of M. de Martens or Lord Justice Collins.

[20] The Times, Aug. 16, Court Circular, p. 7.

[21] *Ibid.*, Aug. 25, Court Circular, p. 7.

[22] British and Foreign State Papers, 1898–1899, Vol. XCI, pp. 91 ff.

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> oppose British claims to the Persian Gulf, Russia's undertaking to give up her own pretensions to the Persian Gulf would have little value for England.[23]

Nor did the attitude adopted by the Russians in the Transvaal crisis bring any improvement in the situation. Indeed, so violent were the pro-Boer outbursts in the Russian press that the British Chargé d'Affaires at St. Petersburg, Mr. Charles Hardinge, was moved, on October 18, 1899, to write a long and impassioned despatch to Lord Salisbury, drawing the British Foreign Secretary's attention to the "bitterness and hostility" which was being displayed towards Great Britain, and pointing out that, in view of the control normally exercised over the Russian editors, these were undoubtedly receiving official blessing and support.[24]

If, therefore, there is no real evidence of a "deal"—and, indeed, no conceivable basis for one—between Great Britain and Russia on the Venezuelan Boundary question, how in fact are the peculiar circumstances which Mr. Mallet-Prevost seeks to attribute to the award to be explained? Is it not necessary here to take into account the attitude of the President of the Tribunal, whose desire to have a unanimous award seems to provide the key to the whole situation? Indeed, was it not M. de Martens' desire for unanimity which caused him, in bringing both parties to accept a compromise, to put pressure upon the British judges, as well as upon their American colleagues? And did he not thereby sacrifice the British "right" to a boundary starting at Point Barima and following the Schomburgk line, just as much as he sacrificed the Venezuelan "right" to a boundary starting at the Moruca River? Surely if M. de Martens' sole concern had been to accommodate the British, who clearly at no stage in the arbitration cared whether the final decision was to be unanimous or not,[25] he would have voted with Lord Russell and Lord Justice Collins (assuming, that is, that both favored the British claim) in support of the

[23] "*Aufzeichnung des Ersten Sekretärs bei der Botschaft in Petersburg von Tschirschky, St. Petersburg den 3. Juli 1899,*" in *Die Grosse Politik der Europäischen Kabinette 1871–1914,* Vol. 14, Pt. 2, pp. 556–557.

[24] *Cf. FO 65:* 1580, Russia, etc. A few days later the German Chargé d'Affaires, von Tschirschky, likewise felt it necessary to report to his government on the anti-British feeling which the Boer crisis had engendered among the Russians. *Cf.* "*Der Geschäftsträger in Petersburg von Tschirschky an den Reichskanzler von Hohenlohe, St. Petersburg den 30. Oktober 1899*" in *Die Grosse Politik,* Vol. 15, pp. 408 ff. For further examples of anti-British feeling among Russians on the Boer question, *cf.* the despatches of Maximov and Müller in "*Anglo-burskaya voina v doneseniyakh russkovo voennovo agenta*" in *Krasny Arkhiv,* /6 (103)/ Moscow, 1940, pp. 130–159.

[25] Nor was there anything in the Rules of Procedure of the Tribunal which pointed to the desirability of the award being uanimous. On the contrary, Art. XX of the Rules provided for the possibility of a "minority of members of the Tribunal" refusing to sign the award by stipulating that such a refusal should be "duly noted in the Report of the Proceedings." *Cf.* Rules of Procedure in *FO 80:* 412, Venezuela, Guiana Boundary Arbitration, etc.

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full Schomburgk line, thereby overruling Chief Justice Fuller and Justice Brewer, who allegedly preferred a line beginning at the Moruca River.[26]

The thoughts which were uppermost in M. de Martens' mind as the Tribunal reached its final verdict are patent from the speech which he delivered after announcing the award on October 3, 1899—a speech which is recorded verbatim in "Protocol No. 56" of the Tribunal. In that speech the President devoted the emphasis of his remarks to the place which he thought the arbitration might have in the development of international law and to the significance which he attached to the Tribunal's unanimity; and from this it becomes clear how much he himself had labored to secure that unanimity. If, he pointed out, one recalled the cases submitted to international arbitration from the *Alabama Case* of 1873 to the *Bering Sea Fisheries* dispute of 1893, one saw that the awards were always rendered by a majority vote, and that there were always dissenting opinions among the arbitrators. In the Venezuela-British Guiana Boundary Arbitration, however, the parties had had "the satisfaction of having unanimity among the arbitrators on all sections of the award, without any reservation whatsoever." This unanimity was the paramount achievement of the present Tribunal. *"C'est un fait qu'il est nécessaire d' affirmer et de*

[26] It ought perhaps to be noted here, if only in fairness to the judges, that we have only Mr. Mallet-Prevost's word for it that the Tribunal divided as he states; *i.e.*, that the two British arbitrators were disposed to award Great Britain all the territory east of the Schomburgk line, starting from Point Barima on the coast, and that the two American arbitrators, on the other hand, favored a boundary which would start at the Moruca River and give Venezuela all the territory west of this. This simple division between the judges does not accord with the statement of Mr. Justice Brewer's which Judge Schoenrich himself quotes in his note (although the fact apparently escapes Judge Schoenrich's notice). According to Justice Brewer, if any of the judges had been asked to give an award "*each* would have given *one differing in extent and character.*" In other words, there were not *two* conflicting views as to where the boundary ought to be drawn, but *four or even five.* Consequently, as Justice Brewer observes, the judges had to "adjust" their differing views and "finally draw a line running between what *each* thought was right." (Italics added.) Nor does Justice Brewer suggest that there was any pressure brought to bear upon him to acknowledge a decision in which he did not concur. On the contrary, he states that "it was only by the *greatest conciliation* and *mutual concession* that a compromise was arrived at." (Italics added.) This was presumably a source, not of resentment, but of satisfaction to him in that, as he himself states, he had believed until the last moment that a decision would be quite impossible. The implication of Mr. Mallet-Prevost's statement that the British judges were more anxious to secure a decision favorable to Great Britain than to see that justice was done to both sides, is not in any way borne out by remarks which Justice Brewer let fall to Mr. George W. Buchanan, the British Agent. In the course of a conversation with Mr. Buchanan on July 23, 1899, Justice Brewer apparently "expressed great admiration for the impartial and strict sense of justice shown by the British arbitrators during the proceedings of the Tribunal, adding that he hoped that the Court would not find it difficult to agree as to the award." (Mr. Buchanan to Lord Salisbury, No. 52 of July 24, 1899, in *FO 80:* 420, Venezuela, Guiana Boundary Arbitration, etc.)

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Annex 3

proclamer, c'est un idéal vers lequel il faut tendre. . . . La force morale d'une Sentence Arbitrale unanime est d'une valeur incalculable.'' [27]

In view of Judge Schoenrich's contention that ''the award created general surprise and disappointment'' and that ''students of the Venezuelan side of the controversy were shocked at the excessive grant of territory to British Guiana, it may be worth while, in conclusion, to consider some of the contemporary reactions to the verdict of the Tribunal.

At the beginning of their interview with Reuter's correspondent already quoted, Mr. Mallet-Prevost and General Harrison spoke of the award as a ''victory'' for Venezuela. They stated:

> Within the Schomburgk line lay the Amakuru River and Point Barima, the latter forming the southern entrance to the great mouth of the Orinoco. No portion of the entire territory possessed more strategic value than this, both from a commercial and a military standpoint, and its possession by Great Britain was most jealously guarded. This point had been awarded to Venezuela, and along with it a strip of coast about 50 miles in length, both giving to Venezuela the entire control of the Orinoco River. In the interior another long tract to the east of the Schomburgk line, some 3,000 square miles in extent had also been awarded to Venezuela, and thus, by a decision in which the British arbitrators had themselves concurred, the position taken up by the British Government until 1895 had been shown to be without foundation. This in no way expressed the extent of Venezuela's victory. Great Britain had put forward a claim to more than 30,000 square miles of territory west of the Schomburgk line, and it was this territory which in 1890 she was disposed to submit to arbitration. Every foot of this territory had been awarded to Venezuela.[28]

In a despatch to Lord Salisbury, in which he was at pains to explain, *inter alia,* why the full British claim had not been recognized, Mr. George W. Buchanan, the British Agent, reported that the result

> may, I think, be considered highly satisfactory, more especially as it has been arrived at by a unanimous decision of the Tribunal of Arbi-

[27] In an interview with Reuter's correspondent after the award had been announced on Oct. 3, M. de Martens, after repeating what he had told the Tribunal about the significance of the unanimity of the judges, added: ''The boundary line which has been laid down by the judges is a line based on justice and law. The judges have been actuated by a desire to establish a compromise in a very complicated question, the origin of which must be looked for at the end of the 15th century.'' *Cf.* London Times, Oct. 4, 1899, p. 6.

[28] The Times, Oct. 4, 1899, p. 6. It is surely not without significance that the official Russian *Bolshaya Sovetskaya Entsiklopediya* (Moscow, 1928), Vol. X, p. 170, also speaks of ''the judgment being substantially in favor of Venezuela.'' By the time this article was written an intensive study of the Imperial Russian archives had been made, so that, had there been any evidence to suggest that the Tribunal of Arbitration was improperly influenced in favor of Great Britain, the writer of the article would certainly have drawn attention to it.

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> tration. No serious British interests have been sacrificed, though it would no doubt have been more satisfactory had the mouth of the Barima been left in the absolute possession of Great Britain. . . .[29]

From Caracas the British Minister, Mr. W. H. D. (afterwards Sir W.) Haggard, reported to Lord Salisbury on October 7, 1899, that:

> The news of the decision of the Guiana Boundary Commission has been received here with the greatest apparent indifference by the public. It is hardly even a matter of comment, and with the exception of an article in the semi-official paper, I have not as yet seen any newspaper article on the subject. I have, on the other hand, been told privately by Venezuelans of education that they regretted extremely that Barima has been awarded to them as now they can never hope for the wealth and prosperity of the region of the Orinoco which would have resulted from that river being open to our commercial influence. . . . Thoughtful Venezuelans realise that they have gained a tract of land which will be of no more value to them than the many thousand square miles of unoccupied wilderness which they now possess; whereas, had this been in English hands, they would have indirectly benefited to a large extent by the settled, orderly government and consequent prosperity of their neighbour—from proximity to whom they will now continue to be to a great extent cut off.[30]

On October 19 the Minister added that more accurate information on the nature of the award from English and American sources had "made no change in the indifference and apathy of the public here towards the whole question"; and he went on to draw the attention of the Foreign Office to an editorial which had appeared in the *Tiempo*, the leading newspaper in Caracas, as confirming, notwithstanding its "notoriously anti-English bias," the impressions which he had conveyed to Lord Salisbury.[31]

The course of the Venezuela-British Guiana Boundary controversy had been followed with great interest, and, in the case of Mr. Cleveland, with much anxiety, by successive Presidents of the United States. It had been the good offices of President Cleveland which had prepared the way for the Treaty of 1897 and thereby helped to bring the dispute to arbitration in 1899; and it was his successor, President McKinley, who, of all heads of

[29] Mr. Buchanan to Lord Salisbury, No. 164 of October 3, 1899, in *FO 80:* 417, Venezuela, Guiana Boundary, etc.

[30] Mr. Haggard to Lord Salisbury, No. 124 of October 7, 1899, in *FO 80:* 419.

[31] After alluding with great bitterness to various unsavory aspects of Venezuelan political life at the time the article concluded: "Señores Jueces: ¿ Hemos nosotros de confiar á sangre fría la suerte de unos millares de hombres industriosos y de unos centenares de leguas de incalculable riqueza á Venezuela con preferencia á la Gran Bretana que ya ha establecido dominio sobre ese territorio?

"¿Hemos de salvar para la civilización este nuevo imperio, ó volverlo al estado en que se encuentra desde el descubrimiento de América, ensanchando con ello las fronteras de la semi-civilización y aumentando el número de reclutables?

"Decided vosotros, honorable colegas. Yo voto por la Gran Bretana." *Cf.* Mr. Haggard to Lord Salisbury, No. 132 of October 19, 1899, and enclosures in *FO 80:* 419.

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state whose own national interests were not immediately concerned, had probably taken the greatest pains to ensure that the arbitration was successful. For that reason it is perhaps not inappropriate to refer in conclusion to the observations on the award which President McKinley addressed to Congress in his Message of December 5, 1899. For the opinion delivered in that Message was presumably not formed without careful consideration of all the facts relating to the arbitration. After stating that:

> The International Commission of Arbitration, appointed under the Anglo-Venezuelan treaty of 1897, rendered an award on October 3rd last, whereby the boundary line between Venezuela and British Guiana is determined, thus ending a controversy which has existed for the greater part of the century,

the President observed that:

> The award, as to which the arbitrators were unanimous, while not meeting the extreme contention of either party, gives to Great Britain a large share of the interior territory in dispute and to Venezuela the entire mouth of the Orinoco, including Barima Point and the Caribbean littoral for some distance to the eastward.

The decision, he concluded, "appears to be equally satisfactory to both parties." [32]

[32] James D. Richardson, A Compilation of the Messages and Papers of the Presidents, Vol. XIV, p. 6380.

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Annex 4

S. Garavini Di Turno, "[La traición de Chávez] Chávez's treason", *El Imparcial* (22 Jan. 2012)

LIONBRIDGE

STATE OF NEW YORK)
)
) ss
COUNTY OF NEW YORK)

CERTIFICATION

This is to certify that the attached translation is, to the best of my knowledge and belief, a true and accurate translation from Spanish into English of the attached article, dated January 22, 2012.

Lynda Green, Senior Managing Editor
Lionbridge

Sworn to and subscribed before me
this 20th day of FEBRUARY, 2022.

LAURA E MUSICH
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6386791
Qualified in Queens County
My Commission Expires 01-28-2023

[…]
Chavez's treason

Sunday, January 22, 2012 10:48 p.m.

In February 2007, President Chavez claimed, and since then has repeated on several occasions, that renewal of the Venezuelan claim to Essequibo territory in 1962 by the government of Romulo Betancourt was the result of pressure from the United States, which was supposedly interested in destabilizing the autonomous (though not yet independent) government of the Prime Minister of what was then known as British Guiana, Cheddi Jagan, who was a Marxist – a self-confessed Leninist. Commenting on the president's statement and the reputed brotherhood between the two "socialist and antiimperialist" governments in an interview with the El Nacional newspaper, the Guyanese ambassador in Caracas at the time, Odeen Ishmael, asserted that President Chavez should "take a step forward to withdraw the Venezuelan claim." The claim that the US pressured Venezuela to renew its territorial claim, while untrue, may have some relative historical credibility. Recall that in 1961, in the middle of the Cold War, Castro's Cuba moved over to the Soviet Bloc, and the failed Bay of Pigs Invasion took place in April of that year. The so-called "no second Cuba policy" was developed by the US government, which went on to become the cornerstone of US foreign policy toward Latin America and the Caribbean during the greater part of the 60's. Against this backdrop, an independent Guyana with Jagan in power had all the trappings of a potential "second Cuba" in Washington's view. Meanwhile, in the early 60's the Betancourt administration was dealing with an insurrectionist movement inspired and financed by Cuba in line with the Guevarist philosophy of "exporting the revolution." In 1962, Betancourt had to quell two bloody coup attempts known as "El Carupanazo" and "El Porteñazo," which were brought on by the infiltration of Castro-inspired members of the Armed Forces. The commonality of interests shared between Betancourt and President Kennedy is obvious. Betancourt needed US support to deal with both the leftist insurrection and the plotting by the military right-wing, backed by the Dominican dictator Rafael Leonidas Trujillo until his death in May 1961. Betancourt also needed US support to face the severe economic crisis brought on by falling oil prices. Kennedy viewed Venezuelan representative democracy as an alternative model to Castro's Cuba in Latin America. For a model to be appealing it needs to be successful, so much of Kennedy's Latin American policy was based on the success of the Venezuelan democratic experiment. In the context of this "special relationship" between Kennedy and

Betancourt, which was personally reaffirmed during Kennedy's visit to Caracas in late 1961, the hypothesis of a Betancourt-Kennedy agreement to use the Venezuelan claim in order to prevent the emergence of a "second Cuba" in the hemisphere would not be inconceivable. For Venezuela, it was not just about taking advantage of a unique historical situation to recover the territory lost under the unfair Arbitral Award of 1899, but instead to prevent the establishment of a regime that could become a support base for a potential guerrilla *foco* in the nation's east. Still, an event that has historical credibility is not necessarily true. The Betancourt administration obviously sought out and secured the support of the Kennedy administration given the above-mentioned commonality of their interests in the matter, which, incidentally, ended after Kennedy's death with Burnham's rise to power in 1964, who skillfully called attention to his stance against communism during those years to garner the US and Great Britain's support for his aspirations. Indeed, with Burnham in power, the US withdrew its support for our claim. In reality, the Guyanese position is a complete historical falsehood. Renewal of the claim was a completely independent process within the Venezuelan government brought on by the imminency of Guyana's independence. It's also obvious from everything said that, with Guyana still a British colony in 1962, there was no need "to use" the Venezuelan claim to prevent a pro-communist government from emerging in the future independent nation; all that was needed was for the British government to put off independence until Burnham and his anti-communist allies won elections.

More recently, the Guyanese government has echoed Ambassador Ishmael's calls for Venezuela to abandon the claim for good, relying on the statements of President Chavez, which, incredibly, assume the position of the most chauvinist groups of the Guyanese government, politically delegitimatizing the claim on its own by asserting that it was nothing more than a spurious instrument of the Cold War. President Chávez could be charged with treason.

Annex 4

EL IMPARCIAL
opinión
Jueves, 4 de Febrero de 2021. Actualizado a las 12:50

La traición de Chávez

Domingo 22 de enero de 2012, 20:48h



SADIO GARAVINI DI TURNO
Exembajador
279 artículos

En febrero del 2007, el Presidente Chávez afirmó, y desde entonces lo ha repetido en varias ocasiones, que la reactivación de la reclamación venezolana sobre el territorio Esequibo en 1962, por parte del Gobierno de Rómulo Betancourt, fue producto de la presión de los Estados Unidos, supuestamente interesados en desestabilizar el gobierno autónomo (pero todavía no independiente) del Primer Ministro de la entonces Guayana Británica, Cheddi Jagan, quien era un marxista –leninista confeso. El entonces embajador guyanés en Caracas, Odeen Ishmael., en una entrevista concedida al diario El Nacional, sustentándose, en esa declaración presidencial y en la supuesta hermandad entre los dos gobiernos "socialistas y antiimperialistas", afirmó que el Presidente Chávez debería "dar un paso al frente para retirar el reclamo venezolano. La afirmación de que los EEUU presionaron a Venezuela para que reactivara su reclamación territorial, aunque incierta, podría tener una relativa credibilidad histórica. Recordemos que en 1961, en plena "Guerra Fría", la Cuba castrista se pasó al bloque de la Unión Soviética y en abril de ese año se dio la fracasada invasión de Bahía de Cochinos. En el gobierno de EEUU, se desarrolló la llamada "no second Cuba policy", que se convirtió en el eje central de la política exterior norteamericana hacia la América Latina y el Caribe, durante la mayor parte de la década de los '60. En ese contexto, una Guyana independiente, con Jagan al poder, tenía, a los ojos de Washington, todas las características de una potencial "segunda Cuba". Por su parte, el Gobierno de Betancourt se enfrentaba, en los primeros años de la década del '60, a un movimiento insurreccional, que era inspirado y financiado por Cuba, dentro de la tesis guevarista de la "exportación de la revolución". En 1962, Betancourt, tuvo que sofocar dos sangrientos conatos de golpe de Estado, conocidos como el "Carupanazo" y el "Porteñazo", provocados por la infiltración de elementos "castristas" en la Fuerzas Armadas. La coincidencia de intereses entre Betancourt y el Presidente Kennedy es evidente. Betancourt necesitaba el apoyo norteamericano para enfrentar tanto la insurrección izquierdista, como las conspiraciones de la derecha militarista, auspiciadas hasta su muerte, en mayo de 1961, por el dictador dominicano Rafael Leonidas Trujillo. También, a nivel económico, Betancourt requería del apoyo norteamericano por la grave crisis, que se desató por una caída de los precios del petróleo. Para Kennedy, la democracia representativa venezolana era el modelo alternativo a la Cuba castrista en América Latina. Un modelo para ser atractivo debe ser exitoso, por tanto gran parte de la política de Kennedy hacia la América Latina pasaba por el éxito del experimento democrático venezolano. En el marco de esta "special relationship", entre Kennedy y Betancourt, reafirmada en lo

SÁNCHEZ, GENUFLEXO ANTE RUFIÁN

- Siete meses de cárcel a El Melillero por maltratar a la madre de su hijo
- *El Marcapáginas* vuelve a la radio y celebra el centenario de Berlanga
- El CIS de Tezanos mantiene a Illa como ganador y apuesta por el tripartito que busca Sánchez
- Cataluña amplía el horario de la hostelería y decreta el confinamiento comarcal desde el lunes
- Madrid responde al último ataque de Montero: "Deje de señalarnos"

EDITORIALES

- *El Gobierno no puede ocultar el informe del Consejo de Estado sobre los fondos europeos*
- *La inesperada alianza entre Sánchez y Abascal para hundir*



Ayuso sugiere que "allegados" de Más Madrid están detrás del sabotaje al hospital Isabel Zendal



Nueva York y el noreste de EEUU empiezan a recuperarse del temporal de nieve

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personal durante la visita de Kennedy a Caracas, a fines de 1961, no sería inconcebible la hipótesis de un acuerdo Betancourt-Kennedy de utilizar la reclamación venezolana para impedir el surgimiento de una "segunda Cuba"en el hemisferio. Para Venezuela no se trataba solamente de aprovechar una coyuntura histórica única, para recuperar el territorio perdido con el injusto Laudo Arbitral de 1899, sino de evitar el establecimiento de un régimen que, podría convertirse en una base de apoyo para un potencial foco guerrillero en el oriente del país. Ahora bien, un acontecimiento, que tiene credibilidad histórica, no necesariamente es verdadero. Obviamente, el gobierno de Betancourt buscó y logró el apoyo de la administración Kennedy, por la mencionada coincidencia coyuntural de sus intereses, al respecto. Coincidencia, por cierto , que se terminó, después de la muerte de Kennedy, con la llegada al poder en 1964 de Burnham , que, en esos años, enfatizaba ,hábilmente, su anticomunismo, para obtener el apoyo de los EEUU y de la Gran Bretaña para sus aspiraciones. En efecto, con Burnham al poder, los EEUU dejaron de apoyar nuestra reclamación. En realidad, la posición guyanesa es una absoluta falsedad histórica. La reactivación de la reclamación fue un proceso absolutamente autónomo, dentro del gobierno venezolano, provocado por la inminencia de la independencia de Guyana. Además, es obvio por todo lo dicho que, siendo Guyana en 1962 una colonia británica, para evitar que, en el futuro Estado independiente, surgiese un gobierno filocomunista no fue necesario "utilizar" la reclamación venezolana, sólo bastó que el Gobierno Británico postergara la independencia hasta que Burnham y sus aliados anticomunistas ganaran las elecciones.

Más recientemente, el gobierno guyanés ha reiterado el llamado del Embajador Ishmael para que Venezuela abandone definitivamente la reclamación, sustentándose en las declaraciones del Presidente Chávez, que, increíblemente, asume la posición de los grupos más chauvinistas del Gobierno guyanés, deslegitimando políticamente la reclamación en sí, al afirmar que fue sólo un espurio instrumento de la Guerra Fría.
El Presidente Chávez podría ser acusado de traición a la patria.

chavez Venezuela

¿Te ha parecido interesante esta noticia? Si (0) No(0)



Explota un prototipo de la nave que quiere llevar humanos a la Luna y Marte



Iglesias pierde los nervios ante García Egea: "¿Pero qué hace, señoría?"

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Annex 5

Clare Cushman, "David J. Brewer 1890-1910" *in* SUPREME COURT JUSTICES: ILLUSTRATED BIOGRAPHIES (CQ Press, 2013) (excerpt)

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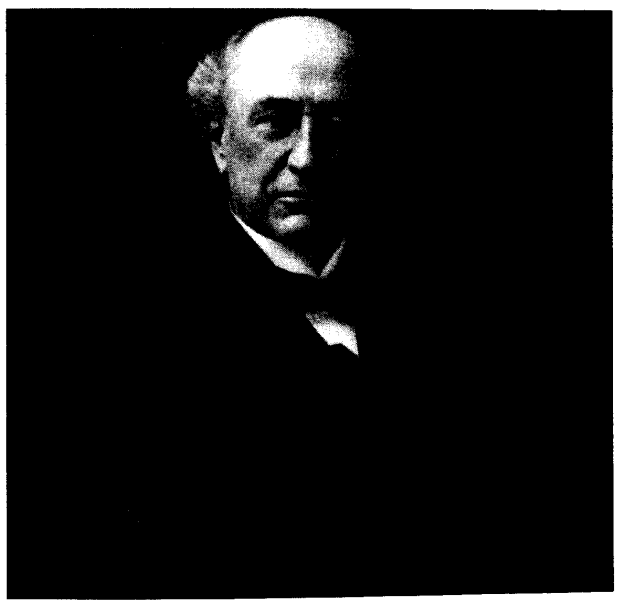
THIRD EDITION

EDITED BY CLARE CUSHMAN

FOREWORD BY CHIEF JUSTICE JOHN G. ROBERTS, JR.

David J. Brewer

1890–1910



Source: Library of Congress

DAVID JOSIAH BREWER was born June 20, 1837, in Smyrna, Asia Minor, in what is now Izmir, Turkey. His father, Reverend Josiah Brewer, was fresh from divinity training at Yale when he went to Asia Minor in 1836 to staff a school for women recently established by the Ladies Greek Association of New Haven. His bride, Emilia Field Brewer, and her thirteen-year-old brother, Stephen J. Field, accompanied him.

The Brewer family stayed abroad for two and a half years before Reverend Brewer was named chaplain of St. Francis Prison in Wethersfield, Connecticut. Young David developed friendships with the inmates while playing on the grounds of the penitentiary. His parents imparted to him a strong moral, religious, and intellectual heritage, and he remained a member of the Congregational church and a supporter of missionary work throughout his life.

Emilia Brewer was the daughter of David Dudley Field of Stockbridge, Massachusetts, a distinguished New England clergyman who reared a remarkable family. One of Emilia's brothers, Cyrus W. Field, was a successful paper manufacturer and merchant who promoted the first transatlantic telegraph cable in 1866. Another was David Dudley Field, Jr., an eminent New York lawyer who was commissioned by the New York legislature in 1847 to prepare a code of civil procedure to modernize the common law. The Field Code, ultimately adopted by twenty-three states, became the basis of reformed procedure in U.S. federal courts and in England. Stephen Field, the brother who accompanied Emilia to Asia Minor, became chief justice of the California Supreme Court in 1859 and played an active role in the codification of California law before his appointment to the U.S. Supreme Court in 1863. He would sit on the high court for thirty-four years, eight of them with his nephew, David Brewer. Emilia's fourth brother, Henry Martyn Field, was a noted writer, editor, and clergyman. This extraordinary family had considerable influence on David Brewer's successful career.

At the age of fifteen, Brewer began his collegiate training at Wesleyan University in Middletown, Connecticut. He stayed there two years before enrolling at Yale University, his father's alma mater. He graduated with high honors in 1856. After college, Brewer entered the law office of his uncle, David Field, to study under his supervision. He also completed a one-year course at Albany Law School, graduating in 1858, and was admitted to the New York bar. Although urged to stay in New York, he followed the example of his Uncle Stephen and headed west. He tried his hand at prospecting for gold in Colorado and then moved to Leavenworth, Kansas, in September 1859.

Brewer worked briefly for a law firm, but then opened an office with a partner in the booming frontier town of Leavenworth. There he met Louise R. Landon of Burlington, Vermont, and they married in 1861. That same year, at age twenty-four, Brewer began his judicial career. He did so only reluctantly, however, having first set his sights on a seat in the legislature. He was initially appointed U.S. commissioner of the Circuit Court for the District of Kansas, an administrative position. The following year, he was elected judge of the probate and criminal courts of Leavenworth County. In 1864, he won election as a judge of the First Judicial District. At the expiration of his term in 1868, Brewer was elected Leavenworth County attorney. Two years later, at age thirty-three, Brewer was elected to serve on the Kansas Supreme Court. He was reelected in 1876 and 1882.

Brewer's decisions during his fourteen years on the Kansas court, while well within the conventions of the time, exhibit an individualistic, even progressive, instinct. One of his cases was *Monroe v. May,* an 1872 decision that spelled out the rights of married women who owned money prior to marriage or earned it subsequently. This decision also defined a woman's interest in the family homestead. Brewer's interest in improving the legal status of women entering fields dominated by men is evident in *Wright v. Noell* (1876), in which he held that a woman, although not eligible to vote, could nonetheless hold the office of county superintendent of public instruction in Kansas. It was one of the pioneer decisions articulating the rights of women.

Another of his opinions brought him national recognition and foreshadowed decisions that would cause him to be remembered as one of the most property conscious justices in Supreme Court history. In *State v. Mugler* (1883), the defendant was convicted for selling and manufacturing beer after Kansas passed a prohibition law. Brewer concurred in the conviction for selling the contraband, but thought the defendant should be compensated $7,500 for the depreciation of his brewing equipment because the state had arbitrarily decided to prohibit the manufacture of beer.

On March 31, 1884, Brewer resigned from the Kansas Supreme Court to accept President Chester A. Arthur's appointment to the Eighth Judicial Circuit. Five years later, when Stanley Matthews, an associate justice of the U.S. Supreme Court, died, Republican senators Preston B. Plumb and John J. Ingalls of Kansas urged President Benjamin Harrison to appoint Brewer to the vacancy. The president received a letter from Brewer, however, recommending the appointment of Henry Billings Brown, a Michigan district judge and a former classmate at Yale. Brewer's generous praise for his friend so impressed the president that he nominated Brewer instead. Although his appointment was opposed by some prohibitionists, he was confirmed by the Senate, December 18, 1889, by a vote of 53–11.

The Court Brewer joined was grappling with issues arising from the change from a slow-moving, rural nation to a modern industrialized state. The resulting social unrest brought some highly controversial cases before the Court. Within four years of his appointment, the Court began using broad concepts of "life, liberty, and property" as a basis for invalidating the income tax, weakening the Sherman Antitrust Act, and permitting the use of the judicial injunction as a weapon against organized labor. Because of these decisions, Brewer has traditionally been considered a conservative stalwart and the member of the Court most sympathetic to business interests and the rights of property.

His constitutional philosophy, however, was more complex than this label indicates. He hated the excess and greed of capitalism and respected man as an individual. According to Brewer, the individual, free and independent, must be protected from whatever seems to harm his liberty, whether corporation, union, government, or the individual himself. Brewer's early decisions on the Kansas Supreme Court indicate that his natural sympathies lay with the rugged settlers and homesteaders who settled the frontier, rather than with the adventurers and speculators who came later and sought government assistance to make their fortunes. The themes that show up in the early Brewer decisions—concern and admiration for the individual, the right of



Old Man Prohibition receives a cold reception from barmaids whose establishments are named for various states in this 1889 cartoon. As a judge on the Kansas Supreme Court, David J. Brewer upheld in 1883 the conviction of a beer manufacturer for continuing to sell his product after Kansas passed a prohibition law, but ruled that the defendant should be compensated for the depreciation in value of his brewing equipment due to state regulation.

Source: Library of Congress

private capital to be unhampered by government regulations, the appeal to frontier values of self-denial and thrift, the references to Christian and biblical virtues—all attest to the strong religious and frontier influence that formed his judicial philosophy.

He favored the idea of limited government and of limited state intervention into the economy. He reluctantly accepted that the federal and state governments had the power to regulate the rates charged by businesses, provided the regulation was fair, reviewable by courts, and limited to those enterprises that had received favors from government and thereby voluntarily incurred an obligation. The principle he supported for determining fairness was that regulation should neither deprive the company of profit nor burden it with unreasonable operating expenses.

In general, Brewer believed, "Men should be able to take care of themselves and not be coddled by protection." Hence, he consistently dissented from opinions affirming *Munn v. Illinois,* a case decided just before his appointment. The decision allowed the state legislature to regulate businesses dedicated to public use or serving the public interest. Brewer's dissenting opinions in two subsequent cases expressed the minority view that the "public interest" doctrine of *Munn* unlawfully and unreasonably interfered with private enterprise. However, when it came to the biggest monopolies of the day—the trusts and holding companies—Brewer consistently voted with the majority to uphold regulation.

Cases involving a state's use of its police power to regulate business seemed to give Brewer the most difficulty. He had no objection to a state regulating goods deemed harmful, such as alcohol, but he continued to follow the reasoning that he expressed in *State v. Mugler* that compensation should be paid for all value destroyed by regulation. Because such compensation was often impossible as a practical matter, Brewer carefully examined the necessity of regulation in each case.

Brewer is most remembered by constitutional scholars for his 1908 opinion in *Muller v. Oregon,* a case that tested the constitutionality of a law imposing a maximum sixty-hour workweek for women employed in laundries and factories. Three years earlier, in the *Lochner v. New York* bakery case, the Court determined by a narrow majority that a state law setting maximum working hours was unconstitutional. To distinguish *Muller* from *Lochner,* Louis D. Brandeis, the special counsel for Oregon, knew he would have to deal less with literal issues of law and more with issues of economics and sociology. Therefore, the famous "Brandeis brief"—more than 100 pages long—used statistical studies to show that long hours of labor had direct and undesirable effects on the health, safety, and morals of working women, evils that could be remedied only by statutes limiting their working hours. Brandeis's argument was just the sort of reasoning that appealed to Justice Brewer, who had shown receptiveness to such social and economic arguments in prior cases. Writing for a unanimous Court, Brewer said that Brandeis's studies were not

"technically speaking, authorities, and in them there is little or no discussion, of the constitutional question presented to us for determination, yet they are significant of a widespread belief" that a woman is entitled to special legislative protection because "the performance of maternal functions place[s] her at a disadvantage."

During his twenty years on the Court, Brewer spoke passionately on a variety of political issues. He supported causes such as education, charities, women's voting rights, and residency rights for Chinese aliens in America. He lectured on American citizenship at Yale University and corporate law at Columbian (now George Washington) University and was a prolific writer of books, pamphlets, and articles. Brewer also edited collections of the world's finest speeches and essays.

A staunch and outspoken advocate of peace, Brewer was appointed in 1895 to the congressional commission to oversee the disputed boundary between Venezuela and British Guiana. The commission, which elected him as its president, brought about a successful arbitration with Great Britain, calming fears of war. In 1907, Brewer became one of the founders of the American Society of International Law, an organization that favored arbitration to settle international disputes. During the Spanish-American War, Brewer said that America's strength lay "not so much in its army and navy as its public schools" and cautioned against "the dazzle of military glory." He criticized his country's seizure of Puerto Rico and the Philippines, former Spanish possessions, in the imperialist aftermath of the war, but reasoned that the liberation of Cuba had justified the conflict with Spain.



When Oregon imposed a sixty-hour maximum workweek for women, laundry owner Curt Muller (with arms folded) argued that the law violated his rights. Writing the 1908 opinion for a unanimous Supreme Court that upheld the validity of state maximum working hour laws, David J. Brewer accepted sociological arguments about the effects of long hours on women's health and reproductive systems.

Source: Courtesy Mrs. Neill Whisnant

Brewer was physically large and vigorous and notoriously clumsy with mechanical gadgets. He played cards and read detective stories for relaxation, and was widely known as a storyteller. He was considered by his colleagues and contemporaries a clear and profound thinker, and he was admired for his warm personal qualities, affability, patience, and ability to deal with people. Brewer's first wife died in 1898, and he married a Washington woman named Emma Miner Mott three years later.

While still on the Court, Justice Brewer died suddenly of a stroke March 28, 1910, at his home in Washington, D.C.



A strong peace advocate, David J. Brewer (first row, left) was elected president of the commission empowered to arbitrate the boundary dispute between British Guiana and Venezuela that had been lingering for more than half a century. Chief Justice Melville W. Fuller (first row, second from right) was also a member of the commission, photographed in Paris in 1899, after negotiating a settlement that generally favored Great Britain's claim.

Source: Collection of the New York Historical Society

Annex 6

Clare Cushman, "Melville W. Fuller 1888-1910" *in* SUPREME COURT JUSTICES: ILLUSTRATED BIOGRAPHIES (CQ Press, 2013) (excerpt)

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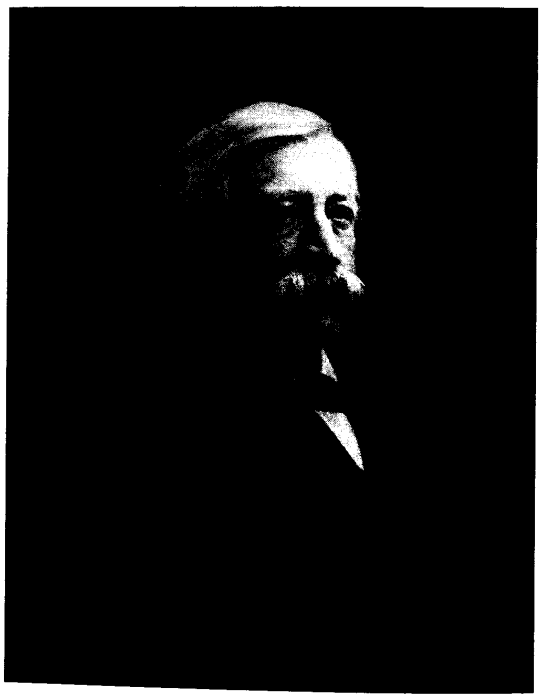
THIRD EDITION

EDITED BY CLARE CUSHMAN

FOREWORD BY CHIEF JUSTICE JOHN G. ROBERTS, JR.

Melville W. Fuller

1888–1910



Source: Collection of the Supreme Court of the United States

BORN FEBRUARY 11, 1833, Melville Weston Fuller, the eighth chief justice of the United States, was the second son of Frederick A. Fuller, a successful lawyer who achieved a degree of prominence in his law practice, and Catherine Weston Fuller of Augusta, Maine. His father came from a distinguished old New England family that boasted an ancestor who signed the Mayflower Compact.

Despite this heritage, young Melville would scarcely benefit from his father's status and professional reputation. Two months after his birth, his parents separated, and his mother subsequently won a divorce from her husband on the grounds of adultery. She took custody of the two small boys and returned to live with her parents, giving piano lessons to help pay for her children's support. She remarried when Melville was eleven, but her sons continued to live with her father, a justice of the Maine Supreme Court.

In 1839, Frederick Fuller also remarried. The obligations of his new family left him either unable or unwilling to provide any substantial financial assistance to Melville or his brother. Financial insecurity and the social ramifications of a broken home were factors that significantly affected Fuller's childhood.

Politically, the Weston and Fuller families were Jacksonian Democrats in an area where Federalists and Whigs predominated. Although the Jacksonians carried much of the country in the presidential election of 1832, they were still a minority viewed with disdain in conservative Federalist Maine. Political antipathy was probably responsible for a rift within the South Parish Congregational Church, which eventually forced Fuller's mother and her parents to resign their membership when Melville was seven. The families then joined a local Episcopal church.

At the age of sixteen, Fuller entered Bowdoin College in Brunswick, Maine. He received a strong classical

education, became active in politics, and was elected to Phi Beta Kappa upon graduating in 1853. His most notable achievement at Bowdoin was not to be revealed in public honors, however, but in the records of the Athenaean Society, a literary club on campus. During his four years at college, Fuller read more books in the society's 5,000-volume library than any other student. As a child, Fuller had shown a strong interest in reading and literature, and his grandfather's library provided a ready supply of challenges. Although his earliest works are now best forgotten, Fuller was also a prolific poet. When his mother died in 1854, a grief-stricken son expressed his sorrow in verse.

After graduating from Bowdoin, Fuller read law in the office of an attorney in Bangor, Maine, and attended lectures for six months at Harvard Law School. This postgraduate experience would make Fuller the first chief justice of the United States to have any law-school training. He was admitted to the Maine bar in 1855 and returned to Augusta to practice law. In keeping with his passion for politics, he also took a position as an editor at *The Augusta Age,* a Democratic newspaper run by his father's brother. Just twenty-two years old, he was appointed city solicitor for Augusta and elected president of the Common Council. A year later, dejected over a broken engagement to a young woman, Fuller left Maine to seek his fortune in the West.

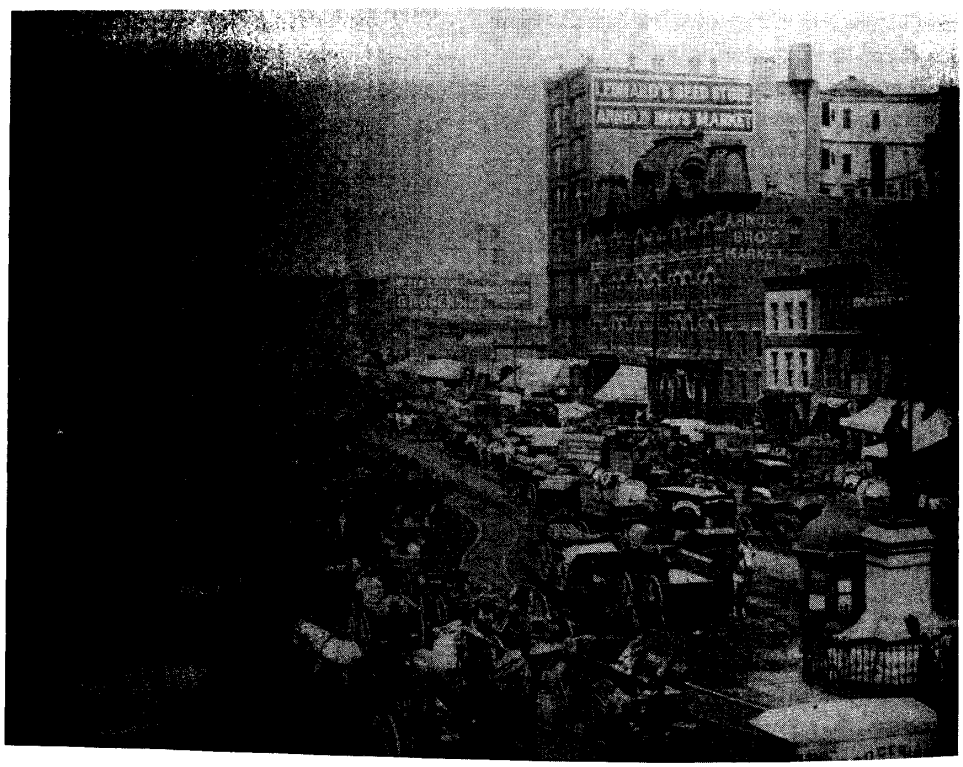
Settling in Chicago, Fuller joined the law firm of Pearson and Dow and practiced real-estate and commercial law. Through a peculiar set of circumstances, Fuller became Dow's partner the following year. Pearson had been living for some time in a boardinghouse operated by a woman who eventually sued him for failing to pay his bills. Fuller represented the landlady and won a judgment on her behalf, despite Pearson's defense that he had been living with the claimant with her consent, and for her "accommodation, edification, entertainment and benefit." Deeply in debt, Pearson left the firm and moved to Springfield, Illinois, where he was later fatally shot by a policeman during a street brawl.

For the next several years, Fuller devoted little of his time to his law practice. Instead, he became an active participant in local Democratic party and Chicago politics. Although he was opposed to slavery, he rejected the position of abolitionists as dangerous and socially divisive. He witnessed firsthand the civil strife that resulted from passage of the Kansas-Nebraska Act of 1857 while serving briefly as a correspondent for the *New York Herald.* In 1858, Fuller joined the political entourage of Stephen Douglas, who was campaigning for reelection to the U.S. Senate against a relatively unknown Republican candidate named Abraham Lincoln. Following Douglas's victory, Fuller turned his attention once again to the practice of law, but his heart was not really in it. He was constantly in debt, and the partnership with Dow dissolved in 1860. Two years later, he played an influential role at the Illinois Constitutional Convention and was elected in 1863 to the Illinois House of Representatives, serving for a year.

Fuller paused briefly from his political activities in 1858 to marry Calista Ophelia Reynolds. During the next few years, he became the father of two daughters and was faced with growing responsibilities. In 1862, Fuller formed a new partnership with Charles H. Ham, which got off to a rocky start. The Civil War disrupted business, and Fuller went deeper into debt. In 1864, his wife died of tuberculosis, leaving him to raise his two young daughters by himself. Responding to this crisis, Fuller threw himself into his work, devoting his considerable energies for the first time to establishing himself as a legal practitioner. He quickly built a reputation and gained a new level of prominence and financial security.

Fuller's luck further improved in 1866 when he married Mary Ellen Coolbaugh, the daughter of one of Chicago's most distinguished bankers. The marriage was happy, and the couple had eight children, seven of whom survived childhood. Because of his new familial connections and his skill in meeting the legal needs of Chicago's leading businessmen, Fuller's practice flourished during the next decade. The city of Chicago chose him to litigate over its rights to property along Lake Michigan's shore. His own real-estate investments in that area had begun to turn a handsome profit, and his earnings reached as high as $30,000 a year by the mid-1880s.

In a case that drew national attention, Fuller, a high Episcopalian, defended a dissident Episcopalian minister accused of "low church practices" by a church tribunal. Fuller's arguments on behalf of the defendant helped bring the Reformed Protestant Episcopal church in America into being. Fuller also gained a reputation during this period for his literary accomplishments. Joining the Chicago Literary Club in 1877, he met many of the intellectual leaders of his



Melville W. Fuller made his early career in the burgeoning city of Chicago, at first mainly in Democratic politics. He not only developed a successful legal practice but also was invited to join the Chicago Literary Club in 1877, having demonstrated a flair for writing and lecturing. His speculation in Chicago real estate reaped huge profits as the city, shown in this 1890s photograph, experienced a boom in population and industry.

Source: Library of Congress

day and was frequently asked to address this distinguished group of local literati. Fuller was a cultivated man who enjoyed the theater and had a personal library of more than 6,000 volumes.

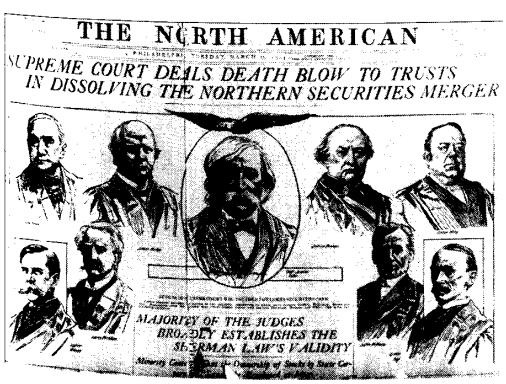
An influential Democrat, Fuller attended four Democratic national conventions and befriended Grover Cleveland. When Cleveland was elected president in 1884, he solicited Fuller's advice, especially concerning various appointments. Despite the president's efforts to press him into public service, Fuller declined offers to be chairman of the Civil Service Commission or solicitor general, pleading that the demands of his family and practice precluded his accepting a position in government. On April 30, 1888, Cleveland finally prevailed on his friend to accept a position that even Fuller could not refuse—chief justice of the United States. The Republican-dominated Senate debated Fuller's war record (he had supported the Union with words but not with military service) and his ties to big corporations, but his nomination was confirmed by a vote of 41–20 July 20, 1888. His appointment corrected a geographic imbalance: There had not been a representative of the burgeoning Seventh Circuit, comprising Illinois, Indiana, and Wisconsin, on the Court since Justice David Davis had stepped down eleven years earlier.

In Washington, Fuller purchased an immense brick mansion to house his large family. His house frequently served as the site of the justices' conferences, as it was far more comfortable than the Court's inadequate accommodations in the Capitol. Although Fuller made friends easily by virtue of his gracious manner and subtle wit, he found it difficult to contend with the demands of Washington society. Because of the Court's growing caseload and his considerable administrative responsibilities, Fuller withdrew from

active participation in the social life of the capital. Such self-imposed seclusion has characterized the lives of many of the justices ever since.

Throughout his tenure on the Court, Chief Justice Fuller served with subtle diplomacy and quiet dignity. To promote harmony among his colleagues, he instituted the practice of having the justices shake hands with each other at the beginning of their private conferences and before going into the courtroom. An able lawyer of diverse experience, he did not seek personal fame, assigning opinions in the most prominent and important cases to his colleagues. Fuller was a gifted conciliator, respected by his fellow justices for his capable leadership and administrative skill. Justice Samuel F. Miller, who had served with three previous chief justices, and Justice Oliver Wendell Holmes, Jr., who went on to share the bench with three subsequent chief justices, both found Fuller to be the most successful chief justice they had known.

Fuller was a dapper man, with a large white mustache and a slight build. He was so short he had to have his seat elevated at the bench. He presided over the Court as the nineteenth century gave way to a new century and society underwent a massive transformation. Rapid industrialization, urbanization, and breakthroughs in science and technology not only modernized society but brought a host of new issues before the Court. Faced with enormous change, the Court maintained a general conservatism.


THE NORTH AMERICAN

SUPREME COURT DEALS DEATH BLOW TO TRUSTS IN DISSOLVING THE NORTHERN SECURITIES MERGER

MAJORITY OF THE JUDGES BROADLY ESTABLISHES THE SHERMAN LAW'S VALIDITY

Melville W. Fuller presided over the Supreme Court when it decided a series of cases determining the strength of the Sherman Antitrust Act, which Congress had passed to break up monopolies. When President Theodore Roosevelt dissolved the Northern Securities Company, which held the stock of three major railroads and enjoyed a monopoly over transportation in the Northwest, the Court upheld his action. It ruled that stock transactions were within the realm of interstate commerce, which the federal government is allowed to regulate. The *Northern Securities* decision gave teeth to the antitrust act and unsettled the business community.

Source: Harlan Papers, Louis D. Brandeis School of Law, University of Louisville



Photographed in his Supreme Court chambers, Chief Justice Melville W. Fuller introduced the practice of having the justices shake hands with each other before meeting in conference or going on the bench. The custom, which continues today, is intended to remind the justices that they are pursuing a common goal despite whatever differences they may have.

Source: Library of Congress

The Fuller Court, however, issued several decisions that revolutionized constitutional interpretation in the realm of economic development. Chief Justice Fuller wrote the majority opinion in *United States v. E. C. Knight Co.* (1895), which held that the Sherman Antitrust Act of 1890 did not outlaw monopolies in manufacturing—in this case, a company that refined 90 percent of the sugar sold in the United States. The decision substantially weakened the government's ability to enforce antitrust legislation. The same year, Fuller wrote the opinion striking down the first general tax on personal income enacted by Congress. In 1908, he wrote the unanimous decision ruling that "secondary" boycotts (a union's attempt to organize workers in one factory while simultaneously boycotting the same company's products in other states) violated antitrust laws.

Fuller was also instrumental in securing passage of the Circuit Court of Appeals Act of 1891. He did it by inviting legislators to dinner to hear justices complain about their workload. The act finally relieved the justices

of the burdensome duty of sitting as judges on the circuit courts and had the effect of cutting down their workload significantly.

When Cleveland was reelected to the White House in 1893, he offered his friend the position of secretary of state. Fuller declined to switch to a cabinet post because he thought doing so might lower the status of the Supreme Court. But he was interested in treaties and international law and was asked in 1897 to serve on the Venezuela-British Guiana commission that resolved a border dispute. The following year, he was appointed to the Permanent Court of Arbitration in the Hague, on which he served for a decade while still continuing to fulfill his duties as chief justice.

As the years went by, the strain of his demanding schedule began to take its toll. He never fully recovered from the shock of losing his second wife in 1904; after her death, his health was uneven, and his energy sapped. His physical condition deteriorated considerably in 1909, and it became obvious to Fuller and to the other members of the Court that he was beginning to fail noticeably under the strain of the Court's demanding pace. He served almost twenty-two years—the third-longest tenure of any chief justice—before dying of a heart attack July 4, 1910, at his summer home in Sorrento, Maine. Noting that Fuller outlived most of his contemporaries, Justice Holmes accurately assessed the nation's response to his death: "I think the public will not realize what a great man it has lost. . . . He turned off the matters that daily called for action, easily, swiftly, with the least possible friction, with inestimable good humor that relieved any tension with a laugh."

Annex 7

Foreign Ministry of Guyana, THE NEW CONQUERORS: THE VENEZUELAN THREAT TO THE SOVEREIGNTY OF GUYANA (2016) (excerpt)

The New Conquistadors

The Venezuelan Challenge to Guyana's Sovereignty

A 50th Anniversary of Independence
Indictment of Guyana's Western Neighbour

Ministry of Foreign Affairs
GUYANA

HANSIB

Venezuela, the Commissioners were Dr Abraham Tirado, Civil Engineer of the United States of Venezuela and Chief of the Boundary Commission and Dr Elias Toro, Surgeon General of 'the Illustrious Central University of Venezuela' and Second Commissioner on behalf of Venezuela. On 7 January 1905, an official boundary map delineating the boundary as awarded and demarcated was drawn up, signed by Dr Tirado and Dr Toro, and by the British Commissioners H.J. Perkins and C. Wilgress Anderson, and promulgated in Georgetown at the Combined Court.

The Report submitted to the Venezuelan Government by Dr Tirado, the head of the Venezuelan Boundary Commissioners, speaks volumes of Venezuelan recognition and satisfaction with the Treaty, the Award and the Map – as the closing words of his report conveyed.

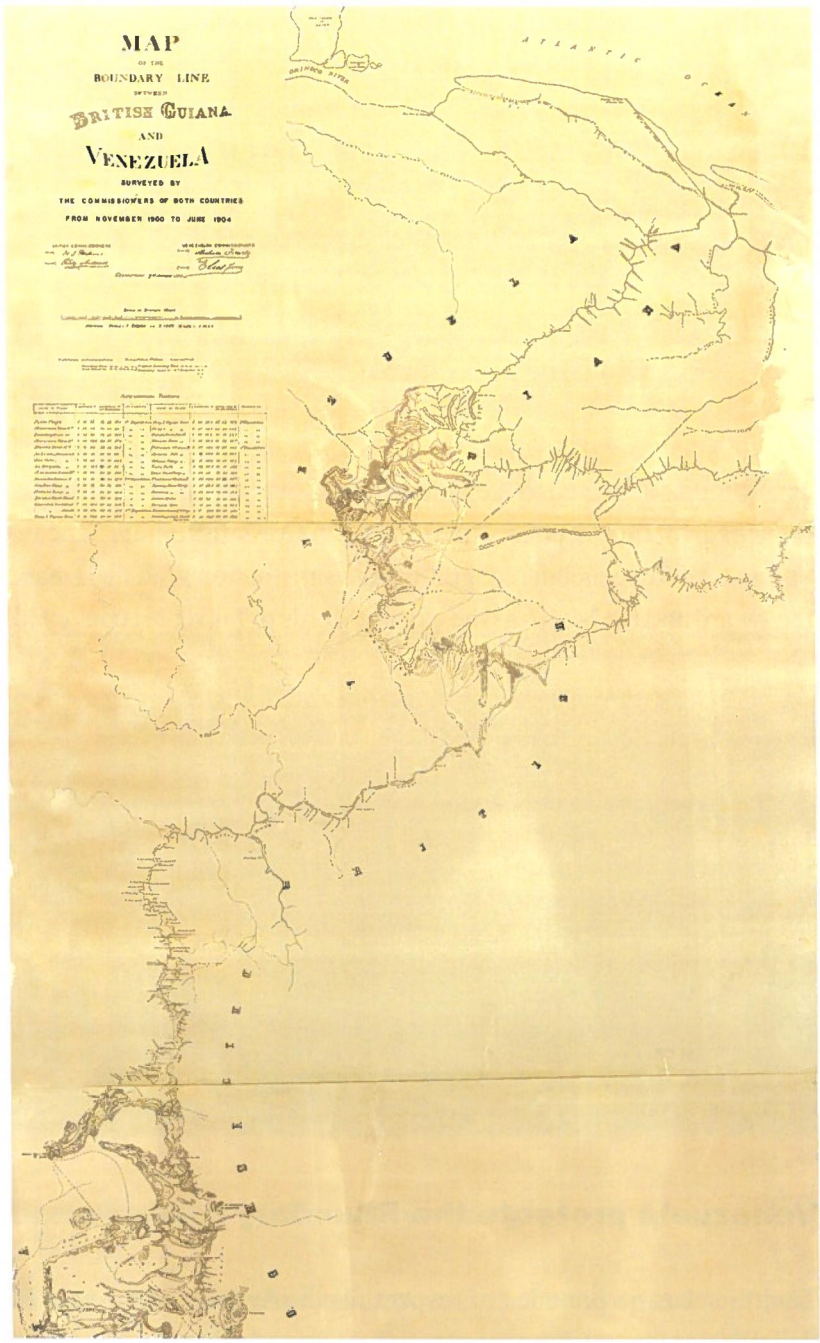
Dr Tirado's Report Forwarding the Official Boundary Map

The honourable task is ended and the delimitation between our Republic and the Colony of British Guiana an accomplished fact. I, satisfied with the part which it has been my lot to play, congratulate Venezuela in the person of the patriotic Administrator who rules her destinies and who sees with generous pride the long-standing and irritating dispute that has caused his country so much annoyance settled under his regime.

Abraham Tirado
March 20, 1905

Venezuela protects the Boundary

That this was no pretence of respect for the Award and the related delimitation was well borne out in 1911 in replacing the Marker at the northernmost point of the Boundary (Punta Playa) when it was



The Official Boundary Map, 1905

found to be washed away. Venezuela insisted that the replacement be strictly in accord with the 1899 Paris Award. The then President of Venezuela specifically authorised the undertaking.

General Juan Vicente Gomez
President of the US of Venezuela

WHEREAS I confer FULL POWERS that in his capacity a Commissioner following the instructions given will proceed to replace the post which was washed away by the sea in the extreme of the frontier between Venezuela and British Guiana at Punta Playa with another which necessarily will be placed at the precise point where the boundary line cut now the line fixed in nineteen hundred in accordance with the Award signed at Paris the 3rd of October by the Mixed Commission Anglo-Venezuelan.

(Sgd) J. V. Gomez
Translation (sgd) Antonio G. Monagas
Consul for the U.S. of Venezuela.

It was the boundary as shown on that definitive map of 1905, authenticated with pride by their Minister of Internal Relations, F. Alientaro, that the then Venezuelan Government used to celebrate their first one hundred years of Independence in 1911. A century and five years later, as Guyana celebrates its first fifty years of its freedom, Venezuela casts that map aside – the map it celebrated in the name of Bolivar for over sixty years – to deny the new Guyana its own patrimony.

It was not always so; in 1931, for example – and there are many such instances of Venezuelan official fidelity to the 1899 Award – in the context of the tri-junction point of the boundary between Brazil, Guyana and Venezuela, Venezuela insisted on staying strictly in accord with the 1899 Award and the Official Boundary Map. To a British proposal for a minor adjustment by

agreement Venezuela argued that, for constitutional reasons, they would not depart from the letter of the 1899 Award. The Venezuelan Minister of Foreign Affairs, P. Itriago Chacín wrote (in translation) on 31 October 1931 explaining their objection in principle to any change in the established border.

Venezuela rejects any change from the line of the 1899 Award
The letter from Foreign Minister Chacín

"At the present time also there exist objections of principle to an alteration by agreement to the *frontier de droit*, since, as this frontier is the result of a public treaty ratified by the Venezuelan legislature, it could only be modified by a process which would take considerable time even supposing that other difficulties, also of principle, could be got over."

31st October, 1931

Ten years later, into the early forties, a Venezuelan Foreign Minister, Dr Gil Borges, would reassure a British Ambassador in Caracas, D. St Clair Gainer, in the context of a press comment about the Arbitral Award, that – as the Ambassador reported him – "*From time to time an odd article about British Guiana appears in the Press but that I need take no notice of that; the articles were obviously written by persons of little knowledge who have never had access to official files. So far as the Venezuelan Government were concerned the one really satisfactory frontier Venezuela possessed (at that time) was the British Guiana frontier and it would not occur to them to dispute it.* Ambassador Gainer was reassured that the matter was *'chose jugée'*, and said so to the Minister.

How much more worthy it would have been had Venezuela continued to adopt the candidly honest stand of its Foreign Minister as late as 1941.

It is a sordid tale of how Venezuela abandoned the path of propriety, and with it the rule of law; and how, particularly now, its rulers seek to dispossess Guyana of its heritage and to mar the environment of our 50th anniversary.

Venezuelan greed revived

Guyana's controversies with Venezuela have always had a sharper edge than any other; perhaps because the former derive to a greater degree from cultivated avarice and calculated stratagems –all sustained by awareness of unequal strengths. These are not attributes of the Venezuelan people; they dwell within coteries of Venezuelan power, both civilian and military; and they are self-sustaining, feeding on their co-mingled myths and ambitions, and generating new falsehoods which they begin to believe. For sixty years, Venezuelan Governments respected, adopted, even protected the 1899 boundary; yet today President Maduro can say in a studied distortion of history: *With the 20th century came the third stage. The Treaty of Paris was denounced as invalid.* By 'the Treaty of Paris' he means the Arbitral Tribunal that met in Paris and the Award of 1899 and the demarcated boundary that Venezuela respected for sixty years of that 20th century – another distortion on which is being built another stratagem of dispossession: one that may have as much, or little, to do with Venezuela's internal political maelstrom as Guyana-Venezuela relations.

So, now, as Guyana looks to marking with pride the 50th Anniversary of its Independence, the settlement of its border with Venezuela, secured by the 1899 Arbitral Award and its formal demarcation, is being brusquely threatened by forces in Caracas – in furtherance of earlier efforts to subvert the rules of international law and virtually steal Guyana's substance.

Annex 8

Account of a Journey to Guiana and the Island of Trinidad, performed in the Years 1597 and 1598, submitted to the States-General by the "Commies-Generaal" by A. Cabeliau (3 Feb. 1599)

No. 8.

Account of a Journey to Guiana and the Island of Trinidad, performed in the years 1597 *and* 1598, *submitted to the States-General by the "Commies-Generaal," A. Cabeliau.*

Verclaringe van de onbekende ende onbesceylde voiage van America beginnende van de riviere Amasonis tot het eylant van de Trinidad toe.

A IN den naem onses Heeren Jhesu Christi, Amen, ende in den jare desselfs XVe sevenentnegentich den derden Decembris smorgens, zyn wy tseyl gegaen vuyten Briel met twee schepen, het eene ghenaempt den Zeeridder, groot omtrent tachtentich last, daer schipper op is Jacob Cornelisz, alias Oom, het andere genaemt den Jonas, groot omtrent tsestich last, daer schipper op is Marten Willemz van Schiedam, ende alsoe tsamen in zee geloopen, ende by den anderen gevaren tot den sevenden derselver maent, ende syn van den tijt voers. van den anderen versteecken, zynde omtrent de hoochte van 44 graden buyten de can-
B nael, sonder malcanderen meer (geduerende de gansche reyse) te sien, daer nogtans geseyt was malcanderen te verwachten by eenighe verstekinge aent eylandt van Palma, synde een van de eylanden van Canarien.

Den 7en dito het eylandt van de Palma int gesicht gecregen ende aldaer bygehouden, Marten Willemsz. nyet vernemende, zyn op dito voor de stadt van de Palma gearriveert, ende aldaer gelengen om onse wijnen te procureren, totten XVen January anno XVc achtentnegentig, ende siende dat Marten Willemsz. voers. aldaer nijet en quam,
C sijn wij voerscreven van daer geseijlt, ende onsen cours gestelt naer het eijlandt van Teneriffa.

Alwaer wij op 16 dito voergecommen zijn, ende hebben aldaer bijgehouden met ons schip, om te verspreken eenighe schepen, die aldaer under landt waeren drijvende, of zij Marten Willemsz. voers. niet en hadden gesien oft vernomen, maer van hem nijet vernemende hebben wij op 17 dito onsen coers gestelt tusschen 't eijland van groot Canarien ende Teneriffa naer d'eijlanden van Cabo Verdo ende alsoe nae Cabo de Noort. Den 9 Februarij hebben wij't landt int gesicht gecregen omtrent de hoochte van vijf graden bij noor-
D den d'equinoctiael ende Ecrevice, alwaer wij op dite voergeset hebben ende onsen scheepsboot vuijtgeset, ende daer mede rontomme d'eijlanden gevaeren visiterende oft aldaer gheene bequame plaetsen en waren om onse jacht oft sloupe op te setten, dan vonden deselfde onbequaem ende gansch clippich, alzoe dat wij genootsaect zijn geweest de jacht op het schip op te setten, ende aldaer te maken ende calfaten nae behooren, nijet sijnde sonder groot perijkel.

Den 15 dito hebben wij vernomen een schuijte, genaempt bij de Indiaenen Canno dewelcke quam van het vaste landt omtrent twee mijlen vuijt de
E rivier Caurora, alwaer in waeren ses mans een vrouwe met noch een cleyn kindeken van de natie Geribus ende Jau, ende waeren gantz naect, ende waeren lange, eer zij aen boort dorsten commen, maer eijndelick deur trommelen ende anderssins verstouten zij henluijden ende quamen aan boort, ende riepen tot ons lieden Anglees, ende wij antwoorden Si, Si, ende quamen alsoe over, ende wij leijdden die in de coijuit, ende maecten die midlertijt wijs dat wij vuijt Hollant waren, ende seijden Hollandees ende tracteerden die seer wel

An Account of the unknown and unperformed Voyage of America, beginning from the River Amazon to the Island of Trinidad.

IN the name of our Lord Jesus Christ, Amen, and in the year of the same, 1597, on the morning of the 3rd December, we set sail from Briel, with two ships, the one named the "Zeeridder," of the size of 160 tons, whereupon is skipper Jacob Cornelisz *alias* Oom, the other named the "Jonas," of about 120 tons, skipper, Martin Willemsz, of Schiedam, and so we went to sea together and sailed with the others until the 7th of that month, and from that time we got separated from the others outside the channel, at about 44°, and did not see each other again during the whole journey, though it was arranged to wait for each other in case of separation at the Island of Palma, being one of the Canary Islands. On the 7th we got the Island of Palma in sight and stopped there, but not perceiving Marten Willemsz, we arrived on the same day off the town of Palma, and stayed there to procure our wines until the 15th January, 1598, and seeing that Marten Willemsz did not come, we sailed from there and steered for the Island of Teneriffe.

Where we arrived on the 16th, and laid to with our ship there in order to speak some vessels which were coasting there whether they had seen or heard of Marten Willemsz, but hearing nothing of him we, on the 17th, proceeded on our way between the Island of Great Canary and Teneriffe to the Islands of Cape Verd, and so to Cape North. On the 9th February we came in sight of land at about 5 degrees north of the Equator and the Tropic of Cancer, where we put out our ship's boat and sailed with it around the islands, noting whether there were no places fit to land our yacht or sloop, but found them unsuitable, and quite rocky, so that we were compelled to place the yacht on the ship, and there repair and caulk it as was needful, not without great danger.

On the 15th February we perceived a boat, called by the Indians a canoe, which came about 2 miles from the continent out of the River Caurora, in which were six men, one woman, and a little child of the Geribus and Jau nation, and they were quite naked, and it was long before they dared to come on board, but, finally, by beating of drums and other means they were emboldened, and came on board, and called out to our men, Anglees! and we replied, Si! Si!! and so they came over, and we led them into the cabin, and meanwhile made them understand that we were from Holland, and said Hollandees, and treated them as well

naer ons vermoegen, dat sij 'tsanderdaegs blijdelijk van 'tboort voeren, ende nae deze hebben ons wederom veel vrientschap bethoont. Wederom den 17 ditto zijn aen ons boort gecommen van 'tvaste lant vuijt de riviere voers. drij andere cannoos, daer inne waren soe mans vrouwen ende kinderen omtrent 'tsestich personen, ende dese voers. natie, mitsgaders de natien Hebaio ende Arwaccus hebben gecontinueert aan boort te comen, met haare waren ende victuaillen, zoe lange wij aen de eijlanden voers. lagen, mitsgaders oijck geduerende den tijd soe lange wij in de rivier Cayane hierna volgende gelegen hebben.

Den 27 Martij tseijl gegaen nae de riviere Cayani ende deur groote wederspannichheijt van den schipper, daer hij nochtans van ons ende van eenen Engelschman, Capitain Johan Meysinge van Londen, ende van sijns persoons selfs, genoecsaem versekert was, dat hij in de riviere voers. sonder perijkel conde incommen, ende deur verspreck van ons ende zijn bootsvolk zijn met Godes hulp den 31 dito in de voerz. riviere gecommen, sonder eenich hinder, ende bij den voerz. Engels Capitain zijn schip geset. 'Tsanderdaegs hebben wij onze jacht gesonden opwaerts nae de riviere Cauwo, ende hebben aldaer gevonden woonende de natie Jaio, ende van daar gebrocht met haren vrijen wille dese Jegenwoordige Indiaenen, den einen genaemt Arymowacca, oudt omtrent zoe wij comen verstaen, 40 jaren, ende den anderen Cayariwara, oudt omtrent twintich jaeren, midtsgaders daerbij, een jacht vol hout, zijnde een maniere ende coleur van Brasil hout ende voerts toubacca ende noch meer andere (bij mij onbekende) drogherijen Ende den 8 April is dese jacht aen boort gecommen ende hebben op dese rivier Cayani gehandelt ende gelegen tot den 27 Junij toe.

Den 16 April is den voerz Engelsman 'tseil gegaen.

Den 29 ditto zyn twee schepen van Amsterdam by ons door ons behulp gecommen, daer schippers op syn Dierck Janse Roomschkerck ende Wouten Syvertsz, ende syn den 10 Mey wederom van ons geseylt naer het eyland van de Marguerete.

Den 3 Juny syn twee schepen van Amsterdamme by ons gecommen, genaemt de Groot en de Kleyne Sphera Mundi, daer schippers op syn Jan Cornelisz van Leijen ende Adriaen Reyndertssoen voers. en hebben Compagnie gemaect om met malcanderen de gantsche custen voorts tot die Riviere Worinoque by de Indianen alsoe genoemt, by d'Engelsche Reliane, ende by de Spaengnaerden Rio El Dorado, te besoeken. Ende tgene op de voerscreve custe zoude moegen vorvallen, tzelve soude geparticipeert worden, de drye achte parten voer onse Compagnie, ende de vyff achte parten voer de Compagnie van Jan van Leyen voers. Ende hebben versocht dese naervolgende rivieren; Wyapoco, Curassawini, Cunanamae, Juraco, Mavary, Amano, Marawini, Carapi, Surinamo, Saramo, Coupanama, Waycara, Curetini, Worinoque. In de Riviere Worinoque, Rio Parymo en Amacouza ende daerop genegotiert ende gehandelt. De rivieren tusschen de rivieren Amasonis ende Wiapoca zijn dese: Aroway, Arafioco, Maycary, Cassipoura, Arrocava; dese rivieren en hebben wij nyet versocht noch behandelt, overmidts dat wij daer nyet en conden commen, doer den ordinaerlicken stroom, die altyt westelicken lancx de custen loopt. De rivieren tusschen de Wiapoco ende Caurora zijn dese: Wanary, Apperwacca, Cawo Wya, Cayany, Macuria. Dese hebben wij particulierlyk versocht ende behandelt, vuytgeson-

as we could, so that the next day they left the ship joyfully, and after that showed us again much friendship. Again, on the 17th, there came on board from the continent, out of the aforesaid river, three other canoes, in which were about sixty persons—men, women, and children, and this tribe, together with the tribes Hebio and Arwaccus, continued to come on board with their wares and victuals, so long as we lay off the aforesaid islands, and also during the time we lay in the River Cayane following hereafter. A

On the 27th March we set sail for the River Cayani, and with great opposition from the skipper, and although he was sufficiently assured by us and by an Englishman named Captain Johan Meysinge, of London, and by his own people themselves, that he could enter the aforesaid river without danger, and by our promises and those of his crew, we entered the aforesaid river with God's help and without any hindrance on the 31st, and dropped anchor near the vessel of the aforesaid English Captain. On the next day we sent our yacht upwards to the River Cauwo, and found the Jaio nation living there, and from there we brought, of their own free will, these present Indians, the one named Arymowacca, about 40 years old, as far as we can understand, and the other, Cayariwara, about 20 years old, and together with them, a yacht full of timber, being a kind and colour of Brazil wood, and also tobacco and some other drugs (unknown to me). And on the 8th April this yacht came back to the ship, and we traded in this River Cayani, and lay there until the 27th June. B C

On the 16th April the aforesaid Englishman set sail. D

On the 29th there came to us, with our assistance, two ships from Amsterdam, the skippers of which were Dierck Janss Roomschkerck and Wouter Syvertsz, and on the 10th May they sailed again from us to the Island of Margharita.

On the 3rd June there arrived near us two ships from Amsterdam, named the great and the small "Sphera Mundi," whereupon are skippers Jan Cornelisz van Leijen and Adriaen Reyndertssoen, and we made company to visit together the whole coast as far as the River Worinoque, so-called by the Indians, by the English, Reliane, and by the Spaniards, Rio El Dorado. And whatever should fall to us on the aforesaid coast the same should be shared, three-eighth parts for our Company and five-eighth parts for the Company of the said Jan van Leyen, and we visited the following rivers: Wiapoco, Curassawini, Cunanamae, Juraco, Mavary, Amano, Marawini, Carapi, Surinamo, Saramo, Coupanama, Waycara, Curetini, and Worinoque. In the Rivers Worinoque, Rio Parymo, and Amacouza we negotiated and traded. The rivers lying between the Rivers Amazonis and Wiapoca are these: the Aroway, Arafioco, Maycary, Cassipoura, and Arrocava; these rivers we neither visited nor traded in, since we could not get there by the ordinary current which always runs westward along the coast. The rivers between the Wyapoco and the Caurora are these: the Wanary, Apperwacca, Cawo Wya, Cayany, and Macuria. These we visited and traded in on our own account, E F

A dert de Riviere Wanary, ende Apperwacca. Tusschen Mamiamanorij ende Sijnamarij zijn twee cleijn rivierkens genoemt Owaparij ende Paurama, daerop en woont gheen volck. De rivier ofte de mondt van Surinamo is in twee rivieren bevangen, bij oosten leijt de Rivier Cammawini ende bij westen Surynamo ende loopt zoe tsamen in zee. Tusschen de Rivieren Curetyni ende Worinoque zijn dese rivieren, Berbice, Apari, Maychawini, Maheyca, Demirara, Dessekebe, Pauroma, Moruga, Wayni. Deze en hebben wij in't particulier, noch oijck per Compagnie voers. nijet besocht ofte behandelt, deur dijen onsen tijt seer verloopen ende
B datter nijet veel te halen en was, zoe ons d'Indianen, wijs maecten, en oijck te meer dat onse victuaillen zeer zwack waeren, zoe en deden wij anders nijet, dan custoijeerden al lancx 'tland om daervan kennisse te hebben tot de riviere van Worinoque, alwaer wij op 27 July sijn ingevaren ende twee mijlen van de mont van de voers. riviere zijn wij met malcanderen geset aen den anker.

Den 28 ditto zijn geprepareert geweest om de rivier van Worinoque te besoecken, het schip van Jan van Leijen, groot omtrent 36 last, onse jacht,
C groot omtrent 9 lasten ende de jagt oft roijsloupe van Adriaen Reynderssen, tsamen sterck van volck omtrent vijftich persoonen.

Den 29 ditto zijn de voerz. schepen ende persoonen gesamenderhant opwaerts gevaeren, jegens de geweldige stroom, die aldaer dies tijds sjaers aff is loopende ende hebben gevaren doer adresse van dese jegenwoordige Indianen, in den tijt van twintich daegen nijet meer dan omtrent de 40 mijlen, tot plaetse oft vlecke daer de Spaegnaerden hen houden, welcke is genaemt St. Thomé, alwaer gouverneur aff is, Don Fernando de Berreo ende Marques van de Weyana, de rivier Wori-
D noque ende de gantsche custen alsnoch ongeconquesteert siinde, tot de riviere Marignon oft Amasonis toe, ende zijn aldaer sterck omtrent 60 peerde ruijters ende 100 musquettiers, dewelcke dagelicx vervolgen om het goudrijk Weyana te conquesteren, dan connen 'tzelfde doer de fortsen alsnoch daerop gedaen zijnde of met geene middlen van vriendschap conquesteren, deurdien de natie genaemt Charibus hen dagelijcx geweldichlicken wederstaen met haer wapenen, dewelcke sijn hantbogen, ende schieten daarmede met fenynige pijlen, dewelcke zoo fenijnig zijn, als ijmandt daermede geraect is, datter bloet nae volght, zoe
E moet hij binnen 24 ure par fortse sterven, zoe daer geen remedie terstont toe gedaen en wordt, ende tgansche vleesch zoude hem van den beenen affvallen, alzoe dat de Spagnaerden die natie ende haer pijlen zeer vreezen, ende in de Campagne blijven staen onbeweechlijk, ende en sullen nijet wijcken, ende zij hebben als tot noch toe tveldt behouden, ende de Spaegnaerden si ende dat zij aldaer nijet en konnen gewinnen, hebben omtrent 6 daegreijzens, bij suijdens de riviere Worinoque, aen 't geberchte van de Weyane eenen wech beginnen te maeken door die rotsen ende geberchten, omtrent 1,600 stadien lanck, ende breet zijnde, dat
F sijluijden met vijff peerden, neven den anderen daer doer connen marcheren, ende meenen bij dese middel alsoe, tselfde te conquesteren.

Van St. Thomé is de jacht van ons schip ende de sloupe van Adrien Reijndertsen met de twee harinckschuijten van Jan van Leijen, opgevaren tot de riviere Caroni, denwelcken een schrikkelijken ende grooten afval heeft, ende valt vuijt het geberchte ende maeckt alsulcken getier, dat men ze can hooren omtrent vier mijlen. Wij

excepting the Rivers Wanary and Apperwacca. Between Mamiamanory and Synamary are two small streams, named Owapary and Paurama, where lived no people. The River, or the mouth of, Surinamo comprises two rivers, the River Cammawini lying on the east, and Surinamo on the west, and they run so together into the sea. Between the Rivers Curetyni and Worinoque are these rivers: Berbice, Apari, Maychawini, Maheyca, Demirara, Dessekebe, Pauroma, Moruga, and Wayni. These we neither visited nor traded in on our own account nor on account of the Company, since much of our time had elapsed, and there was not much to be got, as the Indians told us, and, moreover, because our provisions were very low; we therefore did naught else than coast along the land in order to have a knowledge of the same as far as the River of Worinoque, into which we sailed on the 27th July, and 2 miles from the mouth of the said river we all came to anchor.

On the 28th there were prepared to visit the River of Worinoque the ship of Jan van Leijen, about 72 tons in size, our yacht of about 18 tons, and the yacht or roy-sloop of Adriaen Rijndersen, manned altogether by about fifty persons.

On the 29th the said ships and persons sailed up together against the mighty stream, which runs down at that time of the year, and by the direction of these present Indians they sailed in the time of twenty days not more than about 40 [Dutch] miles to the place or hamlet where the Spaniards dwell, which is named St. Thomé, the Governor of which is Don Fernando de Berreo and Marques of Weyana, the River Worinoque and the whole coasts being still unconquered as far as the River Marignon or Amazonas, and they are there about 60 horsemen and 100 musketeers strong, who daily attempt to conquer the auriferous Weyana, but cannot conquer the same either by the forces already used or by any means of friendship, since the nation named Charibus daily offer them hostile resistance with their arms, which are hand bows, and they shoot poisoned arrows therewith, which are so poisonous that if any one is hit by them so that blood flows, he must perforce die within twenty-four hours unless a remedy is immediately applied, and all his flesh would drop from his bones, so that the Spaniards greatly fear that nation and their arrows, for in battle they stand unmoved, and will not budge, and they have maintained their ground up to the present, and the Spaniards seeing that they can win nothing there, have commenced to make a road through the rocks and hills of the mountains of Weyana, about six days' journey south of the River Worinoque, which road is about 1,600 "stadien" long, and so broad that they can march five horses abreast through it, and they think by these means to conquer the country.

From St. Thomé the yacht of our ship and the sloop of Adriaen Reijndertsen, with the two herring-boats of Jan van Leijen, sailed as far as the River Caroni, which has a great and terrible fall, and falls out of the mountain, and makes such a noise that it can be heard about 4 miles off. We have, according to our description (made by

hebben daaromtrent gesocht (volghende onze beschrijvinge gemaeckt bij Sir Walter Halleij) eenige mijnen van goudt, maer en hebben gheen gevonden, zoo 't doer onse versuijmenisse oft dat se daer niet en zijn omtrent die plaetse, en weten wij nijet, maar hebben nochtans ons devoir in alles naer ons goetduncken gedaen, te meer verseekeren wij ons om dieswille, den gouverneur Don Fernando ons mede gegeven heeft om te onderzoeken, zijnen mineur, denwelcken ons gebracht heeft op alle die plaetsen, soe hij meende, doer Sir Walter Halleij geweest was ende zijn minera's van daer soude genomen hebben, ende de plaetsen, die wij gesien hebben, ende conden nijet bevinden datter eenig gout soude onder wesen, maer verstaen vuijt onse Indiaenen datter een plaetse is, omtrent 6 mijlen opwaerts daar eenighe mijnen souden wesen, maer twaeter was daer over seer gevloeijt, dattet onmoogelijck was om voer ons dat te besoeken. De Spagnaerts zeijden oijck datter opwaerts veel gout was, maar zij en dorsten daer nijet commen, overmits d'orloge van de Charibus voers. In somma cort geseijt, daer is opwaerts die riviere voerseecker veel gouts int rijcke van Weijane, zoe ons d'Indiaenen van daer als oijck dese onze jegenwoordige Indiaenen, mitsgaeders de Spaengnaerden selffs seggen, maer voer luijden hen bemoeijende met coopmanschappen en is tselfde nijet wel doenlick, om daer yet goets van te verwachten, ten waere dat daer toe eenighe merckelicke fortsen bereijt waren om de Spaegnaerden aen te tasten, twelck den eenighe middel is om van de Indiaenen eenige mijnen van gout te weten, want die vijanden zijn, ende die vijantschap aen de Spaengaerden dragen, zijn vrienden met d'Indiaenen, ende hopen gestadich, dat sijluijden van den Spaegnaerden verlost zullen worden van de Flamingos ende Angleses, zoe zij one seijden, naedien eenen capiteijn van de Indiaenen, van de Spaegnaerts gevangen zijnde ende opgaende alzoe hij soude gaen hangen, seijde dat hij metten gheest Wattopa gesproken hadde, ende die hadde hem de verlossinghe door ons ende doer de Engelschen aangeseijt. Ick wenschte tselfde te helpen doen, alst tot proffijt ende voorderinghe van tlant mochte geschieden ende succederen. In dese riviere nijet sonders gehandelt hebbende met de Indiaenen, als oock met de Spaegnaerden, zijn met gemeijn advijs wederomme van de stadt St. Thomé affgevaren nae de scheepen ende op den 30 Augusti aen boort gecommen, met expresse beloeften van de Spaegnaerden; dat zijluijden met ons aen de Trinidad zoude commen handelen.

Den eersten Septembris met malcanderen nae t'eijlandt van de Trinidad gevaren ende opten 7 dito bij westen de Trinidad gearriveert, ende aen den ancker geset. Dit is een schoon ende rijck eijlandt, in hemselven verciert met véelderhande coopmanschappen ende waeren tot veel dingen dienstich, ende hebben oick alle onse resterende coopmanscappen ende waeren op zeeckere waeren naer, die wij wederomme brengen aan de Spaegnaerden verhandelt, dewijle wijluijden bij de Indiaenen nijet en hebben connen handelen van zulke sorteringen.

Den 21 ditto is Jan van Leijden ende Adriaan Reijnderssen van ons gescheijden ende gevaeren naer de Margueret.

Den 13 Octobris zijn wij tseijl gegaen nae dese landen ende gevaren deur faulte van victuaille deur de Pragonis ende Aeso tusschen de eijlanden van St. Luga ende Granado gevaren, en op 16 ditto aldaer versproken de galeije van Sir Walter Hallij van Lonnen, zijnde groot omtrent 25 tonnen ofte

Sir Walther Halley), sought thereabouts for A
some gold mines, but have found none; whether this is by our omission or that they are not about that place we do not know, but we have done our duty in everything according to our opinion; we are more certain about this since the Governor Don Fernando sent with us on our search his miner, who brought us to all those places where, as he believed, Sir Walther Halley had been, and where he was said to have got his minerals, and the places which we saw we could not imagine that there could be any gold under them, but we understand from our Indians that there is a place B
about 6 miles higher up where there ought to be some mines, but the water had inundated it very much, so that it was impossible for us to visit it. The Spaniards also said that upwards there was much gold, but they dared not come there on account of the war with the aforesaid Charibus. In fact, briefly said, there is upwards that river certainly much gold in the territory of Weyane, as the Indians from there, and also these our present Indians, together with the Spanish themselves, say, but for people engaged in trade, it is scarcely the proper thing to C
expect anything good out of it, unless some important forces were prepared in order to attack the Spaniards, which is the only means of getting to know of any gold mines from the Indians, because they who are enemies, and who bear enmity to the Spaniards, are friends with the Indians, and they constantly hope that they will be rid of the Spaniards by the Flamingos and Angleses, as they told us, since a captain of the Indians taken prisoner by the Spaniards, and being about to be hanged, said that he had spoken with a spirit Wattopa, and the latter had prophesied to him the liberation D
by the Dutch and by the English. I should like to help do the same, if it might be done to the profit and interest of the country, and succeed. Not having done any other business with the Indians or with the Spaniards in this river, we unanimously agreed to depart again from the town of St. Thomé to the ships, and arrived on board on the 30th August with express promises from the Spaniards that they would come and trade with us at Trinidad.

E

On the 1st September we sailed together to the Island of Trinidad, and on the 7th we arrived at the west of Trinidad, and came to anchor. This is a fine fertile island, in itself adorned with many kinds of products and wares serviceable for many things, and we bartered away all the rest of our merchandize and wares, with the exception of certain goods which we bring back, to the Spaniards, since we could not do business in such assortments with the Indians.

F

On the 21st, Jan van Leyde and Adriaan Reynderssen left us and sailed to Margarita.

On the 13th October, we set sail for this country and sailed, through want of victuals, through Pragonis and Aeso, between the Islands of St. Luga and Granado, and on the 6th we spoke there the galley of Sir Walther Halley, of London, being about 25 tons or 12½ "lasts" in

A 12½ last, ende van de custen van Barbarijen commende, op ditto voorts geseijlt binnen de voerz. eijlanden, ende op 22 ditto wederomme deur d'eijlanden van Dommenica, Poorebano ende alsoe onsen cours gestelt op d'eijlanden van Tersera, waervan wij op 21 November d'eijland van Faijal in'tsicht gecregen ende voerbij geseijlt hebben, ende op den avont een Engelsche pinasse vernomen op 22 ditto sanderdaegs versproocken omtrent d'eijlandt van Graciose, ende van daer onsen cours gestelt op de cannael ende op 11 Decembris doer contrarij windt tot Pleijmouth in Engeland ingeloopen ende aldaer gelegen totten 25 ditto, en
B tseijl gegaen naer dese landen met diverse scheepen ende op 28 ditto tot Middelborch in Zeelandt gearriveert.

Sulex, dat wijluijden in dese voijage hebben ontdeckt, gevonden ende beseijlt over de 24 rivieren, veel eijlanden in de rivieren ende andere diverse havenen, die nijet bij dese landen en zijn bekent nog beseijlt geweest, ja dat meer is, in geene quaerten oft cosmographen voerdato onse voijage beschreven noch ontdekt zijn geworden. Alle hetwelcke ik onderschreven als commisgenerael van dese voijage, verclaere waerachtig te
C wesen, zijnde bereit (soo noot sij) tzelfde Uwe M. E. breedere bij monde oft scriftelijck te verclaren. Orconden der waerheit, zoe hebbe ik deze onderteeckent, den derden Februarij anno 1599.

U. E. onderdanigen dienaer,
A. CABELIAU.

size, and coming from the coasts of Barbary, on the same day we sailed further within the said islands, and on the 22nd again through the Islands of Dominica and Poorebano, and so made our way to the Islands of Tersera, of which we got the Island of Fayal in sight on the 21st November, and sailed past it, and in the evening we sighted an English pinnace, and spoke it next day, on the 22nd, near the Island of Graciose, and from there we kept our course up the Channel, and on the 11th December put into Plymouth in England on account of contrary winds, and lay there till the 25th, and set sail to this country with various ships, and arrived on the 28th at Middelburg in Zeeland.

So that we have discovered, found, and navigated in this voyage more than twenty-four rivers, many islands in the rivers, and other divers harbours which were not known in this country nor had they been sailed upon, nay more, that had not been described or discovered before the date of our voyage in any maps or cosmographies. All of which, I, the undersigned, as Commissary-General of this voyage, declare to be true, being ready (if necessary) to declare the same to your Honours more circumstantially by mouth or in writing. As documents of the truth I have signed these on the 3rd February, 1599.

Your Honours' humble Servant,
(Signed) A. CABELIAU.

No. 9.

Remonstrantie aen de E mo. heeren Staten Generael van deeser geunierde Provincien opt stuck de
D *populatie van de costen van Guiana in America gelegen.*

ICK en twijfele nijet oft tis de E. mo. Heeren Staaten Generaal genochsaem bekent, wat rijcker, schoender, vruchtbarder populeuser plaisanter, ende costelijcker landt, nu onlancx door eenige van deeser landts coopvaerdieschepen ontdeckt is worden in America gelegen, genampt de provincie van Guiana.

Alwaer nijet alleenelijck veel schoone zeehavenen, bequame diepe schipbruijckige revieren, overvloedige weijden, bequaem tot alderhande veetocht,
E maer oock een vruchtbaer ende zeer bequaem landt, tot de cultivatie van terwe, wijn, olie, suijckerriet, gember, catoen, brazilie ende steertpeper, pastel, anijl indigo, ende alderlaije andere laudt vruchten die men in andere quartieren in Oost ende West Indien gewoen is te cultiveren op gelijcke hoochden ende climaet.

Noch brengt dit landt voorts palmiten, ende balsemolie, diversche sorten van gommen, witten wieroock oft masticx, een vaste oragne verwe annota genampt daer men 16 derlaije coleuren mede verwen kan, een zeeckere swaerte varwe die
F so meer corrosieff goet is tot zijde ende lijnwaet te verwen, lignum gaiacum, brasilie haut ende andere welrieckende hauten.

Jae men twijfelt oock nijet, oft daer zal metter tijt, goede coutionili kunnen gewonnen worden, dwelck, men vastelijck conjecturert uuijt dien aldaer bevonden wordt in overvloet te wasschen het cruijt oft arbuste genaempt Tonnael alias ficus Indicus daer de wormkens mede gespijst ende gevoet worden daer men de coutionilie aff maeckt.

Petition to the Noble and Mighty Lords the States-General of these United Provinces concerning the Population of the Coasts of Guiana situated in America.

I DOUBT not that it is sufficiently well-known to the noble and mighty Lords, the States-General, what a rich, beautiful, fertile, populous, pleasant, and splendid country has now recently by some of the merchant-ships of this country been discovered situated in America and named the Province of Guiana, where there are not only many fine harbours, sufficiently deep, navigable rivers, pasture in abundance, suitable for all kinds of cattle breeding, but also a fertile and very suitable country for the cultivation of wheat, wine, oil, sugar-cane, ginger, cotton, Brazil and other pepper, wood, aniline, indigo, and all other kinds of products which we are accustomed to cultivate in the same latitude and in similar climates in other quarters of the East and West Indies.

This country also produces palmites and balsam, different kinds of gums, white olibanum or mastich, a fast orange dye called annota, with which sixteen different colours can be produced, a certain black dye which is non-corrosive and fit for dyeing silk and linen, lignum gaiacum, Brazil wood and other pleasant smelling woods.

There is, indeed, also no doubt that in time it would be possible to produce good cochineal there, which conjecture is strongly based upon the fact that there is found to grow in abundance the plant or bush named tonnael or ficus indicus upon which the little worms are fed out of which cochineal is made.

Annex 9

Extract from Despatches in reference to Treaty of Truce finally made in 1609 from the Marquis de Spinola to the King of Spain (7 Jan. 1607)

present year; and the Indians declared that they were awaiting him during the time of the moon of the said month of March.

But as it appears that he had suffered considerably after leaving there, and had a much less number of men and forces than when he sailed from the Orinoco, owing to the victory we gained over him, I trust in the Lord that his designs of carrying out his injurious promises and purposes may be frustrated.

On the said bank of the Orinoco Captain Phelipe de Santiago and the Governor Antonio de Berrio met each other, where a serious difference arose as to the right each maintained, according to the instructions and obligations devolving upon them, to settle the Island of Trinidad. This was finally arranged by the agreement that Antonio de Berrio should remain with his people on the said bank, and Captain Phelipe de Santiago was to proceed with his expedition to the said Island of Trinidad, where, in the beginning of the month of January of the present year, he founded a settlement in it on the south bank, 3 leagues distant from the sea and from the port called "De España," on a river they call San Phelipe de Montes, as may more particularly be seen from the documents of proofs in possession of the Governor, Francisco de Vides, &c.

As it appears to me to be of the utmost importance to your Majesty's service that the bank of the Orinoco be settled, I have considered it well to push that matter forward, and in like manner the navigation of the Orinoco, on account of the correspondence that will exist between it and the new Kingdom of Granada, as well as the neighbouring provinces, as whatever may be brought from Spain will go by that route; and the gold and silver be brought down by the same river; and any other produce that may be necessary to send down may go right on to Trinidad, &c. And particularly is this matter important for the conquest and settlement of the Provinces of Guayana, Caura, and El Dorado, for this is the entry and road to attain that which those provinces give promise of; and this will be more clearly seen from the Report I am now forwarding to your Majesty in reference to the navigation of the Orinoco, and the best sites on the banks of that river.

And in like manner no opportunity will be given the enemy of settling it, nor will they have any entry to it by any other way; for, according to the intention of Guat-erral, who surveyed the whole of it in the past year, it is to be much feared that he will keep his promise and carry out his bad purpose, &c.

(Seal.) (Signed) ROQUE DE MONTES.

No. 3.

Extract from a Despatch in reference to the founding of a Dutch West India Company (1607).

Don Juan de Mancicidor to Mr. Secretary Prada, Brussels.

January 7, 1607.

The Dutch are now actively pushing forward the formation of the West India Company, which resolution was rather wavering before; but with the return of the Rear-Admiral, unexpectedly, who appears to have given them some important information, the project is now about to be carried out.

"Archivo de Simancas, Secretary of State, Holland, Bundle 2289, 1607. Inclosure. The Hague, December 24, 1606.

No. 4.

Extracts from Despatches in reference to Treaty of Truce finally made in 1609.

The Marquis de Spinola to His Majesty.

January 7, 1607.

The Dutch will enter into no agreements with His Majesty that will not assure to them all they possess and have conquered, with the full right of trade and navigation with the Indies.

Ditto (decypher).

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Annex 10

Cedula Issued by the King of Spain to the Governor of the City of Santo Thomé de la Guyana (9 Aug. 1621)

estar aquello muy fortificado. En que recibirá merced.

El Capitan JUAN DE LEZAMA,
Procurador de Santo Tome y Isla de la Trinidad.

Secretario J. R. De Contreras.

"Cedula" al Gobernador para que guarde lo que en razon de esto estuviese ordenado.
(Hay una Rubrica.)

Consejo veinte y uno de Jullio de seiscientos veinte y uno.

that the natives in rebellion may be reduced A
and thereby brought to recognize your Majesty, for their want will not be felt in Puerto Rico, as that place is well fortified. In which it will deem itself favoured.
(Signed) Captain JUAN DE LEZAMA,
Procurator of Santo Thomé and Island of Trinidad.

J. R. De Contreras, *Secretary.*

"Cedula" to the Governor directing him to carry out what has been ordered in the matter.
(Rubric.) B

Council of 21st July, 1621.

Cedula.

El Rey.

Mi Gobernador y Capitan-General de la Ciudad de Santa Tome de la Guayana.

Por parte de Juan de Lezama, Procurador-General de ella se me a hecho relacion del miserable estado en que el enemigo ingles dejó ese ciudad el año pasado de seiscientos y diez y ocho de que son muy infestadas esas costas y tener los naturales quebrantada la ovediencia que me tenian dada aliandose con el enemigo.

Y para su defensa tiene pedido se hagan dos fuertes llevando la gente y demas pertrechos necesarios para ellos y está mandado que la Audiencia de Santo Domingo y otras personas informen sobre ello, y por Cedula de doce de Diciembre, de seiscientos y quince del Rey mi Señor padre que está en gloria se le ordenó al Gobernador de Puerto Rico que en la ocasion que Diego Palomeque de Acuña, Gobernador que á la sazon era de esa ciudad le remitiese dicha Cedula le enviase de setenta á ochenta soldados para que con ellos y la gente de la tierra echase de allí ál enemigo y que dicha gente se enviase pagada por cuenta del situado.

Y por carta que se escrivió á la ciudad en diez y ocho de Septiembre de seis cientos diez y ocho teniendo noticia de la entrada del enemigo se le ordenó se correspondiese con los Gobernadores de Puerto Rico y Cumana á quienes se les mandó socorrer de gente y el de Puerto Rico enviase ocho quintales de pólvora cuarenta mosquetes y arcabuces con sus aderezos y dos quintales de cuerda y cuatro de plomo y que esta carta no la a recivido esa cuidad ni lo demas referido a tenido efecto y que oy se alla con mas necesidad que entonces de todo reparo por estar esperando cada dia al enemigo.

Suplicome atento á ello fuese servido que en el interin que se informa en razon de los dos fuertes de mandar ál dicho Gobernador de Puerto Rica envie luego los dichos ochenta soldados con mas veinte que hagan copia de ciento con sus armas y municiones con las que estan mandadas llevar de aquel presidio pagados en la forma que

The King.

To my Governor and Captain-General of the C
City of Santo Thomé de la Guayana.

In a despatch from Juan de Lezama, Procurator of the city, an account of the miserable condition in which the English enemy left that city in the year 1618 has been supplied to me, and it is stated that those coasts are very much infested [by the enemy]; and that the natives have thrown off the obedience which they had given me, allying themselves with the enemy.

And for its defence it is requested that two forts be built, and that the necessary men and munitions be supplied. And it is com- D
manded that the Audience of Santo Domingo and other persons report upon it, and by a "Cedula" of the 12th December, 1615, of the King, my father, who is in glory, the Governor of Puerto Rico was commanded, at the time that Diego Palomeque de Acuña was Governor of that city, that when he transmitted the said "Cedula" to him, he should send him from seventy to eighty soldiers, in order that with them and the people of the place he might dislodge the enemy from there, and that the expenses of the said men that might be sent should be paid from the account of the E
subsidy.

And by a letter which was written to the city on the 18th September, 1618, after information had been received of the entry of the enemy, orders were given to correspond with the Governors of Puerto Rico and Cumaná, who were ordered to send it help, and the Governor of Puerto Rico would send 8 cwt. of powder, forty muskets and arquebuses with their appendages, and 2 cwt. of gun-matches and 4 of lead, but this letter was not received by the city, nor were the above arrangements carried out, and to-day there is more necessity F
than then for every care, as they are daily expecting the enemy.

It entreats me in the meantime, until the report concerning the two forts be made, to command the said Governor of Puerto Rico to send at once the eighty soldiers with the addition of twenty more that would bring the number up to 100 with their arms and munitions with those that are ordered to be sent from that

A se refiere en dicha Cedula para la defensa de esa ciudad y reducir los naturales levantados y habiendose visto en mi Consejo Real de las Indias he acordado dar la presente por la cual os mando guardeis la que en razon desto estuviese ordenado y mandado que asi es mi voluntad.

Fecha en Madrid á nueve de Agosto de mil y seiscientos y viente y un años.

YO EL REY.

garrison, the expenses of which are to be paid in the manner indicated in the said "Cedula," for the defence of the city, and to reduce the rebellious natives; and it having been deliberated upon in my Royal Council of the Indies I have agreed to give these presents, by which I command you to observe what had been ordered and commanded in this matter, as such is my pleasure.

Madrid, August 9, 1621.

(Signed) I, THE KING.

B Por mandado del Rey nuestro Señor,
PEDRO DE LEDESMA.
(Hay una rubrica.)

By command of the King our Sovereign,
(Signed) PEDRO DE LEDESMA.
(Rubric.)

Al Gobernador de la Ciudad de Santa Tome de la Guayana.

To the Governor of the City of Santo Thomé de la Guayana.

Guarde y cumpla lo que está mandado cerca de lo en esta Cedula contenido.

He is to observe and fulfil what is commanded in reference to what is contained in this "Cedula."

Señalada.
(Hay una rubrica.)

Signed.
(Rubric.)

C

No. 22.

Proclamation renewing the Prohibition to sail upon the West Indies except in the Name of the West India Company, November 26, 1622.

(Extract.)

De Staten Generael der Vereenichde Nederlanden, Allen den geenen die dese sullen sien ofte hooren lesen, Saluijt:

The States-General of the United Netherlands, to all who shall see or hear these presents read, Greeting:

D ALSOO wij naer rijpe deliberatie van Rade, tot welstant deser Provincien, ende welvaren van de goede Ingesetenen van dien, over een gheruijmen tijdt hebben doen besluijten een Compagnie van Negotie ende Trafficque, alhier in dese Nederlanden, op de West Indien, Africa ende andere Plaetsen in onse voorgaende Placaten van den negenden Junij inden Jare sesthien-hondert een-en-twintich, ende thienden Junij sesthien-hondert twee-en-twintich gedesigneert, Met verboth dat geene Ingeboornen ofte Ingesetenen deser Landen, binnen den tijt van vier-en-twintich Jaren en souden vermogen te varen ofte negotieren binnen E de selve Limiten, ende wij inhererende de selve Placaten ende Interdictien, goet ghevonden hebben 't selve als noch te renoveren. Soo ist, dat wij als noch geinterdiceert ende verboden hebben, interdiceren ende verbieden bij desen, dat geene Ingeboornen ofte Ingesetenen deser Landen, binnen den tijdt van de voorschreve vier-en-twintich Jaren uijt dese Nederlanden, nochte de voorschreve Ingeboornen ofte Ingestenen, oock uijt eenige andere Rijcken ofte Landen, directelick ofte indirectelick en sullen vermogen te varen ofte Negotieren binnen de voorsz Limiten, anders als op den name ende van wegen de voors Compagnie, F op de peijnen in de voornoemde Placaten ghestatueert.

WHEREAS we, after mature deliberation in Council, did cause to be established here in these Netherlands some time ago, for the welfare of these provinces, a Company to carry on trade and commerce with the West Indies, Africa, and other places mentioned in our former Proclamations of the 9th June, 1621, and of the 10th June, 1622, prohibiting natives or inhabitants of these lands from navigating or negotiating within the said territories for a period of twenty-four years; and whereas we, persisting in the said Proclamations and prohibitions, have decided to renew the same:

We, therefore, have prohibited and forbidden, and do hereby prohibit and forbid, any natives or inhabitants of these lands, as well as any natives or inhabitants of any other kingdom or country, to sail or to trade, directly or indirectly, for the prescribed period of twenty-four years, within the aforesaid territories, except in the name and on behalf of the aforementioned Company, under the penalties laid down in the aforesaid Proclamations.

Verbieden mede onse Collegien vande Admiraliteijt, eenige Schepen ter contrarie van desen te laten uijt-varen, maer de selve daer van, ende van ons verboth volkomelick te laten waerschouwen voor heur uijtgaen uijtte Landen, op dat sij daer door in gheen schade en kommen te vervallen. Willende ende ordonnerende dat alle Ingeboornen ende Inghesetenen die ter contrarie hen vervor-

We also charge our Boards of Admiralty to allow no vessels to leave this country contrary to these presents, without having them fully warned thereof, and of our injunction, so that they may not come to suffer any loss thereby. For it is our will and command that all natives and inhabitants who shall make bold to do the contrary, or shall be found to have done the same, shall

Annex 11

Letter of the Request of the City of Santo Thomé and Island of Trinidad of the Presidency of Guayana for Help (undated, likely issued in 1621)

No. 20.

Request of the City of Santo Thomé and Island of Trinidad of the Presidency of Guayana for help.

[? 1621: Without date, but evidently closely connected with the next document.]

Señor,

LA Ciudad de Santo Tome, e Isla Trinidad, de la Provincia de la Guayana, y Dorado: Dize que por el mes de Enero pasado de 1618, Guatarral Cosario Ingles, con diez navios y lanchas, subió el Rio Orinoco arriba á la dicha ciudad de Santo Tome, 40 leguas de la mar, y echó 500 hombres en tierra, una legua della, y los navios subieron á su puerto, y el Governador Diego Palomeque que previno su defensa con toda diligencia, con los pocos soldados que tenia le embistió con muy gran valor, y no teniendo otro medio, chocó con el á las once de la noche, considerando defenderia á la ciudad, viendose falto de gente, por ser poca, y sin artilleria, ni fuerça donde los dos generales se mataron el uno al otro, conque el enemigo quedó apoderado della por veinte y nueve dias, en cuya tiempo procuró atraer á si los Indios Guayanos de paz que la ciudad tenia mas cercanos los quales se alteraron luego, haziendo muy grandes injurias para favorecer el enemigo.

Quedó governando el Capitan Juan de Lezama, como Alcalde ordinario, quien por los mejores medios que pudo defendió no se comunicassen los naturales con el enemigo, y agregó y juntó 60 y tantos Indios con sus armas, á quien los dió á entender quanto importava al servicio de Vuestra Magestad echar el enemigo de la tierra, y que para en adelante avria socorro, y gran defensa, y con ellos, y 24 soldados, á los 26 dias le acometió en la ciudad por differentes partes, desde media noche hasta al amanecer, y les mató mucha gente, y aviendo encontrado con el enemigo los Indios, le descubrieron todo lo que quiso saber de los de la tierra adentro, y otro dia siguiente yendo á las labranças de la otra parte del rio, una lancha y un batel de ellos, les emboscó el dicho Capitan seis soldados, con 13 ó 14 Indios, y en ella les mataron 14 Ingleses, causa que se embarcaron luego, dexando la ciudad, Iglesia, y monasterios abrasados hasta sus cimientos, llevando quanto en ella avia, y levantado y alzado á su voluntad todos los Indios naturales que residen en la costa de la mar, de nacion Aruacas, Chaguanes, y Caribes de aquella provincia, que reniada [*sic*] la obediencia á vuestra Magestad.

Tornóse á reedificar la ciudad donde solia estar, y por el aprieto en que quedava, ordeno fuesse el dicho Capitan Juan de Lezama, á la Audiencia del nuevo Reyno de Granada, á dar cuenta del sucesso, y pedir le embiasse socorro de soldados para su defensa, y aviendolo hecho, se proveyó que en cuanto á los soldados, lo remitian á vuestra Magestad en en Real Consejo de Indias, donde acudiese, y al Governador Don Fernando de Berrio que fuesse á su Govierno, y poniendolo en execucion, llegado que fué con 44 soldados á su costa, despachó los 40 el año passado de 1619, á la pro-

Sire,

THE City of Santo Thomé and Island of Trinidad, of the Province of Guayana and "Dorado," represents that in the month of January 1618 Walter Raleigh, an English pirate, with ten ships and launches, ascended the River Orinoco to the said City of Santo Thomé, 40 leagues from the sea, and disembarked 500 men about a league from it, and the ships went up to its port.

"Materias del Gobierno de las Indias," Part 1st, C. 38, i, 1.

And the Governor, Diego Palomeque, who with all diligence put it in a state of defence with the few soldiers he had, attacked him with very great courage. And there being nothing else to be done, he engaged him at 11 at night B
in order to defend the city, seeing himself in want of men, artillery and forces, they being very few, and the two forces began slaughtering each other, and the enemy remained in possession of the place for twenty-nine days, during which time he succeeded in attracting to himself the peaceful Guayana Indians nearest to the town, who at once rose in rebellion, doing much damage, in order to favour the enemy.

Captain Juan de Lezama remained governing as Alcalde ordinary, who, by all the means he could, tried to prevent the natives from communicating with the enemy. And he collected C
and closely united sixty and more Indians, with their arms, to whom he explained how important it was to the service of your Majesty to drive the enemy out of the country. And that for the future there would be help and great defence. And with them and twenty-four soldiers, after twenty-six days, he attacked the enemy in the town from different points from midnight to daylight, and he killed many of their people. And having met the Indians with the enemy, they discovered to him all that he wished to learn of those in the interior. And D
on another day following, when a launch and small boat of theirs went to the plantations on the other side of the river, the said Captain and six soldiers, with thirteen or fourteen Indians, drew them into an ambush, and there killed fourteen English, on account of which they soon embarked, leaving the city, church, and monasteries burned to their foundations, and carrying away all there was in it, and having excited and raised all the native Indians in rebellion, at their pleasure, who dwell on the sea-coast, Aruacas, Chaguanes, and Caribs of E
that province, who renounced obedience to your Majesty.

The city was again begun to be rebuilt in the place where it was before, and on account of the straits in which it was, it was ordered that the said Captain Juan de Lezama should go to the Audience of the new Kingdom of Granada for the purpose of giving an account of the event, and request that the help of some soldiers should be sent for its defence. And this having been done, it was provided that, in regard to the soldiers, they should refer the matter to your Majesty, in your Royal Council of the F
Indies. And the Governor, Don Fernando de

A vincia de los Aruacas que el enemigo tenia y tiene rebelados en la costa de la mar, á reduzirlos á la obediencia de vuestra Magestad como lo solia estar, entre estos Indios se hallaron 6 navios de enemigos tratando y contratando, e insistiendoles no torné [*sic*] á dar la obediencia a vuestra Magestad y que matassen todos los Españoles de la ciudad, porque iria gruessa armada de su parte á poblar, y fortificarse en ella, murieron de los 40 soldados, en el encuentro que tuvieron los Indios, los cinco, y llevó á Inglaterra el enemigo, uno llamado Alonso de Montes que ha venido á esta Corte, y da relacion
B de todo el desinio del y que no aguardavan mas de ver en que paravan las treguas, para á volver á la ciudad y asolarla y fortificarse en ella á que no es justo se de lugar.

Nuevo meses ha que Capitan Juan de Lezama ha dado cuenta al consejo, y hecho relacion del
C caso, y suplicado, que para su remedio se embiassen 150 soldados de presidio, y que se entresacassen de los presidios de Puerto Rico, la Havannah, Cartagena, Santo Domingo, porque á menos costa se pusiesse en defensa aquella ciudad, pues en las partes referidas harian poco falta, por estar fortificadas y tener de donde les puede entrar socorro con brevedad, y esta no tiene de donde le puede venir, por estar muy distante de las provincias pobladas, que la mas cercana es Venezuela, y esta 120 leguas.

D Y para poner esta ciudad en defensa, y lo interior de todas aquellas provincias descubiertas, convendria grandemente al servicio de vuestra Magestad hacer dos castillos en dos sitios, que estan á proposito, el primero en una Angostura que haze el rio, dos leguas de la ciudad, y frontera della, el segundo, en una isla que esta en medio del rio. Conque se assegurava no la torne á rrobar, y estorvarles el passo, y que no se pueble y fortifique, y señoree de todas aquellas provincias, hasta el nuevo reino de Granada, y Governacion de Venezuela, por el Rio Orinoco arriba, y rios navegables que salen á el, como ansi
E lo prometió á los naturales volveria á ello, sondando el rio cien leguas por el arriba, informandose de las navegaciones para ellas, y para El Dorado.

El Consejo ha mandado informen sobre los suertes, y presidio, los Governadores de Santo Tome, Cumaná, Venezuela, Santo Domingo, Cartagena, Puerto Rico, la Havana, de que se ofrece muy gran dilacion esperar á que informen, para
F remediar, y poner en defensa lo que tanto importa abreviar, porque el enemigo si asi no se haze, seguirá sus intentos sin riesgo ninguno, y visto los Indios naturales que hoy estan obedientes, el poco socorro y remedio que se pone, diran fueron engañados de lo que les prometió en nombre de vuestra Magestad el Capitan Juan de Lezama como lo dezian ya antes que saliesse de la ciudad para esta Corte, y visto que venia al caso, quedaron confiados, y sabido no ha surtido efeto su venida, y que los Indios rebelados sus compañeros, no se

Berrio, was ordered to go to his Government, and on his arrival at the coast with forty-four soldiers he dispatched forty of them in the year 1619 to the Province of the Aruacas, which the enemy kept and keeps in rebellion on the sea-coast, to reduce them to their former obedience to your Majesty. Among these Indians there were six of the enemy's ships, trading and negotiating with them, and doing all in their power to dissuade them from acknowledging your Majesty's jurisdiction, and urging them to kill all the Spaniards of the town, for a mighty fleet would be sent by them to settle and fortify themselves therein.

There were five soldiers of the forty killed in the encounter they had with the Indians; and the enemy carried off to England one named Alonzo de Montes, who has come to this Court, and gives an account of all the designs of the enemy; and that they were only awaiting the end of the truce to return to the city and devastate it and fortify themselves therein, which ought not to be allowed.

It is now nine months since Captain Juan de Lezama informed the Council, and made a report on the matter, and begged that for its remedy 150 soldiers might be sent for its garrison; and that they should be drawn from the garrisons of Puerto Rico, the Havannah, Carthagena, and Santo Domingo, for thereby the city could be put in a state of defence at less cost, for in those places referred to they would not be missed, as they are fortified, and have places from where assistance may be quickly brought to them; and this has nowhere to look for help, on account of being so far distant from settled provinces, the nearest being Venezuela, distant 120 leagues.

And to put this city in a state of defence, and the interior of all those discovered provinces, it would greatly conduce to the service of your Majesty to build two castles in two places which are well adapted therefor: the first at a narrow part of the river 2 leagues from the city and the frontier of it, the second on an island in the middle of the river, which would prevent the enemy from returning to plunder it, and would impede his passage, and prevent him from settling and fortifying himself, and ruling in all those provinces, to the new Kingdom of Granada and Government of Venezuela, by ascending the River Orinoco and the navigable rivers which flow into it, for he promised the natives he would return to it, and sounded the river for 100 leagues up, and made inquiries in regard to the navigation in the direction of those provinces and of Dorado.

The Council has instructed the Governors of Santo Thomé, Cumaná, Venezuela, Santo Domingo, Carthagena, Puerto Rico, and the Havannah to report on their resources and garrisons, so that there will be a long delay until they report, while it is important to provide a remedy and defence without loss of time; for if it is not done the enemy will be able to carry out his intentions without any risk, and when the native Indians, who are to-day obedient, see the little help and remedy given, they will say that they have been deceived, and that what was promised in the name of your Majesty by Captain Juan de Lezama was not carried out, as they said before he left the city for this Court, and having seen that he really

han reducido, á la primera occasion se alçaran y aliaran con el enemigo, y se apoderaran de la ciudad, mugeres e hijos, de los vezinos que murieren en su defensa, y en caso que convenga, todavia que informen algunos de los Governadores de aquellas partes, en esta corte estan los que han governado la Isla Margarita, Puerto Rico, y Carthagena, que como tan grandes soldados y conocimiento que tienen, y noticia que alcançan de aquella parte lo podran hazer, mandandoselo vuestra Magestad.

El dicho Capitan tiene advertido al Consejo la gran dilacion que avra en esperar a que informen los Governadores ausentes para tomar resolucion en el caso, por aver gran distancia de viaje, porque el Governador de la Havana, dista 800 leguas por mar, y algunos otros á 300 y 400, y dellos sin noticia ninguna de aquella tierra, y su disposicion, para poderlo hazer, y que atento á estos inconvinientes, se remitiera al Capitan Martin de Vadillo, cavo de las galeras que yvan á Carthagena, como á persona de tanta satisfaccion, ordenandole que devia llegarse á la ciudad de Santo Tome, pues era toda una derrota, e viesse el estado della e informasse, y que con su parecer se tomasse resolucion, y á esto el Consejo proveyó que informasse, con los demas Governadores, y con la dilacion no se remedia, y causara el daño que se dexa considerar.

Juntamente a hecho relacion al Consejo, de una Cedula que su Magestad que está en en cielo, despachó al Governador Diego Palomeque, para que el de Puerto Rico embiasse á aquella provincia 80 soldados del presidio, pagados por Cuenta del situado para correr aquellas costas y limpiallas del enemigo, sin tanta necessidad, como la presente, y de una carta que escrivió á la Ciudad de Santo Tome, avisando como á los Governadores de Puerto Rico, y Cumaná, se ordenava que los soldados que se pidiessen para socorrer la ciudad, le diessen, de que no avia surtido efecto ninguno, y de que estava hoy de peor condicion que nunca, por aver quedado robada, desmantelada, sin artilleria ni soldados, y los vezinos con mucha pobreza, y tiene el enemigo sabido la navegacion del rio, sus entradas y salidas, y á su voluntad los Indios que tiene rebelados, suplican de que los 80 soldados, fuessen 100, y que estuviessen de custodia y defensa en la ciudad Santo Tome, hasta en tanto que se determinasse si convenia poner el presidio, pues no se accrecentava nueva costa á vuestra Magestad y que se embiassen 8 pieças de artilleria de bronce y de yerro colado, con su artillero, el Consejo mandó se cumpliesse la Cedula Real, despachada al de Puerto Rico, y tornado á suplicar no se ha tomado resolucion hasta aora.

Tienese por cierto, que el enemigo, se podra

did leave, they waited in confidence, and now A
knowing that his arrival has produced no effect, and that the rebellious Indians, their companions, have not been reduced, they, too, will rise and unite with the enemy on the first occasion, and will take possession of the city and the wives and children of those residents who died in its defence; and in case it be decided still to wait until some of the Governors of those parts report, there are in this Court those who have governed the Island of Margarita, Puerto Rico, and Carthagena, who, being great soldiers, and possessing much knowledge and information in regard to that B
region, will be able to do so if commanded by your Majesty.

The said Captain has already informed the Council that there will be great delay in awaiting the reports of the absent Governors in order to arrive at a decision on this matter, on account of the great distance, for the Governor of the Havannah is 800 leagues distant by sea, and some others 300 and 400, and some without any information of that country, and without means of getting any; and he submitted that, in view of these difficulties, it would C
be well to send Captain Martin de Vadillo, Chief of the galleys that were going to Carthagena, as a person entirely trustworthy, ordering him to put in at the City of Santo Thomé, for it was all in the same course, and examine the condition of it, and report thereon, and that from his opinion a Resolution should be taken; and the Council ordered that he should report with the other Governors, and thus the delay is not remedied, and the harm will be caused that may be imagined.

At the same time, he called the attention of the Council to a "Cedula" of His late Majesty, D
forwarded to the Governor, Diego Palomeque, ordering the Governor of Puerto Rico to send to that province eighty soldiers of the garrison, the expenses thereof to be defrayed from the account of salary, for the purpose of scouring those coasts and clearing out the enemy therefrom, and without there being so much necessity for so doing as at present, and to a despatch which he wrote to the City of Santo Thomé, advising how the Governors of Puerto Rico and Cumaná were ordered that the soldiers who might be requested for the help of the city should be given, which remained without E
effect; and that it was in a worse condition to-day than ever, as it had been robbed and pillaged, and was without artillery or soldiers, and the residents in great misery; and the enemy have now full knowledge of the navigation of the river, its entrances and outlets, and the Indians are in their power, whom they have made to rebel.

They entreat that the 80 soldiers be increased to 100, and that they be left for the guard and defence of the City of Santo Thomé until such time as it be determined whether a F
fort is to be established since it will not increase the expense to your Majesty, and that eight pieces of bronze and cast-iron artillery should be sent, with artillerymen.

The Council ordered that the Royal "Cedula" dispatched to the Governor of Puerto Rico should be carried out, but although the application has been renewed, no decision has yet been arrived at.

It may be held as certain that the enemy

A fortificar mediante la dilacion del tiempo en esta ciudad, ó cerca della, con el favor de los Indios, en tal manera que no se pueda desbarratar ni remediar, sino fuere á gran costa de vuestra Magestad, en cuyo intermedio infestara todos los puertos y ciudades de aquellas costas, como son de la isla de Trinidad, Margarita, Cumaná, Cumanagoto, Venezuela, Rio de la Hacha, Santa Martha, Carthagena, Puerto Rico, Santo Domingo, y otros lugares, por hallarse de barlovento de todas ellas y perturvara sus navegaciones, y las que se hizieron á estas partes, y sera necessario y muy conveniente para asegurarlas, fortificar las que no lo estan, de
B que se acrescentaran muy grandes costas á vuestra Magestad, á mas de que el enemigo se conformara con todo el gentio de nacion Caribes, que residen en aquellas islas de Barlovento, como son las de Tavaco, Granada, Matalino, y Dominica, y otras muchas mas, y la costa de la mar, hasta el Rio Marañon, confederandose con todos los Caribes naturales dellas, que son grandes Cosarios, salteadores de todas aquellas Costas, comedores de carne humana, y unos y otros haran muy grandes daños en las dichas ciudades y puertos dellas.

C

Con el socorro que se pide, se restaurara grande suma de naturales que ay en las dichas provincias de la Guayana, y por el contrario se dexara de conseguir en que vengan al conocimiento de la Santa Fé Catholica, y se dexaran de poblar muchos pueblos de Españoles, por ser fertilissimas de tierras para labrança y criança de ganados, con otros muchos frutos, y grosedad grande de oro que se sacara poblandolas, y dexara de tener efeto el
D descubrimiento de la provincia del Dorado, tan deseado, por ser el camino mas cercano, y cierto para ella, por la dicha provincia de la Guayana, de que ay nuevas noticias que han dado Indios de los Peñoles, provincia que está cerca del dicho Dorado segun la tiene por carta el Capitan Juan de Lezama, de la Ciudad de Santo Tome, y el Governador Don Fernando de Berrio, á cuyo cargo está el dicho descubrimiento y poblacion, no puede hazerle, hasta dexar puesta en defensa la ciudad, por no la dexar á riesgo, de que solo un navio de enemigos la robe y asuele, por aver de llevar los mas soldados que en ella tiene, en su compañia,
E en cuyo descubrimiento han gastado el y su padre el Governador Antonio de Berrio, y tio, el Adelantado Don Gonçalo Ximenez de Quesada, mas de 300,000 ducados, y no aura sido defeto el gasto hecho, y los Indios naturales que han reduzido á la Cristiana, se retiraran al enemigo, siguiendo la heregia, y sus abusos irritos tan antiguos, y se condenaran todas aquellas almas, que se podrá salvar con el Real amparo de vuestra Magestad.

F

Sera muy importante al servicio de vuestra Magestad se vea en la junta de Guerra este socorro que se pide y suplica, con los papeles que se han presentado, despachados y remetidos por la Audiencia del nuevo Reyno de Granada, y de la Ciudad de Santo Tome, con una planta de la disposicion del Rio Orinoco, y su navegacion, y

will be able to fortify themselves in this city or near it on account of the great delay, with the favour of the Indians, in such a manner that it will not be possible to defeat them or remedy the matter otherwise than with great expense to your Majesty.

In the meantime, they will invest all the ports and cities of those coasts, such as the Islands of Trinidad and Margarita, Cumaná, Cumanagoto, Venezuela, Rio de la Hacha, Santa Martha, Carthagena, Puerto Rico, Santo Domingo, and other places, as they are situated to the windward of all of them, and they will interfere with their ships and the ships coming to these parts; and it will be necessary and very advisable to secure them, by fortifying the places that are not fortified, and this will cause very great expense to your Majesty. Moreover, the enemy will come to an understanding with all the multitude of the Carib nation, which dwells in those islands to the windward, such as those of Tobago, Granada, Matalino, and Dominica, and many more besides, and the sea-coast to the River Marañon, uniting with all the Caribs, natives of them, who are the great pirates and freebooters and cannibals of all those coasts, and both one and the other will cause great injury in the said cities and their ports.

With the help that is requested, a great number of natives in the said provinces of Guayana would be restored; and, in the contrary case, there would be no means of bringing them to a knowledge of the holy Catholic faith; and numbers of Spanish villages would remain unpeopled where there are very rich agricultural lands for cultivation and also for cattle-breeding, with many other products, and a great quantity of gold in places, which would be extracted if they were settled; and the discovery of the Province of Dorado, so much desired, would not take place, as the way thereto is nearer and surer for it through the said Province of Guayana, concerning which there are new reports, which the Indians of the Peñoles have furnished, a province which is near the said Dorado, according to a letter in the possession of Captain Juan de Lezama, from the City of Santo Thomé, and the Governor, Don Fernando de Berrio, to whom is confided the said discovery and settlement, cannot carry it out until he has placed the city in a state of defence, so as not to leave it in danger, for a single ship of the enemy is enough to rob and ruin it, and as he must take as many soldiers as possible in his company for the discovery, in which he himself, his father, Governor Antonio de Berrio, and his uncle, the Adelantado Don Gonçalo Ximenez de Quesada, have spent more than 300,000 ducats, and the expense incurred will have been without result, and the native Indians that have been converted to the Christian faith will go over to the enemy, becoming heretics and continuing their old bad ways, and all those souls will be damned which might be saved by the Royal protection of your Majesty.

It will be very important to your Majesty's service that the Council of War examine this request for help which is petitioned for and implored, together with the papers that have been presented, dispatched, and forwarded by the Audience of the new Kingdom of Granada and from the City of Santo Thomé, with a map

donde se pueden hazer los castillos referidos, y en caso que parezca todavia conveniente esperar á que informen los Governadores para poner el presidio, se deve socorrer en el interim, con 100 soldados del presidio de Puerto Rico, pagados por cuenta del situado, ó que los despache la Audiencia del nuevo Reyno de Granada, embiando de estas partes 8 pieças de artilleria, con su artillero, con que el enemigo tema quien le defienda la entrada que desea hazer, codicioso del oro que ay en aquellas provincias que descubierto tiene, y llevado pipas de tierra á Inglaterra, de que sacaron muestras de gran riqueza.

A vuestra Magestad suplica humilmente esta ciudad, la ampare y socorra, pues tanto importa á su Real Servicio, segun y como lo suplica, con los dos castillos, artilleria y gente, que por aliviar de gasto, el segundo castillo esta ciudad tomara á su cargo guarneciendola de gente de su republica, costeandola con el sustento ordinario, dandosele á municionado, y puesto en defensa, y si los vezinos se hallaran en potencia de tomarlos ambos, lo hizieran, por mas servir á vuestra Magestad como tan leales vassallos que son y en todo se deve servir á vuestra Magestad haziendole merced de tomar resolucion brevemente, qual mas convenga á su Real Servicio.

of the River Orinoco and its navigation, and where the forts referred to may be built. And in case it be still considered well to await the Governors' Reports before establishing the fort, assistance ought to be sent in the meantime by dispatching 100 soldiers from Puerto Rico, whose expenses might be defrayed from the account of salary, or they might be sent from the Audience of the new Kingdom of Granada, sending from these parts eight pieces of artillery with artillerymen, so that the enemy may fear him who defends the entrance which he desires to pass, covetous of the gold there is in these provinces which he has discovered, and carrying away with him barrels full of earth to England, from which they have taken very rich specimens.

This city implores your Majesty very humbly to protect and help it, for it is of the greatest importance to your Majesty's service that, in accordance with its Petition, the two forts be built, and artillery and men supplied; to reduce the expense, the second fort will be taken in charge by the city, garrisoning it with people from its community, supplying the ordinary expenses and the ammunition, and placing it in defence; and if the inhabitants are in a position to do so they will take charge of both, in order the better to serve your Majesty, being loyal subjects.

And they beg your Majesty to be pleased to arrive at the decision which seems best to your Majesty without delay, &c.

No. 21.

Santo Domingo, 1621.

"EXPEDIENTE" de la Ciudad de Santo Tomé é Isla de la Trinidad de la Guayana, en solicitud de soldados para la defensa de aquella provincia.

"EXPEDIENTE" of the City of Santo Thomé and Island of Trinidad of Guayana, requesting soldiers for the defence of that province.

(1.)

Captain Juan de Lezama to the King.

Señor.

El Capitan Juan de Lezama, Procurador-General de la Provincia de la Guiana, dice que á su noticia a venido que algunas de las cosas que en nombre de la dicha provincia tiene suplicado, vuestra Magestad las tiene prevenidas como fué una Cedula que se dió al Gobernador Diego Palomeque de Acuña en que se mandaba que el Gobernador de Puerto Rico le socorriese con ochenta soldados del presidio en todas las ocasiones que los hubiese menester y una carta que vuestra Magestad mandó despachar á la ciudad de Santo Tome de la Goaiana en respuesta de haberle dado cuenta de la perdida de aquella ciudad muerte del dicho Gobernador Palomeque y de la gran necesidad que quedaba. Los cuales dichos despachos no llegaron á la dicha ciudad ni á surtido dellos el efecto necesario por lo cual a vuestra Magestad suplica mande que para presentar en este Real Consejo se le de un tanto autorizado de las dichas

Sire,

Captain Juan de Lezama, Procurator-General of the Province of Guayana, says that it has come to his knowledge that some of the things, which, in the name of the said province, he has requested, have already been provided for by your Majesty, as a "Cedula" was given to the Governor Diego Palomeque de Acuña, in which the Governor of Puerto Rico was commanded to help him with eighty soldiers of the garrison on all occasions when there might be necessity of them, and your Majesty ordered a letter to be dispatched to the City of Santo Thomé de la Guayana in reply to the report that was made of the loss of that city and the death of the said Governor Palomeque, and of the great necessity in which it remained. The which said despatches did not reach the said city, and remained without effect. He entreats your Majesty, therefore, to order that,

"Archivo General de Indias," Simancas. Secular. "Audiencia de Santo Domingo." Letters and Reports of Governors, &c., of the Island of Trinidad de la Guayana. Examined by the Council, 1586 to 1699. 54, 4, 1.

Annex 12

Extract of Letter from the Corporation of the Island of Trinidad to the King of Spain (11 Apr. 1637)

(2.)

Extract of Letter from Corporation.

Señor,

Reconociendo a los beneficios grandes de la poderoso mano de vra. Alteza que siempre hemos recibido es sin duda hubieramos dado parte á vra. Alteza de el estado desta governacion. La causa de no haberlo hecho a sido el Governador Christoval de Aranda que por diferente modo lo ha encaminado en tan grandes servicios de V. A. y daño desta Repa. no por que dejasse de ser sabidor del amparo que siempre de V. Alteza hemos tenido mas con mano poderosa encaminaba a su gusto atropellando con este cavildo; sucediole el Governador Don Diego Lopez de Escobar a quien se las hemos referido quien juntamente con este cavildo da avisso a Vra. Alteza de todo. Las fuerzas del enemigo se han augmentado en esta Governacion en la tierra firme con nuevas poblaciones en las naciones Caribes y Aruacas que los tienen de su parte y estan poblados en el Rio Esquibo que esta veinte leguas a varlovento de este Rio Orinoco en la misma costa de tierra firme con dos castillos bien guarnecidos de artilleria y gente de guerra y cantidad de negros y otra fuerza en el Rio Berbis que está cercano al de Esquibo y en el Rio Aniavero que está en la boca deste Rio Orinoco nuevamente se han poblado que es una Provincia de quatro mill Yndios de nacion Caribes, cossarios comedores de carne humana y tenemos noticias esperan mas jente de olanda y assi mismo tienen poblado el Rio Guayapoco y el Rio Quiana y el Rio Surinama y el Rio Supañamo con mucha jente todos para estender mas su poblacion con que han tomado toda la tierra firme con disignio de agregar todas las naciones y ensanchar su contratacion por la mucha cantidad de resgate que les dan y llegan sus inteligencias y tratos a tanto que pasan arriba desta ciudad por mano de los naturales y algunas veces vienen con ellos los Olandeses y este año estubieron para dar en esta ciudad por lo que obligo al Governador venir de la Isla de la Trinidad falto de su salud por que en tiempo del pasado llego a tanto su atrevimiento solo de naturales que llegaron a este Puerto y se llevaron todos los bajeles y algun servicio de Yndios y negros cossa que desde su poblacion no ha sucedido tal, y quando el Governador Don Diego Lopez de Escobar llego a tomar posesion de su Govierno en la Ysla Trinidad allo poblado el enemigo en ella con dos fuerzas confederados con los naturales y viendo quanto necesitaba la brevedad del remedio a su costa por no haver en las caxas Rs. de esta Governacion ni un Real imbió a pedir socorro a los Governadores de Cumaná y Margarita aunque fué muy poco, con el qual y la gente que juntó desta ciudad y la Ysla Trinidad y asi mismo la poblacion que tenia en la Ysla del Tabaco asistiendo personalmente a todo como vra. Alteza verá por una relacion que va con esta.

* * * *

CRISTOVAL DE VERA.
ALONSO DE AGUILAR TRUJILLO.
PEDRO PADILLA.
FRANCISCO DE MIER.
ALONSO MONTES TRUCHADO.

(2.)

Sire,

Recognizing the great benefits we have always received from the powerful hand of your Highness, we should without doubt have informed your Highness of the condition of this Government. The cause of it not having been done has been the Governor Cristoval de Aranda, who in a different way has done so much for the service of your Highness and the injury of this Commonwealth; not because he failed to recognize the protection we have always received from your Highness, but because he took his own course with a high hand, and treated this Corporation with contempt. Governor Don Diego Lopez de Escobar succeeded him, to whom we have reported these things, and who, jointly with this Corporation, is advising your Highness of everything.

The forces of the enemy have increased in this Government on the mainland, with new settlements among the Carib and Aruac nations, who are allied with them, and they are settled on the River Essequibo, which is 20 leagues to windward of this River Orinoco on the same mainland coast, with two forts well supplied with artillery and soldiers and a quantity of negroes, and another fort on the River Berbis, which is near the Essequibo, and they have recently settled in the River Aniavero, which is at the mouth of this River Orinoco, and it is a province of 4,000 Indians of the Carib nation, who are pirates and eaters of human flesh, and we have information that they are expecting more people from Holland, and they have likewise settled the River Guayapoco, and the River Quiana, and the River Surinama, and the River Supañamo with a quantity of people, all of them in order to extend their settlement further, wherewith they have taken the whole of the mainland with the design of associating all the tribes and expanding their trade by the great quantity of articles of barter they give them; and their correspondence and traffic reach such a height that they pass above this town through the hands of the natives, and sometimes the Dutch come with them, and this year they were on the point of attacking this town, which compelled the Governor to come from the Island of Trinidad while in ill-health, for in the time of the late Governor the boldness of the natives by themselves reached such a pitch that they came up to this port and carried off all the vessels and some Indian and negro servants, a thing the like of which has not happened since its settlement. And when the Governor, Don Diego Lopez de Escobar, arrived to take possession of his government in the Island of Trinidad, he found the enemy settled therein in two forts and in alliance with the natives, and seeing the great necessity for a speedy remedy, as there was not a real in the Royal Treasury of this Government, he sent, at his own cost, to solicit help, however little, from the Governors of Cumaná and Margarita, with which and the men he collected from this city and the Island of Trinidad, and likewise the settlement he held in the Island of Tabaco, being present at everything in person, as your Highness will see by a report sent herewith.

* * * *

CRISTOVAL DE VERA.
ALONSO DE AGUILAR TRUJILLO.
PEDRO PADILLA.
FRANCISCO DE MIER.
ALONSO MONTES TRUCHADO.

A DIEGO RODRIGUEZ.
JUAN DE AGUILAR TRUJILLO.

Por su mandado:
JUAN BAUTISTA DE AREÇULA,
Scribano de Cavildo.

De Santo Tomé de Guayana,
11 *de Abrill de* 1637.

* * * *

Estos autos con la carta del Governador de la Provincia de la Guayana y la del cavildo Justicia y Regimiento de la Ciudad de Santo Tomé, de la
B Guayana se bajaron del Real acuerdo de justicia en tres de Agosto de mill y seiscientos y treinta y siete años.

ANGULO.

DIEGO RODRIGUEZ.
JUAN DE AGUILAR TRUJILLO.

By their command,
JUAN BAUTISTA DE AREÇULA,
Notary of the Corporation.

From Santo Thomé de Guayana,
April 11, 1637.

* * * *

These Acts, with the letter of the Governor of the Province of Guayana and that of the Corporation, Justices, and Magistracy of the City of Santo Tomé de la Guayana, came down from the Royal Council of Justice on the 3rd August, 1637.

ANGULO.

Annex (3).

Don Pedro de Vivero to the King.

Muy poderoso Señor,

C Don Pedro de Vibero vecino y Regidor de la Ciudad y Puerto de Santo Tomé de la Guayana Procurador-General della digo: que se han sitiado y poblado en tierra firme jurisdicion desta Real Audiencia y de la dicha Governacion y Puerto de Guayana yngleses yrlandeses y otros con negros esclavos desde el cabo del norte hasta la boca del Rio de Orinoco en tierras fertilissimas, confederandose con mas de cinco mill yndios de paz y Caribes con muchos fuertes y un castillo en nueve Rios y estan bien fortificados en el de Esquibo con ciento y veinte Olandeses y mucha cantidad de negros en
D el de Berbiz con quarenta Olandeses y veinte y cinco negros en el de guaya poco yngleses donde hay minas de plata muy ricas y copiossas en el de quiyana asisten Olandeses en curinama yngleses en cupanama yrlandeses que tienen gran comercio de navios al trato del tabaco, voja, palo gateado, palo de tintas, algodones minas de oro y plata de mucha contratacion con los dichos naturales abundantes de bastimentos como lo declaro Cornelio de Morg, Olandes natural de Frechilingues y Juan negro de nacion santomé prisioneros de la despoblacion hecha en la ysla del tabaco y otra que despoblo Don Diego de Escobar Gobernador y
E Capitan-General de la Gobernacion de Guayana y su provincia en la jurisdicion de la Ysla de la Trinidad como consta deste testimonio y mapa que presento con el juramento necessario por donde se supo por relacion cierta y verdadera la situacion y poblacion de los dichos cossarios en los dichos rios—y aora nuevamente se han benido a poblar entre los Yndios Caribes de Amacuru diez y seis Olandeses que estan esperando de Olanda para la dicha poblacion y los dichos Olandeses tratan y contratan con los dichos Yndios Caribes en todo el dicho Rio de Orinoco a donde quieren y de ordinario tienen en la dicha poblacion y
F Puerto de Amacuru quatro y seis navios de Olanda y muchas veces doce y en el Rio de Esquibo y el de Berviz tiene mucha artilleria y gente. Visto por el dicho Governador que los disinios de los dichos enemigos cosarios es apoderarse del dicho puerto de Guayana el dicho Governador ha empezado un fuerte metiendo alguna artilleria a su costa para defensa de la dicha ciudad y sus vecinos por que en la caxa Real de la dicha ciudad y Puerto no hay un real, como parece

Most Mighty Lord,

I, Don Pedro de Vibero, citizen and Magistrate of the town and port of Santo Tomé de la Guayana, Procurator-General thereof, declare:—

That on the mainland, in the jurisdiction of this Royal Audiencia, and of the said Government and port of Guayana, English, Irish, and others, with negro slaves, have established and settled themselves, from Cape North up to the mouth of the River Orinoco, in most productive lands, allying themselves with more than 5,000 peaceful Indians and Caribs, with many forts and a castle, on nine rivers; and they are strongly fortified in that of Essequibo with one hundred and twenty Dutch and a large body of negroes; in that of Berbiz with forty Dutch and twenty-five negroes; in that of Guaya Poco there are English, where there are very rich and abundant silver mines; in that of Quiyana there are Dutch: in Surinama, English; in Supanama, Irish, who have great shipping trade in tobacco, southernwood, striped wood, dyewood, cottons, mines of gold and silver, great trade with the said natives, and abundance of supplies; according to the declaration of Cornelis de Morg, a Dutchman, a native of Frechilingues, and Juan, a negro of the Santomé nation, prisoners from the raid made in Tabaco and the other island which was raided by Don Diego de Escobar, Governor and Captain-General of the Government of Guayana and its province, in the jurisdiction of the Island of Trinidad, as appears by the attestation and map, which he presented with the requisite oath, whereby the position and settlement of the said pirates in the said rivers were known from true and accurate report. And now recently sixteen Dutchmen have come to settle among the Carib Indians of Amacuru, and they are awaiting [? ships] from Holland for the said settlement: and the said Dutch trade and traffic with the said Carib Indians in all the said River Orinoco, wherever they choose, and they generally have in the said settlement and port of Amacuru four or six ships from Holland, and frequently twelve, and in the River Essequibo and in that of Berviz they have a quantity of men and artillery. The said Governor having perceived that the design of the said pirate enemies is to take possession of the said port of Guayana, the said Governor has commenced a fort, and placed some artillery

Annex 13

Letter from Don Diego Lopez de Escobar, Governor of Guayana and Trinidad, to the King of Spain (28 May 1637) (*Inclosure in Letter* from Jacques Ousiel, late Public Advocate and Secretary of the Tobago, to the West India Company (1637))

A otras no pueden dar ninguno y teniendo el Olandes como tiene puertos y puestos propios á donde retirarse y en ellos gente con que reforçar las que perdiese y nuestros puestos desnudos della, y de los demas aparejos que se nescesita para poderse dar mano los unos á los otros y las fuerças de España tan ocuppadas, y sus socorros tan tardos piden aya todo el cuydado y prebencion possible.

B En lo tan facil como que la gente esté armada, siquiera en lo que alcançan esta governacion no puedo dejar de supplicar á V. S. se sirva de començar á disponer para que en la primera ocassion se remita el dinero á España. El Señor Don Juan de Borja ynformó en tiempos menos sospechossos de daño se nescessitava huviese algunas armas. Mandó Su Magestad se remitiessen dineros de su Real Hacienda para que se trujessen, y se repartiessen por el costo que tuviessen y aunque el año de seis cientos y veynte y siete se ymbiaron dos mill ducados como era dinero de su Magestad y no huvo quien solicitava la ejecucion no obró el cuydado de aca pero oy que las nescessi-

C dades de alla dan poco lugar de ymbiar socorros, ni permission de saca de dineros de la Real Hacienda de aca piden mas quantiosso gasto no ay otro medio que el propuesto supplico á V.S. lo mire y hordene lo que conviniere para quando llegue el sucesso y en la ocassion primera se remita el dinero quedando á V.S. la gloria de obra y disposicion suya estos son los dos papeles referidos y aunque la materia no nescessita de tan larga relacion la he hecho por que V.S. con mas conocimiento trate della y quanto primero se hiciere asegura mas los buenos sucessos, y pareciendo apropossito lo propuesto en ellos se podia mandar, que de la

D paga que los Yndios han de hacer de sus tributos para la Navidad proxima se cobre y se entere por los corregidores en esta caxa para que se ynbie por las armas en la ocassion primera, prospere y guarde Dios á V.S. con los aciertos, que desseo, y este Reyno a menester.

JUAN DESOLOGUREN.
(Hay una rubrica.)

Santa Fee, á 19 *de Noviembre, de* 1637.

E

The ease with which the people might be armed, at least so far as this Government is concerned, moves me to beg your Lordship to make arrangements for sending the money to Spain on the first opportunity. In times less fraught with danger, Señor Don Juan de Borja made known the necessity of supplying arms, and His Majesty ordered money to be sent from his Royal Treasury here, that arms might be sent out and distributed at cost price, but though in the year 1627, 2,000 ducats were sent accordingly, the money being His Majesty's property, and there being no one to press the matter, the arms were not supplied. At present, when the necessities of Spain give small hope of assistance, and will not allow of money being drawn from the Royal Treasury, a larger sum is required, and there is no other means of raising it than that which has been proposed, and I beg your Lordship to consider the matter, and give the necessary orders, that the money may be remitted by the first opportunity, and the whole credit of the undertaking will rest with your Lordship. These are the two papers referred to, and though it was not necessary to treat the matter at such length, I have done so that your Lordship may be better able to deal with it, and the sooner this is done the more likelihood there will be of a successful issue; and should my suggestions be approved, it might be ordered that the necessary sum should be levied by the mayors from the payment of the Indian tribute due next Christmas and lodged in this Treasury, that the arms may be sent for from Spain at the first opportunity. God keep and prosper your Lordship according to my desire and the need of this kingdom.

JUAN DESOLOGUREN.
(Rubric.)

Santa Fé, November 19, 1637.

No. 40.

Jacques Ousiel, late Public Advocate and Secretary of Tobago, to the West India Company, 1637.

[This document (according to its docket) was submitted to the Amsterdam Chamber in December 1637.]

Aen d'E. Heeren Bewinthebberen der geoctroyerde West Indische Comprgnie tot Amsterdam:

F JACQUES OUSIEL gewesen Raet Fiscal ende Secretaris van t'Eijlant Tabago, geeft eerbiedelijcken te kennen, hoe hij op sijn wederomme reijse naer t'vaderlant, op seecker Vlaems schip den 7 Sept. lestleden bij U E. Commandt Cornelis Corn. Jol veroovert, ende alhijr ter stede opgebracht; wesende den remonstrant van weghen U E., door haren commijs Kuffelaer aengesocht ende belast geweest, sich alhijr voor een tijdt lanck op te houden, omme deselve van eenighe saecken, dewelcke U E. hem souden hebben voor te stellen,

To the Directors of the Chartered West India Company at Amsterdam:

JACQUES OUSIEL, late Public Advocate and Secretary of the Island of Tobago, respectfully makes known that on his return voyage to the Fatherland on board a Flemish ship, which, on the 7th September last, was captured by your Commander, Cornelis Corn. Jol, and brought to this city as a prize, he was requested and charged on your behalf by your agent (Kuffelaer) to remain here for some length of time, in order to give you information concerning some matters that you were to submit to him. The writer having cheer-

Annex 13

te informeren, welck versouck ende ordre also den remonstrant, dienstwillighlijcken heeft toegestaen, ende willen gehoorsaemen, soo is nochtans dat hij tot noch toe, door U E. serieuse ende menighvuldighe occupatien van t'effect van dien gefrustreert is geweest, niet sonder merckelijcke prejuditie ende intereste van sijne eijghene particuliere affairen.

T'welck geconsidereert, soo heeft den remonstrant geraedsaem gevonden, t'gene hij noodich geacht heeft, U E. tot dienste van de Compagnie ende het Vaderlant te behooren te weten, t'selve haerlieden schriftelijcken te communiceren ende voor te draeghen : seer instantelijcken versouckende ende biddende, U E. gedient sij dit sijn schriftelijck vertoogh, in voldoeninghe van t'gene boovens, ende in teijcken van sijne goede intentie, ende genegentheijt tot U E. dienste ende welvaren van het gemeenebeste, gunstelijcken aen te neemen ende sich gracieuselijcken wellgevallen te laeten, teneijnde hij bij U E. gedepescheert sijnde, mede de Directeurs van t'voorsz. eijlant, sijne heeren ende meesters behoirlijcke reden ende reeckenschap van sijne administratie op t'spoedighste sonde moghen overgeven etc^{a}.

Eerstlijcken, soo vertoont den remonstrant, hoedat den Gouverneur van Trinidado, met assistentie van die van de Margarita ende Guaijana, op den eersten Decemb. des verleden jaers, geleijt sijnde bij eenen Ijrlander ende overlooper onsen lieutenant op Tabago (eijlant resorterende onder U E. jurisdictie) seecker fortien ofte huijs met palissaden gestercket in den donckeren avont heeft overvallen, ende sonder resistentie inngenoomen, 5 ofte 6 persoonen op het selve gevanghen neemende ; met dewelcke hij des anderen daeghs, met alle sijn volck naer het groote fort, wesende vangelijcken eene palissade, alleenlijcken teghens de Cariben opgerechtet, gemarchert, ende t'selve rontsomme beleghert, ende eijndelinghen naer eenighe schooten van die van t'fort op den viant gedaen, soo verre gebracht, dat den gemenen man, door persuasie ende inductie van de voorsz. Ijrischman (dewelcke men meijnde gheen overlooper maer een gevanghen man te wesen) daertoe van den voorsz. Gouverneur uutgemaeckt sijnde, geresolveert heeft gehadt, met denselven te parlamenteren ende in handelinghe te treden, ende ten lesten beslooten ende geaccordeert, ende met solemnelen eede bevestighet, dat de hooffden met haere wapenen ende bagage, ende d'andere sonder deselve nochtans mede cleederen die sij op haer lijff souden draeghen, ende generalijcken een ieghelijcken, van wat natie, qualiteijt, ofte conditie dieselve souden moghen wesen, souden bij voorsz. Gouverneur vrije ende op costen van den Cooninck gesonden werden naer St. Christophers, ofte eenighe andere plaetse daer dieselve souden willen wesen. Waerop de voorsz. coloniers van Tabago, bij den voorn. Gouverneur gesaemdelinghe gevoert sijnde geweest tot in de Bocas van Drago, ende denselven geene gelegentheijt van schepen hebbende, omme henlieden naer St. Christophers t'embarqueren soo heeft hij geraetsaem gevonden, alle de voorsz. coloniers wesende 45 mannen ende 20 jonghens, nae de Margarita te senden, omme deselve van daer met eene barque te laeten vaeren, waer dat sij wilden ; den voorsz. Gouverneur den remonstrant ondertuschen met den commijs ende Cornelis de Moor soone van d'heer Jan de Moor, met noch 16 jonghens tot eene betere occasie van embarquement, soo hij seijde, bij sich behoudende.

fully received this request and order, and being ready to obey it, has, nevertheless, on account of your manifold grave occupations, been until this time prevented from carrying it into effect, not without considerable prejudice to his own private affairs. A

In consideration whereof, the writer has thought it advisable to communicate and submit in writing to you what he judged necessary that you should know, to the service of the Company and of the Fatherland. He urgently requests and beseeches you that this paper, written in compliance with the above-mentioned request, and in token of his good intention and his wish to be of service to you and to the welfare of the Commonwealth, may be graciously accepted and favourably received, in order that, having obtained your leave, he may at once hand in his due report and account of his administration to his lords and masters, the Directors of the aforesaid island. B

Firstly, the writer shows how the Governor of Trinidad, aided by those of Margarita and Guayana and guided by an Irish deserter, formerly a Lieutenant in our service, on the 1st December of last year, in the darkness of night, attacked a certain small fort or stockaded house in Tobago (an island under your jurisdiction), capturing it without resistance, and taking prisoner five or six men who were in it. With these and with all his men he marched on the next day to the great fort, which is likewise a stockade, built only as a defence against the Caribs, and having closely besieged it, and some shots having been fired by those in the fort upon the enemy, he finally brought matters so far that the privates, by the persuasion and inducements held out by the aforesaid Irishman, who was not thought to be a deserter but a prisoner, and who had been deputed thereto by the aforesaid Governor, resolved to parley and to enter into negotiations with him, and at last it was determined and agreed and confirmed with solemn oaths that the officers, with their arms and baggage, and the others, without these, but with the clothes they had on, and, generally, each one, of whatever nation, rank, or condition he should be, were to be sent by the aforesaid Governor, free and at the expense of the King, to St. Christopher, or to any other place where they should wish to be. Whereupon the Governor brought all these colonists of Tobago together to the Bocas de Drago, and not having any means of conveying them in ships to St. Christopher, he judged best to send them (in all forty-five men and twenty boys) to Margarita, and let them take ship there for any destination they should choose, and, meanwhile, he kept with him the present writer, the agent, and Cornelis de Moor, son of Mr. Jan de Moor, together with sixteen other boys, until, as he said, he should have a better opportunity for embarking them. C D E F

A Waerop gevolght is, naerdat de voorsz. 45 mannen op de Margarita sijn gelandet geweest, ende den Gouverneur van 'tselve eijlant brieven van dien van Trinidado entfanghen gehadt hebbende, versouckende in deselve, de Hollanders vrije passage te willen verleenen nae St. Christophers in conformiteijt van de capitulatien, dewelcke hij in den naeme van Sijne Mt met henlieden gemaeckt hadde, dat den voorsz. Gouverneur van stonden aen deselve altesaemen soo cleijne als groote heeft gecommandert op te hanghen; t'welck oock ten eersten geeffectuert ende ter executie gestelt is geworden, gereservert alleenlijcken eenen scheeps-
B timmerman ende de jonghens, die onder de 16 jaeren waren, dewelcke door de meenighvuldighe intercessie van de Franciscanen sijn gespaert geworden.

Alle welcke voorsz. jonghens mitsgaeders die van Trinidado t'saemen Hollanders ende Zeuwen met den voorsz. soone van mijn Heere de Moor, noch teghenwoordich aldaer aengehouden worden, dewelcke onder de Spanjaerden gerepartiert sijnde, tot haren Godesdienst gedronghen, ende tot continuelen aerbeijt op hare plantatien, moedernaeckt den meesten deel, gelijck de negers ende Indiaensche slaeven, met meer slaeghen als eeten (den voorn.
C de Moor alleenlijcken uutgesondert) gedwonghen worden, van meininghe wesende deselve aldaer te behouden, ende hare eijlanden, met soovele nieuwe colonisers metdertijdt te verstercken. Allesints directelijcken strijdende teghens de voorseijde geschrevene ende beswoorene capitulatien, dewelcke den remonstrant U E. mitsdesen geexhibeert soude connen hebben, tenware, dat door het indiscret plonderen van sijn coffer nae het veroveren van t'schip bij de bootsgesellen gedaen, deselve niet verlooren, ende met sijn remonstrans cleederen ende bagage gelijcke fortune ende ongeluck
D geloopen hadden.

Voorts soo vertoont den remonstrant, hoedat den voorsz. Gouverneur van Trinidado, geresolvert is, teghens den aenstaenden Maerte met 400 Spanjaerden ende 3,000 Indianen het fort Isiquebu te gaen belegheren, ende het selve te soucken door uuthongheren te vermeesteren, ten welcken eijnde hij voorgenoomen heeft alle de passagen van toevoer, soo te waeter, als te lande met 200 Spanjaerden ende de voorsz. Indianen te besetten, ende d'andere 200 te gebruijcken, omme d'Indianen aldaer rontsomme te becrijghen ende te verdestrueren, ende door dien wegh, die van het
E fort alle middel ende hoope van ontsett aff te snijden. T'voorsz. belegh soude verleeden Maerte bij de handt genoomen geweest hebben, tenware den remonstrant hem daervan gedivertert hadde, hem te verstaen gevende (omme ondertusschen U. E. daervan te verwittighen) dat het een royael fort was, met 8 metacle stucken, ende eenighe ijsere, mitsgaeders een donjon ende 200 soldaeten versien, ende boovendien, dat aldaer een schip met 24 stucken continuerlijcken was ligghende, soo als U. E. breder mach blijcken uut het inhouden van seeckeren brieff, den welcken den voorsz. Gouverneur diesaengaende, aen den
F Cooninck geschreven, ende bij den remonstrant onderweghen (alsoo het hacquet in seecker schipbreuke nat geworden, geoopent ende bij hem gedrooght) gelesen is geweest, ende hijrachter bijgevought sall worden.

Vangelijcken soo geeft den remonstrant te kennen hoedat 40 mijlen in de riviere van Oronoco opperwaert, niet wijt van de stadt St. Thomé (eene plaetse bij weijnighe Spanjaerden bewoont) in het voorjaer ontdeckt is, eene seer abundante

Whereupon it followed, after the aforesaid forty-five men had been landed at Margarita, and the Governor of that island had received letters from the one of Trinidad requesting him to grant the Dutchmen a free passage to St. Christopher, in conformity with the Capitulations which he had made with them in the name of His Majesty, that the aforesaid Governor immediately gave orders for all of them, both great and small, to be hanged, which was at once carried out and put into execution, there being only kept back one ship's carpenter and the boys who were under 16 years, who were spared through the repeated intercession of the Franciscans.

All these boys, together with those of Trinidad, all Hollanders and Zeelanders, and the son of Mr. de Moor, are even now held there. They have been distributed among the Spaniards, are forced to adopt their religion, and compelled to work continually upon their plantations, most of them going stark naked like the negroes and Indian slaves, and getting more blows than food (with the exception of the said De Moor alone). The Spaniards intend to keep them there, and eventually increase the population of their islands with this number of new colonists. All of this in direct violation of the aforesaid written and sworn Capitulations, which the writer would have submitted herewith, had they not been lost with his clothes and effects in the unwarrantable plundering of his trunk by the seamen after the capture of the ship.

Furthermore, the writer shows how the aforesaid Governor of Trinidad has determined to set out about next March with 400 Spaniards and 3,000 Indians to besiege the fort Essequibo, and try to take it by starvation. To this end he has decided to occupy all passages for supplies, both by water and by land, with 200 Spaniards and the aforesaid Indians, and to employ the remaining 200 to attack and destroy the Indians around there, and in this way cut off all means and hope of deliverance for those of the fort. This siege would have been undertaken last March if the writer had not induced him to desist, giving him to understand (in order to meanwhile to inform you of the matter) that it was a Royal fort with eight bronze guns and several iron ones, provided moreover, with a donjon and 200 soldiers, and that, in addition, a ship of twenty-four guns was always stationed there. All of which you may more fully see from the contents of a letter written in this connection by the aforesaid Governor to the King, and read in transit by the present writer (the packet, becoming wet in a certain shipwreck, having been opened and dried by him), which shall be subjoined hereafter

Furthermore, the writer says that in the preceding year a very rich quicksilver mine was discovered, 40 miles up the River Orinoco, not far from the town of Santo Thomé, a place inhabited by few Spaniards. He has seen, and held in his

mine van quicksilver, van dewelcke hij eene goede quantiteijt minerale steenen, mitsgaeders een lb. geextrahert quicksilver gesien ende gehandelt heeft gehadt, ende den Coninck bij den Gouverneur van Trinidado tot een preuve toegesonden is geweest, t'welck nochtans, door het verbranden van de patache van de Margarita, beneffens den advijsbrief in zee verlooren, ende verongeluckt is geworden,

Eijndelinghen soo vertoont den remonstrant, hoe hij met de silverloote van Tierra Firma bestaende in acht gallionen ende de reste coopvardijeschepen. t'saemen 28 in getalle, van Cartagena geseijlt heeft gehadt nae d'Havana, inhebbende (soo van de principaelste geseijt werde) voor den Cooninck 12 ende voor de cooplieden 16 millionen silver; waervan de Capitana van de gallionen alleenlijcken met 28 ende d'andere 7 met 24 stucken geschuts versien waren: van de coopvardijeschepen maer 4, die eenighe meerkelijcke resistentie souden gedaen connen hebben. Het is ongeloovelijck, met wat presumptie ende vermetenheijt de Spanjaerden alltesaemen sijn staende houdende, dat geheel Hollant, soodaenighe vloote in zee, niet en soude derven aentasten, vele min soude connen vermeesteren, daer nochtans cans genough soude wesen, eene alsulcke vloote, met 16 van des Compagnies well gemonteerde ende gemande scheepen, beneffens 3 a 4 jachten, onder eenen generall als U. E. Command. Corn. Cornelissen Jol is, aen te tasten, te verdestrueren ende met Godes hulpe te veroveren.

D'irresolutie, vervaertheijt ende verbaestheijt van de Spanjaerden, als het op een vechten aencompt, is niet te gelooven, tenware dat het den remonstrant selvest gespeurt ende gesien hadde, ten tijden, als meer, als 200 soo caballeros, als van de beste ende uutgelesene soldaten van de gehele vloote nu onlanks soo schandelijcken met de meeste confusie ende disordre aen lant vluchteden, ende de costelijcke patache van Margarita (waervan den remonstrant U. E. voor desen, eene schriftelijcke notitie van de ingelaedene principaelste goederen door haren commijs Kuffelaer toegestelt heeft gehadt) met allerley soorte van ammunitie van oorloghe overvloedelijcken versien, in brant staecken, ondertuschen t'selve faict, als een Romeijns stuck, onder henlieden in dier voughen verheffende, niet anders alsofte sij daer haeren viant met hetselve clouckmoedelijcken ende victorieuselijcken doorgeslaeghen hadden.

hands, a considerable quantity of ore and 1 lb. of extracted quicksilver, sent to the King by the Governor of Trinidad as a specimen, which, however, together with the letter pertaining thereto, was lost at sea through the burning of the patache of Margarita. A

In conclusion, the writer shows how he sailed from Cartagena to Havana with the silver fleet of Terra Firma, consisting of eight galleons and the rest merchant-men, in all twenty-eight in number, carrying (according to the principal men) 12 millions in silver for the King and 16 millions for the merchants. Of the galleons only the flagship was armed with twenty-eight guns, and the seven others with twenty-four; of the merchantmen only four could have offered any resistance to speak of. It is incredible with what presumption and arrogance the Spaniards unanimously maintain that all Holland would not dare to attack such a fleet at sea, much less be able to take it. And yet it would be far from impossible for sixteen of the Company's well-armed and well-manned ships and three or four yachts, under such an Admiral as your Commander Corn. Cornelissen Jol, to attack such a fleet, destroy it, and with God's help capture it. B C

It could not be believed how irresolute, scared, and dumbfounded the Spaniards are when it comes to fighting, unless the writer himself had experienced and seen it on a recent occasion, when more than 200 caballeros and soldiers, the pick of the whole fleet, fled to the land in the most shameful confusion and disorder, and set fire to the precious patache of Margarita (the writer has ere this sent you, through your agent Kuffelaer, a written list of most of the goods she carried), abundantly provided with all sorts of material of war, and then extolled this feat to each other as a Roman deed, quite as if they had thereby manfully and victoriously beaten their enemy. D

E

Volght den inhout van seeckere missive hijrbooven vermeldt, geschreven aen den Cooninck van Hispanien, bij Don Diego Lopez d'Escobar, Gouverneur van Guijana ende Trinidado, in daten van den 28 *Maij*, 1637.

Here follow the contents of a letter, mentioned above, written to the King of Spain by Don Diego Lopez de Escobar, Governor of Guayana and Trinidad, under date of the 28*th May*, 1637.

Ten eersten soo vertoonde den voorsz. Gouverneur, hoedat den Cooninck hem begenaedighet hadde, met de Gouvernementen van Guijana ende Trinidado, alwaer gecomen sijnde, het eijlant Trinidado in seer soberen staet gevonden hadde, bewoont alleenlijcken met 30 huijsgesinnen ende mannen, waervan de 20 qualijcken bequaem waren omme de wapenen te draghen, wesende van alle canten ommecinghelt met meenighte van vianden, soo Indianen als Hollanders, teghens dewelcke Godt allmachtich ende Sijne H. Moeder, hem eene heerlijcke ende ongeloovelijcke groot victorie op het eijlant Tabago verleent hadde, met hetselve te despobleren; hebbende de vianden aldaer, in 2 casteelen, het eene met 6 ende het ander met 28 stucken geschuts (eenen grooten onbeschaem-

Firstly, the Governor set forth how the King had graciously given him the Provinces of Guayana and Trinidad. Upon his arrival there he had found the Island of Trinidad in a very pitiable condition, it being inhabited only by thirty families, and men of whom barely twenty were fit to carry arms, while it was on all sides surrounded by enemies, both Indians and Dutch, over whom the Lord and His Blessed Mother had granted him a glorious and incredibly great victory in the Island of Tobago, whereby he had depopulated it. He had besieged the enemy there in two castles, the one provided with six and the other with twenty-eight guns (a big and impudent lie); had reduced them, and promised them, in the name of His Majesty, to have them brought free and F

A den logen) versien, beleghert, ende tot compositie gebracht gehadt, ende henlieden in naeme van Sijne Mt belooft, vrije ende onverhindert te laeten voeren nae St Christoffels; welck sauf conduit hij henlieden hadde dorven toeseggen, alsoo hij sulcks den Marquis Spinola, soo in Nederlant als Milanen, onder den welcken hij Sijne Mt als capitan meenighe jaeren gedient hadde, hadde sien practiqueren.

Dat hij omme dieswille de voorsz. Hollanders (uutgesondert 3 van de principaelste, waervan den eenen een soone was van seeckeren Gouverneur) gesonden gehadt hadde nae de Margarita, ende don
B Juan d'Ulate Gouverneur van t'selve eijlant gebeden, dat hij henlieden eene barque soude coopen, ende daermede laeten weghvaeren, mits hij geene bequaemere middel en hadde, omme de gevanghene ingevolghe van t'accord wegh te senden, denselven Gouverneur ten dien eijnde aengewesen hebbende, soovele penninghen ende meer, als hij daertoe vannooden conde hebben.

Dat nietteghenstaende de voorsz. devoiren bij hem gedaen, den voorn. Gouverneur van Margarita de voorsz. Hollanders altesaemen hadde laeten ophanghen, tot grooten ondienste van Syne Mt. in discredit ende disreputatie van de Spaensche Re-
C gieringhe ende in cleenachtinghe van t'quartier, henlieden onder het woort van den Coninck belooft: dat Godtloff des Conincks saecken, soo qualijck niet gestelt en waren, dat denselven sich met wreetheden soude behouven te behelpen, ende den Castiliansche naeme, door soodaenighe maniere van procederen in groote verachtinghe, haet ende mistrouwen, bij alle natien te brenghen; dat, indien den Gouverneur van de Margarita, niet geraetsaem gevonden en hadde de Hollanders door sijn Gouvernement passage te verleenen, hij dieselve well, door eenen anderen wegh, in het heij-
D melijcke, soude hebben connen omme het leven brenghen, sonder t'selve alsoo oopentlijcken voor al de werelt in t'werck te stellen; waeruut niet anders en soude staen te verwachten, dan dat den Prince van Oranien met de West Indische Compagnie (la Compania Olandeza) soodaenighe wreetheden aen haer ondersaeten begaen, in Indien souden soucken te wreecken, ende eerst ende voorall, d'eijlanden van Margarita ende Trinidado, dewelcke met weijnich volck versien, souden coomen aen te tasten, ende deselve lichtelijcken te verooveren; versouckende oversulcks, dat Syne Mt. soude gelieven t'selve eernstelijcken in con-
E sideratie te neemen, ende hem tot defensie, van sijn eijlant, op het spoedichste, 200 soldaten toe te senden.

Ten tweeden soo verclaerde den voorsz. Gouverneur, hoe hij voort nae het verooveren van Tabago, mede geresolveert hadde geweest, sijne victorieuse wapenen te voeren teghens Isiquebu, een fort geleghen in sijn Gouvernement van Guyana, alwaer d'Hollanders grooten trafiijcq met d'Indianen waren drijuende, ende d'inwoonders van Oronoco in continuelen alarme waren houdende, maer naedat hij van de Justicia Major van Tabago (daermede den remonstrant beteeckenende)
F verstaen hadde, de groote sterckte, die d'Hollantsche Compagnie aldaer was hebbende, dat hij het exploict omme dieswill genootsaekt hadde geweest te differeren, tot op toecoomende Maerte 1638 tegens welcken tijdt, d'Audencia Real van Nuevo Reyno de Granada, hem tot executie van t'voorsz. desseijn, belooft hadde 400 Spanjaerden toe te senden; sich beclaeghende, dat de Gouverneurs van Margarita ende Cumaná, hem assistentie van volck geweijghert hadden.

unhindered to Saint Christopher. He had made bold to pledge this safe conduct, inasmuch as he had seen it practised, both in the Netherlands and in Milan, by the Marquis Spinola, under whom he had for many years served His Majesty as a captain.

For this reason he had sent the aforesaid Dutchmen (except three of the principal ones, one of them a son of a certain Governor) to Margarita, requesting Don Juan de Ulate, Governor of that island, to buy them a boat and allow them to depart therein, he having no more convenient means to send away the prisoners in fulfilment of the Treaty, and to this end assigning to that Governor such sums, and even more, as he might need therefor.

In spite of these measures he had taken, the aforesaid Governor of Margarita had ordered all the said Dutchmen to be hanged, an act greatly detrimental to His Majesty, to the credit and reputation of the Spanish Government, and bringing into contempt the quarter that had been promised them under pledge of the King's word. Thank God, the affairs of the King were not in such a bad state that he should have to resort to cruelties, and by such proceedings cause the Castilian name to be despised, hated, and mistrusted by all nations. If the Governor of Margarita had thought it unadvisable to grant the Dutchmen a passage through his province, he could easily have found another and a secret way to do away with them, instead of thus openly doing so before all the world. The inevitable result would be that the Prince of Orange and the West India Company (la Compania Olandeza) would seek to avenge in India such cruelties perpetrated upon their subjects, and before and above all would attack and easily conquer the Islands of Margarita and Trinidad, which are ill-provided with troops. In view whereof, he requested that His Majesty might take this matter into earnest consideration, and at the earliest moment send him 200 soldiers for the defence of his island.

In the second place, the Governor set forth that immediately after the conquest of Tobago he had also resolved to carry his victorious arms against Essequibo, a fort lying in his province of Guayana, where the Dutch were carrying on a great trade with the Indians, and were keeping the inhabitants of Orinoco in continual alarm. But after he had learned from the Justicia Mayor of Tobago (thereby meaning the present writer) of the great force which the Dutch Company had there, he had on that account been obliged to defer the expedition until the following March 1638, by which time the Audiencia Real of the Nuevo Reino de Granada had promised to send him 400 Spaniards for the execution of the aforesaid plans; but he complained that the Governors of Margarita and Cumaná had refused him aid of troops.

Ten lesten soo verclaerde den voorn. Gouverneur hoe hij, niet verre van St. Thomé in Guyana ontdeckt hadde eene *abundantissima ende riquissima mina* (formele woorden) van quicksilver, waervan hij Sijne Mt. 4 caskens met minerale steenen, ende een lb. quicksilver daeruut getrocken was toesendende; waerdoor des Conincks incoomen geen cleen voordeel en hadden te verwachten, gemerckt deselve mine soo rijck was als eene soodaenighe ter werrelt oijt entdecket hadde geweest; biddende dat Sijne Mt. soude gelieven t'ordonneren, dat deselve mine gebeneficert, ende tot defensie van deselve 300 soldaten mochten toegesonden worden, alvooren de Hollanders van deselve kennisse crijghe, de stadt St. Thomé, wederomme, gelijck sij onlancks gedaen hadden, souden coomen t'overvallen, ende haerlieden van de voorsz. rijcke mijne, ende t'geheele lant meesters maecken; vertoonende meteenen, hoedat deselve Hollanders allreede 7 colonien in de voorsz. Provintie gesticht hadden, als daer waren Wiapoco, Caliana, N, Sernamo, Serrano, Isiquebu ende Barbicies; waermede den voorsz. Gouverneyr sijn schrijvent geslooten ende geeijndighet heeft gehadt.

Dit is E. Eern. Heeren, in het welk den remonstrant sich verobligert gevonden heeft, U E. te behooren te communiceren, ende soude denselven remonstrant U E. mede geheel naecktelijcken voor ooghen connen stellen, de geheele gelegentheijt van de landen van Trinidado, Margarita, Punta Araija, Cumana, Caraccas, Cartagena ende d'Havana met hare sterckten ende fortificatien, alsoo hij deselve personelijcken (op hoope van het vaderlant daermede t'eennigher tijdt dienst te presteren) met neerstigheijt doorsien ende ondersocht heeft gehadt, indien hij soodaenigh vertoogh, alsoock hetgene boovensch. U E. aengenaem te wesen sal connen bevinden. Biddende ondertuschen U E. sall gelieven favorable regard te neemen, op het onwettelijck plonderen van sijn coffer ende klederen hijrbooven aengeroert, ende t'ordonneren dat de schade ende verlies van sijn voorsz. kleederen (dewelck hem in der waerheijt in de Havana over de 80 stucken van acht gecostet) uut der matrosen buijtgelt aen den suppliant gerecompensert ende vergoedet sall worden: want aengemerckt den suppliant geen ander passage omme nae het Voderlant te keren en heeft connen bekoomen, soo is noch in reeden noch in rechten bestaende, dat sijne ende der vianden goederen, van gelijcke conditie souden wesen, ende naer gegevene quartier, gelijcke risico ende fortune van verlies souden subject wesen. Der Spanjaerden, onse erfvianden, vele, ende den meestendeel worden courtoiselijcken getractert ende met contentement weghgesonden, ende die vrienden ende haer goet souden op dese maniere meerdere swaricheijt te verwachten hebben. Die sware quetsuren, dewelcke hij in de furie van de veroveringhe becoomen, ende sijn aengesicht ende gesonde leeden geschonden ende bedorven hebben, behooren den suppliant schaede genouch te wesen, sonderen dat oock het weijnighe hetwelck den wreeden Spanjaert hem vrijegelaeten, van sijn vrienden ende lantslieden berooft ende onthouden soude worden: dat men hijrenteghen soude willen inbrenghen, dat des suppliants schaede met sijne vercreeghene vrijheijt genouch gecompensert is; soo is hij well expresslijcken ontkennende dat hij de Spanjaerden voor gevanghen man is gehouden geweest, vele min als gevanghen overgevoert, maer ter contrarie als vrije persoone bij een jegelijcken ende insonderheijt bij Don Carlos, Generall van de Armada in Cartagena ende

Lastly, the aforesaid Governor declared that not A
far from Santo Thomé in Guayana he had discovered an *abundantisima* and *riquisima mina* (his own words) of quicksilver, from which he sent His Majesty four boxes of ores and 1 lb. of quicksilver drawn from them. From this discovery the King's income could expect great profit, this mine being as rich as any heretofore discovered. He therefore requested. that His Majesty might be pleased to order that this mine be worked, and 300 soldiers be sent for its defence, before the Dutch should learn of it, and again, as they had recently done, come and attack the town of Santo Thomé and make themselves masters of that rich B
mine and of the whole country. He took this occasion to show how the Dutch had already founded seven Colonies in the aforesaid province, namely, Wiapoco, Cayenne, N, Surinam. Serrano, Essequibo, and Berbice: wherewith the aforesaid Governor concluded and finished his letter.

This, Sirs, is what the writer has considered his duty to communicate to you. Having, moreover, in C
hopes of thereby at some time serving the Fatherland, industriously studied and personally investigated the whole condition of the lands of Trinidad, Margarita, Punta Araya, Cumaná, Carácas, Cartagena, and Havana, with their strongholds and fortifications, he could lay it before you very plainly, if he should find such a Report, as also what he has written above, to be acceptable to you. Meanwhile, he beseeches you to be pleased to consider the unlawful plundering of his trunk and clothes, as referred to above, and to order that the damage and loss of his clothes (which had actually cost him more than 80 pieces of eight at D
Havana) be made good to him from the prize-money of the sailors. For, considering that the writer was unable to obtain other passage to the Fatherland, it is neither right nor reasonable that his property and that of the enemy should be on the same footing, and, quarter having been given, be exposed to the same risk of loss. Of the Spaniards, our born enemies, many, nay most, are courteously treated and sent away contented; while our friends and their property might, in this manner, expect to come off less easily. The severe wounds which he received in the fury of the capture, whereby his face and his sound E
limbs have been disfigured and spoiled, ought to be sufficient damage to the writer, without his being deprived and robbed by his friends and countrymen of what little the cruel Spaniard had left him. Should it be adduced that the writer's loss was fully compensated by his regaining liberty, he emphatically denies that he was considered a prisoner by the Spaniards, and still less transported as a prisoner: on the contrary, he was recognized and considered as a free person by every one, and particularly by Don Carlos, the Admiral of the Fleet at Cartagena and Havana; the writer having, in the aforesaid quality, himself F
chosen and selected his passage, paying for it in advance to the skipper, both for himself and for his companion, 50 pieces of eight, in coin.

Annex 14

Letter to the King of Spain from the Corporation of Trinidad concerning the state of the town of Santo Thomé of Guiana, taken, plundered, and burnt by the Dutch, and the Indian Caribs, who also threatened the said island of Trinidad with a powerful fleet (27 Dec. 1637)

A d'Havana erkent, ende gereeckent is geweest: hebbende den suppliant in voorsz, qualiteit sijn passage selvest uutgesocht ende gecosen, ende voor deselve 50 stucken van achten in specie aen den schipper soo voor hem als sijn medegesell, vooruut betaelt gehadt.

Betrauwende oversulcks op de reedelijckheijt van sijn versouck ende uwer E. goede discretie etc.

Wherefore, trusting to the equity of his request, and to your wise judgment, &c.

No. 41.

B *Carta á Su Magestad del Cabildo de la Trinidad (fecha 27 de Diciembre de 1637), sobre el estado en que se encontraba la Ciudad de Santo Tomé de Guayana, tomada, saqueada é incendiada por los Olandeses é Indios Caribes, que amenazaban á dicha Isla Trinidad con Armada poderosa;—é Informacion acerca de dichos sucesos.*

Letter to His Majesty from the Corporation of Trinidad (dated 27th of December, 1637) concerning the state of the town of Santo Thomé of Guiana, taken, plundered, and burnt by the Dutch, and the Indian Caribs, who also threatened the said Island of Trinidad with a powerful fleet.—Report on the said events.

"Archivo General de Indias," Seville. Simancas. Audience of Santo Domingo. Letters, Reports, &c., deliberated upon by the Council, 1586 to 1699. 54, 4, 1.

Señor.

TENIENDO aviso del Governador de estas provinzias don Diego de Escobar que embio de la ciudad de Santo Tome de Guayana, de que el enemigo avia tomado aquel lugar quemandolo y saqueandolo Olandeses é yndios Caribes todos Rebueltos de los Rios de Bervis y otras naciones de Orinoco, Amacuro, y Esquibo querian dar en esta isla Trinidad con armada poderosa armados y confederados con las naciones de yndios que son en gran numero y con los mismos naturales de esta isla por estar todos los unos y los otros levantados y tan mezclados que se casan los dichos Olandeses con las Indias Caribas como de las demas naciones medio muy eficaz é ymportante á su proposito para hacerse dueños de todas estas partes asi de todo Orinoco como de esta isla y procuran pasarnos á cuchillo como trayan yntento
D y el deseo que siempre an tenido de poblar la una y otra parte por ver si pueden confinar con el nuebo Reyno de Granada, aviendo hecho las diligencias con el poco pusible y pocas fuerças que emos tenido de guar lias y otras prevenciones, fué nuestro Señor servido que estando el Governador D. Diego de Escobar en Guayana, á catorce del mes de otubre de este año de seis cientos y treynta y siete vinieron á esta isla Trinidad cantidad de Olandeses é yndios Aruacas Caribes y Tibetibes y Nepuyos y entrando por el Puerto y Rio de Caroni por aver cogido la espia que
E teniamos en la voca del Rio por estratagema por traer ellos dos guias que cogieron en el asalto que avian hecho en Guayana quando la saquearon y averles sucedido todo tan aproposito dieron tres quartos de ora antes del dia sobre este lugar y resistiendole la guardia que estava á la puerta de la iglesia y la demas gente que se le pudo allegar de ymproviso no ffuimos poderosos á estorbarle que no quemasen la santa yglesia sin tener mas lugar de que se sacase el Santissimo Sacramento quemandose todos los ornamentos y demas cosas del servicio del culto divino que dentro de la dicha santa yglesia estavan sin que se escapase cosa
F alguna. Y asimismo todas las mas casas de esta ciudad. Haciendo el dicho enemigo muchas diligencias por agregar los negros esclavos de los vecinos y los pocos naturales que nos sirben que serán pocos mas de 50 de manera Señor que á la retirada que el enemigo hizo se les siguió hasta el puerto donde con perdida de mucha gente asi de flamencos como de yndios se embarco y se llevo agregado assi algunos negros de vecinos que les ayudaron al saqueo y quema de esta ciudad haciendoles notorio la poca ffuerza que teniamos,

Sire,

WE are advised from the town of Santo Thomé of Guiana, by the Governor of these provinces, Don Diego de Escobar, that the said town has been taken, burnt, and plundered by the enemy, the Dutch and Indian Caribs from the River Bervis, and other tribes from Orinoco, Amacuro, and Essequibo.

The Dutch threaten this Island of Trinidad with a powerful fleet, and are in league with the numerous Indian tribes, and with the very natives of this island, who are all risen, the Dutch being so mixed with the Indians that they marry with the Indian Carib women, as well as with those of other tribes.

This is a most efficacious and important means of attaining their end, which is to make themselves masters of all these parts, both of all Orinoco and of this island, putting us all to the sword; and they have always wished to found settlements in all these parts, to extend their dominions, if possible, to the confines of the new Kingdom of Granada.

We must advise your Majesty that every measure was taken to put the town in a state of defence with the small number of soldiers at our command; but on the 14th October of this year, 1637, the Governor, Don Diego de Escobar, being in Guiana, the Dutch and the Indian tribes of Aruacas, Caribs, Tibetibes, and Nepuyos came in great numbers to this Island of Trinidad, making their entrance by the Port and River of Caroni, having taking prisoner the watchman we kept at the mouth of the river.

This they effected by the stratagem of carrying with them two guides, taken prisoner in the assault on Guiana, when they sacked that town: everything being thus in their favour, they commenced their attack on us three-quarters of an hour before daybreak.

They were resisted by the guard stationed at the church door, assisted by all those who had taken the alarm, care being taken to carry away the Blessed Sacrament; but we were powerless to prevent them burning the church, as also all the ornaments and articles of the Divine Service to be found in it, nothing escaping them. In the same way they burnt all the houses in the town.

The enemy employed every means of attracting the negro slaves of the inhabitants, as also the few natives in our employ, being about fifty in number, but in their retreat we pursued them to the port, where they embarked with

mas dios que ffue servido de ayudarnos no les dió lugar que hiciesen pié, antes volvieron con la perdida de gente referida en dicha rretirada, y agora teniendo nuebamente nueba de nuestro Governador D. Diego de Escobar de dicha ciudad de Guayana que no tan solamente está contento el enemigo con lo que a hecho en aquella ciudad y en esta, quiere volver á acabarnos y biene este aviso con la declarazion de un yndio que en dicha retirada se les quitó, que avia cogido en Guayana, quando la tomó en que declara tiene dicinio el enemigo de poblar esta isla y la Guayana. Y biendonos tan ympucibilitados de remedio y que si bienen no podremos escapar de sus manos por ser tan pocos como somos emos acordado suplicar á Vuestra Magestad sea servido de socorrernos con gente armas y municiones y alguna ropa para rreparo y remedio de tanta desnudez como la en que estamos asi nos otros como nuestras mugeres e hijos y particularmente la santa yglesia que quedó como ya esta referido y suplicamos á Vuestra Magestad sea con la mayor brevedad que ffuere pucible doliendose de esta pobre republica que tan cercada y acosada está sin mas amparo que el de Dios nuestros Señor y el de Vuestra Magestad, y de no ser socorridos con brevedad tenemos por sin duda se apoderará el enemigo de estos dos lugares que será á Vuestra Magestad de muy gran perjuicio por estar esta isla a barlovento de toda la costa de tierra ffirme de Cumaná, Carácas, y Margarita y nosotros si escaparemos yremos á servir á Vuestra Magestad á otra parte donde podamos ser mas dueños de pelear y tengamos mas fortificazion, todo esto lo tenemos por cierto respeto de la fama que el enemigo tiene de las minas de asogue de Guayana y los provechos que tendrán de la fertilidad de esta isla asi de frutos como del comercio de Indios y palos de tinta de que ellos hacen mucho caudal.

Guarde Dios la Catolica persona de Vuestra Magestad como la Christiandad lo a menester.

De esta Isla Trinidad y Diciembre veinte y siete de mil seiscientos trienta y siete anos.

AGUSTIN SANTIAGO.
(Hay una rúbrica.)
MIGUELL DE MORILLA.
(Hay otra rúbrica.)
AGUSTIN DE CAÑAZ.
(Hay otra rúbrica.)
GASPAR SANCHEZ.
(Hay otra rúbrica.)
FRANCISCO RUIZ MONS.
(Hay otra rúbrica.)
JACINTO DE MENDOZA.
(Hay otra rúbrica.)

Por mandado del Cabildo,
JUAN DE PENALBER.
Secretario del Cabildo.
(Hay otra rúbrica.)

much loss, both of Flemings and Indians, and they succeeded in carrying off some of the negro slaves, who assisted them in the burning and sacking of the town, and made known to them the small force at our command, but it pleased God to help us and prevent them establishing themselves here, and so it happened that they retreated with the loss of life referred to. A

At present we have recent information, dispatched by our Governor, Don Diego de Escobar, from the said town of Guiana, that the enemy, not content with what they have accomplished in that town and this, have the intention of returning to complete the work of our destruction. This news is confirmed by the declaration of an Indian, whom they took prisoner at the sacking of Guiana, and who was captured from them in the aforesaid retreat. This man advises that the Dutch have the intention of settling in this island, as also in Guiana. B

The enemy are aware of our powerlessness to resist them, and that being so few we must necessarily fall into their hands. We have therefore decided to beseech your Majesty to come to our assistance by sending soldiers, arms, ammunition, and clothes, to bring relief to our destitution, and that of our wives and children, and particularly the destruction of the Holy Church, which we have already referred to. C

We beseech your Majesty that this relief may be dispatched as speedily as possible, taking pity on the serious and harassed state of this poor community, destitute of all help but that of God and your Majesty; and if relief does not speedily arrive, there is no doubt that the enemy will possess themselves of the two places aforesaid. This would be to your Majesty's great disadvantage, this island being situated to windward of all the mainland of Cumaná, Carácas, and Margarita. As to ourselves, should we escape, we should migrate to other places to serve your Majesty, where we should be more able to defend ourselves, and where there are more fortifications. D

All this trouble is caused by the enemy having heard of the quicksilver mines of Guiana, as also of the benefit to be derived from the fertility of the island and the commerce of Indians and woods for dyeing, which they could carry on here, and of which they make great profits. E

May God grant the Catholic person of your Majesty, so necessary to the Christian world, many years of life.

(Signed) AUGUSTIN SANTIAGO.
(Rubric.)
MIGUEL DE MORILLA.
(Rubric.)
AUGUSTIN DE CAÑAS.
(Rubric.)
GASPAR SANCHEZ.
(Rubric.)
FRANCISCO RUIZ MONS. F
(Rubric.)
JACINTO DE MENDOZA.
(Rubric.)

Island of Trinidad, December 27, 1637.

By Order of the "Cabildo,"
(Signed) JUAN DE PENALBER,
Secretary of the Corporation. (Rubric.)

Annex 15

Letter from Captain Edward Thompson, R.N. to Lord Sackville (22 Apr. 1781)

BRITISH GUIANA BOUNDARY.

ARBITRATION WITH THE UNITED STATES OF VENEZUELA.

APPENDIX TO THE CASE ON BEHALF OF THE GOVERNMENT OF HER BRITANNIC MAJESTY.

VOLUME V.

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No. 587.

Captain Thompson, R.N., to Lord Sackville.

My Lord, "*Hyæna*," *River Demerara, April* 22, 1781.

I HAVE the honour to enclose you the Capitulations of the Dutch subjects of the Colonies on the A
Rivers of Berbice, Demerara, and Essequebo. The estates, slaves, and stores belonging to each, which, by command of the Admiral, I have seized for the King my master, amount to 140,000*l.* sterling; also those of such Amsterdam merchants as are not resident here, which are of great value; but I am not able by this conveyance to procure the particulars for your information. I have settled the Government of these three very extensive and populous Colonies for the present in a satisfactory manner, by taking a seat at the Council as President. This circumstance relieved the minds of the English, who are very numerous here, of those oppressions which might be exercised by the Dutch power.

I can only give your Lordship a vague idea of the extent and value of these Colonies. Berbice is inhabited 100 miles up, and hath 100 plantations, its inhabitants, all Dutch, being about 200 Europeans and 10,000 slaves; its produce, coffee, cocoa, cotton, and sugar. Demerara is divided into plantations on both sides the river 160 miles inland, and so fertile that coffee, sugar, indigo, cocoa, rice, cotton, tobacco, and corn grow spontaneously. The Bay of Essequebo, which receives three large rivers that penetrate into Spanish America and join the Amazon, contains seventy plantations, which extend from B
Demerara to Fort Zelandia, whereon is the Government store-houses and officers' residences, and from that parallel on the west coast as low as the River Pomeroun, besides the Islands Liguana, Wackingham, &c. I have travelled over these countries with much attention, and am pleased to assure your Lordship that they are an acquisition to the Crown of Britain of every quality and advantage, and more particularly to support and nourish the West India Isles, and though in the latitude of 6° 48′, with constant rains and a flooded country, banked up, yet more healthfull than any of our islands, or any other part of Spanish America in Guiana from Cayenne to Honduras. The inhabitants have but one unanimous wish, which is to be received under the Government of Britain, and never more to return to that of Holland.

I am now collecting plans and draughts of the country, and if it is the Admiral's pleasure, I mean to return to England and lay them at His Majesty's feet.

I have, &c.
(Signed) EDWARD THOMPSON. C

Inclosure 1 in No. 587.

Articles of Capitulation.

By Sir George Bridges Rodney, Baronet, Knight of the Bath, Admiral of the White and Commander-in-chief of His Majesty's ships and vessels employed and to be employed at Barbados, the Leeward Islands, and the seas adjacent. And by the Honorable General John Vaughan, Commander-in-chief of His Majesty's land forces employed in the West Indies, &c. D

WHEREAS the inhabitants of Demerara and the River Essequebo and Dependencies have surrendered at discretion to the arms of His Britannic Majesty.

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Annex 16

Letter from Mr. Schomburgk to Governor Light (1 July 1839) (*Inclosure in Letter* from the Colonial Office to the Foreign Office (6 Mar. 1840))

area of a triangle is ascertained by multiplying the base by one-half of the perpendicular, we have 50 × 25 = 1,250 square miles for 350 Indians, or at the rate of about 3½ square miles for each individual.

The thing is in itself so preposterous and extravagant that it will not bear a moment's consideration.

In my reply of the 17th January I have said to Mr. Hynes that enough ground to construct a chapel and a small village might have been taken into consideration, and a part of sufficient extent for the above purposes, and for that of raising sufficient food for these Indians is in progress, and that the grant will be vested in the proper official gentlemen as trustees for the Indians.

(Signed) J. CARMICHAEL-SMYTH.

No. 17.

Colonial Office to Foreign Office.—(Received March 6.)

(Extract.) *Downing Street, March 6, 1840.*

I AM directed by Lord John Russell to request that you will submit for the consideration of Viscount Palmerston the accompanying copy and extract of despatches which have been received from Mr. Light, the Governor of British Guiana.

I am to request that you will observe to Viscount Palmerston that Lord John Russell considers it to be important that the boundaries between British Guiana and the conterminous territories should be ascertained and agreed upon if possible, and that Mr. Schomburgk's researches in those parts, which were conducted under the direction of the Royal Geographical Society with the aid of Her Majesty's Government, have qualified him in a peculiar manner to be of use should the services of any person acquainted with the geography of British Guiana be required for the delimitation of the British territory.

Inclosure 1 in No. 17.

Governor Light to the Marquess of Normanby.

(Extract.) *July 15, 1839.*

MR. SCHOMBURGK, employed by the Geographical Society to obtain information in the interior of British Guiana and adjoining countries, who has lately arrived at Georgetown, having furnished me with the annexed Memoir and Map, I am enabled to reply to your Lordship's despatch dated the 12th March, and to that of your Lordship's predecessor dated the 1st December, 1838.

In my despatch dated the 1st September I alluded to a communication from Mr. Hillhouse, that a large tract of land between the Pomaroon and the Orinoco was the resort of smugglers and refugees, and was independent of control either by the British or Colombian authorities; I was desired by Lord Glenelg, in the despatch which I have named above, to make inquiry into the truth of this statement; I accordingly directed the Superintendent of Essequibo, Mr. Crichton, to extend his researches to the Orinoco; the result has proved the incorrectness of Mr. Hillhouse's assertions, and given me valuable information.

Mr. Crichton left Georgetown on the 25th January, ascended the Essequibo to Ampa, below the confluence of the Massaruni, and arrived at the post on the Pomaroon on the 18th February, from which place he proceeded to the Moroco Creek or River; here he found the communication between the Wyana and Barima Rivers was from the long-continued drought nearly dry; he was therefore obliged to risk the passage to the Wyana by sea, hazardous in the frail canoe or corrial used by the Superintendents, but fortunately unattended by disaster in this instance. Having arrived at the Wyana, he ascended it to the mouth of the Annow distant 200 miles from the sea, visiting the Indian settlements as he proceeded, as also those at the head of the latter river, whence he returned to the Baramany, ascending this to the Biara Creek; thence he went to the Indian settlements on the Assacotta Creek, connecting his present route from the Wyana eastward to a point he had described in a previous Report as being his westward course from the head of the Moroco Creek. He retraced his steps downward on the Wyana to the mouth of the Moco Creek, considered by him as a mouth of the Barima discharging itself into the Wyana within a short distance of the sea; he ascended

the Moco to the Indian settlements at Onobre, having previously visited a portion of the Aruca River, a tributary of the Barima; the inland water communication through the savannah with the Wyana is about fifteen minutes' paddling above the settlement at Onobre, but at that time impassable from the drought.

The banks of these rivers, as far as they were followed by Mr. Crichton, are entirely covered by the spring tides, and during the rainy season the low grounds must be entirely flooded and unfit for cultivation; the hills and rising grounds, which take the direction of the various rivers and creeks at greater or less distance from the banks, are generally good soil, superior in its character to that of the high grounds on the Essequibo River below the falls, and surpasses even that of the high grounds of the Pomaroon, having successive crops of cassava and plantains, and well adapted to coffee cultivation.

Mr. Crichton had communications with Indian Captains of the various tribes or nations inhabiting that part of the country through which he passed, who all concurred in declaring there were none but Indians resident on any of the rivers or tributary creeks; it appeared from their information that the Colombian authorities exercised no jurisdiction further eastward than the Amacura Creek, which empties itself into the sea half-way between the mouth of the Barima River and the Orinoco, having a mainland water communication with the latter. Mr. Crichton found that all the Indian Captains on the Wyana and Barima, including those on the left bank of the Barima with their tributary creeks, have received their insignia of command, and presents when that custom prevailed, from this Colony, and one and all look for its protection.

In the tracts thus described there is a numerous population of Indians, consisting of Warraus, Accaways, Caribissee, and Arrowaaks, the former in largest numbers. The absolute possession of these tracts would be advantageous to the Colony, without interfering with the rights of the Colombian Government, which are only assumed for the purpose of pressing Indians into coerced labour at an arbitrary tariff of wages, and from which the Indians seek refuge within the acknowledged limits of British Guiana.

At the mouth of the Wyana is a bank of sea-shells of considerable extent, a great portion of which is now above the highest watermark, covered with herbage, and might be converted into a good military post. The tract of coast extending eastward from this bank to the Moroco bank, a distance of 100 miles, comprises a belt of rich alluvial soil, fit for cultivation, but without any inlet from the sea with the exception of one small creek. The interior is savannah, flooded in the rainy season, but interspersed with sand-hills covered with wood, which are in many places the seats of Indian settlements, especially on the hills following the course of the Moroco and the creeks connecting it with the Baramary, which takes its rise according to the Indians in a large lagoon in the centre of the alluvial belt above mentioned, and not laid down in any map.

Your Lordship will find in Mr. Schomburgk's Memoir that he considers the Amacura Creek between the Barima and the Orinoco as the proper western boundary of British Guiana. Mr. Crichton limits it by the mouth of the Barima and all its tributary creeks in a line running southerly from the sea to the Cuyuni River, a tributary of the Essequibo, into which it falls, having received the Massaruni just above the confluence, the internal communication by water, commencing at the Tapacooma Lake on the Arabian coast, Essequibo being entirely cut off by the Barima, recommences only at the Amacura Creek to the Orinoco, thus marking the natural boundary of the province between the Barima and the Amacura, which, including the left bank of the Barima and all the intermediate land to the Amacura, he coincides with Mr. Schomburgk.

If this territory be left to the Colombian Government, a fertile region would be out of the pale of possible civilization, and a large number of human beings now looking on the English as their natural protectors would be subjected to arbitrary and oppressive rule. The Indians are fully aware of the emancipation of the labourers, they no longer fear compulsion, they have found the Superintendents of Rivers and Creeks, in their office of Superintending Magistrates, upholding all their just claims for labour performed, and are thus disposed to hire themselves on the wood-cutting establishments on the Pomaroon. They are almost the only workmen; the black population, so far from flying into the interior, have returned to the more civilized parts of the province whence as slaves or apprentices they had been brought. But the same love of original location has prevented the black labourers of two coffee estates on the Pomaroon from removing, though cut off from the rest of the estates by water and wood.

Under the impression that as civilization has begun amongst the aborigines, that the British nation alone can protect them, I cannot too strongly urge the immediate decision

of the limits of British Guiana. The views of Mr. Schomburgk can be traced with accompanying map, and much of Mr. Crichton's route on that published by Mr. Hillhouse some years ago, which, though not apparently laid down by astronomical observations, yet shows the position of the several rivers west of the Pomaroon, though defective as to the creeks. Mr. Schomburgk's merits as a geographer will naturally point him out as a fit person to be employed in any Commission for question of boundary.

Inclosure 2 in No. 17.

Mr. Schomburgk to Governor Light.

(Extract.) *Georgetown, July* 1, 1839.

ON the breaking out of the war in 1803, after the restoration of the Colony of Dutch Guiana to the Dutch by the Treaty of Amiens, it was again taken possession of by England, and by an Additional Article to a Convention, signed at London, 13th August, 1814, Demerara, Essequibo, and Berbice were finally ceded to Great Britain. The British Empire acquired, therefore, Guiana, with the same claims to the termini of its boundaries as held by the Dutch before it was ceded by Treaty to Great Britain; and although a Convention was agreed upon between France and Holland on the one side, and France and Portugal on the other, with regard to their boundaries, I am not aware that any such Convention has been entered into between the Dutch and Portuguese Governments anterior to the cession of the Colonies of Demerara, Essequibo, and Berbice to Great Britain. Towards the middle of the eighteenth century the Dutch had advanced their outposts south of the junction of the Rupununi to latitude 3° 50′ north; the site of that post was pointed out to me when travelling with the Caribes in 1836 ("Journal of the Royal Geographical Society," vol. vi, p. 263). It was fortified against the incursions of the Caribes in 1775, as is mentioned by Don Antonio Santos, who passed it at that time, with his friend Nicolas Rodriguez, on his journey from Augustura to Gran Para (*vide* A. de Humboldt, "Sur quelques points importans de la géographie de la Guiana," pp. 23 and 38). At a later period there existed a similar post called Arinda, a few miles south of the confluence of the River Siparuni with the Essequibo, of which the site is still known to the old inhabitants of the lower Essequibo. These two instances, therefore, clearly prove the existence of Dutch posts beyond the River Siparuni (at the mouth of which river Captain Leal fancied he discovered the remains of a former Brazilian boundary mark), and attest the claim of Her British Majesty to that territory. Furthermore, I planted the Union Flag of Great Britain at the sources of the Essequibo, in latitude 0° 41′ north, and did take possession of those regions in the name of Her Britannic Majesty.

The VIIIth Article of the Peace of Utrecht and the CVIIth Article of the Congress of Vienna allude to the boundaries between the Brazils and French Guiana; but I am not acquainted that there ever existed a Convention between the Brazils and Dutch Guiana. These boundaries are decidedly undetermined; and the pretensions of the Brazilian Government to advance them to the confluence of the River Siparuni with the Essequibo appears to rest alone upon the supposition that, between the years 1780 to 1783, Joze Joaquim Victoria da Costa and Joze Simoens de Carvalho, then on an astronomical survey of the boundaries, might have planted a boundary mark. This survey was continued from 1787 to 1804, by Antonio Pores de Sylva Pontes Leme, a Captain in the Portuguese Navy, and Riccardo Franco d'Almeida de Serra, a Captain of Engineers. During the latter period they occupied themselves with the examination of the River Branco, and the territory north and east of it, and reached Lake Amucu, at the banks of which the Macusi Village Pirara is situated.

The Brazilians, from political motives, have since the commencement of the nineteenth century expressed the liveliest interest in the possession of the Savannahs east of the River Branco (*vide* Humboldt, "Sur quelques points," &c., p. 23); and that they wish now to extend their dominions farther north and east of Lake Amucu is quite apparent. Their desire to assign British Guiana a boundary, by encroaching actually on the territory of that Colony, stands in evident connection with the fear of losing those plains, to the possession of which they have no more right than any other nation.

Although the Boundary Commission, under Pontes Leme and D'Almeida de Serra may have visited Lake Amucu, and pronounced the Rupununi, and the mountain chain which to geographers is known under the name of Sierra Pacaraima, to be their boundary, they had neither the consent of the British Cabinet nor that of the French.

In 1781 the Colonies of Essequibo and Demerara were placed under the protection

of Great Britain; in 1783 the French took temporary possession of the whole Dutch Settlements, which in 1796 surrendered to the British forces under Sir Ralph Abercrombie; and after having been restored to the Dutch by the Treaty of Amiens in 1802, they were again taken possession of by England on the breaking out of the war in 1803, and finally ceded to that Empire, by an Additional Article to a Convention signed at London 13th August, 1814. This retrospect proves that, during the period the demarcation of the Brazilians took place, the Colony was held by Great Britain, France, and Holland, and no Commissioners of these great Powers were present, in order to give consent to the extraordinary pretensions of the one-sided and self-elected Brazilians Boundary Commission.

Moreover, I have been informed that the Commander of the expedition, which, by appointment of the Colonial Government of British Guiana, proceeded in 1810 into the interior, in order to inquire into the disputes among the native tribes, ordered a boundary pale to be planted at Pirara.

Of equal importance is the determination of the western boundary of British Guiana, the limits of which have never been completely settled. The Dutch, when in possession of the Colony, extended their sugar and cotton plantations beyond the River Pomaroon. They recognized neither the mouth of the River Pomaroon nor that of the Moroco, where a military fort was established as the limits of their territory. They had even occupation of the eastern banks of the small River Barima (before the English, in 1666, had destroyed the fort of New Zealand, or New Middleburg), which military outpost they considered to be their western boundary. When the settlements were in the possession of the Netherlands the present countries of Demerara and Essequibo were divided into the Colonies of Pomaroon, Essequibo, and Demerara (*vide* Hartsinck, "Beschryving Van Guiana," Amsterdam, 1770, vol. 1, p. 257). As the first was the most western possession, and formed the boundary between Spanish Guiana, its limits were considered to extend from Punta Barima, at the mouth of the Orinoco, in latitude 8° 4′ north, longitude 60° 6′ west, south-west and by west to the mouth of the River Amacura, following the Caño Cuyuni from its confluence with the Amacura to its source, from whence it was supposed to stretch in a S.S.E. line towards the River Cuyuni (a tributary of the Essequibo), and from thence southward towards the Mazaruni. These limits of our territory were contested by the Spaniards. When in possession of the South American Colonies they claimed the banks of the Rivers Moroco and Pomaroon. They pretended that their limits stretched from this point and across the savannahs, in which some little granite rocks stand prominent, first south-west and then south-east towards the confluence of the Rio Cuyuni with the Mazaruni, which river they crossed, and extended along the western bank of the Essequibo as far as the point where the mountains of Pacaraima give a passage to the Rupununi (*vide* A. de Humboldt's "Personal Narrative," English translation, vol. v, p. 155). And when at San Carlos I was assured that the Venezuelan Government, being informed that an expedition of discovery, under the direction of the Royal Geographical Society of London, was then exploring Guiana, was desirous of taking advantage of so favourable a moment.

My deductions from the different circumstances to which I have attempted to draw the attention of your Excellency are that it is practicable to run and mark the limits of British Guiana on the system of natural divisions, and that the limits thus defined are in perfect unison with the title of Her Britannic Majesty to the full extent of that territory.

That a strong recommendation be forwarded to the Home Government, urging the paramount necessity of determining the limits of British Guiana by actual survey under a Commission appointed for that object, and empowered to plant along the extent of that line, at the most remarkable points, such monuments as are not likely to be quickly destroyed, either by the influence of weather or violence, such points, for better security's sake, being fixed with astronomical precision.

That as it would be insufficient to the future security of the boundary to run the limits of the Colony of British Guiana upon *ex parte* authority, necessary steps might be taken to obtain the consent and concurrence of Holland, the Brazils, and the Republic of Venezuela to institute a Boundary Commission.

If this be acceded to, the actual survey may be commenced immediately.

Annex 17

Letter from Lord J. Russell to Governor Light (23 Apr. 1840) (*Inclosure in Letter* from Colonial Office to Foreign Office (28 Apr. 1840))

reward of their labour to abandon them for the uncertainty, inconvenience, and privations of savage life.

That some idle and disorderly individuals of African birth may be found desirous of adopting this mode of life your reporter thinks not impossible, and even some white men might be cited as examples, including the author of the Memorandum in question, as living frequently with the savage, imitating him in his dress, adopting and descending to his habits of life, instead of attempting his elevation to the standard of civilization which education has necessarily impressed upon himself.

Your reporter, in support of his argument in further refutation of the idea of "a general rush," would have most respectfully drawn the attention of your Excellency to the position of the two coffee estates situated in the Pomeroon River, and having communications with the Indians of the Morocco Creek almost every day. Yet the labourers on these two properties may be confidently cited as remarkable examples of good order and industry, with too many comforts to leave for the privations of the forest.

Nor have the Directors of these two properties ever heard of such a scheme being for a moment entertained by their labourers, nor can it ever be successfully carried into effect, either collectively or individually, if the Superintendent perform his duty, and cultivate a good understanding with the Indian tribes. It is also deserving of notice that there are only at this moment (when your reporter was in Pomeroon) twelve black labourers remaining in that river on the wood and troolie-cutting establishments, of the many who were employed in that occupation previous to the 1st August, as apprenticed labourers. They have all, with the exception of the above number, left the quarter and gone to the coast, their place being entirely supplied by the Indian.

Finally, it is somewhat remarkable, and it seems to have escaped the notice of the author of the Memorandum, that there never was an establishment of bush or runaway negroes on the west coast of Essequebo that had any lengthened existence, these having been confined to the east and west coasts of Demerara and the Demerara River. Therefore, it is the more improbable that such attempts will now be made in Essequebo when the causes which originally produced those of Demerara have entirely ceased to exist.

The post-house at Ampa is in a state of dilapidation, somewhat similar to that of Pomeroon, scarcely habitable, even in the dry season, and the only occurrences recorded in the journals of the two Post-holders are those of the passage of Indians and the various residents in the two rivers.

At the Grove Mission the house erecting for a day school is roofed, and will soon be ready to open.

At Cariacaria, which is under the direction of the Rev. Mr. Ketly, preparations are being made to open a day school.

All which is most respectfully submitted to your Excellency.

(Signed) WILLIAM CRICHTON, *Superintendent of Rivers and Creeks, and S. P. J., County of Essequebo.*

April 20, 1839.

No. 20.

Colonial Office to Foreign Office.—(Received April 29.)

My Lord, *Downing Street, April* 28, 1840.

I AM directed by Lord John Russell to request that you will submit to Viscount Palmerston the accompanying copy of a despatch which his Lordship has addressed to the Governor of British Guiana with a view to carry into effect the views in respect to the delimitation of the boundaries of the Colony which are stated in your letter to me of the 18th ultimo.

I have, &c

(Signed) JAS. STEPHEN.

Inclosure in No. 20.

Lord J. Russell to Governor Light.

Sir, *Downing Street, April* 23, 1840.

WITH reference to your despatches of the 9th January, 20th February, and 15th July, 1839, I have the honour to inclose herewith the copy of a letter addressed

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by my direction to the Foreign Office on the 6th ultimo, and copy of the answer returned by direction of Viscount Palmerston on the 18th ultimo, on the subject of the proceedings which you have recommended to be taken for the purpose of defining the boundaries between British Guiana on the one hand and the Brazilian, Venezuelan, and Netherland territories on the other.

I learn from Mr. Schomburgk that he is about to return to British Guiana in the ensuing autumn, and that the state of the rivers will enable him to pass into the interior of the country early in the month of December. I have requested him to wait upon you on his arrival in the Colony, and it is my wish that you should make such arrangements with him as may appear to be expedient to carry Lord Palmerston's views into effect. It will be necessary that provision should be made to defray the expense of any such arrangement out of the funds of the Colony.

I understand from Mr. Schomburgk that he has received accounts of the Brazilian detachment having withdrawn from Pirara for the present. If it should not return you will have no occasion to act upon Lord Palmerston's views in respect to it. But you will be pleased to adopt the spirit of those views in respect of any military occupation or any aggression upon the Indians within the line which is assumed in Mr. Schomburgk's map as bounding the Colony under your government.

I have, &c.
(Signed) J. RUSSELL.

No. 21.

Viscount Palmerston to Sir R. Ker Porter.

Sir, *Foreign Office, November* 28, 1840.

I INCLOSE to you herewith the copy of a letter from the Colonial Department,* inclosing an extract of a communication from Mr. R. Schomburgk to the Governor of British Guiana respecting the undefined state of the boundary between the territory of British Guiana and Venezuela.

I have to instruct you to inform the Venezuelan Minister for Foreign Affairs that Her Majesty has issued a Commission to Mr. R. H. Schomburgk, authorizing him to survey and mark out the boundary between British Guiana and Venezuela; and you will state that the Governor of British Guiana has been instructed to resist any aggression upon the territories near the frontier which have been hitherto occupied by independent Indian tribes.

I am, &c
(Signed) PALMERSTON.

No. 22.

Mr. O'Leary to Viscount Palmerston.—(Received March 22.)

(Extract.) *Carácas, January* 24, 1841.

I HAVE the honour to transmit to your Lordship a copy of a communication which I have addressed to the Venezuelan Minister for Foreign Affairs, in compliance with your Lordship's instructions.

Inclosure in No. 22.

Mr. O'Leary to Señor Smith.

Sir, *Carácas, January* 13, 1841.

I AM instructed by Lord Palmerston to acquaint your Excellency that Her Britannic Majesty has issued a Commission to Mr. R. H. Schomburgk authorizing him to survey and mark out the boundary between British Guiana and Venezuela; and I have orders to add that the Governor of British Guiana has been instructed to resist any aggression upon the territories near the frontier which have been hitherto occupied by independent Indian tribes.

I am, &c.
(Signed) DANIEL F. O'LEARY.

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* No. 17.

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Annex 18

Letter from Viscount Palmerston to Sir R. Ker Porter (28 Nov. 1840), *Letter* from Mr. O'Leary to Viscount Palmerston (24 Jan. 1841) and *Letter* from Mr. O'Leary to Viscount Palmerston (2 Feb. 1841)

PART III.

DIPLOMATIC CORRESPONDENCE.

No. 1.

Viscount Palmerston to Sir R. Ker Porter.

Sir, *Foreign Office, November* 28, 1840.

I INCLOSE to you herewith the copy of a letter from the Colonial Department, inclosing an extract of a communication from Mr. R. Schomburgk to the Governor of British Guiana respecting the undefined state of the boundary between the territory of British Guiana and Venezuela. A

I have to instruct you to inform the Venezuelan Minister for Foreign Affairs that Her Majesty has issued a Commission to Mr. R. H. Schomburgk, authorizing him to survey and mark out the boundary between British Guiana and Venezuela; and you will state that the Governor of British Guiana has been instructed to resist any aggression upon the territories near the frontier which have been hitherto occupied by independent Indian tribes.

I am, &c.
(Signed) PALMERSTON.

No. 2.

Mr. O'Leary to Viscount Palmerston.

(Extract.) *Carácas, January* 24, 1841. B

I HAVE the honour to transmit to your Lordship a copy of a communication which I have addressed to the Venezuelan Minister for Foreign Affairs, in compliance with your Lordship's instructions.

Inclosure in No. 2.

Mr. O'Leary to Señor Smith.

Sir, *Carácas, January* 13, 1841.

I AM instructed by Lord Palmerston to acquaint your Excellency that Her Britannic Majesty has issued a Commission to Mr. R. H. Schomburgk authorizing him to survey and mark out the boundary between British Guiana and Venezuela; and I have orders to add that the Governor of British Guiana has been instructed to resist any aggression upon the territories near the frontier which have been hitherto occupied by independent Indian tribes. C

I am, &c.
(Signed) DANIEL F. O'LEARY.

No. 3.

Mr. O'Leary to Viscount Palmerston.

My Lord, *Carácas, February* 2, 1841.

I HAVE the honour of transmitting to your Lordship copies, in Spanish and English, of a communication I received from the Venezuelan Minister for Foreign Affairs on the subject of the boundary between British Guiana and Venezuela. This Government invites your Lordship to negotiate a Treaty of Limits, and at the same time expresses a desire that the Treaty should precede the marking out of the boundary. D

I also inclose copy of my reply to Colonel Smith, in which I state the probability of Mr. Schomburgk being already engaged in the execution of his Commission.

I have, &c.
(Signed) DANIEL F. O'LEARY.

Inclosure 1 in No. 3.

Señor Smith to Mr. O'Leary.

(Translation.) *Carácas, January* 28, 1841 (*12th of the Law, and 31st of Independence*). E

Sir,

THE Government having taken into consideration your note of the 13th instant, in which you notify that that of Her Britannic Majesty has been pleased to appoint a Commissioner with authority

A to survey and mark out the boundary between British Guiana and Venezuela, his Excellency the President has conceived this to be the best opportunity to settle definitively this affair, which interests both nations.

The Government, in consequence, has determined to reply, proposing through you to the Government of Her Britannic Majesty to conclude a Treaty of Limits, by Plenipotentiaries duly authorized, either in this capital or in London. My Government does not doubt that that of Her Britannic Majesty will allow that it is absolutely necessary and expedient that the Treaty should precede the survey and demarcation of the territory, which, being a material operation, ought to be executed conformably to stipulations.

After the conclusion of the Treaty to which my Government invites that of Her Britannic Majesty, a Commissioner on the part of Venezuela will be appointed to proceed, jointly with the British Commissioner, to the operation of marking out the boundary between British Guiana and Venezuela, thus both nations being satisfied, and obviating for the future all questions regarding limits.

B I am, &c.

(Signed) GUILLERMO SMITH.

Inclosure 2 in No. 3.

Mr. O'Leary to Señor Smith.

Sir, *Carácas, January* 30, 1841.

I HAD the honour this morning to receive your note of the 28th instant, and, in reply, beg leave to acquaint you that I shall transmit, by the next packet, to Viscount Palmerston the views of the Venezuelan Government therein expressed.

At the same time you will allow me to observe, in reference to the desire of your Government that the Treaty which you propose should precede the demarcation of the boundary between British

C Guiana and Venezuela, that Mr. Schomburgk's Commission having been issued by Her Majesty some time since, it is probable that that gentleman is already engaged in the execution of the duty assigned to him, and this circumstance, besides being conformable to established practice, will materially facilitate the labours of any future Joint Commission such as you propose.

I remain, &c.

(Signed) DANIEL F. O'LEARY.

No. 4.

Governor Light to Lord J. Russell.

My Lord, *Arabian Coast, Essequibo, September* 19, 1841.

I HAVE the honour to forward copies of two* communications received from Mr. O'Leary, of

D Carácas, received by the last packet. As it was necessary that Mr. Schomburgk should report on them, they were sent to him. I have received his observations, and forward them in original.

I have the honour also to transmit copy of a letter I have addressed to Mr. O'Leary, which I trust will be approved by your Lordship.

I have alluded in my letter to Mr. O'Leary to a demand made by a person of the name of Hamilton, the son of a Colonel Hamilton, who resided many years in Angostura, to be allowed to cut a path from his pastures in the Venezuelan territory to the Essequibo by which he and other farmers in cattle will be enabled to supply our markets more readily than by the old route from the Orinoco. To this demand I have as yet made no reply, thinking it a subject for the consideration of the Court of Policy, my own opinion not yet being fixed.

I have, &c.

(Signed) HENRY LIGHT.

E

Inclosure 1 in No. 4.

Mr. O'Leary to Governor Light.

(Private.)

(Extract.) *Carácas, August* 18, 1841.

HAVING to dispatch the home packet, which has just arrived, and desirous to avail myself of its departure to acquaint you with the intelligence I have received from our Vice-Consul at Angostura, I write you these few hasty lines.

The Vice-Consul, under date of the 25th July last, states that news had reached Angostura that the British flag was floating at Barima and 5 leagues up the Orinoco, and that a vessel (British) was cruising in that direction; that this intelligence had created the "utmost surprise and alarm at Angostura," and that the Governor had sent an armed boat with fourteen men to ascertain the fact.

F So far the Vice-Consul. In addition to this report, I received late last night a communication from the Venezuelan Foreign Minister, transmitting to me some documents relating to the same subject, and requesting me to inform him whether the acts complained of are to be attributed to persons acting under your instructions, or whether they are the unauthorized acts of private individuals.

The above intelligence was made known to the public yesterday through the medium of one of the papers, and I understand it caused much excitement.

The report received by this Government states that the British colours were flying on the banks of the Amacura, about 10 miles above Barima.

* One not printed.

Annex 19

Letter from Señor Aranda to Governor Light (31 Aug. 1841) and *Letter* from Governor Light to Señor Aranda (20 Oct. 1841) (*Inclosures in Letter* from Governor Light to Lord Stanley (21 Oct. 1841))

I met sugar-canes of the finest description and native cottons of superior staple and quality. But the difficulties which the Cuyuni presents to its navigation, and those tremendous falls which impede the river in the first day's ascent, will, I fear, prove a great obstacle to making the fertility of its banks available to the Colony. The Amacura, Barima, and Waini are, for a great distance, free of such impediments, and a thicker population is only wanted to render this part of British Guiana one of the most productive throughout its whole extent, towards which the numerous natural canals and connections between its chief rivers would materially contribute.

These tracts are at present inhabited by the following tribes :—

Warraus, along the coast from Pomeroon to the Amacura;

Arawaaks, intermixed with the former, chiefly at the Rivers Waini, Barima, and Amacura;

Waikas and Chaymas, sister tribes of the Wacaawais, at the upper course of these rivers, and the regions between the Barama and Cuyuni.

I estimate their whole number, as already stated, at 2,500. Many of them assist in felling timber or in working on the estates, and if the system, which only of late years has been followed, namely, that of treating the Indian as a rational being, and giving him a fair remuneration for his work, shall be generally adopted, the aborigines, there is no doubt, would prove most useful labourers to the Colony.

No person has had more opportunities than myself of becoming acquainted with the tyrannical conduct which has been practised within the last ten years towards these poor beings, and it is not too much to say that the treatment of them, which we now reprobate in the adjacent territories, many of the former colonists, even at the British territory, have been guilty of. What wonder, therefore, if these children of the forest, who still recollect the wrongs which in times past were inflicted upon them, should pause before they trust to the fair promises now made to them? They already recognize the protection of the Superintendent, under the existing Regulations, and it is my full persuasion that if the attention and paternal provisions which the aborigines of Guiana have of late years enjoyed at the hands of Her Majesty's Government be continued, and means adopted to afford them religious instruction, the relict of the once-numerous Indian population may be yet rescued.

(Signed) ROBERT H. SCHOMBURGK.

Demerara, August 1841.

No. 36.

Governor Light to Lord Stanley.—(*Received at the Foreign Office, December* 22.)

My Lord, *Government House, Demerara, October* 21, 1841.

ON the 19th instant Messrs. Rodriguez and Romero, Commissioners from the Venezuelan Government, presented to me a letter from the Venezuelan Minister for Foreign Affairs, of which I have the honour to transmit transcript and translation.

The object of the mission of Messrs. Rodriguez and Romero was to obtain explanation relative to Mr. Schomburgk's Mission to the Barima and to the Amacura River; they were also prepared to enter with me on negotiations relative to the boundaries.

I explained to them that I had no authority to enter into any negotiation on a subject which would have to be settled between the respective Governments. I at the same time stated I was ready to answer any questions relative to Mr. Schomburgk's mission which they would place before me in writing, which they agreed to, and were apparently satisfied with the reception they received at my hands.

As the official letter of the Venezuelan Secretary of State required an answer, I have written a reply, a copy of which I have the honour to transmit.

I respectfully trust that the explanations I have given will meet with your Lordship's approbation.

I have, &c.

(Signed) HENRY LIGHT.

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Inclosure 1 in No. 36.

Señor Aranda to Governor Light.

(Translation.)

Sir, *Republic of Venezuela, Carácas, August* 31, 1841.

THIS Government having been informed that at the mouth of the River Amacura and at Barima Point English flags have been fixed, and that other marks with Royal initials have been found, and being unable to discover the origin and motives for this act, effected on an important part of the territory of the Republic, which it has always quietly and peaceably possessed, and over which it has an indisputable right, has determined on sending a Commission composed of the Licenciates José Santiago Rodriguez and Juan José Romero to your Excellency as being the chief authority in British Guiana, having for object to investigate all that relates to what has happened, and to give all necessary explanation as to the boundaries, as also to state the remonstrances to which these acts will give rise; in spite of the Government of the Republic having manifested to Her Britannic Majesty the necessity of previously fixing a Treaty of Limits by Commissioners from the two Governments and on grounds established by mutual agreement which makes it necessary that affairs should be placed as they were in January last in which the Treaty was mooted, in order that the harmony which exists in the relations of the two countries should be preserved.

Your Excellency may confide in all that the Commissioners say on the part of the Government of Venezuela, and in the event of your Excellency being disposed to observe the same conciliatory conduct which you recommended to the Commissioner, Mr. Scomburgk, with respect to the authorities of this country, when he undertook the labours of his Commission, which was made known to the Government by the British Consul in this capital; and if your Excellency wishes to cut short any difference which may arise respecting the boundary, Messrs. Romero and Rodriguez are authorized to enter into a satisfactory arrangement for both parties, and although the boundaries between Venezuela and British Guiana are not definitively fixed, it may facilitate at least the settlement of a Treaty which hereafter is to be fixed by Plenipotentiaries named for this purpose by the Governments of Venezuela and of Her Britannic Majesty.

I take this opportunity of expressing to your Excellency the sentiments of consideration and respect with which I have the honour to be, &c.

(Signed) FRANCISCO ARANDA.

Inclosure 2 in No. 36.

Governor Light to Señor Aranda.

Sir, *Government House, Demerara, October* 20, 1841.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of date Carácas, the 31st August, 1841, delivered to me by Messrs. Rodriguez and Romero on the 19th instant, relative to the mission of survey of Mr. Schomburgk.

From this despatch it appears that the establishment of flags and landmarks with Royal initials at Barima Point and on the River Amacura has made it necessary to send Commissioners to this province to require explanation.

I am sorry that any misapprehension of the nature of Mr. Schomburgk's mission should have been felt by the Government of Venezuela.

Mr. Schomburgk's mission was one purely of survey, with instructions from the Secretary of State for Foreign Affairs, Lord Palmerston, to "erect landmarks on the ground in order to mark out by permanent erections the line of boundary so claimed by Great Britain; it would then rest with each of the three Governments, namely, Brazil, Venezuela, and the Netherlands, to make any objections which they might have to bring forward against these boundaries, and to state the reasons upon which such objections might be founded, and Her Britannic Majesty's Government would then give such answers thereto as might appear proper and just."

The mission then of Mr. Schomburgk being purely of survey, which survey has been completed from the mouth of the Barima to the Cuyuni, where it empties itself into the Essequibo, it will rest with the Government of Venezuela to present its objections to the limits laid down by Mr. Schomburgk to Her Britannic Majesty's Government, the Governor of British Guiana having no authority to enter into any discussion on

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the relative merits of the boundary, nor on the counter-claims of the Venezuelan Republic.

I trust this explanation will be satisfactory to your Excellency; neither the Government of Venezuela nor of Great Britain having hitherto occupied the Barima, and that point marking the boundary claimed by the British Government, it will be prudent not to attempt an occupation which would complicate negotiation, and might lead to unpleasant discussion.

Since the occupation of the Barima by the Dutch, from whom Great Britain derives her claim, the territory within that river has been inhabited by the aborigines alone; my instructions are to protect them from injury and oppression, and I am convinced the humane dispositions of the authorities of the Republic of Venezuela will rejoice that protection is held out to them, which, it is well ascertained, they have sometimes required.

It is but just to Mr. Schomburgk to say the moment he approached the first Venezuelan post on the Orinoco he endeavoured to reach it in one of the frail canoes of the country. The current and weather nearly caused his destruction; after suffering great hardship and running great danger he was obliged to give up any attempt at communication with the Venezuelan post-holder, or he would have made an official report to that functionary of the object of his mission.

The Commissioners your Excellency has introduced to me will, I trust, receive such explanations from me, by way of answers to queries from them, as will satisfy you that whatever has been done by Mr. Schomburgk is only presumption of right, not assumption of territory, the boundaries of which must be settled by the respective Governments.

It is right to mention also that Mr. Schomburgk denies having left a flag or flag-staff at the Barima.

The cause of this report is that one of the Indians attached to the Mission found a small torn Union flag in one of the boats, and on Mr. Schomburgk naming a particular spot laid down on his survey of the Amacura "Victoria Point," in honour of our Sovereign, the Indian tried to attach this tattered flag to the branch of a tree near the spot; if it was attached it was pulled down or blown down before the party left the river.

Mr. Schomburgk had proceeded to the Barima before any notification was received of the wish of the Venezuelan Government to appoint Commissioners to fix by Treaty the limits of the two countries; but as the object of the British Government was to obtain correct maps of the countries in question previous to any negotiation, it would not probably have arrested Mr. Schomburgk's proceedings.

I have had great pleasure in thinking that my first interview with Messrs. Rodriguez and Romero has passed to our mutual satisfaction; every attention in my power shall be frankly offered to them.

I have, &c.
(Signed) HENRY LIGHT.

No. 37.

Governor Light to Lord Stanley.—(*Received at the Foreign Office, December* 22.)

(Extract.) *Government House, Demerara, October* 23, 1841.

I HAVE this morning received a communication from the two Commissioners from Venezuela alluded to in previous despatch. Copy of their communication, with translation, I have the honour to transmit.

The information they require is confined to two points.

A copy of my answer will accompany this despatch, which I respectfully trust will be approved.

Inclosure 1 in No. 37.

Señores Rodriguez and Romero to Governor Light.

(Translation.)

Sir, *Georgetown, October* 23, 1841.

THE Undersigned, Commissioners of the Government of the Republic of Venezuela, had the honour on the 19th instant of placing in your Excellency's hands

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Annex 20

Letter from Mr Schomburgk to Governor Light (15 Sept. 1841)

A

No. 3.

Letter from Mr. Schomburgk to Governor Light.

Sir, *Demerara, September* 15, 1841.

I HAD the honour to receive yesterday, for perusal, the despatches which Her Majesty's Chargé d'Affaires at Rio de Janeiro, and Her Majesty' Consul at Caraccas, have addressed to your Excellency with regard to the pending survey of the boundaries of British Guiana. Mr. Ousely's letter is so satisfactory that I refrain from further allusion to it, but I beg leave respectfully to offer such remarks as Mr. O'Leary's letter may call forth.

Before my departure from London on the execution of the survey, Mr. Vernon Smith, Under-Secretary of State for the Colonies, inclosed copies of letters to me which, by the desire of Viscount Palmerston, had been addressed to Her Majesty's Chargé d'Affaires at Rio de Janeiro and at Venezuela, notifying my appointment to survey and mark out the boundaries of Guiana, and desiring them to inform the Minister for Foreign Affairs of the respective Governments of the issue of this Commission. If, therefore, my instructions had been to the effect to enter at the present period already into actual negotiations, this preliminary step having been taken by Her Majesty's Government, it appears to me that it would have been the duty of the Venezuelan Authorities at Caraccas to inform the Governor of Angustura of the intentions of Her Majesty's Government, and the intelligence that I had entered upon the execution of my duties could not have created "the utmost surprise and alarm," but my instructions do not authorize me to enter into any negotiations before the execution of the survey, and any communication from my part to the Governor of Angustura would have been unwarranted, or might have forestalled the views of your Excellency or Her Majesty's Home Government. B

So far from wishing to be uncourteous towards the authorities of the territories which border on British Guiana, and in absence of any instructions to proceed up to Angustura, which only could have been executed with much delay and expense, I started in the largest of our boats from our camp at the Barima to wait on the Commandant of the Orinoco at Coriabo, but so dangerous proved this undertaking in our small canoes that, without risking our lives, we were obliged to desist, and to return next morning to our camp. C

It would be repetition to state the grounds upon which rest the rights of Her Britannic Majesty to the Barima, and the absolute necessity that the boundaries of British Guiana should be based upon natural divisions, and not upon imaginary lines; but Mr. O'Leary has been erroneously informed that a British vessel cruised off the Barima during my survey, and that the Amacura, the right bank of which I claimed as the limit between British and Venezuelan Guiana, be [*sic*] situated 5 leagues up the Orinoco, as it is merely 4 miles from the mouth of the Barima.

I most sincerely wished that there were no existing grounds of apprehension respecting the interference of Venezuelan subjects with the independent Indian tribes; the facts which I have brought to your Excellency's knowledge, and which may be corroborated by any person travelling among the Indians at the contested boundaries, prove that these cruel acts of the inferior authorities have not come to Mr. O'Leary's knowledge. D

I can only repeat that, while employed on the execution of the service with which I have been honoured, it shall be my constant aim to meet with the greatest courtesy any of the authorities of the territories adjacent to British Guiana, and to use every conciliatory means at my command to produce the desired result of settling the boundaries of this important Colony in the most amicable manner.

I have, &c.
(Signed) ROBERT H. SCHOMBURGK.

E

No. 4.

Special Report of Mr. Schomburgk to Governor Light.

Sir, *Camp Street, Georgetown, October* 23, 1841.

IN compliance with your Excellency's desire to be informed upon what grounds I claimed, in Her Britannic Majesty's name, the right of possession of the River Barima, and the eastern bank of the River Amacura as the western boundary between Her Majesty's Colony of British Guiana and the Venezuelan territory:

I beg leave to observe, in the first instance, that, by an additional Article to a Convention signed at London on the 13th August, 1814, the Colonies Demerara, Essequibo, and Berbice, were ceded to the British Crown, which, therefore, acquired the same claim to the frontier as Holland possessed when still in possession of these Colonies. F

So early as 1580 the Dutch attempted to form small settlements on the banks of the Orinoco and Pomeroon, and the States-General privileged in 1581 certain individuals to trade to their settlements.

In 1621 the States-General granted to some Dutch merchants, who formed a Corporation under the name of the Westindische Maatschappye, or West India Company, an exclusive right to all the African and American commerce, and the right of governing and defending any new Colonies which it might already possess or acquire, retaining to themselves the power of nominating the Company's Governor-General abroad. This grant comprised the coast from the

Annex 21

Letter of Mr. Schomburgk to Governor Light (30 Nov. 1841) *enclosing Memorandum* by Mr. Schomburgk

commands the commerce of the Amazon, and this no doubt, is the reason why this Power puts such importance upon its possession. Supposing that unforeseen circumstances should put France in occupation of Point Barima at the Orinoco, and that Macapa at the Amazon is ceded to her, she will then command the commerce of the two first rivers of South America, and hold the military keys of the northern provinces of Brazil and of the former Spanish provinces of South America, north of the equator, which territories will be always at the mercy of that power which commands the channels to their commerce.

Finally, trusting to the prospects of prosperity and a continued emigration to British Guiana, there could not be a more favourable position for a commercial settlement than Point Barima. The capital of Spanish Guayana is Angostura, situated a distance of 85 leagues from the mouth of the Orinoco, and the intricate navigation of that river presents numerous difficulties to foreign vessels going up the Orinoco as far as Angostura.

A commercial settlement established at the extreme point of Barima, where one part of the town would front the River Barima, and the other the Orinoco, would soon induce foreign vessels to dispose of their cargoes at the new settlement, and leave the further transport to the interior to smaller craft; naturally this premises the supposition that amicable relations and commercial treaties exist between Great Britain and Venezuela. The bar at the Barima admits vessels of 16 feet draft of water, which if once entered, may safely anchor in from 4 to 5 fathoms water. The peculiar formation of the fluvial system of the coastland between the Barima and the Essequibo admits an inland navigation, in punts and barges, to Richmond Estate, on the Arabisi Coast of the Essequibo, which with a few improvements might vie with any of the interior canals of England.

I have, &c.,
(Signed) ROBERT H. SCHOMBURGK.

No. 6.

Letter of Mr. Schomburgk to Governor Light.

Sir, *Demerara, November* 30, 1841.

I HAVE the honour to forward herewith for transmission to the Right Honourable the Secretary of State of the Colonies the maps of the Guiana Boundary Expedition, exhibiting that part of the limits of the Colony which have been lately surveyed under Her Majesty's Commission, and which are intended to divide British Guiana from the Venezuelan Republic.

I beg leave to refer your Excellency, for the reasons which induced me to select the River Amacura as the western boundary of British Guiana, to my letters* dated the 23rd October, 1841; but since an exposition of the principal grounds upon which my proceedings were based might be perhaps of use to Her Majesty's Government in the negotiations which are likely to ensue with the Venezuelan Government, I have the honour to enclose herewith a memorial in which the grounds are recapitulated, chiefly with regard of Her Majesty's right of possession to the Barima—a point of more importance to Great Britain than I have ventured to make it appear in my memorial.

I have but little to observe with regard to the maps, which must speak for themselves. They were originally intended to be prepared at the conclusion of the survey, as the minute calculations demand more time than the expedition would have had at present to spare, had not the want of funds to continue the survey detained us in Georgetown.

The large map consists of six sheets, and has been laid down on a scale of half an inch to a mile. It exhibits the ground which has been subjected to our investigations, and the result of such information with regard to the adjacent territory as could be trusted. The map on a large scale has served as groundwork to the general map, which, on a scale of 5 miles to an inch, gives a *coup d'œil* of the whole territory which north of the River Cuyuni is disputed by Venezuela, and which comprises 7,000 square miles of the most fertile land.

The red line shows the claim of Her Britannic Majesty, and notice has been taken where boundary marks have been set up to attest that claim. The yellow line delineates the Venezuelan pretentions to a territory which they never possessed, either by conquest or by tenure.

The importance of Point Barima will become evident from the inspection of the general map, and I have drawn your Excellency's attention (in my confidential letter of 23rd October, to some of the most weighty reasons why Great Britain should assert her right to it. I have to add, that if Great Britain relinquish her right to the territory west of the River Maroco, extending to the River Barima, the Venezuelan Republic may cede that territory, earlier or later (as Spain did the Florida and Louisiana), to a power which might prove a more dangerous neighbour to the British Colony of Guiana than the Republic of Venezuela.

I have, &c.
(Signed) ROBERT H. SCHOMBURGK.

To Henry Light, Esq., Governor, &c., &c.,
of British Guiana.

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* Nos. 4 and 5.

Inclosure 1 in No. 6.

General Maps (Nos. 1 and 2), showing the Limits between British Guiana and Venezuela.

[See Atlas, pp. 44–6.]

Inclosure 2 in No. 6.

Memorandum by Mr. Schomburgk.

THE BOUNDARY QUESTION BETWEEN BRITISH GUIANA AND THE REPUBLIC OF VENEZUELA. A

WE must premise, before we enter into any actual discussion which point ought to form the western limit of the present Colony of British Guiana, that this territory, which comprises the former colonies of Demerara, Essequibo, and Berbice, was an appurtenance of the States-General of the United Provinces of the Netherlands. Having been previously conquered by the British in 1781, under Sir George Rodney, and in 1796, under General Whyte, it was restored at the peace of Amiens, in 1802, to their original possessors, the Dutch, who formed the Batavian Republic. On the recommencement of hostilities, in 1803, Demerara and Essequibo surrendered on the 19th September, and Berbice on the 26th September, to the British forces, under General Greenfield and Commodore Sir Samuel Hood; since which time it remained in British possession, and was ultimately ceded to Great Britain by an additional Article to a Convention between that Power and the United Netherlands, signed at London upon the B
13th August, 1814. Great Britain, from the moment these colonies were ceded to her, had therefore the same claim to the terminus of the boundary of that part of the American Continent as when it had been under the Dominion of the House of Orange, who were the acknowledged sovereigns for more than two centuries.

So early as 1580 the Dutch navigated the Orinoco, and settlements were attempted on such parts as were not occupied by the Spaniards; and the States-General privileged, in 1581, certain individuals to trade to these settlements exclusively.

It is said that at the close of that century a Chamber of Merchants existed at Middleburg, trading to the River Barima, which river enters the Orinoco at the most eastern point of its great mouth, or Boca de Navios.

In 1621 the States-General granted to some Dutch merchants, who formed a Corporation under the name of the West Indische Maasschappy, or West India Company, an exclusive right to all the African and American commerce, and the right of governing any new colonies which it C
might acquire, retaining to themselves the power of nominating the Company's Governor-General abroad.

This grant comprised the coast from the Orinoco to the eastward and Hartsinck, the authentic historian of Guiana or the "Wild Coast," as it then was called, mentions in several places that the limits of the West India Company extended to the mouth of the Orinoco.

In 1669, the Dutch West India Company granted to Count Frederick Casimir, of Hanau, a piece of land which he might select from their possessions at the wild coast of America for the purpose of settling a German colony, in which document the Orinoco is again alluded to as the western boundary of their possessions.

Previously, in 1648, on the 13th January, Philip IV., King of Spain, had recognised, by the Treaty of Munster, the Netherlands as independent States, and by an additional Article, on the 4th February, 1648, confirmed their possessions in foreign parts.

This Treaty included especially the colonies of the Dutch West India Company, and D
comprised consequently Guiana to the mouth of the Orinoco.

A confirmation of which offers the document between the Company and the Count of Hanau, where that river is still called their boundary, and which attests that it was recognised as such by Spain at the Treaty of Munster.

In 1674, the West India Company, which was incorporated in 1621, was dissolved, and the "Nieuwe West Indische Compagnie" was chartered by the States-General, the exclusive commerce of which was limited to a certain part of Africa, the Island of Curaçoa, and the Colonies of Essequibo and Bouwerona (Pomeroon), the latter of which, as already observed, extended to the mouth of the Orinoco. The rest of the trade monopolised by the Company was thrown open to the subjects of the States-General.

It has been my aim, with the limited resources which I have at my command, to prove that the Orinoco was, at the 17th century, politically recognised as the boundary of the Dutch West E
India Company. All the claims which during the last century and since have been set up, rest upon the fanaticism of the missionaries settled at the Orinoco and the Caroni, who with fear saw the extension of the Protestant faith which emanated from the Dutch Colonies, and threatened to lose [*sic*] the religious hold which these missionaries possessed over the Indians.

A We find, therefore, that Fathers Gumilla and Caulin, both of them historians of the River Orinoco, proclaim first against the advancement of the Dutch heretics and usurpation of the territory.

But it remains now to be proved whether the Dutch were ever in actual possession of that part which is now in dispute; and here I refer to Hartsinck, who decidedly declared that the Dutch had a Post at the mouth of the River Barima: "The first rivers which, on coming from the River Orinoco, we meet in Netherlands Guiana, are the Creeks, or River of Barima, about a mile wide, where we formerly, had a Post; three miles further, the Amachera of the same width, which, like the former, has its outlet in the River Orinoco."

The want of fresh water, and the great distance from their principal settlements, no doubt induced the Commandant of the Pomeroon to withdraw that post. It is affirmed that it was in existence when the English, under Major John Scott, destroyed the fort New Zealand and plundered new Middelburg, and there are still documents of the Dutch West India Company in
B existence, by which the directors desired the Commandant of Pomeroon to keep the fortified Post of the Barima in repair. Colonel Moody (Royal Engineers) discovered the remains of this Post in 1807, when he was employed as an engineer officer in Demerara, and when it was in contemplation to send a small force against Angostura to destroy the privateers which infested the coast of Dutch Guiana during the period it was occupied by the British; and when the Boundary Commission, at the commencement of this year, encamped at the site of the old Dutch Post, the marks of the former trenches and cultivation were still observable.

It was, however, not only the Dutch, as an interested party, who pretended the Barima to be their western boundary. If we consult geographical works of the last century, we find that their claim was maintained by geographers uninterested in the question.

Rolt, in his "History of South America," published in the middle of the last century, states (p. 500) "that Dutch Guiana extends along the coast from the mouth of the River Orinoco, in
C 9° of north latitude, to the River Marawini, in 6° 20′ north latitude."

I have consulted two charts of the coast of Guiana, which were published in England during the last century, and which deserve confidence, as Great Britain, chiefly during the publication of the first chart, was not an interested party.

I allude firstly to a chart of "the Coast of Guayana from the Orinoco to the River of Amazons. London: Published in 1783 by W. Faden, Geographer to the King," in which the River Barima is stated as the western boundary of the Dutch according to their claim.

The second is a chart of "Guayana from the West Indian Pilot, by Thomas Jefferys, Geographer to the King, published London, 1798," in which the Barima River is stated to "divide the Dutch and Spanish lands." Although under British protection at that period, these colonies were restored to the Batavian Republic in 1802.

France looked always with the most jealous eye upon the extent of the Dutch colonial possessions and their commerce on the South American continent, nor was this jealousy diminished
D when the Dutch colonies, in 1796, were put under British protection; and as it was asserted that one of the reasons why Napoleon was not satisfied with the Treaty of Badajoz consisted in the boundary of Cayenne not having been extended to the mouth of the Amazon, I have no doubt that France would prevent the extension of the British Colony of Guiana to the mouth of the Barima—which, with the highly romantic feelings of the descendants of the Spaniards, the present Republic of Venezuela call the Dardanelles of this territory—if it could be done without direct interference.

French geographers, therefore, curtail the extent of the former claim of the United Provinces of the Netherlands, and without deteriorating in the slightest degree the excellency in every other respect of their work, I must be still permitted to doubt their impartiality, the more since all modern geographical works respecting Equinoctial France, or Cayenne and the adjacent territories, rest mostly upon Biet, Barrere, and Bellin, the two latter of whom were by no means friendly inclined to their Dutch neighbours; indeed, Bellin wrote only from the documents of the "Depôt des Cartes et Plans de la Marine."

E Father Gumilla, a worthy missionary, who, however, was endowed with all the bigotry of his age, was the first to raise the cry against the advancement of the Lutheran heretics at the adjacent colony of Dutch Guiana. He published his work on the Orinoco in 1745. Father Caulin followed him, and his ire is frequently raised against the Dutch heretics who infested the Cuyuni and traded with the Indians adjacent to the mission of the Capuchins, and instructed the fugitive Christians of the mission silently in their heresy.

The influence which the missionaries possessed over the temporal governors of Spanish Guayana caused the political assertions of claims to a territory which the Spaniards had never possessed, and which at the time the divisional limits were drawn, in which the reverend communities of Observants, Jesuits, and Capuchins were to exercise respectively their apostolic functions, had been consigned, *pro forma*, to the Capuchins.

We come now to a more recent period, when the former subjects of the Spanish Crown in
F that part of South America, dissatisfied with the rule of the Mother Country, declared themselves independent.

At the Congress of Angostura in 1811 the boundaries of the new Republic were alluded to, and without any further application to the other Governments who were interested in that question, they were fixed upon as it appeared most advantageous to the Congress of the young Republic.

Great Britain was at that time in occupation of the Dutch Colony of Guiana, which was only ceded to her at a later period.

During the war which was then raging on the European Continent, Spain had taken an active part against Great Britain, and a kind of depredatory war was carried on by the Spanish

colonists against the Dutch estates, which extended along the Arabian coast between the Essequibo and the Pomeroon. A

The chief rendezvous of the Spanish launches and piratical vessels was then the River Barima, from which they made their descent upon the sugar estates of the Dutch colonists, destroying the buildings, and carrying away the slaves and the produce of the estates.

This reached ultimately such a height that the British Colonial Government had under contemplation of sending an expedition against Angostura, and it was at that period, as already observed, that the present Colonel Moody was sent as engineer to Point Barima to report upon its practicability of being fortified.

The same locality served, during the American War, their privateers as a rendezvous, and will for ever be used for similar purposes, as long as the commanding Point Barima is not fortified and garrisoned by Great Britain.

The importance of the Colony of British Guiana after its cession in perpetuity to Great Britain made the necessity apparent that its limits should be established to prevent disputes at a period when a small extent of land would be manifold increased in the value it bears now, and when the arrangements of a boundary question would meet various difficulties. B

Great Britain was further influenced by the disinterested exertions in behalf of the oppressed aboriginal tribes, who are the last remnants of the once thickly peopled districts now inhabited by Europeans and their descendants.

Frequent complaints had been laid before the Colonial Government of British Guiana of atrocious cruelties committed by the Brazilians on the Indian tribes at the south-western boundaries, and by the Venezuelans on the western boundaries of British Guiana.

These tribes considered themselves under British protection, and upon British territory, and upon the information that a party had been kidnapped by the Brazilians and carried into slavery, the question was brought before Parliament on the motion of Mr. Emerson Tennent, on the 11th May, 1840.

It was consequently thought that if the limits of British Guiana were properly determined and recognised, that such atrocities could not be committed upon the Indian tribes who resided within these limits, as it would be a direct aggression upon the British territory. C

Actuated by these views, Her Majesty's Government constituted an expedition to survey, under Her Majesty's Commission, the boundaries of British Guiana, based upon the right of primary possession, either of the English or their predecessors the Dutch, but recommended as a general principle that whenever natural boundaries, as rivers or chains of mountains, &c., could be fixed upon, to use them in preference of astronomical divisions.

Copies of the maps of such a survey would then be delivered to the Governments interested in the fixation of these limits, and if they considered themselves aggrieved, they were to state their reason to the British Government, who promised maturely to consider the points in dispute, and to settle them in the most amicable way.

The British Ministers accredited at the Hague and the Venezuelan and Brazilian Governments were at the same time informed of the steps which Her Majesty's Government had taken, and desired to make the necessary communication to these Governments. D

The Boundary Expedition arrived in Demerara in 1841, and commenced their labours in April of the same year. Upon the strength of the historical data which had been procured, that the mouth of the Orinoco had been always considered to form the western boundary of the former Dutch possessions, and that Point Barima had been fortified by that nation,

"The right of Her Britannic Majesty to its possession was asserted by the British Commissioner on the 13th May, 1841, and a boundary pole was planted to attest that claim."

The River Amacura, about four miles further west, was claimed by the Commissioner to form the provisional boundary, as it is no doubt the most natural limit west of the former possessions of the Dutch.

These proceedings raised a good deal of unnecessary alarm at Angostura, the chief town of the Orinoco, and at Caraccas, the seat of Government of the Republic of Venezuela. E

The former Spanish claim, when these parts belonged still to the Capitania of Caraccas, were renewed—claims which for their absurdity, very likely, would have been forgotten had they not been renewed in an "Atlas de la Republica de Venezuela, by Colonel Codazzi, Caraccas, 1840," in which the River Moroco is asserted to form the eastern boundary of Venezuela.

I have too little local knowledge of the territory which these maps represent, to judge generally; but I can positively assert that the "Boca del Orinoco de Navios" which comprises Point Barima, and in which disembogues the river of the same name, and the River Amacura is not correct.

Were we justified to apprehend that where there are small faults there may be larger, I would note that the Capital of British Guiana, which since 1812 is called Georgetown, and not Stabroek, is placed in Colonel Codazzi's map (Carta del Canton de Upata) on the left bank of the River Demerara, while it ought to have been known to a Geographer that it is situated on the right bank.

The most startling information, however, contains (Colonel Codazzi's "Resúmen de la Geografica de Venezuela," Paris, 1841), in which he states that "the eastern boundary of the Republic extends from the mouth of the Rupunni [*sic*], near the vicinity of the Macarapen Mountains, along the left bank of the Essequibo to the confluence of the Cuyuni, which river the line of limit ascends until it meets the mouth of the River Tupuru; from thence it continues the Tupuru upwards to the sources of the Moroco, terminating ultimately at the Atlantic Ocean near Cape Nassau." F

This boundary, formed according to Venezuelan dictation, includes Cartabo Point, and the island Kyk-over-all. where, as it is conversant to every one acquainted with the early history of these Colonies, the Dutch had their first settlements at the Mazaruni.

A It includes old estates, and a recent missionary institution, Bartika Grove, at the left bank of the Essequibo, and to crown the whole of their pretended claim, they call the west coast and Arabian or Arabisi coast of the Essequibo "usurped."

What with the claims of the Brazilians on the south-western territory, and the Venezuelans on the west, it appears the Governments of the adjacent territories intend to reduce British Guiana to the tenth part of its rightful possessions.

The territory which the Venezuelan Government disputes amounts only, north of the River Cuyuni, to 7,000 square miles, and while it is incontrovertibly proved that the States-General, or rather their subjects, the Dutch West India Company, had actual possession of Point Barima, no fact can be adduced that either the Spanish or the present Venezuelan Governments were ever in possession of the smallest extent of ground east of Point Barima.

It is true the Spaniards attempted once or twice to attack the Dutch at their settlements, but they were always repulsed, even as late as 1797, when their attack upon Fort New Zealand was
B not only warmly received by the English and Dutch garrison, but they were totally defeated, many killed or driven into the river, and only a few escaped in their boats.

Great Britain has not undertaken the question of determinating the boundaries of British Guiana upon the principles of aggrandizement. She does not wish more than belongs to her by justness, but with the example of the United States before her, where, if the question of the Canadian limits had been settled at the close of the last century, it would have met no difficulties, she is naturally anxious to settle the boundaries of a colony of such vast importance as Guiana promises to be (as well out of political as philanthropical motives), at a period when there are comparatively few difficulties.

I have, &c.

(Signed) ROBERT H. SCHOMBURGK.

Demerara, November 30, 1841.

C

No. 7.

Report of Mr. Schomburgk to Governor Light.

Sir, *Pirara, February* 24, 1842.

I HAVE the honour to inform your Excellency of the safe arrival of the party under my command at Pirara, which village I found almost deserted, and only nominally occupied by four individuals, of Brazilian descent.

The Guiana Boundary Expedition left Georgetown on the 23rd December, in the steamer
D "The Lady Flora Hastings," and arrived the same evening at Post Ampa, at the Essequebo, where I had our baggage unloaded for the purpose of resorting to our canoes. As the number of my crew was far from being complete on leaving Georgetown I engaged a part of the complement at the Essequebo. This was connected with some difficulties, in consequence of the greater number of the men having been engaged to accompany the detachment of Her Majesty's troops to Pirara. The Christmas holidays being then so near, those whom I procured entered only the service with the condition that they were not to join me at Ampa before the 27th of December, from whence we left the following morning, grateful for the attention which Mr. Baird, the Post-holder, had shown to me during our stay at Ampa.

The Rev. Thomas Youd having joined us at the Grove, we passed the first cataract without any serious accident, except at the rapid Assiricot, where, through the negligence of the canoemen, one of the smaller boats was upset, by which three barrels with provisions were lost.

We arrived on the 6th of January at Waraputa, the new Mission which Mr. Youd had
E founded after he was driven by the Brazilians from Pirara, and Curua; and I could not but be highly pleased with the change this Indian village had undergone since Mr. Youd's arrival in July 1840.

The houses of the Indians are of a superior description to the generality of Indian dwellings, and the little church with its steeple gives to it an appearance which one would not have expected to meet with in the wilderness. I walked with the missionary through the provision fields, and I confess that nowhere since my travels in the interior had I seen them so extensive as here. I should say that from 250 to 300 acres were cultivated in cassada, besides the plantains and yams, which were raised additionally. The missionary stated to me that the number of inhabitants fluctuated from 100 to 120. A great number who had put their fields in order and secured themselves sustenance for months were absent or visiting their relations and friends.

The Indians who are settled here, and receive instruction in religion and the English language, consist of Macusis, Wapisianas, Caribs, intermixed with some Necanicarus, who have come from
F the Rio Branco. There are hours appropriated for the instruction of the adults, and others for the instruction of the children. I heard the latter read in the New Testament with ease; and if the new missionary who is expected to be sent by the Church Missionary Society to replace Mr. Youd continues his instructions with the same zeal, the best fruits may be expected from this infant Mission.

I dispatched from here one of the men of the expedition, with five Indians, to Post Ampa, to bring after us some articles which, for want of room in the canoes, we had been obliged to leave there; and after a sojourn of eight days in Waraputa (in consequence of some serious cases of sickness among the crew) we started in the morning of the 13th January on our further ascent of the Essequebo. Unfortunately the weather had been very unfavourable previous to our arrival at

Annex 22

Letter from Señor Calcaño to the Earl of Derby (14 Nov. 1876)

writers, whose Government was always jealous of the progress made by the Dutch in the immediate neighbourhood of the settlement at Cayenne.

But, in truth, there cannot be a doubt that not only was the mouth of the Orinoco always claimed by the Dutch as their western boundary, but that it was early in their actual possession, and under military occupation by them. Hartsinck says, "The first rivers which, on coming from the River Orinoco, we meet in Dutch Guayana, are the creeks of Barima, about a mile wide, where we formerly had a post." And there are documents of the West Indian Company extant by which the Directors instructed the Commandant of Pomaroon to keep the fortified post of Barima in repair. The remains of these fortifications were found by Colouel Moody in 1807, during the occupation of the coast by the English, when it was in contemplation to send a force to Angostura to destroy the privateers which then infested the shores of Dutch Guayana, and to fortify the point anew; and distinct traces of the intrenchment and surrounding cultivation were seen by Mr. Schomburgk when executing his late Commission.

The Undersigned believes it is not necessary to say more in order to show how entirely erroneous are M. Fortique's assertions that the Essequibo has been held to be the dividing line between the two countries, and that the territory between that river and the Orinoco was considered by the world as the exclusive property of Spain, assertions in which the Undersigned may fairly be allowed to doubt whether M. Fortique has the support of his own countrymen, seeing that in the maps of the Venezuelan provinces published at Carácas by an officer of the Venezuelan Government four years ago the extreme boundary claimed for Venezuela on the east is the Moroco; and certainly, to judge from the exaggerated pretensions on other points put forward in that publication, the author was not disposed to err on the side of too great liberality to the neighbouring British Colony.

If the Undersigned were inclined to adopt the spirit of M. Fortique's note, it is obvious, from what has been stated, that he must claim for Great Britain, in her right of succession to Holland, the entire coast from the Orinoco to the Essequibo; and indeed, such a claim, independently of all question of right, would be practically far less injurious to Venezuela than that which M. Fortique has asserted is to Great Britain, inasmuch as, whilst Venezuela is without a settlement of any sort upon the territory in question, the admission of the Essequibo as the boundary of Venezuela would involve at once the surrender by Great Britain of about half the Colony of Demerara, including Cartabo Point and the Island of Kyk-over-al, where the Dutch had their earliest settlements upon the Mazaruni, the missionary establishment at Bartika Grove, and many actually existing settlements upon the Arabisi coast to within 50 miles of the capital.

But the Undersigned is of opinion that negotiations are not facilitated by putting forward claims which it is not seriously intended to maintain, and, therefore, he will not follow M. Fortique's example, but will declare at once what concessions from her extreme claim Great Britain, out of friendly regard to Venezuela, and from a desire to prevent the occurrence of any serious differences, is willing to admit.

Believing, then, that the undivided possession of the Orinoco is the object most important for the interests of Venezuela, Her Majesty's Government are prepared to cede to the Republic a portion of the coast amply sufficient to insure Venezuela against the mouth of this, her principal river, being at the command of any foreign Power. With this view, and regarding it as a most valuable concession to Venezuela, Her Majesty's Government are willing to waive their claim to the Amacura as the western boundary of the British territory, and to consider the mouth of the Moroco River as the limit of Her Majesty's possessions on the sea-coast.

They will, moreover, consent that the inland boundary shall be marked by a line drawn directly from the mouth of the Moroco to the junction of the River Barama with the River Waini, thence up the River Barama to the Annama, and up the Annama to the point at which that stream approaches nearest to the Acarabisi, and thence down the Acarabisi to its confluence with the Cuyuni, from which point it will follow the bank of the Cuyuni upwards until it reaches the high lands in the neighbourhood of Mount Roraima which divide the waters flowing into the Essequibo from those which flow into the Rio Branco.

All the territory lying between a line such as is here described, on the one side, and the River Amacura and the chain of hills from which the Amacura rises, on the other, Great Britain is willing to cede to Venezuela, upon the condition that the Venezuelan Government enter into an engagement that no portion of it shall be alienated at any time to a foreign Power, and that the Indian tribes now residing within it shall be protected against all injury and oppression.

The Undersigned, &c.

(Signed) ABERDEEN.

No. 27.

Señor Calcaño to the Earl of Derby.

Ministry for Foreign Affairs, Carácas, November 14, 1876.

(Translation.)

THE Undersigned, Minister for Foreign Affairs of the United States of Venezuela, has received orders from the illustrious American Regenerator and President of the Republic to address his Excellency the Earl of Derby, Her Britannic Majesty's Principal Secretary of State, and Minister in the Department of Foreign Affairs, in order to explain to his Excellency the rights of the Republic in the pending question concerning the boundaries between Venezuelan Guiana and English Guiana. This he proceeds at once to do, first of all assuring his Excellency the Earl of Derby that the

President of Venezuela is induced to delay no longer the action which he is now taking, not only by his zeal for the rights of the nation, but also by his confidence in the cordial friendship of Great Britain, and in his Excellency's disposition to preserve the harmonious relations between the two countries unchanged, from which he anticipates the speedy and favourable termination of questions which it is urgently necessary to bring to a satisfactory solution, so that the inviolable peace which the two nations have, with sincere friendship, happily maintained hitherto may not in future be endangered. A

From the year 1841 to 1844 the two Governments were engaged in the interesting task of settling in cordial co-operation the boundaries between Venezuela and the English possessions in Guiana, and it was on the occasion of this negotiation that the English Commissioner, Mr. Schomburgk, invaded the Venezuelan territory and set up posts, monograms, and the British flag in the dominions of the Republic, though Her Majesty's Government had only directed him to make scientific explorations for the purpose of ascertaining the boundaries of English Guiana. His Excellency's Government, animated by the feelings of justice that are peculiar to it, ordered, after complaint from Venezuela, the removal of the posts and other signs which had justly alarmed the Venezuelan people. Then it was felt necessary to prevent further difficulties by the conclusion of a definitive Boundary Treaty, the negotiation for which unfortunately remained unfinished at that time on account of the lamentable death of Señor Dr. Alejo Fortique, the Plenipotentiary of Venezuela in London. B

For the purpose of renewing that negotiation, and carrying it to the desired termination, and naturally convinced of the favourable dispositions thereto which must be entertained by Her Britannic Majesty's Government, seeing that it was the said Government that raised the question at the time referred to by the Undersigned, the Regenerator President of the Republic has now directed this Ministry to address that over which your Excellency so worthily presides, and to make the following statement:—

The right of Spain to the territory of America has always been indisputable in the eyes of all the nations of the world. She discovered and occupied it before any other nation. These are titles universally admitted for the assertion of dominion, and as effectual at least as any which the law of nations has recognized as good. Thus, never has there been an instance of an attack on the right of Spain to these regions, which was sanctioned by the unanimous assent of all nations, by the express recognition of some, and the tacit recognition of the rest, and in favour of which she might even adduce the Bull of Pope Alexander VI, which now amounts at least to a fresh and most valuable recognition, whilst at that time it was of decisive significance. And if in applying these grounds for Spanish dominion throughout the American territory to the coasts of Guiana, which are the subject of the present question, the very noteworthy circumstance be borne in mind that they were precisely the part where Columbus first hit upon the American Continent; that there Alonzo de Ojeda began the discovery and conquest of Venezuela; that the government of those lands was that which the Emperor Charles V granted to Diego de Hordas; and that it was in those very lands that the said Hordas, Herrera, Hortal, Cedeño, and others carried out their laborious explorations at the beginning of the sixteenth century, there can be no hesitation whatever in recognizing the then perfect right of Spain to those extended regions, and that of Venezuela now as her legitimate successor. C D

The spirit of hostility to Spain on the part of her armed enemies in the European war of those times, in combination with the greed excited by the accounts circulated there of the immense auriferous wealth of the new continent, led to the attack and invasion of these territories, which were assailed, ravaged, and taken possession of, in fact, by those who were nothing but depredators, in opposition to every recognized principle. Nor had they even the tolerance of Spain in their favour, for she had to chase them away at various times with energy, and to destroy their intruded establishments so far as the serious affairs which engaged her attention in Europe allowed her to do so. This was the case in 1595, when she drove the Dutch from the Essequibo, and in 1665, when the inhabitants of the second city of St. Thomas, aided by those of the Province of Carácas, again ejected the Dutch, who, in alliance with the Carib and Araucan Indians, had succeeded in surprising them.

Spain, meanwhile, was strengthening, if it could be strengthened, her right as discoverer and first occupier, by founding towns and establishing Missions for the civilization of the natives in the light of the Gospel, and it is to be noted here that England herself concluded various Treaties with her in which that right was tacitly acknowledged, and even engaged in 1713 and in 1721 to maintain her in possession of the territories which she possessed in the time of Charles II, which extended to the greater part of the new continent. E

If at the date of the Treaty of Munster all the American territory was not under the acknowledged dominion of Spain, it was not because the invasions effected and the establishments founded in some parts of it by other European nations deprived His Catholic Majesty of his rights, but because Spain had sanctioned that ownership which they claimed by means of Treaties in which she expressly renounced her own.

The primitive right of Spain to the whole of the American territory being thus established on such a solid foundation, it is incumbent on those who would contest any part thereof to furnish authentic proof of their intervening claim, so as to substantiate an exception to the general rule.

Venezuela, as the legitimate successor of Spain in her rights over the territory of Guiana, just as England is the successor of Holland in regard to the Cape of Good Hope, Essequibo, Berbice, and Demerara by the Treaty of London and Paris of the 13th August, 1814, is in every way entitled to claim as her own those possessions which Holland—the originator of Great Britain's right—recognized as hers by the Treaty of Munster, concluded in 1648, and which England herself engaged to preserve to Spain in all their integrity, by Article VIII of the Treaty of Utrecht, which those two nations concluded on the 13th July, 1713; inasmuch as Holland could not cede what did not belong to her and what she knew did not belong to her—to England; nor can Venezuela suppose, without an insult of which she is incapable, that the dignified and honourable English nation can in any manner, or at any time, disown its pledged word and the observance of its stipulations. F

A By the Treaty of Munster, before referred to, in which King Philip IV acknowledged the freedom, independence, and sovereignty of the United Provinces, and renounced all his rights to them, it was agreed that the Contracting Parties should remain in possession of the countries, forts, factories, &c., which they occupied in the East and West Indies, without power of extension, and the subjects of the States-General were to abstain from frequenting the places in which the Spaniards were established. That neither the Spaniards nor the subjects of the United Provinces respectively could either navigate or trade in the bays, ports, fortified localities, settlements with castles, or generally in any other place in possession of the other party in the West Indies. Such is the context of Articles V and VI.

The exact tenour of Article VIII of the Treaty of Utrecht, cited in the second place, is as follows:—

"And in order that the navigation and trade of the West Indies may be more stable and profitable, it has been resolved and agreed that neither the Catholic King, nor his heirs or successors, shall cede, mortgage, transfer, or in any other way, or in any respect, alienate from himself and from the Crown
B of Spain the districts, dominions, or territories of America which by right belong to him, or any part thereof, in favour of France or of any other nation. And for her part, the Queen of Great Britain, in order that the territories of America, which are under the rule of Spain, may be preserved in their integrity, promises that she will do what she can, and assist the Spaniards to re-establish the ancient limits of their American territories, and to settle them as they existed in the time of the above-mentioned Catholic King Charles II, if it shall be ascertained that they have been in any way or under any pretext violated or altered in any part thereof since the death of the said King Charles II."

Well, then, the boundaries up to which the possessions of Holland in the territory of Guiana extended in 1648, the date of the Treaty of Munster, are those alone which that nation can have ceded to England, because after that year no concession, sale, or acknowledgment of any kind on the part of Spain has augmented the Dutch dominions in the American regions.

Now, what were the limits which Spain was entitled to at the time when Charles II died in
C 1700, which, moreover, Great Britain undertook to preserve to her in all their integrity, even by affording assistance to rectify them in case they should have been infringed. This is the most important point to be ascertained, in order to throw full light on the matter, and to settle the question definitively in regard to the respective rights of the two countries.

The Undersigned will not stop here to avail himself of the valuable testimony of Herrera, the celebrated historian of Spain and the Indies, of which he wrote the "Decades" in the reign of Philip V, nor that of Father Pedro Murillo Velarde, who wrote in 1752, who, in concurrence with other writers of the epoch, unanimously assign to Spain the ownership of all Guiana; nor will he appeal to the public Treaty concluded in 1750 between Spain and Portugal, in which, both nations binding themselves to aid and assist each other until they were in peaceful enjoyment of their dominions in South America, the obligation on the part of Portugal is extended from the Amazons, or Marañon, to the borders of the Orinoco on both sides; nor to that of the Royal Decree issued at Aranjuez on the 5th March, 1768, in which it is stated, in reference to the primitive limits of Spanish Guiana, that on
D the south they reach to the Amazons, and on the east to the Atlantic Ocean. The Undersigned, inspired by the cordial disposition of the President of the Republic to propound the question in the light most favourable to Great Britain, so far as the rights of Venezuela allow, and most favourable to the friendly settlement which he desires to attain, without injury to the evident claims of the Republic, therefore restricts himself to adduce the authorities and documents which confine our dominions in the regions of Guiana to the narrowest bounds, provided that they are in any reasonable way deserving of serious attention.

Taking this course, then, it is found that such documents and quotations of the kind that are least favourable to the right of Venezuela fix the River Essequibo as the most advanced limit of the Dutch possessions, and the boundary between them and the Spanish dominions. The truth of this is verified by maps published in England, in France, and in Spain, by the opinions of geographers and historians, and by official acts of the Peninsular Government.

The learned La Condamine writes:—

E "Dutch Guiana begins at the River Marawine, and ends at the Essequibo: for Spanish Guiana there remains the country comprised between the Essequibo, where the Dutch Colony ends, and the Orinoco."

T. W. Norie, an English geographer, in his "Routier for the Coast of Guiana," printed in London in the year 1828, expresses himself thus:—

"British Guiana extends from the River Couranie to the north-west up to the Essequibo."

And he adds:—

"This was the real extent of the Colony arranged between the Spaniards and Dutch by the Treaty of Munster in 1648, and *which has never been revoked since then;* but the owners of English and Dutch plantations, having formed establishments to the north of these boundaries, and settled themselves on the banks of the Poumaroon, and beyond Cape Nassau, the boundaries claimed by the English now extend to the meridian of Cape Barima, *although that, in reality, constitutes what ought to be called Spanish or Columbian Guiana.*"

F Father Caulin, in his "Chorographic History of New Andalusia," Book iii, chap. 31, corroborates the statement of Norie, in the following words:—

"The Dutch got possession of the River Essequibo, established Colonies, and founded towns and large plantations, whilst they were carrying on illegal traffic, until they were ejected from thence in 1595; but they returned afterwards, and *spread themselves into the Spanish territory,* until they founded New Middelburgh on the River Poumaroon."

And De Alcalá, in his "Manual of Geography," printed in London, writing in 1837, still asserts at that date, in referring to British Guiana, that, "on the banks of the River Essequibo is the establishment of this name, belonging to England."

The Columbian historian, Señor José Manuel Restrepo, in explanation of the atlas which accompanies his "History of the Revolution of Columbia," uses these significant words: "Those (the limits) of the Guiana, now English, are traced so as to give to Spain the country up to the River Essequibo, as they are also marked in the best maps published in England itself." A

The following quotation from Reynal is worthy of special attention; it is from his "Philosophical History of the two Indies," tom. vi, lib. 12, No. 25, p. 282 *et seq.* of the Paris edition, 1820:—

"The Colony of Essequibo, situated near the river of this name, is 20 leagues distant from that of Berbice; the Dutch first settled in it; they, like other Europeans, swarmed into Guiana at the end of the sixteenth century, in the hope of finding gold. It is not known at what epoch they settled in Essequibo, though it is proved that the Spaniards drove them from thence in 1595. They afterwards returned to their post, but were expelled again by the English in 1666. This establishment was of little importance, and in 1740, after it was retaken, its productions hardly formed a ship's freight. Two or three years afterwards some colonists of Essequibo cast their eyes on the adjacent banks of the Demerara, which were found very fertile, and this discovery had very favourable consequences. After some time the works at Surinam were suspended on account of the bloody and ruinous war that had to be carried on with the negroes who had fled into the woods. Berbice was at the same time agitated by the insurrection of the slaves. Such was the origin of the three Colonies successively formed by the Dutch in Guiana." B

So it appears from Reynal's historical sketch that, in 1648, the date of the Treaty of Munster, the Dutch had been driven to the Essequibo, and that it was two years after 1740, that is forty-two years from the death of Charles II, that some colonists of Essequibo had to cast their eyes upon the adjacent banks of the Demerara.

"I do not think," says M. Dauxion Lavaysse, "that there is in the world a country more healthy, better watered, more fertile, and more agreeable for habitation than that situated, on one side between the Essequibo, and on the other between the Caroni and the Orinoco. This country, *which forms a considerable part of Spanish Guiana*, is more than 45 leagues from north to south, and 70 from east to west, and its extent is a sixth part of this Guiana." C

It was in this country that Spain founded her numerous Missions, which, by the testimony of all the historians who have treated of the labours of the Observantine Fathers, and by the demarcations contained in the Royal Decrees for the institution of Missions, embraced in Rio Negro an extent of 50 leagues, whilst the Catalonian Capuchins occupied the space between the Orinoco and Cape Nassau, and between the sea and the River Caroni, extending from the eastern banks of this and of the Paragua to the shores of the Imataca, of the Cumurú, and of the Cuyuni. At the south-east they bordered upon Dutch Guiana, or the Colony of Essequibo, this river being the dividing line; on the south they bordered on the desert banks of the Paragua and Paraguarí; and crossing the mountain range of Pacaraino, they came on to the Portuguese Colonies of the River Branco.

On this point there is conclusive force in the acknowledged fact of the resistance which the Government of the Spanish peninsula continually opposed to the invasions of the Dutch on the western shore of the Essequibo, at an epoch long subsequent to the Treaty of Munster. This appears in the instructions which the Intendant of Caracas, Don José de Abalos, issued on the 4th February, 1779, and in which he laid down rules for settling in the Province of Guiana, for the purpose of securing the limits of that territory. Article 2 of the said instructions is to the following effect:— D

"The aforesaid Dutch Colony of Essequibo, and the others which the States-General possess on those coasts, are generally on the borders of the rivers near the sea-shore, and they do not penetrate far into the interior of the country; and therefore at the back of Essequibo, and the other Dutch possessions, *going on to the East as far as French Guiana, and to the south as far as the River Amazons*, the ground is *unencumbered on their part*, and only occupied by the heathen Indians and a large number of fugitive negroes, slaves from the Dutch possessions, and also from the plantations of French Guiana. The Commissioners will therefore endeavour to occupy those lands, as belonging to Spain, their first discoverer, and never ceded since, *nor occupied at present by any other Power, nor has any Power a right to do so;* they will extend the occupation as much as possible to the east until it reaches French Guiana, and also as far as possible to the south until it arrives at the Portuguese boundaries." E

Article 4 of the instructions says:—

"It would be most expedient that the aforesaid occupation of the lands and the population thereof should commence in the rear of the Dutch establishments close to French Guiana, and especially a the rivers to which the names of Oyapok and Aprovak have been given."

The part of the instructions here copied received still more force from the corroboration thereof by the Royal Order of the 13th April, 1779.

The position of the Peninsular Government in regard to its dominion in the territory comprised between the Orinoco and the Essequibo, and its constant resistance to the invasions attempted by the Dutch, are, if possible, still more clearly and energetically shown in the Confidential Royal Order of the 1st October, 1780, by which Don José Felipe de Inciarte, officer of the Spanish navy, is charged to attack a fort which the Dutch had dared to construct on the bank of the River Moruca (Moroco), 2½ to 3 leagues distant from the Moracabuco Fall to N.E. ¼ E., and concerning which the said Inciarte had laid information the year before. In communicating his instructions to that officer, the Minister Don José Galves writes the following words in the Royal Order: "It is well understood that if the Director-General or Governor of Essequibo should complain of this act, the answer is to be that the proceedings in the matter have been and are taken in accordance with laws and general instructions for the advantageous government of our Indies, *which do not allow of such intrusions by foreigners in the Spanish dominions as those territories are;* the same will be said here if the States-General of Holland should make any complaints or representations." F

Thus far have we proceeded in developing the strict, trustworthy, and incontestable demonstration not only of Spain's lawful right to possess, but of the *fact* that she actually did possess up to 1779, as sole Sovereign thereof, all the territories comprised between the Orinoco and the River Essequibo;

A and if, as the Undersigned has already said above, it was sufficient to know what were the Spanish possessions which, in the Treaty of Munster in 1648, Holland, the founder of Great Britain's right, recognized as belonging to the Peninsula, the proof has been superabundant, for it has been brought down a century and a-third later.

And if the Essequibo was still the boundary of the dominions of the two nations in 1779, with all the more reason it was so in 1648, whence it is clear that so it was also in 1700, the year of the death of King Charles II, referred to in Great Britain's engagement taken in the Treaty of 1713, to which the Undersigned has alluded.

But there is something still more decisive, something of insuperable demonstrative force, as derived from the mutual testimony of both parties, of Spain and of Holland, in the Convention which they signed at Aranjuez on the 23rd June, 1791, for the reciprocal restitution of deserters and fugitives from their American Colonies. Article I thereof is to the following effect: "It is agreed that there shall be reciprocal restitution of fugitives, white or black, between all the Spanish
B possessions in America and the Dutch Colonies, especially between those in which the complaints of desertion have been most frequent, namely, between *Porto Rico and St. Eustace, Coro, and Curaçao, the Spanish establishments in Orinoco and Essequibo, Berbice, and Surinam.*" Where it is clearly expressed that just as *Porto Rico* is Spanish and *St. Eustace* Dutch, *Coro* Spanish and *Curaçao* Dutch, so all the establishments of the Orinoco are Spanish and, and how far? As far as the other boundary which designates what is Dutch, as far as the Essequibo, Berbice, and Surinam.

Here it is settled by Holland herself that her limits with Spain to the north only reach as far as the River Essequibo, already mentioned so often. And if this was so after the lapse of 143 years, is it not still more evident that it would have been so 143 years before, that is to say, at the date of the Treaty of Munster, and also almost a century earlier, at the date of the death of Charles II?

Every subsequent occupation of territory that should not have respected this limit would be an offence against all law, and achieved in manifest violation of Treaties made on the good faith of
C the nations safeguarded by the honour of the people who concluded them, and forming the most respected law that Governments acknowledge for their acts and relations. Usurpations of this kind, far from serving as matter for arguments of prescription—which would be untenable and absurd, in the first place, because it is not admitted between nations, and in the second, because even in the light of the civil law it would be devoid of all the conditions which this requires for its validity—would rather offer a fertile theme for claims on account of serious injuries, or for complaints, at least fully justified, for which it is not prudent to afford grounds when friendship is sincere and harmony earnestly desired.

This solid foundation upon which Venezuela supports her right to place the boundary of her possessions by the coast of Guiana in the mouth of the River Essequibo, and the well-grounded confidence which the President of the Republic entertains in the strict feeling of justice which is natural to Her Majesty the Queen of Great Britain, lead him to hope that the solution of this question already for so many years delayed, will be a work of very speedy and cordial agreement.

D The Undersigned avail, &c.

(Signed) EDUARDO CALCAÑO.

No. 28.

Señor de Rojas to the Earl of Derby.

My Lord, 94, *Gloucester Place, Portman Square, February*, 13, 1877.

I AM instructed by my Government to call your Lordship's attention to the convenience of determining by Treaty the boundaries between British Guiana and the Republic of Venezuela.

E This question was discussed by Her Majesty's Government in the years 1841 to 1844 without any definitive result, because the proposal of a Conventional line submitted to the Venezuelan Minister at this Court by the Honourable Lord Aberdeen, Secretary of State for Foreign Affairs, in his despatch of the 30th March, 1844, could not be accepted by my Government for the following reasons:—

1. That the proposed line was exceedingly prejudicial to some Venezuelan Settlements in that region, and was offered at the same time to my Government on behalf of the British Crown as a concession out of friendly regard to Venezuela, and not as a right, which we thought we were intitled to demand.

2. Because the condition establishing that the Venezuelan Government should enter into an engagement with the British Government, that no portion of that territory should be alienated at any time to any foreign Power, was considered by my Government as detrimental to the independence and sovereignty of the Republic. By our Constitution not a single inch of territory can be sold to a foreign Power, and if any Government in Venezuela should attempt to do it, they would be con-
F sidered as traitors, and immediately overthrown. But this prescription of our internal and Constitutional law has a different character if it is imposed by a foreign Power.

We are disposed, my Lord, to settle this long-pending question in the most amicable manner, and to decide it according to what Her Majesty's Government may deem most convenient, that is to say, either accepting as a boundary the line which may result according to the titles, maps, documents, and proofs which either party shall present, emanating from the Spanish and Dutch authorities, up to the time that they intervened in this matter, or accepting a conventional line, fixed by mutual accord between the Governments of Venezuela and Great Britain, after a careful and friendly consideration of the case, keeping in view the documents presented by both parties, solely with the object of reconciling their mutual interests, and to fix a boundary as equitable as possible.

Annex 23

Letter from Señor de Rojas to the Earl of Derby (13 Feb. 1877)

But there is something still more decisive, something of insuperable demonstrative force, as derived from the mutual testimony of both parties, of Spain and of Holland, in the Convention which they signed at Aranjuez on the 23rd June, 1791, for the reciprocal restitution of deserters and fugitives from their American Colonies. Article I thereof is to the following effect: "It is agreed that there shall be reciprocal restitution of fugitives, white or black, between all the Spanish possessions in America and the Dutch Colonies, especially between those in which the complaints of desertion have been most frequent, namely, between *Porto Rico and St. Eustace, Coro, and Curaçao, the Spanish establishments in Orinoco and Essequibo, Berbice, and Surinam.*" Where it is clearly expressed that, just as *Porto Rico* is Spanish and *St. Eustace* Dutch, *Coro* Spanish and *Curaçao* Dutch, so all the establishments of the Orinoco are Spanish, and how far? As far as the other boundary which designates what is Dutch, as far as the Essequibo, Berbice, and Surinam.

Here it is settled by Holland herself that her limits with Spain to the north only reach as far as the River Essequibo, already mentioned so often. And if this was so after the lapse of 143 years, is it not still more evident that it would have been so 143 years before, that is to say, at the date of the Treaty of Munster, and also almost a century earlier, at the date of the death of Charles II?

Every subsequent occupation of territory that should not have respected this limit would be an offence against all law, and achieved in manifest violation of Treaties made on the good faith of the nations, safeguarded by the honour of the people who concluded them, and forming the most respected law that Governments acknowledge for their acts and relations. Usurpations of this kind, far from serving as matter for arguments of prescription—which would be untenable and absurd, in the first place, because it is not admitted between nations, and, in the second, because even in the light of the civil law it would be devoid of all the conditions which this requires for its validity—would rather offer a fertile theme for claims on account of serious injuries, or for complaints, at least fully justified, for which it is not prudent to afford grounds when friendship is sincere and harmony earnestly desired.

This solid foundation upon which Venezuela supports her right to place the boundary of her possessions by the coast of Guiana in the mouth of the River Essequibo, and the well-grounded confidence which the President of the Republic entertains in the strict feeling of justice which is natural to Her Majesty the Queen of Great Britain, lead him to hope that the solution of this question, already for so many years delayed, will be a work of very speedy and cordial agreement.

The Undersigned avails, &c.

(Signed) EDUARDO CALCAÑO.

No. 82.

Señor de Rojas to the Earl of Derby.—(*Received February* 14.)

My Lord, 94, *Gloucester Place, Portman Square, February* 13, 1877.

I AM instructed by my Government to call your Lordship's attention to the convenience of determining by Treaty the boundaries between British Guiana and the Republic of Venezuela.

This question was discussed by Her Majesty's Government in the years 1841 to 1844 without any definitive result, because the proposal of a Conventional line submitted to the Venezuelan Minister at this Court by the Honourable Lord Aberdeen, Secretary of State for Foreign Affairs, in his despatch of the 30th March, 1844, could not be accepted by my Government for the following reasons:—

1. That the proposed line was exceedingly prejudicial to some Venezuelan settlements in that region, and was offered at the same time to my Government on behalf of the British Crown as a concession out of friendly regard to Venezuela, and not as a right which we thought we were entitled to demand.

2. Because the condition establishing that the Venezuelan Government should enter into an engagement with the British Government, that no portion of that territory should be alienated at any time to any foreign Power, was considered by my Government as detrimental to the independence and sovereignty of the Republic. By our Constitution not a single inch of territory can be sold to a foreign Power, and if any Government in Venezuela should attempt to do it, they would be con-

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Annex 23

sidered as traitors, and immediately overthrown. But this prescription of our internal and Constitutional law has a different character if it is imposed by a foreign Power.

We are disposed, my Lord, to settle this long-pending question in the most amicable manner, and to decide it according to what Her Majesty's Government may deem most convenient, that is to say, either accepting as a boundary the line which may result according to the titles, maps, documents, and proofs which either party shall present, emanating from the Spanish and Dutch authorities, up to the time that they intervened in this matter, or accepting a conventional line, fixed by mutual accord between the Governments of Venezuela and Great Britain, after a careful and friendly consideration of the case, keeping in view the documents presented by both parties, solely with the object of reconciling their mutual interests, and to fix a boundary as equitable as possible.

I beg to state here that my Government is in possession of the most effective and authentic titles, which prove that up to the time before alluded to the River Essequibo was the eastern limit of the Spanish possessions on that coast; and if I make this assertion, the correctness of which we can establish, if the day arrives, I have not had the slightest desire of putting forward a claim which my Government do not intend to maintain, for reasons of particular consideration towards the British Government, but only to impress upon your Lordship's mind the convenience of adopting the plan of a Conventional line mutually satisfactory, to prevent the occurrence of serious differences in the future, particularly as Guiana is attracting the general attention of the world, on account of the immense riches which are daily being discovered there.

If Her Majesty's Government concurs in these views, I shall be very happy to know if your Lordship deems it convenient to proceed to the adjustment of the proposed Treaty at once, or if it be considered more convenient to appoint a Mixed Commission by both Governments to survey with the least possible delay certain points of the territory in dispute, in order to ascertain if, by adopting a Conventional line, we can establish, on behalf of both countries, a natural boundary.

At the same time I shall be very happy if your Lordship should accept the tenour of this note with the same spirit of goodwill and consideration with which it has been written in obedience to the especial orders of my Government.

I have, &c.
(Signed) JOSÉ M. ROJAS.

No. 83.

The Earl of Derby to Señor Calcaño.

M. le Ministre, *Foreign Office, February* 16, 1877.

I HAVE the honour to acknowledge the receipt of two despatches from your Excellency, dated the 14th November last, two dated the 2nd December,* one dated the 9th December, and one dated the 11th December,* relating to various questions between the Governments of Her Majesty and that of the Republic of Venezuela.

I have also had the honour to receive a further despatch from your Excellency, dated the 11th December, informing me of the appointment of Señor Dr. José Maria Rojas as Minister Resident of the Republic of Venezuela at this Court.

Señor Rojas, who has since arrived in England, has been received in audience by Her Majesty the Queen, and has entered upon his functions as Venezuelan Minister; and as I presume that he will be furnished with instructions upon the matters to which your Lordship's above-mentioned despatches relate, it is unnecessary that I should say more in reply to those despatches than that Her Majesty's Government will always be happy to receive and will give the most earnest attention to any representations which the Venezuelan Government may think fit to address to them, either through Señor Rojas or through Mr. Middleton, Her Majesty's Minister Resident at Carácas.

I have, &c.
(Signed) DERBY.

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* Not referring to Boundary question.

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Annex 24

Letter from The Marquess of Salisbury to Señor de Rojas (10 Jan. 1880)

A If Her Majesty's Government should prefer the line of strict right, it is obvious that each party will have to produce its documentary claims, and that the line of demarcation shall be that which those documentary claims determine in a clear and evident manner. Those which Venezuela has in her possession prove to conviction that the River Essequibo is the eastern boundary of Venezuelan Guiana, starting from the date of the Treaty of Munster in 1648, from which no one disputed the right of Spain to those territories up to 1814, when the Dutch Colony passed into the possession of the British Crown. If Her Britannic Majesty's Government should wish to conclude the Treaty on the basis of adopting the line of strict right, I have received orders to solicit in such case that your Excellency would be pleased, if you think fit, to appoint a Plenipotentiary to open the Conferences with me.

If Her Britannic Majesty's Government should prefer the frontier of accommodation or convenience, then it would be desirable than it should vouchsafe to make a proposition of an arrangement, on the understanding that, in order to obviate future difficulties, and to give Great Britain the fullest B proof of the consideration and friendship which Venezuela professes for her, my Government would not hesitate to accept a demarcation that should satisfy as far as possible the interests of the Republic.

At all events, my Lord, something will have to be done to prevent this question from pending any longer.

Thirty-eight years ago my Government wrote, urging Her Majesty's Government to have the Boundary Treaty concluded, and now this affair is still in the same position as in 1841, without any settlement; meanwhile Guiana has become of more importance than it was then, by reason of the large deposits of gold which have been and still are met with in that region.

My Government hopes that Her Britannic Majesty's Government will receive these intimations in a kindly spirit, and, if it considers them reasonable, will be pleased to honour the Venezuelan Government with a satisfactory answer.

C I have, &c.
(Signed) J. M. DE ROJAS.

No. 31.

The Marquess of Salisbury to Señor de Rojas.

M. Le Ministre, *Foreign Office, January* 10, 1880.

WITH reference to my letters of the 2nd and 4th June last,* I have the honour to state that Her Majesty's Government have had under their consideration your two letters of the 19th May,† one relating to the boundary between Venezuela and British Guiana, the other to the claim put forward D by Venezuela to the Island of Patos, which is held by Great Britain as a dependency of the Colony of Trinidad.

With regard to the first of these questions, I have the honour to state that Her Majesty's Government are of opinion that to argue the matter on the ground of strict right would involve so many intricate quesions connected with the original discovery and settlement of the country, and subsequent conquests, cessions, and Treaties, that it would be very inlikely to lead to a satisfactory solution of the question; and her Majesty's Government would therefore prefer the alternative course suggested by you, of endeavouring to come to an agreement with the Government of Venezuela as to the acceptance by the two Governments of a frontier or accommodation which shall satisfy the respective interests of the two countries.

The boundary which her Majesty's Government claim, in virtue of ancient Treaties with the aboriginal tribes and of subsequent cessions from Holland, commences at a point at the mouth of the Orinoco, westward of Point Barima, proceeds thence in a southerly direction to the Imataca E Mountains, the line of which it follows to the north-west, passing from them by the Highlands of Santa Maria just south of the town of Upata until it strikes a range of hills on the eastern bank of the Caroni River, following these southwards until it strikes the great backbone of the Guiana district, the Roraima Mountains of British Guiana, and thence, still southward, to the Pacaraima Mountains.

On the other hand, his Excellency General Guzman Blanco, President of the Republic of Venezuela, in his Message to the National Congress on the 20th February, 1877, put forward a claim on the part of Venezuela to the River Essequibo as the boundary to which the Republic was justly entitled, a boundary, I may observe, which would involve the surrender of a province now inhabited by 40,000 British subjects, and which has been in the uninterrupted possession of Holland and of Great Britain successively for two centuries.

The difference, therefore, between these two claims, M. le Ministre, is so great that it is clear that in order to arrive at a satisfactory arrangement, each party must be prepared to make very considerable concessions to the other; and, although the claim of Venezuela to the Essequibo River F boundary could not, under any circumstances, be entertained, I beg leave to assure you that Her Majesty's Government are anxious to meet the Venezuelan Government in a spirit of conciliation, and would be willing, in the event of a renewal of negotiations for the general settlement of boundaries, to waive a portion of what they consider to be their strict rights, if Venezuela is really disposed to make correspoding concessions on her part.

Her Majestys Government will therefore be glad to receive, and will undertake to consider in the most friendly spirit, any proposal that the Venezuelan Government may think fit to make for the establishment of a boundary satisfactory to both nations.

* Referring to the Island of Patos. † One letter refers to the Island of Patos.

As regards the question to which your second letter relates, M. le Ministre, I have the honour to state that, in view of the fact that the Island of Patos has been held by Great Britain as a dependency of the Colony of Trinidad since 1797, and that the British title to it was not questioned by Venezuela until 1859, Her Majesty's Government consider that, apart from all other grounds, so long a term of undisputed possession confers upon Great Britain an indefeasible title to the island. A

I have, &c.
(Signed) SALISBURY.

No. 32. B

Señor de Rojas to Earl Granville.

(Translation.) *Legation of the United States of Venezuela,*
My Lord, *37, Rue de la Bienfaisance, Paris, September* 23, 1880.

YOUR Excellency's predecessor did me the honour of informing me on the 23rd April last that Her Britannic Majesty's Government was waiting for the arrival of the Attorney-General of British Guiana in London, where he was expected in a few days, to decide the question of the boundaries of the two Guianas, as well as the affair of the Island of Patos. As five months have now passed by, and your Excellency has not honoured me with a communication on these matters, I am bound to suppose that the said Attorney-General has not accomplished his voyage, and in that case it would be useless to wait for him any longer. C

It appears to me appropriate to remind your Excellency that, on the 24th March, 1877, your Excellency's predecessor, Lord Derby, announced to me that as the Governor of the British Colony was expected at that time, Her Majesty's Government then, too, preferred the postponement of these questions until the arrival of that officer, who, it seems, never came, for no fresh communication announcing his arrival was made to me as had been promised.

Consequently, it is best not to go on waiting either for the Governor or for the Attorney-General of the Colony, but to decide these questions ourselves, considering that my Government is now engaged in preparing the official map of the Republic, and wishes, of course, to mark out the boundaries on the east.

In my despatch of the 12th April last I informed your Excellency that, as the basis of a friendly demarcation, my Government was disposed to accept the mouth of the River Moroco as the frontier on the coast. If Her Britannic Majesty's Government should accept this point of departure it would be very easy to determine the general course of the frontier, either by means of notes or in verbal conferences, as your Excellency might prefer. D

With respect to the Island of Patos, I trust that my note of the 14th April last will have convinced your Excellency that it is necessary to submit that affair to arbitration, and with this idea I would ask your Excellency whether the nomination of the arbitrator may now be proceeded with.

I have, &c.
(Signed) J. M. DE ROJAS.

No. 33. E

Señor de Rojas to Foreign Office.

Legation of the United States of Venezuela,
Dear Sir, *37, Rue de la Bienfaisance, Paris, November* 17, 1880.

OWING to sore eyes I have been unable to go to London in the last two months, but I am very anxious to know if my communication addressed to his Excellency Lord Granville on the 23rd September ultimo, about the Guayana limits has been received by you, and if I will soon have an answer.

I would be very much pleased to arrive at a satisfactory end of this question, which is pending during sixty years already. Allow me to express the same desire about the little question of Patos. I know that you have been extremely busy on account of the Eastern Question, but as things appear to be quiet at present, I do not doubt that you will have time enough to devote yourself to the New World. F

I beg you to accept my best thanks for your acting in this sense, and have, &c.
(Signed) DE ROJAS.

Annex 25

Letter from Señor Seijas to Colonel Mansfield (15 Nov. 1883)

Inclosure in No. 51.

Señor Seijas to Colonel Mansfield.

(Translation.)

M. Le Ministre, *Carácas, November* 15, 1883.

I HAD the honour to receive the note, dated the 15th October last, in which your Excellency is A
good enough to explain the contents of the instructions lately transmitted by Lord Granville, Her Britannic Majesty's Minister of Foreign Affairs, to urge upon the Government of Venezuela the importance of a joint and speedy settlement of the questions pending between the two countries.

These Questions are, in the opinion of the noble Lord, as follows:—

1. The boundary between Venezuela and British Guayana.
2. The differential duties upon imports from British Colonies into Venezuela.
3. The actual claims of British creditors against the Republic.

Your Excellency is good enough to add to the above, with the authorization of Lord Granville, the favourable views of Her Majesty Government with regard to the Venezuelan claim to the Island of Patos, should the above-mentioned questions arrive at a satisfactory solution, as is indeed to be hoped.

His Excellency the President of the Republic highly appreciates the terms in which Lord B
Granville's instructions appeared to be conceived, as well as the desire which they manifest that the subjects under consideration should receive a prompt and simultaneouos solution; (he appreciates them) for the reason that they demonstrate the really friendly spirit and high-minded views entertained by Her Majesty's Government, and (that they) at the same time justify and confirm the conviction, of which his Excellency has never lost sight, that it is impossible, bearing in mind all their antecedents, that the generous demeanour of Great Britain towards Venezuela should cease to maintain that aspect which has hitherto prevailed.

With neither rights nor legitimate interests which could in any way be considered to wear an antagonistic character between the two countries, the time-honoured wisdom of the Cabinet of St. James' being borne in mind, the unremitting cordiality of the young Republic to worthily meet such favourable sentiments, and the reciprocated proofs of an especial deference (firmly) installed for all times (of our history), there can, at the present moment, exist no other prospect than that of the possibility of effecting a disappearance of every cause for discussion between the two Governments. C

There is interposed but one obstacle, albeit of a secondary consideration, with regard to the *modus operandi*, and I am directed by his Excellency the President to point out the same for the consideration of Her Majesty's Government with the hope that it may be eliminated.

The difficulty mainly consists in the wish of the President of the Republic to possess the credit of having terminated with advantage at once reciprocal and productive of results, all differences in the important relations between the Republic and Great Britain, before the 20th of next February, the date when his Excellency retires from the exercise of the executive power; entertaining, as he does, the absolute certainty of securing the approval of the Congress of the Republic for any arrangement to which his Excellency might have agreed.

This desire, which exactly corresponds with that to which Lord Granville gives expression with urgency, would, however, be incompatible with the proposal to carry on the negotiations in London. even were his Excellency the President in a position at present to appoint a minister accredited to Her Majesty by the Republic, in the (usual) manner in conformity with our laws; but, unfortunately, D
this is not the case when brought into relation with the Budget of the current financial year, nor could such an arrangement be carried into effect until next spring with the (consequent) arrangement of the new Budget.

The boundary question, the principal subject indeed recommended to our notice by Lord Granville, is precisely the subject which, during the last year, has delayed the course of negotiation on account of the hope entertained by the Government of being able to overcome by some means the grave impediment offered by the Constitution, or Fundamental Law, of the Republic to the concluding of Treaties relating to boundaries.

The Constitution in definite terms asserts its incapacity to accord to any power, however exalted in the State, the right of alienating or ceding in any case or manner either by exchange or indemnity the smallest portion of any territory assumed to constitute a part of the dominions of the Republic.

The illustrious American President of the Republic has during the past year been in consultation with the most eminent jurists and public men seeking for the means which might lead to a solution of E
the boundary question of Guayana by means of a Treaty; but all the documents and talented persons (consulted) concur in affirming even more forcibly that the frontier legally inherited by the Republic with the former Dutch Colony, at present a British possession, is the River Essequibo, and thus has been rendered evident the impossibility of bringing this discussion to a conclusion by any other means than by the decision of an Arbitrator who, freely and unanimously chosen by the two Governments, would judge and pronounce a sentence of a definite character.

This is the obstacle which falls in the path of his Excellency the President with regard to satisfying as he would wish, with the best possible good-will, Lord Granville's desire to settle by means of a Treaty every point of discussion between the two Governments.

A sentence *juris* would impose an obligatory and happy solution to the boundary question, and in consequence, his Excellency the President desires me to seriously submit, for Lord Granville's consideration, through your Excellency's worthy medium, the urgent necessity for the unanimous nomination of an Arbitrator in order that between the present time and next February the friendly F
views of both Governments may receive satisfaction, and this line of action would only depend upon Her Majesty's Government considering it convenient to instruct their Legation at Carácas to come to

an understanding with the Government of Venezuela, without further delay, with regard to such an appointment.

The negotiation concerning the Additional Articles to the present Treaty, suggested by Venezuela, and so essentially necessary for the most complete (good) understanding for the future, as well as the difficulty arising out of the differential duties; that concerning the claims of the British creditors; and that referring to the Island of Patos might attain the desired solution during the time in which the Arbitrator should be drawing up his decision respecting the boundary, were Her Majesty's Government, taking into consideration the force of the circumstances created by the limited term of the 20th day of February, to agree to carry out these negotiations in Carácas.

By this means his Excellency would have the satisfaction of attaining, before the 20th February, the object of his ambition, namely, of leaving settled every difference between the Rupublic and her time-honoured friend Great Britain.

This end would be efficiently achieved should Lord Granville consider it advisable to comprise, in the instructions to be transmitted to the British Legation in Carácas, all the points relating to the claims of British subjects against Venezuela, carrying out the Convention already proposed to Her Majesty's Government to convert the balance of the claims into a "Diplomatic Debt," represented by bonds bearing 3 per cent. interest; in reference to which it may on this occasion be opportune to bear in mind that Italy has, in the form of a Treaty, agreed to a similar mode of payment, the most usual at the present day, as well as the most advantageous both for the legitimate creditor and the honourable debtor.

Spain has accepted the arrangement (after) funding the property of her subjects, who are thoroughly well satisfied. Germany has affirmed, in agreement, that she accepts this settlement, should the same be accepted by the other creditors.

With regard to the request for information which Lord Granville has been pleased to prefer arising out of the recommendation by the United States of North America respecting the French claims, it has been submitted semi-officially to the French Government, which had declined to receive the quota assigned to them of the 13 per cent. assigned by law for the payment of diplomatic claims, that a ready-money payment should be made to them of 400,000 fr. to 500,000 fr., with the understanding that the balance of their claim, which, when finally settled, would probably not amount to a similar sum, should be paid off in bonds of the Diplomatic Debt, bearing 3 per cent. interest, or with the cash payment of 13,242 fr. a-month instead of 11,637 fr., now the amount of their monthly quota.

I have thus carried out the orders of his Excellency the President with clearness, and with the exactness required by the insufficiency of time, limited as it is by the date of the 20th February, and which is invited by the earnestly expressed desire of Lord Granville, a desire which your Excellency has recommended to us with friendly emphasis; and the President continues to cherish the hope of obtaining the credit to which he aspires (namely), of leaving the Government of the Republic in the most friendly harmony and free from any point for discussion with the illustrious Government of Great Britain.

I have, &c.
(Signed) RAFAEL SEIJAS.

No. 52.

Earl Granville to Colonel Mansfield.

Sir, *Foreign Office, February* 29, 1884.

I REFERRED to Her Majesty's Secretary of State for the Colonies the proposal made by the Venezuelan Government to Her Majesty's Government, and communicated in your despatch of the 22nd November last, that the question of the disputed boundary between British Guiana and Venezuela should be submitted to arbitration.

A reply has now been received, stating that the Earl of Derby observes, from your despatch above referred to, that a new difficulty is introduced into this question by the statement made to you by the Venezuelan Government that the Constitution of the Republic, which prohibits any cession of territory assumed to constitute a part of the dominions of the Republic, prevents the solution of the boundary question by means of a Treaty. His Lordship expresses the fear that if Her Majesty's Government consent to arbitration, the same provision of the Constitution may be invoked as an excuse for not abiding by the Award should it prove unfavourable to Venezuela. If, on the other hand, the Arbitrator should decide in favour of the Venezuelan Government to the full extent of their claim, a large and important territory, which has for a long period been inhabited and occupied by Her Majesty's subjects, and treated as part of the Colony of British Guiana, would be severed from the Queen's dominions.

For the above-mentioned reasons, therefore, the circumstances of the case do not appear to Her Majesty's Government to be such as to render arbitration applicable for a solution of the difficulty, and I have accordingly to request you, in making this known to the Venezuelan Government, to express to them the hope of Her Majesty's Government that some other means may be devised for bringing this long-standing matter to an issue satisfactory to both Powers.

I am, &c.
(Signed) GRANVILLE.

Annex 26

Letter from Señor Seijas to Colonel Mansfield (9 Apr. 1884) (*Inclosure* in *Letter* from Colonel Mansfield to Earl Granville (18 Apr. 1884))

No. 118.

Colonel Mansfield to Earl Granville.—(Received May 14.)

(Extract.) *Carácas, April 18, 1884.*

WITH reference to my despatch of the 10th instant, I have the honour to transmit to your Lordship a copy and translation of a note from Señor Seijas in answer to mine, in which his Excellency explains, at further length, the reasons which, in compliance with the provisions of their Constitution, preclude the Venezuelan Government from settling the boundary question with British Guiana by any other means than arbitration.

I have replied to Señor Seijas that your Lordship may perhaps discuss the matter with the new Venezuelan Minister in London, but that I must abstain from further interchange of views, as I might be drifted into engaging in discussion and consideration of points concerning which negotiations will be carried on in London, in the event of Venezuela being represented in that capital, and only in a contrary contingency in Carácas.

Were this Government really desirous to promote a settlement, the 118th Article of their Constitution permits reform or modification of the same by Congress, but, of course, it is not to be expected that they will alter their Constitution in order to effect what they would probably prefer leaving undone.

Since 1830 Venezuela has possessed six Constitutions, and many more will doubtless be adopted; the only hope, therefore, which remains is that some future Constitution may be conceived in a different sense upon this point, or that one of the former more favourable Constitutions will again come into operation.

Inclosure in No. 118.

Señor Seijas to Colonel Mansfield.

(Translation.)

M. le Ministre Résident, *Carácas, April 9, 1884.*

I HASTENED to communicate to the illustrious American your Excellency's answer to the note in which I explained the reasons for the proposal made by Venezuela for the settlement of the dispute concerning the boundaries between the two countries, and in which, moreover, I requested Her Majesty's Government to point out some other means for attaining the object in view, by some course compatible with the Constitution of the Republic.

After examining the question your Excellency invites the President to give his consideration to the point, whether a district, concerning the sovereignty of which there has existed a discussion with a foreign Power since the earliest days of Venezuela, is to be regarded as so integral a part of the territory of the Republic as to preclude, within the limits of the Constitution, the possibility of a rectification of frontier by Treaty.

Your Excellency also observes that neither in the proposals of Lord Aberdeen nor in those of Lord Granville does the Government of Her Majesty suggest that the entire territory which, at one time, has been assumed to be comprised in the British possessions, as inherited from the Dutch, should now be declared British territory; and that, as your Excellency understands the case, in both the proposals the original frontier has receded in favour of Venezuela; and that under the term of "rectification of frontier by Treaty," it may perhaps be possible for the President to consider the subject as included in the provisions of the Constitution.

I proceed to state to your Excellency the opinion of the First Magistrate upon this subject.

All the Constitutions of Venezuela have established that the frontiers (of the Republic) be the same as those which corresponded in 1810 to the "Captaincy-General of Venezuela."

In those of 1830 and 1857 the Congress possessed the power to decree alienation, exchange, or acquisition of territory.

In that of 1858 it is laid down that no portion of territory can pass by alienation to the rule of another Power, but that this provision is not to serve as an obstacle to arrangements which shall have become indispensable for fixing the boundaries of the Republic with neighbouring nations, always with the condition that by such arrangements no inhabitant should lose his nationality.

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Annex 26

Forming as it does a contrast with this last clause, there stands written in the Constitutions of 1864, 1874, and 1881 the following Article 13: "The States of the Federation of Venezuela are under the obligation . . . . not to alienate to a foreign Power any portion of their territory, or to ask, or solicit, their assistance, or entertain political or diplomatic relations with other nations, for this last remains reserved to the Federal Power."

Here then are prohibitions which refer to the States, whether in an individual or collective character, and these are (the prohibitions) concerning the territory and the extreme care for protection against (any) other Power. The other prohibition does not regard the States except in their individual character, for one of the objects of the Union is to delegate the sovereignty contained in the (political) entity which constitutes the whole.

Venezuela and Great Britain possess the same rights in the question under discussion. If the Republic should yield up any part of her pretensions, she would recognize the superior right of Great Britain, would violate the above-quoted Article of the Constitution, and draw down the censure of her fellow-citizens.

But when both nations, putting aside their independence (of action) in deference to peace and good friendship, create by mutual consent a Tribunal which may decide in the controversy, the same is able to pass sentence that one of the two parties, or both of them, have been mistaken in their opinions concerning the extent of their territory. Thus the case would not be in opposition to the Constitution of the Republic, there being no alienation of that which shall have been determined not to be her property.

Arbitration alone possesses that advantage among the means for settling international disputes, above all when it has become palpable that an arrangement or transaction has become an impossibility for attaining the desired aim.

What is mentioned by your Excellency concerning Her Majesty's Government not aspiring now to what they originally believed to be the boundaries of Guayana, proves that there may be a colour of their modifying their opinion upon the particular point which is now being handled. But I beg leave to observe that the proposal of Lord Granville, for some unknown reason, is less favourable to Venezuela than that of Lord Aberdeen, since the latter spontaneously offered as the boundary the course of the River Moroco, while the former has traced a line more towards the north, coming out at a point on the coast 29 miles of longitude to the east of the right bank of the River Barima.

I have, &c.
(Signed) RAFAEL SEIJAS.

No. 119.

Earl Granville to Colonel Mansfield.

Sir, *Foreign Office, June* 19, 1884.

I HAVE had under my consideration, in communication with Her Majesty's Secretary of State for the Colonies, to whom they were referred, your despatches of the 10th and 18th April respectively, in regard to the Guiana boundary.

I have to state to you that Her Majesty's Government adhere to their objection to arbitration as the mode of dealing with this question, and you should continue to press the Venezuelan Government to devise some means of settling it by agreement.

I am, &c.
(Signed) GRANVILLE.

No. 120.

Colonel Mansfield to Earl Granville.—(Received July 26.)

My Lord, *Carácas, July* 2, 1884.

I HAVE the honour to forward to your Lordship a copy of the official journal of this Government,* containing a contract signed on the 21st May, together with a

* Not printed.

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Annex 27

Letter from Earl Granville to Colonel Mansfield (29 Feb. 1884)

A an understanding with the Government of Venezuela, without further delay, with regard to such an appointment.

The negotiation concerning the Additional Articles to the present Treaty, suggested by Venezuela, and so essentially necessary for the most complete (good) understanding for the future, as well as the difficulty arising out of the differential duties; that concerning the claims of the British creditors; and that referring to the Island of Patos might attain the desired solution during the time in which the Arbitrator should be drawing up his decision respecting the boundary, were Her Majesty's Government, taking into consideration the force of the circumstances created by the limited term of the 20th day of February, to agree to carry out these negotiations in Carácas.

By this means his Excellency would have the satisfaction of attaining, before the 20th February, the object of his ambition, namely, of leaving settled every difference between the Rupublic and her time-honoured friend Great Britain.

This end would be efficiently achieved should Lord Granville consider it advisable to comprise,
B in the instructions to be transmitted to the British Legation in Carácas, all the points relating to the claims of British subjects against Venezuela, carrying out the Convention already proposed to Her Majesty's Government to convert the balance of the claims into a "Diplomatic Debt," represented by bonds bearing 3 per cent. interest; in reference to which it may on this occasion be opportune to bear in mind that Italy has, in the form of a Treaty, agreed to a similar mode of payment, the most usual at the present day, as well as the most advantageous both for the legitimate creditor and the honourable debtor.

Spain has accepted the arrangement (after) funding the property of her subjects, who are thoroughly well satisfied. Germany has affirmed, in agreement, that she accepts this settlement, should the same be accepted by the other creditors.

With regard to the request for information which Lord Granville has been pleased to prefer arising out of the recommendation by the United States of North America respecting the French
C claims, it has been submitted semi-officially to the French Government, which had declined to receive the quota assigned to them of the 13 per cent. assigned by law for the payment of diplomatic claims, that a ready-money payment should be made to them of 400,000 fr. to 500,000 fr., with the understanding that the balance of their claim, which, when finally settled, would probably not amount to a similar sum, should be paid off in bonds of the Diplomatic Debt, bearing 3 per cent. interest, or with the cash payment of 13,242 fr. a-month instead of 11,637 fr., now the amount of their monthly quota.

I have thus carried out the orders of his Excellency the President with clearness, and with the exactness required by the insufficiency of time, limited as it is by the date of the 20th February, and which is invited by the earnestly expressed desire of Lord Granville, a desire which your Excellency has recommended to us with friendly emphasis; and the President continues to cherish the hope of obtaining the credit to which he aspires (namely), of leaving the Government of the Republic in the most friendly harmony and free from any point for discussion with the illustrious Government of
D Great Britain.

I have, &c.
(Signed) RAFAEL SEIJAS.

No. 52.

Earl Granville to Colonel Mansfield.

Sir, *Foreign Office, February* 29, 1884.

I REFERRED to Her Majesty's Secretary of State for the Colonies the proposal made by the
E Venezuelan Government to Her Majesty's Government, and communicated in your despatch of the 22nd November last, that the question of the disputed boundary between British Guiana and Venezuela should be submitted to arbitration.

A reply has now been received, stating that the Earl of Derby observes, from your despatch above referred to, that a new difficulty is introduced into this question by the statement made to you by the Venezuelan Government that the Constitution of the Republic, which prohibits any cession of territory assumed to constitute a part of the dominions of the Republic, prevents the solution of the boundary question by means of a Treaty. His Lordship expresses the fear that if Her Majesty's Government consent to arbitration, the same provision of the Constitution may be invoked as an excuse for not abiding by the Award should it prove unfavourable to Venezuela. If, on the other hand, the Arbitrator should decide in favour of the Venezuelan Government to the full extent of their claim, a large and important territory, which has for a long period been inhabited and occupied by Her Majesty's subjects, and treated as part of the Colony of British Guiana, would be severed from
F the Queen's dominions.

For the above-mentioned reasons, therefore, the circumstances of the case do not appear to Her Majesty's Government to be such as to render arbitration applicable for a solution of the difficulty, and I have accordingly to request you, in making this known to the Venezuelan Government, to express to them the hope of Her Majesty's Government that some other means may be devised for bringing this long-standing matter to an issue satisfactory to both Powers.

I am, &c.
(Signed) GRANVILLE.

Annex 28

Letter from Señor Urbaneja to Mr. F. R. St. John (20 Feb. 1887)

territory, and that the "Manoa" Company's agents did not overstep Venezuelan limits, which he has arbitrarily fixed at the Pomeroon River. A

There appears little doubt that the inclosed Venezuelan note is not intended to answer our arguments, but to mislead the world generally, and the Venezuelan public in particular, when it comes to be published.

I have, &c.
(Signed) F. R. ST. JOHN.

Inclosure in No. 80.

B

Señor Urbaneja to Mr. F. R. St. John.

(Translation.)

Sir, *Carácas, February* 20, 1887.

THE Republic of Venezuela succeeded Spain in her rights over the Captaincy-General of that name by the Treaty of Recognition signed at Madrid on the 20th March, 1845.

Of the Captaincy-General the Province of Guiana formed part. Its limits were, on the east by the Atlantic Ocean, and on the south the River Amazon.

Only by cession on the part of Spain could these boundaries be trenched on.

The Dutch having made themselves masters of certain spots in Guiana during their long war of emancipation, Spain, on recognizing their independence, sanctioned their usurpations on the American coasts by the Treaty concluded at Munster on the 30th January, 1648.

The Settlements which she was surrendering to the Dutch were not therein specified, but in the Treaty of Extradition of Aranjuez, dated the 23rd June, 1791, the Colonies of Puerto Rico, Coro, and the Orinoco were mentioned as Spanish, while those of St. Eustache, Caraçao, Essequibo, Demerara, Berbice, and Surinam, lying opposite to them, as Dutch. C

Of the four last-mentioned Colonies the Low Countries ceded three—those of Essequibo, Demerara, and Berbice—to Great Britain by the Treaty of London of the 13th August, 1814.

The English possess in Guiana no other rights than those thus ceded to them by Holland.

It should, moreover, be here observed that though the Dutch, in contravention of the Treaty of Munster, which prohibited them even from touching at and trading with the Spanish possessions, succeeded in encroaching on them, His Catholic Majesty always resisted these attempts at usurpation by force.

That the Dutch did not believe themselves to be the legitimate possessors of more territory than that of Essequibo on the north side of their Colonies is proved by the fact that no other is mentioned in the aforesaid cession to Great Britain.

In 1810, moreover, the Essequibo was the limit between the Province of Guiana and Holland, and it is this same which appertains to Venezuela, according to her Constitution. D

Since 1822 the Government of Colombia, the predecessor of Venezuela, claimed the Essequibo as belonging to the Republic.

In 1841 the engineer Schomburgk, a Commissioner of the British Government, explored Venezuelan Guiana, and fixed posts and other marks of possession as far as the Barima and Amacura.

Public opinion in Venezuela was aroused, the Government remonstrated, and Her Britannic Majesty ordered the removal of the marks, explaining that they had not been set up as marks of possession. Since that time Venezuela has been calling for a Treaty which should settle this question of boundaries.

It was not till 1844 that the Plenipotentiary of the Republic in London, after long preparation of the preliminaries, commenced negotiating a Treaty, grounding it on Treaty rights, on history, and the authority of charts, and he proposed the Essequibo as boundary. E

Lord Aberdeen, Her Britannic Majesty's Secretary for Foreign Affairs, in his turn proposed the Moroco; with this, as he said, Venezuela would retain entire proprietorship of the Orinoco.

The Republic did not accept a boundary which deprived her of the space lying between the Essequibo and the Moroco, to which the English could allege no title whatsoever.

In 1850 a rumour was spread that England wished to claim Venezuelan Guiana. Mr. Wilson, Chargé d'Affaires of that nation in Carácas, denied it, affirming that it was exactly the reverse of truth, and that his Government had no intention of occupying or of usurping the territory in dispute; that it would not order such occupation, nor sanction it on the part of its authorities; that it would order them to abstain from such acts, and would with pleasure renew these orders when necessary. He requested and obtained analogous declarations from Venezuela.

The territory in dispute was not at that time specified, but Venezuela has never understood it to be that lying between the Pomaroon and the Amacura, but that contained within the Pomaroon and Essequibo. F

Without ever losing sight of the question, Venezuela pressed for its settlement in 1876. At the end of five years, in September of 1881, Lord Granville proposed a new frontier, which commenced at a spot on the sea-shore 29 miles of longitude to the east of the right bank of the River Barima, adding that with this he should satisfy all reasonable pretensions and claims of Venezuela by ceding to her the so-called Dardanelles of the Orinoco and complete possession of its mouth.

The Republic also refused this line, which was offered for no known reason, and would have been much more unfavourable to her than that proposed by Lord Aberdeen.

In 1883 the British Government united the three questions of the boundary, the 30 per cent. additional duty on goods coming from the Antilles, and the pecuniary claims, and pressed for their simultaneous and amicable settlement.

A General Guzman Blanco went, in consequence, to London, with full powers as Envoy Extraordinary and Minister Plenipotentiary, and he devoted himself with energy to the settlement of these matters.

In the negotiations respecting the new Treaty of Commerce, he already held the written promise of Her Britannic Majesty's Government to apply arbitration to all disputes between the two countries. This involved the question of the settlement of the boundary. But before the Agreement was signed there was a change of Cabinet. Lord Granville's successor, while fulfilling the promise made by the preceding Administration to other States, refused to sanction the Agreement with Venezuela, alleging that Great Britain could not apply arbitration to controversies respecting boundaries, while he forgot that she had applied it in 1827 and 1871 to such questions with the United States, the Arbitrator in the first case being the King of Holland, and in the second the present Emperor of Germany.

This was with reference to the Haro Canal, and it was the Government of Great Britain which as many as six times solicited and finally obtained arbitration.

In July of 1886, owing to certain steps of the Venezuelan Legation, Lord Rosebery proposed a
B boundary commencing to the east of the Guainia, but which was considered unacceptable for various reasons, amongst them that it was coupled with a demand for the free navigation and commerce of the Orinoco.

During these negotiations in Europe, agents of the Governor of Demerara have been entering Venezuelan Guiana, setting up marks and notices, and reaching once more the Amacura, have taken away from there the (Venezuelan) Commissary, Mr. Robert Wells, to try and punish him for maltreating a Portuguese subject, as, in effect, they did, notwithstanding that they possessed no jurisdiction in the locality of the act.

At the same time, they declared that those places were British territory, and that the laws of the neighbouring British Colony were there in force.

The Venezuelan Legation, with reason, protested against such unmerited outrages, and demanded due reparation.

The complaints of Venezuela were disregarded and unanswered.

C It would seem as if they had been seized upon as a pretext for aggravating the injuries.

When the President of the Republic was informed of these incidents he called on you on the 6th December, 1886, requesting you to explain, and asked for a communication as to these incredible occurrences. Moreover, he informed you that he was about to order the erection of a lighthouse at Barima Point, as most urgently solicited so early as 1836 with repeated instance by Sir Robert Ker Porter, Chargé d'Affaires of Great Britain. You refused to give the explanation asked for, because the President did not consent to postpone the execution of his intention until you had consulted your Government on the matter. That is to say, you wished in effect that the President should not act administratively on Venezuelan territory without the permission of Her Britannic Majesty, who without any right has occupied and retains it.

You informed me in reply that the occupation of Barima Point would be considered as a violation of the above-mentioned Agreement of 1850, namely, not to occupy nor usurp the territory in dispute,
D and you, moreover, said that, nevertheless, as the lighthouse would be of general utility, they (Her Majesty's Government) did not wish to insist unduly on their rights, and would not object to its erection should an agreement be come to respecting the extent of land to be occupied to that end, and if a written promise were given that it should not be regarded as prejudicial to the British claim to the territory in dispute, of which Barima Point forms part, nor be construed afterwards as evidence of a right on the part of Venezuela to Barima Point, nor as an acquiescence by Great Britain in such assumption.

To the Republic it appears most strange that the Agreement of 1850, violated as it has been by Great Britain to her own advantage, should be now appealed to, and she has rejected conditions, the acceptance of which would have been destructive of her rights, and has declared that such an answer aggravated more and more the position of affairs. It cannot be otherwise, since by quoting the Agreement Great Britain recognizes the duty of obeying it, and her conduct contrasts singularly with what should be her rule of conduct.

E In order to proceed safely and promote the construction of the lighthouse and for other reasons, the President last December sent a Commission composed of Messrs. Dr. J. N. Tebar and General S. Rodil. These explored various places, beginning with the Amacura; and as the result of their personal observations have brought back the following information:—

They found on the right bank of the Amacura two Commissioners, Messrs. F. S. Neames and G. B. Jeffrey, appointed by Mr. Michael McTurk, who styles himself Her Majesty's Stipendiary Magistrate in and for the Colony of British Guiana, the first Commission, dated the 1st March, 1885, and the second the 6th September, 1886. These Commissions are authorized to prevent the sale of rum or spirituous liquors by any Venezuelan vessel not holding a licence from the Government of Demerara, and to seize any person so doing.

They ascertained the existence of a wooden house which serves as a public office in Amacura, flies the British flag, and was built at the expense of the Government of Demerara. They ascertained positively that a British coast-guard vessel, the "Transfer," had on various occasions made voyages to
F Amacura, bringing armed police and a Magistrate to try and decide police and criminal cases. They learnt that in Barima and Amacura ships legally despatched from Ciudad Bolivar are registered and forbidden to sell their wares or to proceed to Barima Creek unless in ballast. They had information that there was another Commissary named Harrington in the neighbourhood of the Aruca, and that about three months ago a Magistrate had been there to arrest and try the murderer of a coolie, who was sentenced to five years' imprisonment. In Cuabana they found a Protestant church, which is at the same time a school, and in the Register of Marriages there it is stated that the place belongs to the county of Essequibo. The Commission further ascertained that the Colonial Government has appointed another Commissary in the village of Guaramuri, on the bank of the Momea; in the same manner they ascertained positively that gold mines were being worked under English authority on Venezuelan

territory between the Rivers Cuyuni, Mazaruni, and Puruni, and that a large quantity of that mineral had been already exported through the Custom-house of Demerara. A

The Commissioners then proceeded to Georgetown, and through the Venezeulan Consul made the object of their mission known to the Governor, and informed him of what they had done in virtue of it, and of the violations of Venezuelan territory which they had verified.

The Secretary of the Government answered on the 6th January that he inclosed the Notice published in the "London Gazette" of the 21st October, 1886, and added that the localities referred to in the official note of the Commission were within the limits indicated by the terms of the Notice, and formed a part of the Colony of British Guiana.

In the Notice it is proclaimed and notified that, the limits of British Guiana being in dispute between the Governments of Her Britannic Majesty and that of Venezuela, and it having come to the knowledge of the Government of Her Britannic Majesty that the Government of Venezuela have granted, or intend to grant, concessions of land within the territory claimed by the Government of Her Britannic Majesty, such titles will not be admitted nor recognized, and that all persons taking possession of such lands, or exercising in them any right on the strength of such titles, will be tried as trespassers. In conclusion, it is stated that in the library of the Colonial Office, Downing Street, or in the Secretariat of the Government in Georgetown, British Guiana, may be seen a map which shows the limits between British Guiana and Venezuela claimed by Her Britannic Majesty's Government. B

In addition to this the Governor of Demerara, in a Decree of 1868 on land survey, did not establish any farther north than the Pomaroon; but repealing this Decree on the 6th November, 1886, by order of the Government of Her Britannic Majesty, and doubtless with this sole object, he ordered new surveys which reached as far as the eastern bank of the Amacura.

The limits which to-day, though not claimed, are occupied by the British Government, are those which the engineer Schomburgk capriciously fixed in 1841.

Strengthened by the most unanswerable arguments, the Government, reiterating its wish to end the controversy by arbitration, called upon Her Britannic Majesty's Government to evacuate the Venezuelan territory trom the mouths of the Orinoco to the Pomaroon, which she had unjustly occupied, with the understanding that if by the 20th of this present month no reply was given, or if it was answered in the negative, from that time diplomatic relations between the two countries should be broken off. C

On the 31st of the same month of January, while replying to the note relative to the conditions under which the British Government would consent to the erection of the lighthouse on Barima Point, Venezuela renewed her demands, adding that of an acceptance of arbitration.

On the 11th of this month you informed me that, having communicated, by telegraph, to the Government of Her Britannic Majesty my note of the 26th January, you were instructed to say in reply that Her Majesty's Government, while still prepared to enter into friendly negotiations with the object of settling the Guiana boundary question, could not accede to the present demands of the Government of Venezuela, much as they would regret the action indicated in my note.

Hereupon I repeated and confirmed in all their parts the contents of the notes dated the 31st and 26th January, owing to the inability of the Executive to reopen the discussion until Great Britain evacuates the whole of the territory down to the Pomaroon, as Venezuela is, according to the Agreement of 1850, perfectly entitled to demand. D

The 20th February arrived, and so did the expected refusal of the demands of Venezuela.

Thus has Great Britain rejected the just and moderate demand for reparation for the injuries which she has done and is doing to the Republic, notwithstanding the friendship which she has constantly professed, and the existence of a Treaty by which it is established.

Great Britain has violated the territory of Venezuela by encroaching on prohibited ground, by appointing Commissaries, by establishing Government offices on which the British flag flies, by arresting, trying, and punishing a functionary of Venezuela, by sending there with armed police a Judge who notified that these places were British and ordered mercantile restrictions, by running a revenue cruiser between Amacura and Barima, by including these rivers within the jurisdiction of the Governor of Demerara, by authorizing the working of mines within the territory of the Republic, and by exercising other acts of sovereignty. E

Great Britain has arrogated to herself the right of deciding for herself and by herself and in her favour a question which concerns her no more than it does Venezuela.

Great Britain has declared herself to be joint owner of the Orinoco, the great fluvial artery of the north of South America, possessing herself of Barima Creek, one of its mouths, and, by these means, of the commerce of the vast regions belonging to various countries.

Great Britain has thus followed a course in regard to Venezuela which she condemned in others.

Great Britain has decided to declare as hers the places in which she has just established herself, and the limits of which are in dispute with Venezuela.

Great Britain has infringed to her own advantage the arrangement which she herself proposed to Venezuela on the 18th November, 1850, and has occupied the territory guaranteed by her. F

Great Britain presumes to impose conditions to the establishment of a lighthouse on Barima Point, over which her Chargé d'Affaires on the 26th May, 1836, spontaneously recognized the sovereignty of Venezuela.

Great Britain refuses to resort in the case of Venezuela to that arbitration which she had recourse to with the United States of America in 1827 and in 1871 for deciding questions of boundary, of which the last was repeatedly urged by herself.

Great Britain has continued successively her encroachments from the Essequibo to the Pomaroon, to the Moroco, to the Guainia, to the Barima and Amacura.

A Great Britain has thus attacked the sovereign rights and independence of Venezuela, depriving her of the most sacred and inviolable of a nation's rights, namely, her territory.

In consequence Venezuela, not deeming it fitting to continue friendly relations with a State which thus injures her, suspends them from to-day.

And she protests before the Government of Her Britannic Majesty, before all civilized nations, before the whole world, against the acts of spoliation which the Government of Great Britain has committed to her detriment, and which she will never on any consideration recognize as capable of altering in the slightest degree the rights which she has acquired from Spain, and respecting which she will be always ready to submit to the decision of a third Power, as the only way to a solution compatible with her Constitutional principles.

After writing the above I received the note which you addressed to me on the 12th instant, and in which you communicate to me, by order of the Government of Her Majesty, that the latter having been informed of the recent visit of two Venezuelan Commissioners to that portion of the territory
B which is claimed by Great Britain as part of British Guiana and of what they there did, will not permit any interference with British subjects in those places.

This emphasizes more and more distinctly that she arrogates to herself complete jurisdiction over the territory of Venezuelan Guiana, which she has occupied because she claims it, and presumes to act with respect to it as though she were the real and exclusive owner, without the smallest regard to the rights of the Republic which claims it as hers. In consequence, Venezuela can do no less than confirm, as she does confirm, her foregoing complaints, and protests against a proceeding as arbitrary as it is oppressive, and which she will always look upon as null and of no effect.

I renew, &c.

(Signed) DIEGO B. URBANEJA.

C

No. 81.

The Marquess of Salisbury to Mr. F. R. St. John.

Sir, *Foreign Office, March 7th,* 1887.

I RECEIVED on the 28th ultimo your despatch of the 7th of that month, inclosing a translation of a note from the Venezuelan Government, and a copy of your reply thereto, respecting the intention which they had announced of erecting a lighthouse on Barima Point, at the mouth of the Orinoco.

The Venezuelan note, which is a reply to the statement conveyed by you to the Government of
D the Republic of the conditions on which Her Majesty's Government would consent to the erection of the light, denies that the right to Barima Point has ever until now been in question; and in proof of the exclusive Venezuelan right to that territory, it affirms that none of the successive proposals of either Lord Aberdeen, Lord Granville, or Lord Rosebery for a settlement of the disputed boundary question included Barima Point within British territory.

The note goes on to say that Venezuela has never considered the territory lying between the Pomaroon and the Amacura as in dispute, but only that situated between the Pomaroon and the Essequibo, and it further states that this is the first occasion on which Her Majesty's Government has unveiled its pretensions to the River Orinoco, and has mentioned its rights in this respect by asserting that Barima Point forms part of the disputed territory.

The British claim to the territory as far north as the southern mouth of the Orinoco (including Barima) is not, as the Venezuelan Government assert, of recent date. It is derived, as you are aware, from ancient Treaties with the aboriginal tribes and the subsequent cessions from Holland. The offers
E which have from time to time been made by Her Majesty's Government to concede to Venezuela a portion of the territory which is the right of this country were made in a spirit of conciliation with a view of reconciling the conflicting claims of the two nations. They have on each occasion been rejected by Venezuela, and the rights of Great Britain, therefore, remain unaffected by the offer of any one or other of those concessions.

I may remind you of the following facts. In the note which Lord Aberdeen addressed to M. Fortique, the Venezuelan Minister in London, on the 30th March, 1844 (to which no reply was ever returned by the Venezuelan Government), it was stated that there could be no doubt that not only was the mouth of the Orinoco always claimed by the Dutch as their western boundary, but that it was early in their possession and military occupation; however, as it was believed that the undivided possession of the Orinoco was the object most important for the interests of Venezuela, Lord Aberdeen informed M. Fortique that the British Government was prepared *to cede to the Republic a*
F *portion of the coast* amply sufficient to insure Venezuela against the mouth of this, her principal river, being at the command of any foreign Power, and that, out of friendly regard to Venezuela, Great Britain was willing to waive her claim to the Amacura as the western boundary of the British territory and to consider the mouth of the Moroco River as the limit of her possessions on the sea-coast.

This was the British claim in 1844, although Her Majesty's Government then expressed their readiness not to press it to its full extent, and it continued to be so until 1850, when the arrangement was entered into between the two Governments that neither Government should occupy or encroach upon the territory in dispute between them pending a settlement of the boundary question.

In a note, too, which I addressed to Señor de Rojas on the 10th January, 1880, I stated that "the boundary which Her Majesty's Government claim in virtue of ancient Treaties with the aboriginal tribes, and of subsequent cessions from Holland, commences at a point at the mouth of the Orinoco

Annex 29

Letter from Mr. Andrade to Mr. Gresham (19 Dec. 1894)

LIONBRIDGE

STATE OF NEW YORK)
)
) ss
COUNTY OF NEW YORK)

CERTIFICATION

This is to certify that the attached translation is, to the best of my knowledge and belief, a true and accurate translation from Spanish into English of the attached excerpt, dated December 19, 1894.

Laura Musich, Managing Editor
Lionbridge

Sworn to and subscribed before me

this 15 day of FEBRUARY, 20 22.

JEFFREY AARON CURETON
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CU6169789
Qualified in New York County
My Commission Expires 09-23-2023

Annex 29



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OFFICIAL HISTORY

OF THE

DEBATE BETWEEN VENEZUELA

AND

GREAT BRITAIN

ON THEIR

Borders in Guyana

NEW YORK

LOUIS WEISS & Co., PRINTERS

116 Fulton Street

———

1896

[…]

EMBASSY OF THE UNITED STATES OF VENEZUELA

Washington, D.C., December 19, 1894

Mr. Andrade to Mr. Gresham.

Sir:

A proposal was introduced in the Legislative Chamber of Demerara on October 24 with respect to the opening of a road connecting upper Barima with the Cuyuní or the Yuruán. The Secretary of Internal Affairs asked that the proposal be deferred until the Ministry of the Colonies had been consulted and a petition had been approved to obtain the powers needed to secure a large loan, from which the necessary sum shall be taken for the opening of the proposed road.

The Government of Venezuela believes that the plan in question involves a new attempt at territorial usurpation against the Republic, and that its implementation would undoubtedly give rise to a conflict with the authorities of the Nation in that region, and would cause further acrimony in its pending boundary dispute with the British Colony. Thus, wishing to prevent such an event, it has already made its impressions known to the colonial Government through the Venezuelan Consul in Demerara, and has also sent to His

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Excellency Seneca Haselton, Special Envoy and Minister Plenipotentiary of the United States in Venezuela, the following communication, and has instructed me to vigorously support the request contained therein, which is as follows:

"The pending dispute between Venezuela and Great Britain concerning the boundaries between the Republic and the Colony of Demerara has for years captured the attention of the civilized world, as you are aware, and has given the press of many European and American countries, among them the United States, reason to call for the swift determination of whether the theoretical equality of the States is worthy of true respect, or if the prestige of the force or the greater material power of the Nations prevails over the doctrines and foundations of the Law. The issue at hand grows more unpleasant by the day, because of the action taken by the Agents of England, who, deaf to the conciliatory insinuations of Venezuela, have, especially since 1886, been extending British jurisdiction over territory which the Republic regards as its possession.

"Efforts have repeatedly been made over the last eight years to bring the conflict to an end through means honorable to both parties, as evidenced by the sending of three Commissioners to London to directly discuss the matter with His Majesty's British Government. The most recent attempt was last year, when, as Your Excellency will see from the reading of the Yellow Book presented to the 1894 Congress, the Venezuelan Government showed the utmost willingness to end the dispute without diminishing any principle of law, and through legal means, which England itself uses and recommends in similar circumstances.

"The persistence of the British Government in excluding all of the territory it has held for many years from the Arbitration annulled the action of the last Commissioner of Venezuela, rendered ineffective the good intentions of the Executive Branch of the Republic, and aroused the ambition of certain agents of the Colony, who have only their sights on the alluring prospect offered by a territory rich as few others in natural products. On October 24, some of them presented in the Legislative Chamber of Demerara a proposal related to the opening of a road that unites upper Barima with the Cuyuní or with the Yuruán, which implies a new attempt at usurpation and overtly renders the peaceful resolution of the dispute more and more difficult.

"The Secretary of Internal Affairs asked that the proposal be deferred until the Ministry of the Colonies was consulted and, worse still, until it approves a petition to obtain powers for securing a large loan, *from which the necessary sum would be taken for the opening of the proposed road*. The Government of

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Venezuela has already informed the Governor of the Colony, through its Consul in Demerara, that the implementation of the project (for the road from the Barima to the Cuyuní) would undoubtedly give rise to a conflict with the Venezuelan Authorities in that region, and would be cause for a new point of contention in a dispute which both parties have an interest in putting on more conciliatory ground.

"As Your Excellency will understand, the dispute already has a phase that we could call threatening, given that the Colonial Authorities are preparing to expand their jurisdiction even further, under the pretext of joining two points of the territory of Guyana, and to thus enter into regions where the Republic has established regular centers. In view of this, and as the Venezuelan Government always endeavors to exhaust all lawful means to reach an amicable settlement, it wishes to inform the Embassy of the new danger posed by this matter, and thus reiterate to the United States Government its request for effective and direct intervention, which our Minister Plenipotentiary presented to the Department of State in Washington some time ago and has continually ratified.

"The cooperation of Your Excellency will undoubtedly yield immediate results, because it would be based on sound reasons and would come from an individual who, like Your Excellency, represents a Republic that joins its best actions with the practices of justice and law. And as, on the other hand, the Government of the United States, without denying its most valued traditions, cannot view with indifference the abuse by a foreign power over the legitimate territorial jurisdiction of a Nation of America. It is to be hoped that its moral action will be as forthright and decisive in this matter as is urgently required and warranted by the magnitude and nature of the interests now at risk.

"The matter that I describe to Your Excellency is almost as serious and important to the Great Republic of the North as it is to Venezuela itself. England's control of the entrance of our great river artery, and of some of its tributaries, would represent a permanent risk to industry and commerce in a vast portion of the New World, will effectively flout the celebrated and saving Monroe doctrine, and would establish abusive practices, which in the end for some countries of the Americas could render illusory their own political existence as free and independent States.

"I earnestly pray that Your Excellency will serve as an interpreter of the foregoing ideas before the United States Government."

I take this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) JOSÉ ANDRADE

His Excellency W. Q. Gresham, Secretary

of State, Delivered by hand.

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Annex 29

HISTORIA OFICIAL

DE LA

DISCUSIÓN ENTRE VENEZUELA

Y LA

GRAN BRETAÑA

SOBRE SUS

Límites en La Guayana

NUEVA YORK
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tan importante materia, aprovecharé la primera ocasión para dar instrucciones al Embajador, suplementando mi anterior comunicación de 13 de julio, y no dudo de su interés y cordial deseo de contribuir á una mejor inteligencia entre los dos países y al arreglo de sus diferencias.

Con relación á esto, bien puedo referirme al siguiente pasaje del último mensaje anual del Presidente, que fué presentado al Congreso el día 3 del actual:

"El límite de la Guayana Británica continúa aún en disputa entre la Gran Bretaña y Venezuela. Creyendo que su pronto arreglo, sobre bases justas é igualmente honorables para ambos países, se encuentra en la línea de nuestra política establecida de que desaparezcan de este hemisferio todas las causas de diferencia con las potencias del otro lado de los mares, renovaré los esfuerzos hechos hasta ahora para lograr el restablecimiento de las relaciones diplomáticas entre los disputantes, é inducirlos á que se sometan á arbitramento, medio que la Gran Bretaña tan conspicuamente favorece en principio y respeta en la práctica, y que tan ardientemente solicita su adversario más débil.

Sírvase aceptar, etc.

W. Q. Gresham.

Legación de los Estados Unidos de Venezuela.

Washington, D. C., 19 de Diciembre de 1894.

El Señor Andrade al Señor Gresham.

Señor:

En la Cámara Legislativa de Demerara se hizo el 24 de octubre último una proposición relativa á la apertura de un camino que una el alto Barima con el Cuyuní ó el Yuruán. El Secretario de Gobierno pidió que la proposición se difiriera hasta consultar el Ministerio de las Colonias y conseguir que se aprobara una petición encaminada á obtener facultades para levantar un grande empréstito, del cual habrá de tomarse la suma necesaria á la apertura de la proyectada vía.

El Gobierno de Venezuela cree que el designio de que se trata envuelve un nuevo propósito de usurpación territorial contra la República, y que su ejecución produciría, sin duda, una pugna con las autoridades de la Nación en aquella zona, y sería motivo de nueva acritud en su controversia de límites pendiente con la Colonia Británica. Así, deseoso de prevenir el suceso, ha hecho saber ya sus impresiones al Gobierno colonial por medio del Cónsul Venezolano en Demerara, y por otro lado ha

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dirigido al Excelentísimo Señor Séneca Haselton, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos en Venezuela, la siguiente comunicación, y me encarga á mí que apoye esforzadamente la solicitud en ella contenida. Héla aquí:

" El litigio pendiente entre Venezuela y la Gran Bretaña por razón de límites entre la República y la Colonia de Demerara, viene ocupando hace años, como lo sabe V. E., la atención del mundo culto, y dando motivo á que la prensa periódica de muchos países europeos y americanos, entre ellos los Estados Unidos, manifieste la necesidad de determinar de una vez si la igualdad teórica de los Estados merece verdadero respeto, ó si es el prestigio de la fuerza ó el mayor poder material de las Naciones lo que priva sobre las doctrinas y los fundamentos del Derecho. La cuestión de que se trata ofrece día por día más desagradable aspecto, á causa del proceder observado por los Agentes de Inglaterra que, sordos á las insinuaciones conciliatorias de Venezuela, han venido, especialmente desde 1886, extendiendo la jurisdicción británica en territorio que la República considera de su pertenencia.

" En los ocho años últimamente transcurridos se ha procurado repetidas veces dar fin al conflicto, mediante resortes decorosos para entrambas partes, como lo prueba el envío de tres Comisionados á Londres, con el objeto de tratar directamente el asunto ante el Gobierno de Su Majestad Británica. La tentativa más reciente fué el año próximo pasado, y en ella, como lo verá V. E. por la lectura del Libro Amarillo presentado al Congreso de 1894, mostró el Gobierno Venezolano la más abierta disposición á poner cabo á la disputa, sin mengua de ningún principio de derecho, y antes bien con arbitrios legales que la misma Inglaterra usa y recomienda en análogas ocasiones.

" La persistencia del Gobierno Británico en excluir del Arbitramento toda la parte del territorio detentado hace años, anuló la acción del último Comisionado de Venezuela, hizo ineficaces los sanos propósitos del Poder Ejecutivo de la República y estimuló la ambición de ciertos agentes de la Colonia, que no tienen en mira sino la halagadora perspectiva ofrecida por un territorio rico como pocos en productos naturales. Algunos de ellos hicieron presentar en la Cámara Legislativa de Demerara, el 24 de octubre último, una proposición relativa á la apertura de un camino que una al alto Barima con el Cuyuní ó con el Yuruán, lo cual envuelve nuevo propósito de usurpación y tiende manifiestamente á dificultar cada vez más el término pacífico de la controversia.

" El Secretario de Gobierno pidió que la proposición se difiriera hasta consultar al Ministerio de las Colonias y, lo que es más grave aún, hasta conseguir que éste apruebe una petición encaminada á obtener facultades para levantar un grande empréstito, *del cual habrá de tomarse la suma necesaria á la apertura de la proyectada vía.* El Gobierno de Vene-

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zuela ha hecho saber ya, por medio de su Cónsul en Demerara, al Señor Gobernador de la Colonia, que la ejecución del proyecto (el relativo al camino del Barima al Cuyuní) produciría sin duda una colisión con las Autoridades de Venezuela en aquella zona, y sería motivo de nueva acritud en una controversia que á entrambas partes importa llevar á terreno más conciliador.

"Como lo comprenderá V. E., el conflicto presenta ya una fase pudiéramos decir amenazadora, puesto que las Autoridades de la Colonia se disponen á ensanchar más aún su jurisdicción, so pretexto de unir dos puntos del territorio de Guayana, y á penetrar así en regiones donde la República tiene establecidos centros regulares. En vista de esto y empeñado siempre el Gobierno Venezolano en agotar los medios lícitos para llegar á un arreglo amistoso, se ha dispuesto informar á esa Legación del nuevo peligro que el asunto entraña, é insistir así con el Gobierno de los Estados Unidos en la solicitud de interposición eficaz y directa, que hace tiempo presentó al Departamento de Estado y constantemente ratifica nuestro Ministro Plenipotenciario en Washington.

"La cooperación de V. E. será sin duda de inmediato resultado, así por obedecer á sanos móviles como por emanar de quien, como V. E., representa á una República que vincula sus mejores ejecutorias en las prácticas de la justicia y del derecho. Y como por otra parte, el Gobierno de los Estados Unidos, sin negar sus más caras tradiciones, no puede contemplar con indiferencia el abuso de un poder extraño sobre los legítimos fueros territoriales de una Nación de América, de esperarse es que su acción moral sea ahora tan franca y decisiva en el asunto, como lo piden, como lo exigen, como extremadamente lo requieren la magnitud y el carácter de los intereses en peligro.

"La materia que á V. E. expongo es casi de tanta gravedad y trascendencia para la Gran República del Norte como para la misma Venezuela. La dominación por Inglaterra de la entrada de nuestra grande arteria fluvial, y de algunos de sus afluentes, constituiría riesgo permanente para las industrias y el comercio en una vasta porción del Nuevo Mundo, burlaría de hecho la célebre y salvadora doctrina de Monroe, y establecería prácticas abusivas, que á la postre podrían hacer ilusoria para algunos países de América su propia entidad política de Estados libres é independientes.

"Ruego encarecidamente á V. E. se sirva ser intérprete de las precedentes ideas ante el Gobierno de los Estados Unidos."

Aprovecho la ocasión para renovar á V. E. las protestas de mi consideración distinguida.

(Firmado) José Andrade.

Excelentísimo Señor W. Q. Gresham, Secretario de Estado, Presente.

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Annex 30

Letter from Señor Andrade to Minister Ezequiel Rojas (9 Jan. 1897)

Sr. Andrade, Venezuelan Minister, Washington

to

Sr. Ezequiel Rojas, Venezuelan Minister for Foreign Affairs

Washington January 9, 1897

No. 6

Mr. Minister,

On the 28th ultimo in the morning I had my first conversation with Mr. Olney, and in the afternoon with Sir Julian Pauncefote, concerning the proposed modification of the basic article II in the Arbitration Treaty on the question of Guiana.

The same day the British Ambassador transmitted the Venezuelan proposal to Lord Salisbury by telegram.

Twelve days have passed including to-day, but the reply has not yet come. Such a delay on the part of a government as deligent as the English one makes me preoccupied.

I return to the State Department in order to ask Mr. Olney whether he knew anything regarding the cause of the delay and he was unable to satisfy me.

Speaking once more about the proposal to modify that basic article which my confidential despatch of the 7th, No. 5 referred to, I have agreed that the Ambassador and I should refer it at the same time to our respective governments; but attributing to Venezuela the appointment of only one of the arbiters on her side, and the other to the United States, it being noted that the Venezuelan appointee would be a judge of the Supreme Court of this country. The more I think of it, the more I am convinced that Venezuela, far from wishing to restrict the participation of the United States in the composition of the Tribunal, should seek to augment it so that she (the U.S.A.) may have greater moral responsibility with regard to the result of the arbitration, and that more effective her concern during the judgment.

I have ...

Annex 31

Letter from James J. Storrow to Dr. P. Ezequiel Rojas, Venezuelan Minister of Foreign Affairs (26 Jan. 1987)

Washington, January 26, 1897.

His Excellency

Dr. P. Ezequiel Rojas,

Minister of Foreign Relations

Sir:

Mr. Andrade has, I presume, written you fully about what has taken place here; but as both General Crespo and yourself asked me to do what I could to assist Mr. Andrade respecting the matters of the appointment of arbitrators, I ought, perhaps, to add a few words.

Immediately on reaching Washington on Sunday, the 28th of December, I saw the Secretary of State, who had requested me, by telegraph, to call at once at his house. The next day, I saw the President and gave him General Crespo's letter, adding the warm sentiments which General Crespo had expressed to me verbally and had directed me to repeat to President Cleveland. Both the President and Mr. Olney declared that the desire of Venezuela about the appointment was entirely reasonable, and said that they would gladly do what they properly could to further it. In fact, the Secretary of State had already, in consequence of my cable messages, spoken to the British Ambassador on the subject and at once saw him again, pointing out to him that a change of the nature desired would be a graceful act of courtesy between nations now friendly. Sir Julian Pauncefote received the suggestion in the same spirit, and you know the result which Mr. Andrade and Sir Julian reached in their subsequent conferences.

We knew the desire of the Government of Venezuela that the tribunal should be composed not only of Jurists, but of Jurists holding the highest judicial stations. The duties, and the very heavy press of work on the Justices of the Supreme Court of the United States, together with the serious illness of some of their number, made it difficult for them to spare two members. But they finally concluded that if on the part of England, two high judicial officers should be appointed, two Justices of the court here would also serve, and the Chief Justice would accept the appointment from General Crespo. Upon communicating this to Sir Julian Pauncefote, he appreciated the situation, and the happy result will be, we suppose, that Lord Hierschell, ex-chancellor of England, for one, and a Judge of the highest English Court for the other, together with the Chief Justice of the United States and Justice Brewer on the part of Venezuela, will constitute the four members of the High Tribunal. To accomplish this, it was necessary also that the period of time allowed for filing the papers should be

such as to bring the hearing during the summer vacation of the Supreme Court, and that has been arranged.

Thus, I think you have got what you desired – a clear and formal recognition of the appointing power of Venezuela on the face of the treaty; precisely the same two Jurists whom, at Caracas, you told me you preferred; and in addition to that, you will have (if the plan is carried out) two of the highest judicial officers, on the part of Great Britain. This you owe to the tact of Mr. Andrade, to the kindly help of President Cleveland and Mr. Olney, and in considerable part to the disposition of the English Government to make the arrangements agreeable to Venezuela.

Will you please communicate the substance of this to General Crespo.

Your obedient servant

James J. Storrow

His Excellency
Doctor P. Ezequiel Rojas
Minister of Foreign Relations.

Annex 32

Letter from S. Mallet-Prevost to Sir Richard Webster (22 Apr. 1899)

APPENDIX 22

COPY

Washington, D.C., April 22, 1899.

The Right Honorable

Sir Richard E. Webster, G.C.M.G.,

London, England.

Dear Sir Richard:

Upon my return to America I had a consultation with my associate counsel with reference to the matter presented in your private note to me of February 2nd. The importance of the questions involved, the fact that the negotiations which led up to the Treaty of Arbitration were had before our connection with the case began, and that our knowledge of the negotiations was limited to the documents introduced in the Cases and Counter Cases of the respective Government, made us feel that before answering your note the Venezuelan Government should be informed of its contents, and its views thereon ascertained. This was accordingly done; and I am now able to speak for the Government of Venezuela, for my associate counsel and for myself.

We are of opinion that the counsel for Venezuela, as well as the counsel for Great Britain, must determine for themselves what arguments may be fairly brought forward from the Cases and Counter Cases to support, before the Tribunal of Arbitration, the claims of their respective Governments. This determination will in each case be made, we do not doubt, upon the fullest consideration of what is due from the counsel to themselves, to the dignity of the great Tribunal to which their arguments are addressed, and to the just rights of the opposing party. The construction of the Articles of the Treaty is necessarily devolved upon the Tribunal, and must therefore have the attention of counsel. So we have felt it to be not only our right but our duty to present our views as to the meaning and scope of the articles and rules which define the matters submitted, and the methods which are to be pursued by the Tribunal in reaching a conclusion. We have therefore discussed the question of the prescriptive term mentioned in Article 4, rule (a), in connection with Article 3, and in connection with all the facts and all the antecedent diplomatic correspondence contained in the Cases and Counter Cases of Great Britain and of Venezuela, that seemed to us to bear upon the question. The construction of the rule as to the prescriptive term to which you object was briefly, but very distinctly, stated in the Counter Case of Venezuela (Vol. 1, p. 106), and was noticed and controverted in the British Argument (p. 2); but no exception was there taken to the right of Venezuela to maintain that the line of right of 1814 could not be extended. Indeed the argument we have made seems to us to be quite in accord with all the diplomatic notes of Great Britain, as that Government has never claimed a right to over-pass the boundary line as it existed of right in 1814; and has always asserted that all the ter-

You seem to be persuaded that the diplomatic notes which you now bring to our attention, and some of which are thus for the first time made known to the Government of Venezuela, and to ourselves as counsel for that Government, have an important bearing upon the interpretation of the Treaty.

Under such circumstances, and in view of the fact that you express surprise as to the position taken by Venezuela, we desire to express our entire willingness that the diplomatic notes of which copies were furnished me by Mr. Buchanan, may by stipulation be incorporated into the Case and Counter Case of Great Britain. We cannot, however, withdraw our argument as to the prescriptive period.

As to which may be the correct view, yours or ours, seems to us to be a proper matter for the Tribunal itself to decide. Such a decision Venezuela will accept.

Since you have indicated a possible protest as to the position of Venezuela in this matter, we feel that we ought, on the part of Venezuela, to call your attention to some contentions in the British Case which we do not think she would be at liberty to bring forward if the rule were as indicated in your letter.

First: That the prescription of the Treaty is not that of the law writers, but one that takes no account of anything except mere occupancy, however that occupancy originated —— and that cannot be broken or interrupted by anything short of a forcible expulsion by Venezuela of the occupants.

Second: That the full territorial rights of Spain have not passed to Venezuela. The whole contention has proceeded upon the basis that there was a common boundary; that British rights were based upon a Dutch cession, and that Venezuela had succeeded to all the rights of Spain, and that what was not Dutch or British territory was Spanish or Venezuelan territory.

Third: We do not think it is open to Great Britain to contend —— and we were greatly surprised to find the contention in the British Counter Case —— that there was, up to the very signing of the Treaty, and indeed it would seem to be involved, up to the submission of the case to the Arbitrators, territory that was neither British nor Venezuelan, but that became one or the other as it might be occupied by one or the other of the contestants. This contention seems to us to be violently inconsistent with the intent and meaning of the Treaty as drawn from its language, and with the whole diplomatic correspondence that led up to it.

But while our views are as thus stated we understand that neither Venezuela nor Great Britain can protest against these arguments of the counsel for the respective Governments, but that all must be submitted to and finally passed upon by the Tribunal itself.

I am faithfully yours,

(Signed) S. Mallet-Prevost.

Annex 33

Private Diary Entries of Prof Fyodor Fyodorovich Martens (4 June 1899-3 Oct. 1899)

Выдержка из дневников Фёдора Фёдоровича Мартенса за 1899 г.

16(4).VI.[1] Только что вернулся из Парижа, где провел 2 суток для открытия заседаний моего англо-американского трибунала по венецуэльскому вопросу. Вчера 15(3) происходило открытие. M. Delcassé сказал несколько слов. Я ему ответил. Но все было очень мизерно и по-республикански. Кроме десятка людей, не было никакой публики. Затем начал говорить свою речь английский Attorney General Webster. Он говорил очень хорошо, но все-таки было уморительно утомительно слушать его 4 часа – с маленьким, впрочем, перерывом.

20.VI. Я в восторге: сегодня моя Комиссия окончила блестящим образом пересмотр Брюссельской декларации и единогласно приняла самые скабрезные статьи относительно Комбатантов и прав оккупационной армии. Все члены Комиссии открыто выражали мне свой восторг и глубокую благодарность и даже французы не могли не сказать мне: „Vous avez merveilleusement mené la séance d´aujourd´hui". Я сам никогда не ожидал такого блистательного успеха. Брюссельская декларация – мое любимое детище 1874 года – из незаконного ребенка сделался законным и всеми признанным! Какой восторг! Какая радость!

Но как трудно мне было добиться такого блестящего результата. Устроилось дело вот каким образом.

Я вошел, до заседания, в соглашение с бельгийским уполномоченным Beernaert, который мне сообщил декларацию, полученную им из Брюсселя. Эта декларация констатирует явную боязнь Бельгии оставаться вне моей Société d´assurance mutuelle contre les abus de la force en temps de guerre. И вот заклятому врагу Брюссельской декларации Lambermont пришла мысль сочинить декларацию, которая подтверждает великое значение кодификации законов войны, но, вместе с тем, требует, чтобы вопросы, оставленные незатронутыми в той декларации (напр. levée en masse dans un pays occupé) оставались и впредь под покровительством 'des principes du droit des gens et des lois de l´humanité'. Это пустые фразы, но бельгийцы бояться, что если они не приступят к декларации, то с ними поступят бесчеловечно, помимо всяких правил и законов.

Я устроил с Beernaert таким образом, что до начала прений о статьях 9 и 10 Брюс.[сельского] акта я прочту эту декларацию, слегка мною измененную, и он немедленно заявит, что ввиду такого заявления он принимает эти статьи без всяких изменений. По секрету я уговорил и предупредил еще представителей некоторых других держав. И вот когда нужно было приступить к обсуждению этих статей, я произнес маленькую речь и прочел декларацию. Представители Бельгии, Голландии, Румынии и др. немедленно выразили свое удовольствие и согласие и все три скабрезнейшие статьи прошли блестящим образом – единогласно!!! Только швейцарский полковник произнес длинную и глупейшую речь насчет патриотизма и – провалился! Английский делегат и генерал Sir John Ardagh коварным образом предложил статью, которая могла остановить победу. Но все делегаты обратились к нему с настоятельной просьбой взять назад свое предложение, и наконец он согласился.

Трудно описать общее удовольствие и восторг членов Комиссии. Все меня поздравляли восторженно отзывались о моем таланте проводить такие трудные дела на междунар.[ных] Конференциях. Но мои доморощенные начальники наверно не понимают все значение

[1] Примечание: первая дата – по григорианскому календарю, вторая дата – по юлианскому календарю, который в то время использовался в России (до 1917 года).

одержанной победы. Ничем они не выказывают своего удовольствия. Я ничего не пишу в Петербург, потому что мой "начальник" Д. Т. С. [действительный тайный советник] Стааль обо всем пишет и доносит, вместе со своим другом Базили. Но оба ничего не понимают и представляют на конференции “les bien tristes figures”! Это общее мнение. Например, сегодня было, после завтра[ка], общее заседание Конференции для утверждения статей насчет Красного Кр.[еста] на море. Хотя для Стааля было написано, что он должен говорить, все-таки он ужасно путался, краснел и сбивался. Жаль было на него смотреть. Старик он хороший, но очень бездарный вообще, а в делах. междунар.[одных] Конференций ничего не понимает.

Но как мне приходится здесь работать! Вот сегодня, например. С 10-12 ½ ч. важнейшее заседание моей Комиссии. С 2-4 ч. заседание, под моим же председательством, всей Комиссии. В 4 ч. заседание общей конференции под председательством Стааля. В 7 часов я сидел в вагоне, чтобы всю ночь провести в поезде на пути в Париж для ведения англо-американского арбитражного дела. Очевидно, что не даром и не дешево плачу за выпавшие на меня почести.

23.VI[2]. Вернулся из Парижа утром и немедленно поехал в Huis Ten Bosch, где Стааль произнес, в первой Комиссии, написанную Рафаловичем речь о разоружении. Полковник Жилинский также говорил речь и сделал невозможные предложения. Для характеристики наших, русских, порядков интересен тот факт, что Жилинский не показал Д.[ействительному] Т.[айному] С.[оветнику] Стаалю, уполномоченному Государя, ни свою речь, ни свои предложения. Это мне сказал сам Стааль!

Представители иностр.[анных] держав постоянно замечают полный разлад и анархические отношения между представителями Импер.[аторского] русского правительства на Конференции. Ничего подобного не замечается у представителей других правительств. А между тем все восторгаются великим почином русского правительства!

Никогда в жизни я не веровал в Промысел Божий как в настоящее время по поводу Гаагской Конференции! Только этот промысел может объяснить, ведь как при невероятной бездарности и преступном легкомыслии русских министров, все-таки Конференция приведет к великому добру и совершенно неожиданному и не заслуженному благу. Другого объяснения у меня нет! Только Господь Бог хотел этой Конференции и управляет ее делами.

5.VII.(23.VI).[3] Сегодня происходило общее собрание Конференции и утверждение труда моей Комиссии, составившей новою редакцию Брюссельской декларации. Весь проект был единогласно принят как Комиссиею, так и Конференциею! Таким образом, мое детище, которому теперь 26 лет и которое было так обижаемо на Брюссельской Конференции 1874 года, получило блестящее удовлетворение. Оно признано 24 державами Европы, Америки и Азии. Такого торжества я никак не ожидал, и я счастлив и доволен. Только немногие в состоянии будет оценить мою победу и громадный и непосильный труд, которого этого победа стоила. Сколько бессонных ночей, хлопот и переговоров я должен был вынести на своих плечах. В Санкт-Петербурге этого не в состоянии оценить, ибо более легкомысленного и бесшабашного отношения к чужому труду и серьезному делу нельзя себе представить. Но может быть в будущем поймут, чего мне стоила эта победа. Одно сегодняшнее заседание – чего оно мне стоило!

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[2] Примечание: дата по грегорианскому календарю.

[3] Примечание: первая дата – по григорианскому календарю; вторая дата – по юлианскому календарю.

Утром в 10 часов, нужно было устроить третье чтение выработанного проекта таким образом, чтобы он прошел без запинки. Но на горизонте были грозные тучи. Во-первых, американские делегаты предложили объявить неприкосновенность частной собственности во время морской войны. Это предложение, по предписанию нашего правительства и требованию французского и английского нужно было не только устранить, но даже предупредить его обсуждение на Конференции. Это предложение можно было устранить, указав на отсутствие у Конференции компетенции для его обсуждения. Но все желали не поставить ребром вопрос о компетенции – что было щекотливо.

И вот после длинной речи Mr. White, первого уполномоченного Соед.[иненных] Шт.[атов], я встал и, отдав полную справедливость Американцам, предложил предоставить будущей конференции заняться изучением американского проекта. Мое предложение было единогласно принято.

Наступило второе опасное предложение: распространить на морские города правила Декларации о бомбардировании открытых городов. Я знал, что если это предложение будет обсуждаться и принято, наступит полный разлад между членами конференции. Я предложил: поставить также и этот вопрос в программу будущей конференции. И это предложение было принято единогласно. Таким образом, я выиграл два сражения и весь проект новой редакции Брюс.[сельской] декларации был принят единогласно.

В общем собрании конференции этот проект и мои предложения были приняты единогласно, и в пятом часу я мог покинуть Huis Ten Bosch с спокойной совестью, – я сделал больше, чем мог ожидать для торжества моей Брюссельской декларации и защиты чести русского правительства. Но любопытно, что никто из членов моей Комиссии не встал, чтобы меня поблагодарить за совершенный мной исполинский труд. Я сам поблагодарил Комиссию… Только Стааль в общем собрании пробормотал несколько слов благодарности и опять обнаружил полнейшую беспомощность в ведении дела Конференции. Он постоянно краснел, бледнел и путался в своих словах, и я должен был записочками направлять его. Все это видели и нисколько не удивлялись, ибо все знают, что Стааль только манекен и больше ничего. Ведь он решительно ничего не знал во время всей Конференции ничего он не разрешал и ничего не направлял. Его друг Базили был ему достойным партнером: ни одного слова в продолжение 2х месяцев господин Базили не проронил в заседаниях Конференции или Комиссий!

Трудно себе представить бóльшую бездарность и глупоумие!

В тот же день вечером я опять поехал в Париж для председательствования в моем англо-американском трибунале. 14го (2го) июля я вернулся в Гаагу.

19(7).VII[4]. Два дня продолжались серьезные прения об арбитраже в общих заседаниях III Комиссии. В этих прениях я должен был принимать самое деятельное участие. В заседании 17 числа я защищал, по общему мнению, блестящим образом проект об арбитраже. Вместе с тем я напомнил, что составители этого проекта – русское правительство, то есть я. Это совершенно забывают и только болтают об авторстве французов, составивших одну статью 27ю из 56, или об англичанах и американцах. Затем я энергическим образом отстаивал, против шведского посланника, свободное избрание супер-арбитра самими арбитрами. Наконец, я произнес блестящую, по общему мнению, речь против американского

[4] Примечание: 19 июля – дата по григорианскому календарю, принятому в Европе. 7 июля – дата по юлианскому календарю, принятому в то время в России.

предложения о пересмотре постановленного третейского решения. Я выиграл сражение и заставил американцев принять предложения Ассера о факультативности пересмотра по особенному желанию спорящих государств.

Наконец, сегодня я имел совершенно особенное торжество. Балканские государства: Румыния и Сербия, по наущению Германии (очень подло поступающей на Конференции) ополчились против моей выдумки так назыв.[аемых] Commissions d´enquête. Румынский делегат Beldiman произнес длинную и самую бестактную речь против этих Комиссий. Никогда не была произнесена в Конференции такая бестактная речь совершенно с политическим характером. Ответил ему сперва Descamps и очень плохо. Затем я встал и импровизировал речь, которая совершенно приковывала к себе внимание членов конференции. Когда я кончил речь раздался гром рукоплесканий. Со всех сторон меня поздравляли и говорили: „Vous avez été très éloquent", „Vous avez été admirable", „Vous avez été merveilleux", „Vous êtes un poête", „Sie sind, Exzellenz, wirklich grossartig gewesen" – сказали немцы. Одним словом, я должен был ответить всем как Calchas: „Trop de fleurs!"

Любопытен был еще следующий факт. На мою речь стал отвечать румынский делегат Beldiman и стал делать против меня глупейшие выходки, обвиняя меня чуть не в оскорблении его родины. Это переполнило чашу: его остановил председатель Bourgeois и сказал очень удачно, что не малейшего даже намека насчет Румынии нельзя отыскать в речи месье Де Мартенса. Слова Bourgeois были покрыты громом рукоплесканий.

Я вышел из заседаний конференции ликующим и счастливым.

До какого тупоумия могут идти господа Базили и его компания, видно еще из следующего факта. Он, с согласия Стааля, уговорил господина Станчева, болгарского делегата, фуксом попавшего на конференцию, защищать Россию против Румынии и Сербии! Это Станчев и сделал. Я краснел от стыда в продолжении этой речи; другие члены Конференции перемигивались и смеялись, но Базили и Стааль были довольны. И вот Россия под крылышком Болгарии. Прелестная картина!

18(30).VII[5]. Я Париже со вчерашнего дня, нет, с пятницы, ибо сегодня воскресенье. Вчера, наконец-то, кончилась Гаагская Конференция! Слава Богу! Я просто не в состоянии был проводить ночи в вагоне и заниматься неустанным образом в Гааге и в Париже. Я не присутствовал на последнем заседании, то есть закрытии Конференции. Но я знаю из газет и от прибывших уже в Париж членов бывшей конференции, как все происходило. Последним затруднением, которым мне пришлось заниматься в Гааге, была последняя статья Конвенции об арбитраже, которая касается прав приступления[6] к этой Конвенции держав, не присутствовавших на Конференции, но изъявивших в последствии желание приступить к ней. Обыкновенно такое приступление не встречает ни малейшего затруднения. Но в отношении Гаагской конвенции об арбитраже явились два серьезные и непреодолимые затруднения: граф Нигра заявил, что Италия не может допустить приступления Папы, и Sir Julian Pauncefote не согласился на открытое приступление ввиду возможности приступления к ней Transvaal. Само собой разумеется, что ни граф Нигра, ни Pauncefote не указывали на мотивы их оппозиции, но все знали эти мотивы. И вот нужно было искать выход из этого положения. Были всевозможные проекты о последней статьи

[5] Примечание: 18 июля – дата по юлианскому календарю, принятому в то время в России; 30 июля – дата по григорианскому календарю, принятому в Европе.

[6] Примечание: Мартенс использовал слово "приступление". В современном русском языке это слово не используется.

Конференции, и за один (самого графа Нигры) высказывались многие. На основании этого проекта протест против приступления останавливает самое приступление какой-либо державы. Потешный бельгийский делегат Chevalier Descamps (произведенный французским делегатом Bourgeois, пользовавшимся им как пешкою) произнес в четверг 27го числа на конференции несколько трогательных речей, в которых он умолял представителей Англии, Италии, Испании и других отказаться от своей оппозиции признать неограниченное право приступления. Как будто красноречием можно заставить представителей держав нарушить свои обязанности и не исполнять своих инструкций! Это ужасно глупо и наивно! Но бельгийский делегат, ученик иезуитов, говорил и говорил и только вызывал улыбки и неудовольствие. Наконец, я предложил как последнее средство: оставить весь вопрос открытым предметом дипломатических переговоров между державами. Французский делегат с свойственною ему легкостью опять подхватил мое предложение, сделал его своим_ и во всех газетах говорится: „M. Bourgeois a sauvé la situation en proposant…". Этот маневр неоднократно практиковался[7] ловким французом в продолжение занятии Гаагской конференции, и я неоднократно оставался на бобах: мои предложения, под другим соусом иногда, подносились Конференции, и честь и слава принадлежали M. Bourgeois. Грандиозен был в этом отношении маневр Bourgeois в деле арбитража. Конференции был предложен для обсуждения мой проект из сорока статей. M. Bourgeois ловко устроил, что сделал председателем III Комиссии об арбитраже, которая считалась "самою важною". Почему? Неизвестно. Не имея никаких положительных познаний в деле междунар. Арбитража, M. Bourgeois нашел дурака Chevalier Descamps, который в Бельгии известен своей глупостью и бездарностью, но у него в голове кое-какие сведения об арбитраже, которых у B.[ourgeois] нет. И вот этою пешкою Bourg.[eois] очень ловким образом воспользовался, чтобы изменить и испортить мой проект. Этого мало. B.[ourgeois] все сделал, чтоб забыли, кто дал положительное основание для всех прений Конференции об арбитраже и кто действительный отец Конвенции об арбитраже. Очевидно, что таковым может считаться я, а не кто другой, потому что из 56 статей больше 40 мои. Однако результат был тот, что все говорят о великих заслугах Bourgeois, Descamps, baron d'Estournelles и других в деле арбитража. Эти же господа воспользовались моими предложениями и без моего согласия ничего не делали в составлении "своего" проекта трактата об арбитраже.

Как бы то ни было, но Конференция наконец-то кончилась, и я немного свободен.

2.VIII. (н.[ового] ст.[иля])[8] Читая в газетах о ближайших результатах Гаагской Конференции, невольно приходишь на грустные мысли. За труды свои на Конференции Стааль получил выражение особенного благоволения Государя. Pauncefote произведен в пэры Англии; Leon Bourgeois пожалован нашем Государем в кавалеры ордена Св. Александра Невского; baron d'Estournelles получил Станиславскую звезду, наконец – Teneatis de risu amici! – le chevalier Descamps 'pour son grand role joué à la conférence de La Haye' назначается Министром И.[ностранных] Д.[ел] Бельгии. Так говорят газеты, и все подтверждается.

Только я, сделавший всё на Конференции, остаюсь при своем интересе! Даже простой благодарности я не удостоился от моего начальства!!

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[7] Примечание: в оригинальном тексте Мартенс написал "практически", что скорее всего является опиской.
[8] Примечание: Дата в соответствии с новым стилем означает дату по грегорианскому календарю.

Старик Стааль очень хороший и милый человек, но он был самый жалкий президент международной Гаагской Конференции. Он абсолютно ничего не понимал в поставленных вопросах и решительно ничем не руководил. Это видели все члены Конференции и потому постоянно ко мне обращались, а не к нему. Я начертил ему план действий: разделение Конференции на 3 Комиссии; я ему указал на председателей оных (за исключением Bourgeois); я вел все переговоры с членами Конференции и всегда должен был его подготовлять к заседанием Конференции. Сидя подле него в Конференции, я постоянно ему подсказывал, что ему следует говорить и делать. Только в последние два дня Конференции, когда я должен был находиться в Париже, мое место занял юркий жидёнок Raffalovitch и – по общему мнению – бестактным образом вмешивался, за председателя, в прения. Насколько Стааль сам чувствовал свою беспомощность, видно было из его последних слов, мне сказанных в прошлый четверг, когда я, во время заседания, должен был его покинуть. "Итак, вы меня оставляете одного, без вашей помощи"! Я его успокоил, сказав, что все устроено, и уехал. Но в заключительном заседании Конференции Стааль все-таки успел сделать непростительный промах: он совершенно забыл выразить благодарность Конференции секретарям, которые работали без устали! Это просто возмутительно, и я краснею за Стааля. На всех международных Конференциях принято благодарить секретариат, а никогда секретари так не работали, как в Гааге.

Но – tout est bien qui finit bien! Стааль и, вероятно, подлейший Базили, писавший за моею спиною донесения (или доносы?!) в М[инистерст]во, получат высочайшую благодарность и награды. На мою же самоотверженную и выдающуюся деятельность на Гаагской Конференции наверно только злятся и злились петербургские башибузуки-графы. От них я могу ожидать только пакостей и больше ничего! Слыханное ли дело, что я в продолжении всей Конференции не писал ни одного донесения в Петербург, ибо не имел на это ни приказания, ни права! О трудах моей Комиссии о Брюссельской декларации писали донесения идиот-мальчишка Приклонский и бездарнейший грек Базили! Никто из них не присутствовал в заседаниях Комиссий (2ой) и Приклонский не мог даже присутствовать, но донесения о трудах этой Комиссии писали – Приклонский + Базили!! Никто из Петербурга не изъявил даже желание, чтобы я им объяснил ход этого дела, окончившегося подписанием акта в 60 статей! Никогда петербургским графам не приходила мысль поощрять меня в моих труда хотя бы добрым словом!

Все это возмутительно, но меня эти гадости жизни с толку не собьют. Я пойду своею дорогою и могу гордиться тем положением в мире, которого я добился своим умом и трудом. Я постоянно буду помнить то, что я сказал в заседании Конференции 19 июля в ответ Бельдиману: „ Dans la vie privée, pour être heureux, il faut tout voir en rose. Dans la vie internationale, pour être grand, il faut tout voir au grand".

15(27)VIII.99. Сегодня день моего рождения: мне исполнилось 54 года. Еще никогда я так скучно его [не] проводил. Далеко от обожаемых жены и детей, в чужом городе, без друзей провести этот день я не привык. В этот день я бывал всегда в своей семье и бывало весело и хорошо. Слава Богу, что вчера сюда я приехал на 2 дня мой старый друг Carathéodory с детьми и зятем. С ними я мог позавтракать в ресторане Madrid в Bois De Boulogne. Кстати сказать, за меленький завтрак на 5 персон, с тремя бутылками шампанского и одною бутылку красного вина я заплатил 200 франков. Никогда в этот разбойничий ресторан не пойду…

Прошел ровно месяц после закрытия Гаагской Конференции, и до сих пор я не получил ни одной строки ответа на мои письма графам Мур.[авьеву] и Ламз.[дорфу]! Не получил я ни

одного слова одобрения или неодобрения за мои исполинские труды в Гааге! Ничего! Ничего!

Этого я никак не ожидал. Я знал бесшабашное легкомыслие обоих графов. Я знал их невежество непроходимое. Но никак не знал о них такое отсутствие всякого простого приличия, которое я себе даже объяснить не могу. Единственное объяснение следующее: оба графа в душе злятся на эту выдающуюся роль, которую, по их же милости (они затеяли Конференцию!), я играл в Гааге. Это им не по нутру. Это такие маленькие людишки, что им неприятно было читать постоянно телеграммой и газетные статьи о моих речах и подвигах. Статьи "Figaro" и других газет, мне посвященные, должны были взбесить этих башибузуков ума и порядочности. И вот они оставляют меня даже без всякого ответа и сообщения после закрытия Конференции. Мои милый и верный друг Муромцев мне пишет, что мне объявлено Высоч.[айшая] Благодарность за мои труды на Гаагской Конференции. Но я об этом ничего не знаю по настоящую минуту. Друг Муромцев объясняет подлый образ действия обоих графов бессознательностью. Может быть он и прав. Они знают и сознают только то, что согласно с их личною пользою в данную минуту. Это бесспорно. Я же им принести пользу личную не могу. На Гаагскую конференцию они меня назначили à contre coeur, а я им был необходим. Хотели они меня поставить в самое унизительное положение. Но сила вещей заставила их поставить меня так, как следовало делать с самого начала. Но это было им очень неприятно. Из "прикомандированного к особе Д.[ействительного] Т.[айного] С.[оветника] Стааля" я обратился в равноправного с ним делегата и уполномоченного Импер. прав. Это графы должны были сделать, потому что иначе "папа Стааль" совсем провалился бы на Конференции и вместе с нею.

Как бы ни было. Еще один год моей жизни прошел, и благодаря Всевышнему он прошел хорошо и блестяще. Мое положение в мире я лично и собственным трудом и умом себе завоевал. Остается только держаться на этой высоте и сохранить за собою тот авторитет и то уважение, которыми я пользуюсь в настоящее время. Этого никто, даже оба графа вместе взятые, от меня отнять не могут.

17(29).VIII.99. Я сержусь и возмущён поведением обоих графов-башибузуков в отношении меня. И кажется основательным образом. Ведь теперь я читал в «Санкт-Петербургских ведомостях», что Высочайшее благоволение даже выражено капитану Шеину и поручикам Овчинникову и Баранцеву, игравшим на Гаагской Конференции самую мизерную роль. Но мне-всё ничего! Как будто я не был на Гаагской конференции.

Но сегодня Кн.[язь] Урусов мне рассказал такой факт, что мои сетования совершенные безделушки и глупы в сравнении с поведением этих башибузуков в других делах. Ур.[усов] мне рассказал следующее. Недели две тому назад франц.[узский] М.[инистр] И.[ностранных] Д.[ел] Делькассе предпринял поездку в Санкт-Петербург- для подкрепления франко-русского союза. Делькассе виделся несколько раз с гр.[афом] Мур.[авьевым], имел с ним беседу в продолжение 2-х часов; видел Государя, с которым я[9] говорил полтора часа. Но о чем они говорили – никому неизвестно. Русский посол в Париже получил от гр.[афа] Мур.[авьева] письмо, в котором ему сообщается, что Делькассе был в Петербурге, видел Государя и больше ничего! «Сорок лет служу я в М.И.Д.» сказал мне Урусов, «но такого безобразия я не видел и себе представить не мог. Делькассе полагает, что я всё знаю о своих беседах с Государем и гр.[афом] Мур.[авьевым]. Между тем я ничего не знаю. Моё положение глупейшее и почти невыносимое».

[9] Примечание: скорее, здесь должно быть «он», а не «я».

Да, если русского посла в Париже оставляют в неведении того, что франц.[узский] М.И.Д. делал в Петербурге, то мне удивляться бесшабашному неприличию обоих графов-башибузуков правда нельзя. Я должен Бога поблагодарить, что меня не выгнали со службы за мои «подвиги» на Гаагской Конференции. Я действительно ничему не удивляюсь, ибо невежество и неприличие графов Мур.[авьева] и Ламзд.[орфа] совершенно беспредельны.

Между тем Россия затевает [?] величайшей трудности и задачи! И все – отлично!

27.VIII(8.IX). Сегодня я получил частным образом от добрейшего Мих.[аила] Ив.[ановича] Муромцева приказ М.И.Д. от 23го июля, в котором объявляется мне Высоч.[айшая] благодарность за просвещенные труды на Гаагской конференции! Итак, Министр или даже его Товарищ не находили нужным сообщить мне этот приказ. Они предоставили случаю, чтобы я узнал об этой Высоч.[айшей] награде. Такого безобразия я ещё не видел. Прежде, после окончания какой-нибудь международной конференции я получал письмо от министра с изъявлением мне Высоч.[айшей] благодарности или пожалование мне награды. Только впоследствии, через несколько недель, о моей награде печаталось в приказах по Министерству. Теперь же, ни письма не получить и ни приказы не сообщаются заинтересованным лица. Разве это [не] безобразное башибузукство?!
Но ещё любопытен тот факт, что за «просвещенные труды на Гаагской Конференции» и министр и его товарищ выхлопотали себе Высоч.[айшую] благодарность!! Это уже совсем опера-буфф. Ещё примера не было, чтобы Министр и его Товарищ, дававшие инструкции и приказания командированным на Конгресс делегатам, также себя награждали за такие инструкции и приказания, которых они сами не исполняли. Теперь нужно каждый день выражать Высоч.[айшую] благодарность за их деятельность. Такое возмутительное нахрапство только объяснятся желанием обоих графов: получить и к будущей Пасхе высшие ордена. Для них Высоч.[айшая] благодарность уменьшает срок выслуги до ордена; для меня же – увеличивает этот срок. Это факт.

Сегодня еду в Гаагу, чтобы подписать все акты конференции, и завтра вернусь.

29.VIII(10.IX). Меня понятным образом интересует вопрос: чем объяснить возмутительно несправедливое отношение ко мне нынешних заправил М.И.Д.? Чем объяснить, что они даже не сообщают мне Высочайшей благодарности? Кроется ли в таком образе их действия лукавство или злая воля?

Желая это выяснить, я просил милейшего Князя Урусова повидаться с гр.[афом] Кассини, только что вернувшимся из Петербурга. Кас.[сини] – сердечный друг гр.[афа] Мур.[авьева], и до отъезда его в Санкт-Петербург я говорил с ним о том, как меня обижают. Ур.[усов] поехал к гр.[афу] Кас.[сини] и ловким образом навёл разговор на меня и спросил его: чем объясняется поведение гр.[афов] Мур.[авьева] и Ламз.[дорфа] в отношении меня? Разве он в чем-нибудь провинился? Гр.[аф] Кас.[сини] ответил, что «в Санкт-Петербурге вообще довольны результатом Гаагской Конференции», но находят, что Стааль был плох как председатель (ещё бы!). На Стааля сердится Мур. [граф Муравьев] ещё и потому, что после Конференции он не приехал для доклада в Санкт-Петербург. Вообще, его дни посла в Лондоне сочтены (на его место будет назначен гр. Кассини).

Что же касается Мартенса, сказал Кас.[сини], то против него ничего не имеют (слава Богу!) и графs Мур.[Муравьев] и Ламз.[дорф] признают его заслуги.

Но, прибавил Кас.[граф Кассини], "on le craint un peu à cause de sa réputation"!!! Это недурно! Меня боятся, что я могу сделать графам?!! Это просто смешно, но подтверждается эта боязнь двумя обстоятельствами: 1) недопущением меня к Государю - в чем Мур.[авьев]

постоянно отказывает и 2) неудовольствием их, если меня хвалят в газетах. Разве это не мелочно и позорно?

Логика отсюда следующая: мне нужно все сделать, чтоб эта боязнь увеличилась, тогда меня поскорее удалят из Санкт-Петербурга назначением на посланнический пост. Только бьюсь и почти уверен, что гр.[аф] Мур.[авьев] и тут может меня надуть.

Кн. Ур.[Князь Урусов] мне подтвердил, что гр.[аф] Мур.[авьев] только думает о сохранении своего поста и все остальное для него – трынь-трава. Он в большом фаворе у Государя и Императрицы, потому что все болтает с ними о кормилицах, няньках и т.п. Недурно для Министра Иностранных Дел!

Вчера (9го IX) совершилось здесь, во Франции, величайшее и возмутительнейшее преступление против всех чувств справедливости и права: Реннский военный суд обвинил, большинством 5 голосов против 2-х, невиннейшего человека: Капитана Дрейфуса. Будучи здесь, в Париже, и видя ужасную агитацию, проводимую в публике этой 'Affaire', я не мог не читать все стенографические отчеты о заседаниях Реннского суда. Такого возмутительно-безобразного ведения судебного дела я не мог себе представить в цивилизованной Европе, в конце XIX века. Осуждение же несчастного мученика, невинную жертву отвратительных махинаций франц.[узских] генералов, не может не вызвать глубочайшего сочувствия к мученику и величайшего презрения к французскому правосудию, правительству и народу. Эти чувства господствуют во всей Европе, у людей, в сердцах которых ещё сохранилась искра Божия правды и справедливости. Но, здесь, в Париже, на улицах танцевали от радости и восторга, узнав об осуждении невинного!! Я думаю, что только в одной России, в лагере нововременцев и русских башибузуков à la «Светъ»-Комаров, этот восторг уличной сволочи находит отклик.

Бедная Франция! Бедный народ! Бедная европейская цивилизация будущности!

11(23).IX.99 Я все ещё в Париже и председательствую в международном третейском суде. Я очень устал, но надо кончить это громаднейшее и труднейшее дело. Надеюсь, что через неделю я буду точным образом знать день моего отъезда отсюда-домой! Был у меня сегодня совершенно неожиданный гость: Е.Е. Стааль! Добрейший старик зашёл ко мне, чтобы сообщить мне свои впечатления насчёт Гаагской Конференции и потолковать. И вот от него я узнал, что он, Д.[ейственный] Т.[айный] С.[оветник], до сих пор ни одного словечка не удостоился насчёт бывшей Конференции, в виде благодарности!!! Он даже не видел приказа о Высоч.[айшей] благодарности!!! Это до такой степени возмутительно и неслыханно, что я – краснею за мое неудовольствие по поводу полного молчания петербургских графов за мои труды. Если старика, почтеннейшего председателя Конференции, забыли благодарить и сообщить ему о монаршей благодарности, то как же я могу быть в претензии? Бедный старик только смеялся и faisait une bonne mine au mauvais jeu.

Вот как надо быть осторожным, давая волю своим первым впечатлениям. Я не должен был сердиться, если уже такие люди управляют делами великой России.

20.IX(2.X). Слава Богу, что наконец-то кончился англо-американский арбитраж. Я очень устал и завтра же уеду отсюда в Баден-Баден. Сегодня мне удалось уговорить 4-х арбитров сделать взаимные уступки насчёт пограничной линии между Венецуэлою и Английскою Гвианою. Хуже и несноснее всего вели себя оба английские арбитры и в особенности лорд Россел, который стал говорить мне дерзости за то, что всё воскресенье посвятил на конфиденциальные переговоры между арбитрами для заключения компромисса. Этого

компромисса я и достиг благодаря сердечному ко мне отношению Chief Justice of the United States Mr. Fuller, очень меня полюбившего, и благодаря уступчивости другого амер. [американского] арбитра Mr. Brewer, под влиянием Fuller'a. Между тем англичане получили львиную долю и все-таки недовольны. Лорды Россел и Коллинз торговались как жиды!

В первый раз мне пришлось столкнуться с этою британскою алчностью.

Но все-таки велико мое торжество: решение третейского суда единогласно. Этого никогда не бывало в коллегиальных третейских судах и это идеал такого рода суда, ибо моральное значение решения несравненно выше, чем его юридическая важность. Ура!!!

21.IX(3.X). Сегодня в 12 часов было торжественное и последнее заседание третейского трибунала. До открытия заседания все арбитры подписали 4 экземпляра на пергаменте третейского решения, без всяких оговорок. Я открыл заседание, заявив на английском языке о состоявшемся подписании третейского решения и пригласил секретарей, английского и французского, прочесть его. Что и было исполнено. Затем я сказал, по-английски, речь с благодарностью агентам и адвокатам правительств и секретарям. Наконец, по-французски, я выразил благодарность франц.[узскому] правительству за оказанное трибуналу гостеприимство и объяснил особенное значение постановленного решения в том, что оно принято единогласно (чего никогда не было!) и что им впервые применены правила судопроизводства, принятые Гаагской Конференциею. Эти два обстоятельства придают совершенно особенное значение только что постановленному третейскому решению. В заключение, по-английски, я объявил заседание закрытым, после этого как Sir R. Webster и генерал Гаррисон ещё благодарили суд и французское правительство за оказанное гостеприимство. Тем и кончились заседания англо-американского третейского трибунала в Париже, которого я имел честь быть председателем. Мне казалось, что один из арбитров должен был бы встать и выразить благодарность мне – председателю. Но оба американские арбитры (Fuller и Brewer) наверно об этом не подумали, потому что в обыкновенных судах такой благодарности не выражают. Оба же английские арбитры явным образом на меня злились и потому они почина такой речи не приняли. Их злоба – смешна и тупа (другие англичане, как the Attorney General, посол Ed Monson и Mr. Buchanan остались очень довольны решением трибунала, потому что Англия действительно много получила и почти все – что требовалось. Но лорды Россел и Коллинз очевидно злились на то 1), что под моим влиянием должны были отказаться от того, что они уже считали своим и 2), что из-за настойчиво требуемого мною единогласия они должны были сделать уступку американцам. Вот эти два обстоятельства их разозлили донельзя, и мы расстались довольно холодно. Объясняю это в немногих словах и посредством нижеследующего рисунка.

Рисунок:
Амакура
Barima
B.P.
C.[ap] Palaya
Моя линия
Fuller
Cap Motocomo [?]

Когда в пятницу на прошлой неделе кончились споры между четырьмя арбитрами об общих законных основаниях предстоящего решения, я должен был сказать своё слово. Я объяснил свою точку зрения на все главнейшие вопросы, отрицал безобразное право открытия и оккупации испанцев и американцев, доказал отсутствие определения каких границ в

Вестфальском трактате и сказал, что территорию между Эссеквибо и Ориноко можно, скорее всего, признать condominium испанцев и голландцев. Излагая эту свою основную точку зрения, я откровенно сказал, что не могу признать права англичан на Barima Point (B.P.) в устьях реки Ориноко. Это лорды Россел и Коллинз намотали себе на ус

В тот же день, после обмена мыслей по общим вопросам начались между 4 арбитрами жестокие прения насчёт проведения пограничной линии. Англичане предложили свою линию. Зная мой взгляд насчёт владения Barima Point, они вперёд от него отказались, и желая завербовать меня в свой лагерь, они с берега начали свою линию от мыса Motocomo [?] вовнутрь страны. Я ничего не сказал и молчал. Но когда лорд Россел стал проводить английскую линию во внутрь страны и более на запад, я ему только поставил вопрос: почему же Англия теперь требует больше, чем требовала она в 1881 году в ноте лорда Гренвила. Лорд Россел немедленно понял мой вопрос и, желая, угодить мне отказался от своей линии, уступил венецуэльцам значительную область. Далее на юг, на мой вопрос, он опять отказался от своего требования – желая завербовать меня. Эту английскую линию американцы наотрез отказались принять. После взаимных нареканий и споров я должен был высказать своё мнение. Желая завербовать американских арбитров, я потребовал от англичан ещё уступку, то есть предложил начинать на берегу морском пограничную линую на половине между Cap Mocotomo и Palaya. Англичане согласились, но американцы – нет. На этом кончились заседания в пятницу. В субботу опять было заседание, но безуспешно и взаимные отношения между английскими и американскими арбитрами стали все более натянутыми. В воскресенье утром опять было заседание и опять безуспешно. Тогда я решился взяться за дело дипломатическим образом. Я пошёл к Chief Justice Fuller и настойчиво его уговаривал сделать ещё маленькую уступку. Старик меня очень полюбил и обещал поговорить со своим коллегою Brewer. Потом я пошёл к лорду Коллинзу и объяснил, что англичане также должны сделать ещё уступку. Но Коллинз, с которым я до сих пор был в лучших отношениях, наотрез отказался и сказал, что лучше предпочтёт иметь простое большинство (считая меня на своей стороне), нежели единогласие за новые уступки. На другой день, в понедельник рано утром, я опять пошёл к Brewer и его уговаривал. От него я узнал, что милейший Fuller был у него накануне вечером два часа и после долгих рассуждений они согласились ещё сделать уступку. Я очень обрадовался и считал найденною почву для соглашения. Пошёл я опять к лорду Коллинзу, но нашёл его ещё менее уступчивым, чем накануне. Но тогда я ему объяснил, что не в интересах Англии принудить (принудить подчёркнуто) меня перейти на сторону американцев. Это заставило его призадуматься. Fuller'у же и Brewer'у я сказал, что если они не сделают уступку, то меня заставят à contre coeur стать на сторону англичан, ибо я не могу желать и допустить скандала, то есть случая, что трибунал не может решить дело, ибо 4 арбитра не могут согласиться между собой, а супер-арбитр отказывается подать свой голос!

С лордом Росселом я не говорил в воскресенье, потому что его в Париже не было. Но лорд Коллинз по моей просьбе, сообщил ему всё об этих переговорах. Эти переговоры и в особенности сообщенное ему лордом Коллинзом опасение, что я перейду на сторону американцев, просто его взбесило. Свою ярость и злость он открыто высказывал в понедельник, перед и после начала заседания. Я открыл заседание рассказом о моих переговорах и дал понять совершенно явным образом, что нахожу в сделанных американцами уступках твёрдый базис для возможного и полного соглашения. Моя речь возмутила донельзя без того вспыльчивого и раздражительного лорда Россела. Он стал говорить почти дерзостно, сказав, что бывшие переговоры между президентом и членами трибунала кажутся ему странными и непонятными и что он никаких уступок сделать не намерен. На это я ему коротко и ясно ответил, что считаю и буду считать не только своим правом, но и своим нравственным долгом (долгом подчёркнуто) иметь такого рода переговоры для обозначения полного единогласия между арбитрами и достижения великой

цели -единогласного третейского решения. Поэтому обвинения лорда Росселя признаю совершенно неосновательными и нисколько не сожалею о моих шагах, всегда сообщенных немедленно обеим сторонам.

Лорд Россел немедленно смягчился и стал доказывать, что он нисколько не хотел отрицать мое право вступать в обмен мыслей с обеими сторонами. После лорда Росселя, который от злости бросал атласы на стол, заговорил Chief Justice Fuller и предложил свою линию (Fuller на рисунке). Англичане на дыбы поднялись и ни за что не согласились отказаться от своей линии. Выслушав их прения и пререкания, я наконец предложил линию компромисса от Cap Palaya вниз. Благодаря моему личному влиянию и уговариванию оба американца приняли мое предложение. Наконец увидев, что я на стороне американцев, оба англичане также согласились на мою линию. Я ужасно обрадовался такому моему торжеству иметь единогласное третейское решение, несмотря на полную противоположность интересов, взглядов и прав обеих сторон. Но англичане, как жиды, стали торговаться и за сделанные «великие» уступки стали требовать вознаграждения на берегах реки Куюни. Но они ничего не получили. Но вообще, они должны быть чрезвычайно довольны решением, благодаря которому они получили все золотые прииски.

Однако, все-таки, лорды Россель и Коллинз злятся на меня за то, что я буквально их заставил быть уступчивыми и отказаться от своих чрезмерных требований. Они думали, что я согласился бы на их первоначальную линию, если б они уже в субботу настаивали на немедленном голосовании. Но постоянные отсрочки решения, ими же предложенные, заставили меня искать почву для соглашения и перейти на сторону американцев. Хотя я не переходил ни на какую сторону - все-таки они чувствовали, что я поставил их в такое положение, что они должны были ещё сделать уступку и принять мою линию от Cap Palaya. Это было ясно как день, что если англичане не согласятся на мой компромисс я буду с американцами, нежели с ними.

Вот причина лордов Россела и Коллинза и вот путь, по которому я мог добиться единогласия всех арбитров. Это великое торжество!

Когда после заседания ко мне подошел капитан второго ранга С.П. Шеин и его помощник, в качестве морского агента России, г. [господин] Кедров, то первый мне сказал: «Благодарю Вас, Ф.Ф. [Фёдор Фёдорович], от души. Как приятно было нам обоим чувствовать себя русскими. Этого чувства мы редко испытуем!»

Лучшей хвалы я не могу себе желать...

Вечером уеду из Парижа в Баден-Баден.

Расшифровку выполнил Рачков Илья Витальевич, партнер адвокатского бюро "Некторов, Савельев и Партнеры" (г. Москва), кандидат юридических наук, магистр права (LL.M.), член Королевского института арбитров, Лондон (MCIArb), адвокат (Адвокатская палата г. Москвы, Россия)



Excerpt from the diaries of Fyodor Fyodorovich Martens for 1899

16(4).VI.[1] I have just returned from Paris, where I spent 2 days to open the sessions of my Anglo-American tribunal on the Venezuelan question. Yesterday 15(3) the opening took place. *M. Delcassé* said a few words. I answered him. But everything was very scanty and in republican way. Apart from a dozen people, there was no audience. Then the English *Attorney General Webster* began to give his speech. He spoke very well, but still it was tiring to listen to him for 4 hours - with a small break, however.

20.VI. I am delighted: today my Commission brilliantly completed the revision of the Brussels Declaration and unanimously adopted the most scandalous articles on the Combatants and the rights of the occupying army. All members of the Commission openly expressed their delight and deep gratitude to me, and even the French could not help but tell me: „*Vous avez merveilleusement mené la séance d'aujourd'hui*". I myself never expected such a brilliant success. The Brussels Declaration – my favorite child of 1874 – from an illegitimate child became legal and recognized by all! What a delight! What a joy!

But how difficult it was for me to achieve such a brilliant result. The matter was arranged as follows.

I entered, before the meeting, into an agreement with the Belgian commissioner Beernaert, who told me about the declaration he received from Brussels. This declaration states the clear fear of Belgium to remain outside my *Société d'assurance mutuelle contre les abus de la force en temps de guerre*. And now *Lambermont* – the sworn enemy of the Brussels Declaration – came to idea to confirm the great importance of the codification of the laws of war, but, at the same time, requires that the issues left unaffected in that declaration (for instance, *levée en masse dans un pays occupé*) remained under the auspices of '*des principes du droit des gens et des lois de l'humanité*'. These are empty phrases, but the Belgians are afraid that if they do not proceed with the declaration, they will be treated inhumanly, in addition to any rules and laws.

I have arranged with *Beernaert* that before the debate on articles 9 and 10 of the Brus[sels] act begins, I will read this declaration, slightly modified by me, and he will immediately declare that, in view of such a declaration, he accepts these articles without any changes. In secret, I persuaded and warned representatives of some other powers. And when it was necessary to start discussing these articles, I made a small speech and read the declaration. The representatives of Belgium, Holland, Romania and others immediately expressed their pleasure and consent, and all three scandalous articles went brilliantly – unanimously!!! Only a Swiss colonel made a long and the most stupid speech about patriotism and – failed! English delegate and general *Sir John Ardagh* insidiously offered an article that could stop the victory. But all the delegates turned to him with an urgent request to withdraw his proposal, and finally he agreed.

It is difficult to describe the overall pleasure and delight of the members of the Commission. Everyone congratulated me and spoke enthusiastically about my talent for carrying out such difficult cases at international conferences. But my home-grown bosses probably do not understand the full significance of the victory won. They do not show their pleasure in any way. I am not writing anything to St. Petersburg, because my "boss" A.P.C. [active privy councilor] Staal writes and reports everything, together with his friend Basili. But they both do not understand anything and represent at the conference "*les bien tristes figures*"! This is the general opinion. For

[1] **Translator's Note:** The first date is in the Gregorian calendar, the second date is in the Julian calendar used at that time in Russia (until 1917).

example, today after breakfast, there was the general meeting of the Conference to approve the articles on the Red Cr.[oss] at sea. Although it was written for Staal what he should speak, he was terribly confused, blushed and floundered. It was a pity to look at him. He is a good old man, but very talentless in general, and in matters of intern.[ational] Conferences he understands nothing.

But how do I have to work here! Today, for example. From 10 to 12 ½ h, the most important meeting of my Commission was held. From 2 to 4 h, a meeting, under my chairmanship, of the entire Commission. At 4 h, the meeting of the general conference chaired by Staal. At 7 o'clock, I have been sitting in the carriage to spend the whole night on the train on the way to Paris to conduct an Anglo-American arbitration case. Obviously, it is not for nothing and not cheap that I pay for the honors that have fallen on me.

23.VI[2]. I returned from Paris in the morning and immediately went to *Huis Ten Bosch*, where Staal delivered, in the first Commission, a speech written by Rafalovich on disarmament. Colonel Zhilinsky also gave a speech and made impossible proposals. To characterize our, Russian, usages, it is interesting that Zhilinsky did not show A.P.C. [actual privy counselor] Staal, authorized by the Emperor, neither his speech, nor his proposals. Staal himself told me about that!

Representatives of foreign powers constantly notice complete discord and anarchic relations between the representatives of the Imper.[ial] Russian government at the Conference. Nothing of the kind is noticed among representatives of other governments. And yet everyone is delighted with the great initiative of the Russian government!

Never in my life have I believed in the Providence of God as I do now regarding the Hague Conference! Only this Providence can explain, how with the incredible mediocrity and criminal frivolity of the Russian ministers, the Conference will nevertheless lead to great good and completely unexpected and undeserved good. I have no other explanation! Only the Lord wanted this Conference and is in control of its affairs.

5.VII. (23.VI).[3] Today there was a general meeting of the Conference and the approval of the work of my Commission, which drew up a new version of the Brussels Declaration. The entire project was unanimously adopted by both the Commission and the Conference! Thus, my brainchild, which is 26 years old now and which was so offended at the Brussels Conference of 1874, received brilliant satisfaction. It is recognized by 24 States in Europe, America and Asia. I did not expect such a celebration, and I am happy and satisfied. Only a few people will be able to appreciate my victory and the enormous and backbreaking work that this victory cost. How many sleepless nights, troubles and negotiations I had to endure on my shoulders. In St. Petersburg, they are not able to appreciate this, because it is impossible to imagine a more frivolous and reckless attitude to other people's work and serious business. But maybe in the future they will understand what this victory cost me. Take just one meeting today – what it costed me!

In the morning at 10 o'clock, it was necessary to arrange the third reading of my own draft in such a way that it would go smoothly. But there were menacing clouds on the horizon. First, the American delegate proposed to declare inviolability of private property during the naval war. This proposal, by order of our government and the demand of the French and English, had not only to be eliminated, but even its discussion at the conference should have been avoided. This proposal

[2] **Translator's Note:** Date in accordance with the Gregorian calendar.
[3] **Translator's Note:** The first date is according to the Gregorian calendar; the second date is according to the Julian calendar.

could be eliminated by indicating the lack of competence to discuss it. But everyone wanted not to point out the question of competence – which was delicate.

And now, after a long speech of *Mr. White*, the first authorized representative of the Un.[ited] St.[ates], I stood up and, giving full credit to the Americans, offered to let the future conference study the American project. My proposal was unanimously accepted.

A second dangerous proposal came: to extend the rules of the Declaration on the bombardment of open cities to cities on the seashore. I knew that if this proposal were discussed and accepted, there would be a complete discord between the members of the conference. I suggested that we also put this question in the program of the future conference. And this proposal was adopted unanimously. So, I won two battles, and the whole revised draft of Brus[sels] Declaration was adopted unanimously.

At the general meeting of the conference, this draft and my proposals were unanimously adopted, and at five o'clock I could leave *Huis Ten Bosch* with a clear conscience – I did more than I could expect to triumph my Brussels Declaration and to protect the honor of the Russian government. But it is curious that none of the members of my Commission stood up to thank me for the gigantic work I had done. I myself thanked the Commission ... Only Staal in the general meeting muttered a few words of gratitude and again revealed the uttermost helplessness in the conduct of the Conference's business. He was constantly blushing, turning pale and confused in his words, and I had to guide him with notes. Everyone saw this and were not at all surprised, because everyone knows that Staal is only a dummy and nothing else. After all, he absolutely did not know anything during the entire Conference, he did not resolve anything and did not direct anything. His friend Basili was a worthy partner to him: during 2 months Mr. Basili did not utter a single word at the meetings of the Conference or Commissions!

It is difficult to imagine greater mediocrity and stupidity!

On the evening of the same day, I went to Paris again to preside over my Anglo-American tribunal. On the 14th (2nd) of July I returned to The Hague.

19(7).VII[4]. Serious debate on arbitration continued for two days in general sessions of the III Commission. In this debate, I had to take the most active part. At the meeting on the 17th [July], I defended, by all accounts in a brilliant manner, the draft on arbitration. At the same time, I reminded that the drafter of this project is the Russian government, that is, me. This is completely forgotten, and they only talk about the authorship of the French, who made up one article – 27th out of 56, or about the English and Americans. I then energetically defended, against the Swedish envoy, the free election of the super-arbitrator by the arbitrators themselves. Finally, I delivered by all accounts a brilliant speech against the American proposal to revise the arbitration award. I won the battle and made the Americans accept Asser's proposals on the optional revision at the special will of the disputing states.

Finally, today I had a very special celebration. The Balkan states: Romania and Serbia, at the instigation of Germany (who is very vile at the Conference), took up arms against my invention of the so-c.[alled] *Commissions d'enquête*. Romanian delegate *Beldiman* delivered the longest and most tactless speech against these Commissions. Never before such a tactless speech utterly political in character has been delivered at the Conference. At first *Descamps* answered him and it was very bad. Then I stood up and improvised a speech that completely caught the attention of

[4] **Translator's Note:** 19 July is the date according to the Gregorian calendar adopted in Europe; 7 July is the date according to the Julian calendar, adopted at that time in Russia.

the conference members. When I finished my speech a thunderous applause broke out. From all sides they congratulated me and said: „*Vous avez été très éloquent*“, „*Vous avez été admirable*“, „*Vous avez été merveilleux*“, „*Vous êtes un poête*“, „*Sie sind, Exzellenz, wirklich grossartig gewesen*” – said Germans. In short, I had to answer everyone like *Calchas*: „*Trop de fleurs!*“

The following fact was also curious. The Romanian delegate *Beldiman* began to respond to my speech and began to do the stupidest antics against me, accusing me of almost insulting his homeland. This overflowed the cup: the chairman *Bourgeois* stopped him and said very well that not even the slightest hint about Romania can be found in the speech of *Monsieur De Martens*. *Bourgeois*' words were covered by thunderous applause.

I walked out of the conference rooms gleeful and happy.

The degree of stupidity of Messrs Basili and his company which they can achieve is also evident from the following fact. He, with the consent of Staal, persuaded Mr. Stanchev, the Bulgarian delegate, who got to the conference accidentally, to defend Russia against Romania and Serbia! That is what Stanchev did. I blushed with shame during this speech; other members of the Conference winked and laughed, but Basili and Staal were pleased. And now Russia is under the wing of Bulgaria. What a lovely picture!

18(30).VII[5]. I am in Paris since yesterday, no, since Friday because today is Sunday. The Hague Conference finally ended yesterday! Thank God! I was simply unable to spend nights in the carriage and practice tirelessly in The Hague and in Paris. I did not attend the last meeting, that is, the closing of the Conference. But I know from the newspapers and from the members of the former conference who had already arrived in Paris how everything happened. The last difficulty that I had to deal with in The Hague was the last article of the Convention on Arbitration, which concerns the rights of accession[6] to this Convention by States that were not present at the Conference, but subsequently expressed a desire to adhere to it. Usually, such an accession does not encounter the slightest difficulty. But with regard to the Hague Convention on Arbitration, there were two serious and insurmountable difficulties: count Nigra declared that Italy could not allow the accession of the Pope, and *Sir Julian Pauncefote* did not agree to open accession due to the possibility of accession of *Transvaal*. It goes without saying that neither Count Nigra nor *Pauncefote* indicated the motives of their opposition, but everyone knew those motives. And so, it was necessary to look for a way out of this situation. There were all sorts of drafts about the last article of the Conference, and many spoke for one (of the Count of Nigra himself). On the basis of this draft, a protest against accession stops the very accession of any State. The amusing Belgian delegate *Chevalier Descamps* (assigned by the French delegate *Bourgeois*, who used him as a pawn) made several touching speeches at the conference on Thursday the 27th, in which he begged the representatives of England, Italy, Spain and others to renounce their opposition to recognize the unlimited right of accession. As if eloquence can force representatives of States to violate their duties and not follow their instructions! This is terribly stupid and naive! But the Belgian delegate, a pupil of the Jesuits, spoke and spoke and only caused smiles and displeasure. Finally, I proposed as a last resort: to leave the whole question open to diplomatic negotiations between the States. The French delegate, with his characteristic ease, again took up my proposal, made it his – and all newspapers say: „*M. Bourgeois a sauvé la situation en proposant…*“. This maneuver was

[5] **Translator's Note:** July 18 – date according to the Julian calendar used at that time in Russia; July 30 – date according to the Gregorian calendar used in Europe.

[6] **Translator's Note:** Martens used the word "pristuplenie" (In Russian: "*приступление*"). In modern Russian language the word is not used.

repeatedly practiced[7] by a clever Frenchman during the course of the Hague Conference, and I repeatedly got nothing for my pains: my proposals, sometimes under a different sauce, were submitted to the Conference, and honor and glory belonged to *M. Bourgeois*. *Bourgeois'* maneuver in arbitration was tremendous in this respect. The conference was invited to discuss my draft of forty articles. *M. Bourgeois* cleverly arranged that he made [Descamps] chairman of the III Commission on Arbitration, which was considered the "most important". Why? No idea. Without any positive knowledge in the matter of intern.[ational] arbitration, *M. Bourgeois* found the fool *Chevalier Descamps*, who in Belgium is known for his stupidity and mediocrity, but he has in his head some information about arbitration that *B.*[ourgeois] does not have. And *Bourg.*[eois] used this pawn in a very clever way to change and ruin my draft. That is not all. *B.*[ourgeois] did everything to forget who gave the positive basis for all the debates of the Conference on Arbitration and who is the real father of the Convention on Arbitration. Obviously, I can be considered as such, and not anyone else, because out of 56 articles more than 40 are mine. However, the result was that everyone talks about great merit of *Bourgeois, Descamps, baron d'Estournelles* and others in arbitration matters. The same gentlemen took advantage of my suggestions and did nothing without my consent in drawing up "their" draft treatise on arbitration.

Be that as it may, the Conference is finally over, and I am a little free.

2.VIII.(n.[ew] st.[yle])[8] Reading in the newspapers about the recent results of the Hague Conference, one involuntarily comes to sad thoughts. For his efforts at the Conference, Staal received an expression of the Emperor's special favor. *Pauncefote* was made peer of England; *Leon Bourgeois* was granted by our Emperor by the title of a Knight of the Order of St. Alexander Nevsky; *baron d'Estournelles* received a Stanislav Star, finally – *Teneatis de risu amici! – le chevalier Descamps 'pour son grand role joué à la conférence de La Haye'* appointed as the Minister of F.[oreign] A.[ffairs] of Belgium. So the newspapers say and everything is being confirmed.

Only I, who did everything at the Conference, stay where I was before! I did not even receive a simple gratitude from my superiors!!

Old Man Staal is a very nice and sweet man, but he was the most pitiful President of the International Hague Conference. He absolutely did not understand anything in the questions posed and decidedly did not lead anything. All the members of the Conference saw this, and therefore they constantly turned to me, and not to him. I drew a plan of action for him: dividing the Conference into 3 Commissions; I pointed out to him their chairmen (with the exception of *Bourgeois*); I conducted all negotiations with the members of the Conference and always had to prepare him for the meetings of the Conference. Sitting beside him in the Conference, I constantly told him what he should say and do. Only on the last two days of the Conference, when I was supposed to be in Paris, my place was taken by the nimble jew *Raffalovitch* and – by all accounts – he tactlessly intervened, for the chairman, in the debate. How much Staal himself felt his own helplessness was evident from his last words to me last Thursday, when I, during the meeting, had to leave him. "So, you leave me alone, without your help!" I reassured him, saying that everything was arranged, and left. But at the final meeting of the Conference, Staal still managed to make an unforgivable blunder: he completely forgot to express his gratitude to the Conference secretaries who worked tirelessly! This is simply outrageous, and I blush for Staal. At all international

[7] **Translator's Note:** In the original text Martens wrote "practically " which should be a slip of the pen.
[8] **Translator's Note:** A date according to the new style means a date according to the Gregorian calendar.

conferences, it is customary to thank the secretariat, and never have secretaries worked so much as in The Hague.

But – *tout est bien qui finit bien*! Staal and, probably, the most vile Basili, who wrote reports (or denunciations?!) to M[inistry] behind my back, will receive the highest gratitude and awards. At my selfless and outstanding work at the Hague Conference, the St. Petersburg bashibuzuk-counts are probably were angry and are angry. From them I can only expect dirty tricks and nothing else! Just think, that during the course of the entire Conference I did not write a single report to Petersburg, as I had neither an order nor a right to do so! The reports about the work of my Commission on the Brussels Declaration were written by the idiot-boy Priklonsky and the mediocre Greek Basili! None of them attended the meetings of the Commissions (2nd) and Priklonsky could not even be present, but reports on the work of this Commission were written by Priklonsky + Basili!! No one from St. Petersburg even expressed a desire that I should explain to them the course of this case, which ended with the signing of an act of 60 articles! It never occurred to the Petersburg counts to encourage me in my work, even with a kind word!

All this is outrageous, but these nasty things of life will not confuse me. I will go my own way and can be proud of the position in the world that I have achieved with my mind and work. I will constantly remember what I said at the meeting of the Conference on 19 July in response to *Beldiman*: „*Dans la vie privée, pour être heureux, il faut tout voir en rose. Dans la vie internationale, pour être grand, il faut tout voir au grand*".

15(27)VIII.99. Today is my birthday: I turned 54. I have never spent my birthday so boringly. I am not used to spending this day far from my adored wife and children, in an alien city, without friends. On this day I was always in my family and it was fun and good. Thank God that yesterday my old friend *Carathéodory* came here for 2 days, with children and son-in-law. With them I could have a breakfast at the *Madrid* restaurant in *Bois De Boulogne*. By the way, for a small breakfast for 5 people, with three bottles of champagne and one bottle of red wine, I paid 200 francs. I will never go to this robber restaurant ...

Exactly one month has passed since the close of the Hague Conference, and so far I have not received a single line of reply to my letters to counts Mur.[avyov] и Lams.[dorf]! I have not received a single word of approval or disapproval for my gigantic labors in The Hague! Nothing! Nothing!

This I never expected. I knew the reckless frivolity of both counts. I knew their impenetrable ignorance. But I did not know about them in any way such a lack of any simple decency, which I cannot even explain to myself. The only explanation is this: both counts are angry at heart at the outstanding role, which, by their own will (they started the Conference!), I played in The Hague. This is not to their liking. These are such little people that it was unpleasant for them to constantly read newspaper articles about my speeches and exploits by telegram. Articles in "Figaro" and other newspapers, dedicated to me, should have infuriated these bashibuzuks of intelligence and decency. And so, they leave me even without any answer and message after the closing of the Conference. My dear and faithful friend Muromtsev writes to me that the High.[est] Gratitude has been announced to me for my labors at the Hague Conference. But I do not know anything about it at the present moment. Friend Muromtsev explains the vile way of action of both counts by thoughtlessness. Maybe he is right. They know and are aware only of what is in accordance with their personal benefit at a given moment. This is undeniable. I cannot personally benefit them. They appointed me to the Hague Conference *à contre-coeur*, and they needed me. They wanted to put me in the most humiliating position. But the power of things made them put me in the way

they should have done from the outset. But this was very unpleasant for them. From "seconded to the person of A.[ctive] P.[rivy] C.[ouncellor] Staal" I turned to an equal delegate and authorized of the Imper.[ial] Gov.[ernment]. The counts had to do this, because otherwise "Papa Staal" would have completely failed at the Conference and together with it.

Howbeit. Another year of my life has passed, and thanks to the Almighty, it went well and brilliantly. I have won my position in the world personally and by my own labor and intelligence. All that remains is to hold on to this height and keep the authority and respect that I enjoy at the present time. Nobody, even both counts put together, cannot take this away from me.

17(29).VIII.99.

I am angry and outraged by the behaviour of both counts- bashibuzuks. And it seems like I have grounds for this. It was not long ago when I have read in "Saint-Petersburg Vedomosti" that even captain Scheine was honoured with the highest gratitude, as were lieutenants Ovchinnikov and Barantsov, who had tiny roles at the Hague Conference. But I got nothing! As if I had not been the Hague Conference.

But today the Pr.[ince] Urusov told me such a fact that all my complaints are now absolute trinkets and seem stupid in comparison with the behaviour of these bashibuzuks in other matters. Ur.[usov] told me the following. Two weeks ago or so the Fr.[ench] M.[inister] [of] F.[oreign] A.[ffairs] Delcassé visited Saint-Petersburg in order to reinforce the Franko-Russian Alliance. Delcassé visited several times c.[ount] Mur.[avyov], they were talking for 2 hours; he saw His Majesty, with whom I[9] talked for 1,5 hours. But nobody knows what the subject matter of their conversation was. The Russian ambassador in Paris received a letter from c.[ount] Mur.[avyov] who informed him that Delcassé was in Paris, saw His Majesty and not a single word more! "I have been holding office in the M.[inistry] [of] F.[oreign] A.[ffairs] for 40 years" Urusov said "but I could not imagine such disgrace. Delcassé presumes I know everything about my conversations with His Majesty and c.[ount] Mur.[avyov]. The reality is that I know nothing. I am in a ridiculous and almost exasperating situation".

Well, if the Russian ambassador in kept unaware of what the Fr.[ench] M.[inister] of F.[oreign] A.[ffairs] did in Saint-Peterburg, then I must not be shocked with the outrageous and incident behaviour of both counts-bashibuzuks. I must thank God that I was not kicked out from my position for my "feats" at the Hague Conference. There is nothing that can shock me, as ignorance and incident behaviour of counts Mur.[avyov] and Lams.[dorf] are absolutely unlimited.

Meanwhile Russia is initiating great challenges and goals! And everything is great!

27.VIII(8.IX). Today the kindest Mich.[ail] Iv.[anovich] Muromtsev communicated to me privately an order of the M.[inister] of F.[oreign] A.[ffairs] dated 23th July which bestows me with the High.[est] Gratitude for my work at the Hague Conference! Alright, so the Minister or his Deputy did not find it necessary to communicate this order to me. They left it to me to find out about this High.[est] Award. I have never faced such an outrage. In the past, after the end of some international conference, I received a letter from the minister granting the High.[est] gratitude or an award to me. Only then, a few weeks later, the announcement about my award was published in the orders for the Ministry. And now, neither the letters nor the orders are communicated to the persons concerned. Is this [not] a terrible bashibuzukstvo, is it?!

[9] **Translator's Note:** Most probably, "he" instead of "I" should be here.

What is even more curious is the fact that for the "enlightened work at the Hague Conference" both the minister and his deputy arranged that the High.[est] gratitude was expressed to themselves!! This is already quite an opera-buff. It is for the first time in the history when the Minister and his Deputy, who gave instructions and orders to delegates sent to a congress, also rewarded themselves for such instructions and orders which they themselves did not execute. Now it is necessary to daily express the High.[est] gratitude to them for their work. Such outrageous impudence can only be explained by the desire of both counts: to receive the highest orders before the next Easter. For them, the High.[est] gratitude reduces the length of service; for me it increases this lenght. It is a fact.

Today I am heading to the Hague to sign all the acts of the conference, and tomorrow I will be back.

29.VIII(10.IX). It is natural that I wonder: how to explain the outrageously unfair attitude of the current big cheeses of the M.[inistry] of F.[oreign] A.[ffairs] towards me? Why they do not even communicate the Highest gratitude to me? Is it guile or evil will behind such mode of behaviour?

Insofar I was eager to find it out, I asked the dear Prince Urusov to see c.[ount] Cassini, who has just returned from [Saint-]Petersburg. Cas.[sini] is the close friend of c.[ount] Mur.[avyov], and before his departure to [Saint-]Petersburg, I talked to him about the instances when I got offended. Ur.[usov] went to c.[ount] Kas.[sini] and deftly shifted the conversation to me and asked him: what is the reason behind the behaviour of c.[ounts] Mur.[avyov] and Lams.[dorf] towards me? Is he guilty of anything? C.[ount] Kas.[sini] answered that "Saint- Petersburg is content with the result of the Hague Conference", although Staal was bad as a chairman (you bet!). Another reason why Mur. [count Muravyov] is angry with Staal is because after the Conference he did not come to Saint-Petersburg with the report. In general, his days as the ambassador in London are running out (c.[ount] Cassini will be appointed instead of him).

As for Martens, c.[ount] Cassini said that they have nothing against me (thanks God!) and c.[ounts] Mur.[avyov] and Lams.[dorf] acknowledge his contribution.

However, Cas.[count Cassini] added, "on le craint un peu à cause de sa réputation"!!! That is nice! They are afraid of me, what I can do to the counts?!! This is hilarious, but such fear can be confirmed by the two circumstances: 1) they prevent my audience with His Majesty – Mur.[avyov] keeps refusing my requests to see His Majesty and 2) their dissatisfaction when I am praised in the magazines. Isn't such behaviour petty and shame?

The following conclusion comes from the abovementioned: I must do everything to intensify their fear, then they will as soon as possible appoint me an ambassador and deport me from Saint-Petersburg. But I bet and I am pretty sure that c.[ount] Mur.[avyov] can fool me in this respect as well.

Pr.[ince] U.[rusov] confirmed to me that the only thing c.[ount] Mur.[avyov] cares about is the retention of his current position and he does not bother about the rest of the world. His Majesty and the Empress express considerable preference towards him, because he keeps talking with them about fosterers, nannies, etc. That is the proper topics for the Minister of the Foreign Affairs! [sarcasm]

Yesterday (9th IX) here in France the greatest and most outrageous crime against all feelings of justice and law was committed: the Rennes military court accused, by a majority of 5 votes against

2, the most innocent man: Captain Dreyfus. Being here in Paris, and seeing the terrible propaganda, spread publicly in the light of this 'Affaire', I could not help but read all the verbatim records of the Rennes court hearings. I could not imagine such an outrageous and incompetent conduct of the court proceedings in civilized Europe, at the end of the XIX century. The fact that the miserable martyr, an innocent victim of disgusting scheme of the Fr.[ench] generals cannot but call upon the deepest sympathy towards the martyr and the greatest contempt towards the French judicial system, the government and the people. These are the dominating feelings across the whole Europe; that is what people who retained the divine sparkle of truth and justice are feeling. But here in Paris people were dancing with joy and delight when they learnt about the verdict for the innocent!! I suppose that in Russia alone this delight of street bastards is appealing to the camp of the newtimers and Russian bashibuzuks à la «Svet'»-Komarov.

Poor France! Poor people! Poor European civilization of the future!

11(23).IX.99 I am still in Paris presiding at the international arbitral tribunal. I am exhausted, but it is crucial to put an end to this enormous and sophisticated case. I hope that in a week time I will know for sure the date of my departure from here to home! I had an extremely unexpected visitor today: E.E. Staal! The kindest old man came to my place to share his impression concerning the Hague Conference and to have a small chat. From him I learnt that not a single word as a matter of gratitude for the past Conference has yet been expressed to him, an A.[ctive] P.[rivy] C.[ouncillor]!!! He has not even seen the order on the expression of the High.[est] gratitude!!! This is so outrageous and unthinkable, that I am blushing for my dissatisfaction about the complete silence of the [Saint-] Peterburg counts regarding my contribution. If they forgot to thank the honourable old man and to communicate the Highest gratitude to him, am I entitled to feel offended? The poor old man only laughed and faisait une bonne mine au mauvais jeu.

That shows how cautious one should be when he expresses his emotions. I should not have gone mad, if such people manage the affairs of the mighty Russia.

20.IX(2.X). Thanks God, the Anglo-American arbitration tribunal is finally over. I am so exhausted and tomorrow I will depart from here to Baden-Baden. Today I managed to persuade 4 arbitrators to make mutual concessions on the borderline between Venezuela and British Guiana. The behaviour of both British arbitrators was awful and obnoxious, in particular the behaviour of Lord Russell, who started to say impertinence as the whole Sunday was spent on the confidential negotiations between the arbitrators in order to reach a compromise. I managed to reach this compromise due to the kindness of Chief Justice of the United States Mr. Fuller towards me, as he liked me a lot, and due to the flexibility of another Amer.[ican] arbitrator, Mr. Brewer, which is owed to Fuller's influence. Meanwhile the British got the lion's share and still are dissatisfied. Lords Collins and Russell were bargaining as if they were *zhids*[10]!

Its's the first time when I have come across such British greed.

But my delight is nonetheless great: the award of the arbitral tribunal is unanimous. This never happened in the collegial arbitral tribunals and it is the ideal of the court of such kind, for the moral value of the award is infinitely more significant than its legal importance. Hooray!!!

21.IX(3.X). Today at 12 o'clock the ceremonial and the last session of the tribunal was held. Before the start of the session all arbitrators signed 4 copies of the arbitral award on the parchment without any reservations. I opened the session, announcing in English that the arbitral award was signed and invited the English and French secretaries to read it out loud. They did it. Then I

[10] **Translator's Note:** *Zhid* - offending and pejorative naming of the Jewish person in Russian.

delivered a speech in English to express my gratitude to agents and advocates of the governments and to the secretaries. Then, in French, I thanked the Fr.[ench] government for the hospitality in respect of the tribunal and explained the particular importance of the award, that it was rendered unanimously (which never happened before!) and that the tribunal for the first time applied the procedural rules adopted by the Hague Conference. These two circumstances give the recently rendered award the special meaning. To conclude, I announced the close of the session in English; after that Sir B. Webster and general Harrison again thanked the tribunal and the French government for their hospitality. That is how the sessions of the Anglo-American arbitral Tribunal in Paris, where I had the honour of presiding, concluded. I thought that one of the arbitrators should have stood up and thank me – the chairman. However, apparently both American arbitrators (Fuller and Brewer) did not think about that as nobody expresses such gratitude in the ordinary courts. As for both British arbitrators, they were obviously angry with me and that is why they did not come forward with such a speech. Their fury is ridiculous and stupid (other British, such as the Attorney General, ambassador Ed Monson and Mr. Buchanan were very content with the award of the tribunal, as England indeed received a lot and nearly everything what was demanded). But Lords Russell and Collins were apparently angry that 1) under my influence they had to waive something that as they considered already belonged to them and 2) that due to the unanimity which I persistently demanded they had to make concessions to the Americans. What made them angry are these two circumstances and our parting was quite cold. I'll explain it in a few words and by means of the following drawing:

Drawing:

Amacura

Barima

B.P.

C.[ap] Palaya

My line

Fuller

Cap Motocomo [?]

When the disputes between the four arbitrators on the general basis of the forthcoming award ended last Friday, I had to deliver my speech. I explained my point of view on all the main issues, denied the horrible right of the discovery and occupation of the Spanish and the Americans, proved that there was no definition of those borders in the Treaty of Versailles and said that the territory between Essequibo and Orinoco can most likely be recognized as a condominium of the Spanish and the Dutch. While presenting my main point of view, I frankly said that I could not acknowledge that the British have the right in respect of Barima Point (B.P.) at the mouth of the Orinoco River. This is what Lord Russell and Collins took note of.

On the same day, after an exchange of thoughts on general issues, a fierce debate between 4 arbitrators on the drawing of the borderline began. The British offered their own line. Being aware of my opinion on the ownership of Barima Point, they waived it in advance, and as they wanted to recruit me to their camp, they started their line from the coast from Cape Motocomo [sic!] to the

inland. I said nothing and kept silence. But when Lord Russell began to draw the English line inland and more to the west, I only asked him: why is England now demanding more than it demanded in 1881 in Lord Grenville's note? Lord Russell immediately understood my question and, as he wished to please me, he waived his line, ceding a significant area to the Venezuelans. Further to the south, after my question, he again waived what he demanded – as he wanted to recruit me. The Americans flatly refused to accept this British line. After mutual accusations and disputes, I had to express my opinion. Eager to recruit the American arbitrators, I demanded another concession from the British side, i.e. I suggested that the borderline should start from the coast of the sea halfway between Cap Mocotomo and Palaya. The British agreed, but the Americans did not. That was the end of the Friday sessions. There was another session on Saturday, but to no avail, and the relationship between the British and American arbitrators became increasingly strained. On Sunday morning there was another session and again in vain. Then I decided to get down to this issue in a diplomatic manner. I went to Chief Justice Fuller and urged him to make another small concession. The old man likes me a lot and promised to talk to his colleague Brewer. Then I went to Lord Collins and explained that the British also need to make another concession. But Collins, with whom I have been on the best terms so far, flatly refused and said that he would rather have a simple majority (including me on that side) than unanimity in return for the new concessions. The next day, early Monday morning, I went to Brewer again and proceeded to persuade him. From him I learned that the dearest Fuller spent two hours at his place the last night, and after long deliberations they agreed to make a concession. I was very happy and thought that the base for an agreement is found. I went to Lord Collins again but found him even more unwilling to make concessions than the day before. But then I explained to him that it was not in England's best interest to force me to take the Americans' side. This made him reconsider the issue. However, I told Fuller and Brewer that if they do not make a concession, then I will have to take the side of the British à contre-coeur, for I cannot let a scandal to happen, i.e. the situation when the tribunal cannot decide the case, as 4 arbitrators cannot agree with each other, and the super-arbitrator refuses to vote!

I did not talk to Lord Russell that Sunday, as he was away from Paris. But upon my request Lord Collins told him about these negotiations. Those negotiations and in particular the fear, which Lord Collins communicated to him that I would take the American side, pissed him off. He did not hide his fury and anger on Monday before and after the session. I opened the session with the story about my negotiations and made it clear that I find a firm basis for the possible and complete agreement in the concessions made by the Americans. My speech irritated Lord Russell, who is inherently bad-tempered. He started to talk defiantly, saying that the concluded negotiations between the chairman and the members of the tribunal seem awkward and confusing to him and that he is not going to make any concessions. My brief and clear response was that I consider it not only as my right, but rather as a moral duty to carry out such negotiations to ensure full unanimity between the arbitrators and to achieve the greatest objective – a unanimous arbitral award. Due to this I consider the accusations of Lord Russell groundless and I do not regret about the measures I undertook, which I always immediately communicated to both sides.

Right after that Lord Russell stepped back and started to prove that he by no means meant to dispute my right to share thoughts with both sides. After Lord Russel, who was furiously throwing maps on the table, Chief Justice Fuller took the floor and suggested his line (Fuller on the drawing). The British protested and strongly refused to waive their line. Having listened to their debate and wrangling, in the end I offered a compromise line from Cap Palaya and down. Due to my personal influence and persuasion, both Americans accepted my suggestion. Finally, when both British saw that I was on the American side, they also agreed to my line. I was extremely happy about my

triumph of having a unanimous arbitral award, despite the complete opposition of interests, views and law systems of both parties. But the British started bargaining like *zhids* and demanding rewards on the banks of the Cuyuni River in return for their concessions. But they got nothing. However, in general, they should be extremely content with the award, under which all the gold mines were allocated to them.

However, Lords Russell and Collins are still angry with me as I literally forced them to be more flexible and to waive their excessive demands. They thought that I would have agreed to their initial line if they had insisted on the prompt voting on Saturday. But it was the repetitive suspension of the award, which they themselves suggested that forced me to find some base for the agreement and to take the American side. Even though I did not take any side they still felt that I put them in such a position that they had to make one more concession and to accept my line from Cap Palaya. It was obvious that if the British had not agreed to my compromise, I would have joined the Americans rather than them.

This is the reason of Lords Russell and Collins, and that is how I managed to have the unanimity of all the arbitrators. This is a great triumph!

When after the session 2nd rank captain Scheine as the Russian Naval Agent and his assistant Mr. Kedrov approached me, the former told me: "Let me thank you, F.F. [Fyodor Fyodorovich] from the bottom of my heart. It is such a great pleasure for us to feel Russians. We rarely experience such emotions!"

I cannot dream of a greater gratitude…

In the evening I am heading off to Baden-Baden.

The text was transcribed by Ilia Vitalievich Rachkov, a partner of "Nektorov, Saveliev and Partners" law firm (Moscow), Ph.D. in Jurisprudence, LLM, member of the Chartered Institute of Arbitrators (London), attorney at law (bar association of Moscow, Russia)

Translation from Russian into English was made by Elizaveta Ilinichna Rachkova (graduate of Moscow State Institute of International Relations (MGIMO-University), International Law Faculty)

Перевод с русского языка на английский выполнила Рачкова Елизавета Ильинична (выпускница Московского государственного института международных отношений (МГИМО-Университет), факультет международного права).

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Российская Федерация

Город Москва

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Зарегистрировано в реестре: № **73/218-н/77-2020-6-1005**.

Взыскано государственной пошлины (по тарифу): 100 руб. 00 коп.

Уплачено за оказание услуг правового и технического характера: 300 руб. 00 коп.

Е.А.Пильгун

Всего прошнуровано,
пронумеровано и скреплено
печатью 24 листов.
ВРИО нотариуса

Компьютерная система "Экспресс" нотариус города Москвы Пестрецова Т.А.

Annex 34

Letter from Mr Buchanan to Lord Salisbury, No. 52 (24 July 1899)

Paris 131

July 24. 1899

Dft.
Lord Salisbury
No 52
C. 1

My Lord,

With reference to my immediately preceding despatch I have the honour to report that, as the Court was about to adjourn yesterday, the Judicial Assessor, addressing the Président, stated that he would like to say a few words before the subject of the Treaty of Immunity was brought before the Court. His remarks at the next meeting of the Court on Thursday.

As he understood the arguments advanced on behalf of Venezuela, that Govt. contended that

that Spain had by
discovery and settlement
acquired possession of
all the territory between
the Essequibo and the
Orinoco; that the Dutch
had entered on that
territory as second comers
and as trespassers and
that they were duly entitled
to the spots actually
occupied by their settlements;
that the Treaty of Munster had
confirmed both parties
in their respective possessions
and that it had required
the Dutch
the right of the Dutch to
extend themselves at
the expense of the Portuguese.

The following was
the impression which
~~it had produced on~~
had made on him
that Treaty and the just-
ly

Sir Julius Caesar entertained

it forward merely as a personal suggestion, having written and consulted on this Question with the Members of the Tribunal.

The Spaniards were on the Orinoco, the Dutch on the Essequibo. The one nation owed to the other I am sure, and you are sure. Let us forget what is past, let us abandon all enquiries into the origin of our respective titles and let us recognize the fact that we each have settlements with all the rights accruing thereto, the one on the Essequibo and the other on the Orinoco.

This expressing my opinion on the part of one of the Arbitrators nominated by Venezuela

(over)

would seem to imply a
suggestion that the Crown
for the time should abandon
the argument of a prior &
paramount Spanish title.
That such a suggestion could
be acceptable to Marshall
Peroot seems almost
incredible, when it is
remembered that his whole
case is founded on the
presumption of such a prior
title, and it is even more
difficult to explain the motives of
Mr Brewer's intervention, unless he merely wished
to ascertain how far the Spanish claims
was likely to be found to exist.

It is also possible that the
meaning to suggest that
the middle distance should
be taken between the
dates of Spanish settlements
as they existed in 1648
and that all subsequent
action was to be barred.
However
Such a meaning, though,
strictly, be attached to his
words and it seems more
probable that he
was actuated by a desire
to display an impartial
and judicial attitude.

I am confirmed in this
opinion by a conversation which
I had with Mr Brewer
yesterday morning, in
which he expressed
administration for the time being
and referred to Spanish claims
by the British authorities during
the first years of the Treaty, and
that the Crown would
have first to establish a prima facie
title against them.

Annex 35

Letter from Benjamin Harrison to the Hon. Henry White (3 Oct. 1899)

Paris, France, Oct. 3, 1899.

Hon. Henry White,
U. S. Embassy,
London, England.

My dear Mr. White:

Recalling your kind letter written about the time of our arrival at Southampton I beg to say to you that we will probably reach London, by way of Ostend and Dover about the 20th or 21st. of October. I had expected to remain in London several weeks and had reserved rooms on the St. Louis, sailing for New York on November 11th. We are notified that we will have a decision in the Anglo-Venezuelan matter tomorrow, and that will release me somewhat earlier than I had expected. I have therefore reserved rooms on the St. Paul, sailing October 28th. and my present intention is to try to take that steamer. We start day after tomorrow for a little run up through Germany and back through Holland and Belgium.

Our stay in London therefore may might not be longer than a week. Will you be good enough to secure quarters for us at some good hotel, not too remote from the things we will want to see. I do not want a Royal Suite, but just a comfortable little parlor with two connecting bedrooms and bath and a room for my secretary, and quarters for the maids and a man.

38022

Hon. Henry White,

Page 2.

Some of the English friends here have suggested Claridges, but you will know better.

We have had a long severe tussle here and I do not know how we are to come out of it. We will probably have some sort of a compromise line; but will get enough I think to justify the intervention of the United States in the dispute.

Will you be good enough to let Mr. Choate know about our plans. I will wire you from the Hague or from Brussels just the date of our arrival, and if you will let me know at what station we are to stop -- addressed to us either in the care of our minister at the Hague or at Brussels will reach me, with the information as to what station we are to debark and where our hotel is. Our itinerary will be probably Colgne, Berlin, The Hague, and Brussels.

Very truly yours,

Benj. Harrison.

THE LIBRARY OF CONGRESS

Annex 36

Letter from Lord Russell to Lord Salisbury (7 Oct. 1899), *in* Papers of 3rd Marquess of Salisbury, Vol. A/94, Doc. No. 2

Ann. 162.

4. Previously Unpublished Testimony by One of the British Arbitrators, Lord Russell, Reporting to Lord Salisbury

Letter of Lord Russell to Lord Salisbury, dated 7 October 1899. Hatfield House, Herts., Papers of 3rd Marquess of Salisbury, Vol. A/94, Doc. No. 2. Accuracy of Transcription Verified by Mr. R.H. Harcourt Williams, Librarian and Archivist to the Marquess of Salisbury.

Dear Lord Salisbury,

This letter does not call for any immediate notice. I know many serious concerns must at present engross your attention; but, as I think that you will desire to hear from me as to the conduct, course and result of the Venezuelan arbitration, I judge it best to write now when my recollection and impressions are fresh and vivid.

It is due to the British Counsel to say nothing could exceed their zeal and assiduity. Sir R. Webster was naturally anxious, and occupied a very considerable time in an elaborate discussion of the facts and history of the case - a course which enabled Sir R. Reid and Mr. Askwith to devote themselves to the legal aspects of the question - with which they very effectively dealt. It must be admitted that the speeches (with hardly an exception) were unnecessarily long, but in this regard the American Counsel were by far the greater offenders. The arbitrators did not feel warranted in taking any strong measures and were obliged to content themselves with occasional suggestions. In this course I think we were right. We felt we ought to do nothing which would make it possible for either side to say hereafter that it had not been fully heard.

As to the course of discussion: - the fundamental question was - had Spain acquired the right to Guiana by discovery followed by possession of such a kind and extent as to give her a complete title. If this were established the result would be that Great Britain could only succeed as to such territory as the Dutch and Great Britain actually possessed - acquired by conquest or by adverse possession from Spain.

There were not wanting plausible grounds for urging this view, and, it must be admitted that the official correspondence during the Dutch period and much of the diplomatic correspondence since, did read as if the Dutch claims extended to little more than the pedis - possessio and as if all the "beyond" were Spanish.

However in view especially of the Treaties of 1648 (Munster) and of 1714 (Utrecht) and of the conduct of both the Powers subsequent to those Treaties we (Collins, L.J. and I) thought this view untenable.

Fuller C.J. to the end adhered to the Venezuelan contention but it must be admitted he subsequently assented to a delimitation which ignored it. Mr. Justice Brewer on the other hand while refusing assent to the Spanish view

yet in fact worked out a line of delimitation in the first instance, which I think could only have been justified by the substantial adoption of that view.

After long debate, the 5th Arbitrator (Mr. de Martens) endorsed the British view.

This important position determined I confess I thought that the concession of the Schomburg line, substantially, would have followed as a matter of course. Not at all! The Venezuelan arbitrators claimed the control of the waterways of the Amakura and the Barima down to the Waini and including the Morawheri, in the first instance, and that a line should be drawn from the latter point to about the Junction of the Essequibo, Cuyuni and Mazaruni. This view was subsequently materially modified and after such weary and wearing discussion the Award line was unanimously agreed to - the Venezuelan Arbitrators coming in very reluctantly.

I must say here that in one very important respect L.J. Collins and I were grievously disappointed by the attitude assumed by Mr. de Martens. He had up to this, shown that he had a good grasp of the legal questions involved and of the facts, but having expressed his opinion on the governing principle in favour of the British contention, he, instead of applying that principle rigidly and fearlessly, seemed to cast about for lines of compromise and to think that it was his duty, above all else, to secure, if he could, a unanimous award. I am sorry to be obliged further to say that he intimated to L.J. Collins, in a private interview, while urging a reduction of the British claims, that if we did not reduce them he might be obliged in order to secure the adhesion of the Venezuelan Arbitrators to agree to a line which might not be just to Great Britain. I have no doubt he spoke in an opposite sense to the Venezuelan arbitrators, and fear of possibly a much worse line was the inducement to them to assent to the Award in its present shape. However this may be I need not say the revelation of Mr. de Martens state of mind was most disquieting.

I will not weary you with a discussion of details.

I think the Award gives Her Majesty no territory or advantage to which she is not justly entitled and I think it does give to her substantially all to which she is entitled.

The result may be described thus: - Venezuela gets much less than Lord Aberdeen's offer would have given her 50 years ago: much less than Lord Rosebery's offer would have given her a few years /ago/ and about the same amount of territory as Lord Granville's offer would have given in '80. But Lord Granville's offer did not stipulate for that which is, by the Award, secured by Great Britain, viz: - the free navigation of the Barima and the Amakura as approaches to and exits from the Orinoco. Nor did Lord Granville's offer secure, as the Award does, both banks of the Cuyuni to Great Britain along the Frontier line.

The result is a signal vindication of Schomburg's ability and fairness. In two points only is there any departure from his line.

The 1st difference is as to Barima point. As you know successive British Ministers have offered to give up what I conceive to have been a very doubtful claim to this point. The British case explicitly admitted that the Orinoco was Venezuelan, and, seeing (what the British case did not admit) that (we thought) both the Amakura and the Barima were in fact tributaries of the Orinoco for they clearly fall inter fauces terrae -we thought it just to concur in giving the control of the mouth wholly to Venezuela. Nor were reasons wanting in point of Law which I think pointed to the same result.

I learn that Mr. Im Thurn attaches no importance to the possession by Venezuela of the Land between Point Playa and Barima Point so long as Great Britain holds the Waini and the Morawheri passage. The intervening land is described as principally low lying swamp - largely covered by the sea at High Tide.

The 2nd and only other departure from the Schomburg line is that the Wenamu and not the Southward bend of the Cuyuni is adopted as a Western boundary. As to this it is to be noted, that the Wenamu was named by Schomburg himself, as an alternative boundary, and, it is, indeed, the only one of these two boundaries of which he knew anything. He had never in fact been down this part of the Cuyuni at all and he had been down the Wenamu and knew its course and direction. Moreover this part of the Cuyuni and its neighbourhood has never even been surveyed and little apparently is known about it.

If the Award is to be judged from the standpoint of Venezuelan claims the result would seem to be disastrous to Venezuelans. They claimed the whole coastline from the Orinoco to the Essequibo and in fact admitted a legal footing for Great Britain at and in the immediate neighbourhood of Kykoveral only. Even in argument, the Counsel for Venezuela were prepared to concede to Great Britain only a narrow strip from the Moruka to the junction of the three Rivers.

However these are matters of no concern to the arbitrators: as one of them I am glad to think that consistently with justice the result has been to demonstrate that the political conduct of the Ministers of the Queen afforded no justification for the violent action of the Politicians of U.S. of America in 1893.

To one incidental matter I must call attention since it may affect the course of events in the future. When the discussion in detail arose as to what the line ought to be, a use, which we considered unfair, was made of the various diplomatic offers to compromise. In private litigation all reference of this kind would be forbidden if and so far as the correspondence was expressly or implicitly written without prejudice in the course of an attempt to settle a dispute. The suggestion which naturally arises is that in any like case in the future, it will be well to preface the correspondence with the stipulation that if the proposed arrangement fall through the Correspondence is not thereafter to be used or referred to in any future stage of the controversy.

I cannot conclude without saying how great was my satisfaction in having as my able and loyal colleague my friend L.J. Collins. On no single point of moment did we differ.

So much for the Arbitration of which I must confess I am heartily sick.

May I, as I am writing, mention a point pressed upon my attention by the incidents of the Dreyfus case?

It is this: - Is it right that British Military attaches should any longer be in any way engaged in the business of spying? I am not alluding to their duty to keep their ears and eyes open and to report what they hear and see -as at manoeuvres, etc. to which they are invited. But is it right, for example, Col. Douglas Dawson - received courteously and on terms of equality in clubs and private Houses, should yet, as a matter of duty, be on the look out for men, who, for money, will betray their masters and their country? The attaché may to-night be dining with M. de Gallifét and tomorrow night may be negotiating with M. de Gallifét's secretary for the purchase of an important document fetched from his master's Bureau! If such services are required ought they not to be rendered by persons created ad hoc and not by gallant officers? I understand that France does not allow any military attaché to be in any way concerned with their spy system in Foreign Capitals.

Finally before I close I take the liberty of mentioning one other matter:- I have spoken of the zeal of the British Counsel but I ought not to omit mention, in this connection, of the British Agent, Mr. George Buchanan. Nothing could exceed the courtesy tact and dignity with which he discharged his duties. It incidentally came to my knowledge, but not from him, that he is very anxious to be moved from Darmstadt. He has been at Darmstadt, I believe for a considerable time and is tired of having nothing to do. Being a man of energy and I think of ability he is anxious to be placed where there really is work to be done. You will admit that this is a laudable ambition in a public servant. I hope I may be forgiven this reference to Mr. Buchanan: my excuse for making it is, in part, that he is the nephew of an old friend of mine, the late Lord Justice Mellish, and, that his Brother was a member of my old Circuit - the Northern.

With apologies for the length of this Letter, I am, Dear Lord Salisbury, with much respect.

Faithfully

RUSSELL OF KILLOWEN

Annex 37

Letter from Sir Cavendish Boyle to Michael McTurk, Esquire, and Captain Arthur Wybrow Baker (24 Sept. 1900)

CO
33210
Rec'd
12 OCT 00

81

Copy.

British Guiana.

COMMISSION.

L.S.

By His Excellency Sir Cavendish Boyle, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Acting Governor and Commander in Chief in and over the Colony of British Guiana, Vice Admiral and Ordinary of the same,

&c. &c. &c.

Sgd. Cavendish Boyle.

To

Michael McTurk, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, and Captain Arthur Wybrow Baker, Greeting!

Whereas I am directed by Her Majesty's Principal Secretary of State for the Colonies to formally make known unto you that Her Majesty's Government have appointed you, Michael McTurk and Arthur Wybrow Baker, to be Boundary Commissioners to demarcate the Boundary between the Colony of British Guiana and the United States of Venezuela, as decided, determined, and awarded, on the Third day of October, One Thousand Eight Hundred and Ninety Nine, by the Tribunal of Arbitration, constituted under Article I of the Treaty of Arbitration, signed at Washington on the

second

second day of February, One Thousand Eight Hundred and Ninety seven, between Great Britain and the United States of Venezuela;

Now Know Ye, that Her Majesty's Government having full trust and confidence in your zeal, knowledge and discretion, have appointed you, Michael McTurk, and Arthur Wybrow Baker, to be Boundary Commissioners, to demarcate the Boundary between the Colony of British Guiana and the United States of Venezuela, in accordance with the Award of the Third day of October One Thousand Eight Hundred and Ninety Nine, which was as follows:-

"Starting from the coast at Point Playa, the "line of Boundary shall run in a straight line to "the River Barima at its junction with the River "Mururuma, and thence along the mid-stream of the "latter River to its source, and from that point "to the junction of the River Haiowa with the "Amakuru, and thence along the mid-stream of the "Amakuru to its source in the Imataka Ridge, and "thence in a south westerly direction along the "highest ridge of the spur of the Imataka Mount-"ains to the highest point of the main range "of such Imataka Mountains opposite to the source "of the Barima, and thence along the summit of "the main ridge in a south easterly direction of "the Imataka Mountains to the source of the "Acarabisci, and thence along the mid-stream of "the Acarabisci to the Cuyuni, and thence along

the

"the northern bank of the River Cuyuni westward to "its junction with the Wenamu, and thence follow- "ing the mid-stream of the Wenamu to its western- "most source, and thence in a direct line to the "summit of Mount Roraima, and from Mount Roraima "to the source of the Cotinga, and along the mid- "stream of that River to its junction with the "Takutu, and thence along the mid-stream of the "Takutu to its source, thence in a straight line "to the westernmost point of the Akarai Mountains, "and thence along the ridge of the Akarai Mount- "ains to the source of the Corentin called the "Cutara River".

Her Majesty's Government hereby giving and Granting unto you all such rights, powers and authority as may now, or hereafter, be legally granted to you, and as may be necessary for the execution of this Commission, and you are hereby required to make, through the Governor of British Guiana, to Her Majesty's Government full Report of all Proceedings in pursuing the same.

Given under my hand and the Public Seal of the Colony at the Guiana Public Buildings, Georgetown, Demerara, in the Colony of British Guiana, this twenty fourth day of September, 1900, and of Her Majesty's Reign the Sixty Fourth.

By His Excellency's Command,

Sgd. N.Darnell Davis.

Acting Government Secretary.

Annex 38

Letter from Sir M.E. Grant Duff to Lord Salisbury, No. 101 (26 Sept. 1900)

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Caracas, September 26. 1900.

C.

No. 101

My Lord,

With reference to my Despatch No. 99. of the 23rd. inst. I have the honour to transmit copy and translation of a decree which has been issued by the Supreme Chief of the Republic determining the composition of the Commission appointed to cooperate with the British Commissioners in the demarcation of the boundary between the United States of Venezuela and the Colony of British Guiana, as laid down by the Arbitral Decision of Paris, October 3. 1899.

The Marquess of Salisbury K.G.

Dear Official Gazette 29th October 22. 1900.

Translation Resolution Official Gazette 29th October 22. 1900.

Translation

Caracas, September 22. 1900.

A. G. 1902

Annex 38

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I have also the honour to enclose copy and translation of a Resolution signed by the Minister for Foreign Affairs giving the names of the members of the Venezuelan Commission.—

At the usual weekly reception of the Venezuelan Minister for Foreign Affairs yesterday I had some further conversation on this subject with His Excellency.—

Dr. Blanco told me that the members of the Commission did not consider that serious operations could be begun before the month of November next as the inundations caused by the Summer rains have not yet subsided.—

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I inquired whether the Venezuelan Government proposed to assist in determining the exact position of Punta Playa, but His Excellency seemed to think that this was doubtful as the Venezuelan Government had no Man of War available for the purpose.

I gathered that Dr. Blanco's idea was that the two Commissions should meet near the locality regarded as Punta Playa and that the work of demarcation should be begun from there.

A copy and translation of the enclosed decree and resolution have been sent to the Acting Governor of British Guiana.

Annex 38

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I have the honour
to be with the highest respect,
My Lord,
Your Lordship's
most obedient
humble servant,
a C. Grant Duff

Annex 39

Letter from Michael McTurk (24 Nov. 1900)

Reference:-
CO. 111 / 522.
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C. O.
41731
REGD
REGD 21 DEC 00

Copy.

Mouth of Morawhanna,
Barima River.
November, 24th, 1900.

Sir,

The Geographical position of Point Playa, the initial point in the delimitation of the boundary between this Colony and Venezuela, was finally determined by Astronomical observations on 21st November by the Commissioners appointed by Her Majesty's Government and those of Venezuela.

The result of their observations was:-

Latitude 8°. 33′. 22″. North

Longitude 59°. 59′. 48″. West of Greenwich.

The former Latitude as determined by Mr Commissioner Mc Turk was 8°. 33′. 25″. North, and the Longitude by the chronometer of H.M.S."Tribune" 59°. 59′. 48.5″ West of Greenwich.

The attached document was drawn up by the Legal Adviser of the Venezuelan Commissioners and at their instigation. I asked that a translation should be made in English and which the Venezuelan Commissioners have signed as well as that in Spanish. Her Majesty's Commissioners have signed both documents.

The position of Point Playa having been finally decided the Commissioners will next proceed to the Mouth of the Mururuma.

I have, &c.,

Sgd. Michael Mc Turk,

Senior Commissioner.

Honourable,

The Acting Government Secretary.

Annex 39

CO. III / 522.

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C. O.
41731
R.L.C.
RECD 21 DEC 00

W H E R E A S

The undersigned, members of the Commission named by Her Majesty the Queen of Great Britain and Ireland to delineate technically the boundary line between the United States of Venezuela and the Colony of British Guiana in execution of the Award of the Paris arbitration of the 3rd of October, 1899, Michael Mc Turk, C.M.G., 1st Commissioner, Captain Arthur Wybrow Baker, 2nd Commissioner, Surgeon Captain John Charles Ponsonby Widdup, 3rd Commissioner and Harry Innis Perkins - Land Surveyor - 4th Commissioner of the one part, and of the other part Drs. Felipe Aguerrevere and Irino Celis Rios - Engineer in Chief and Legal Adviser, respectively of the Commission named with the same object by the Government of the United States of Venezuela, hereby make known that both Commissions having assembled at Point Playa, the place on the Coast designated by the said Award of the Paris Arbitration as the initial point of the frontier line, and having made the necessary scientific observations in the case mutually and with perfect accord determine the geographical situation of said Point Playa to be

Latitude 8°. 33′. 22″. North

Longitude 59°. 59′. 48″. West of Greenwich,

as being the fixed point of the boundary line on the Coast of the Atlantic between the United States of

Venezuela

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Venezuela and the Colony of British Guiana in accordance with the decision of the Arbitral Tribunal.

Done with the same effect and tenour, one in English, and one in Spanish at Morawhana the 24th day of November, 1900.

Sgd. Michael Mc Turk. Sgd. F.Aguerrevere.

A.W.Baker.

J.C.P.Widdup. Irino Celis Rios.

H.I.Perkins.

Annex 40

Letter from Walter Sendall to J. Chamberlain (10 Apr. 1901)

C.O. 111/527
Hem.11

C.O.
14537
Recd
Rec'd 25 APR 01

British Guiana.

Government House,
Georgetown, Demerara,
10 April 1901.

Confidential.

Sir,

In continuation of my confidential despatch of the 8th ultimo and of previous correspondence on the subject of the demarcation of the boundary line between this Colony and Venezuela, I have the honour to inform you that it has been decided by the Venezuelan and British Commissioners to suspend operations until the end of the wet season which has now set in, that is, probably to August or September next.

2. The Commissioners have now returned to this City, and I am informed that a Venezuelan vessel of war has been despatched from Trinidad to convey the Commissioners of that Country to La Guayra on their return to Caracas.

3. I beg to transmit herewith copies of further reports which have been received from the British Commissioners, from which it will be observed that the

The Right Honourable
J. Chamberlain M.P.
&c &c &c.

Do. 23. Jan. 1901.
Do. 27th Jan. 1901.
Do. 28th Feb. 1901.
Do. 2nd April 1901.

work of demarcation has been completed to the head of the Amacura River.

4. The British Commissioners, in the meantime, have resumed the duties of their substantive offices, respectively.

I have the honour to be,

Sir,

Your most obedient,

humble Servant,

Walter Sendall

Governor.

Annex 41

Letter from Mr. Perkins to Government Secretary (9 Jan. 1905)

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Paris Tribunal Award were drawn upon it from the westernmost source of the Wenamu to Mount Roraima, and I authorized him to place it on the map, copies of which were then signed.

4. The Venezuelan Boundary Commissioner, Dr. Tirado, having stated that, while he was in favour of adopting the line of the watershed between the Caroni, Cuyuni, and Massaruni river systems as a more suitable boundary than the straight line, he had no instruction from his Government to adopt it, and that if it were adopted his Government would require compensation, inasmuch as British Guiana would gain territory to the extent of 222·6 square miles, the Commissioners mutually agreed to send in the accompanying joint Report on the subject dated the 10th January. The matter is referred to in the correspondence noted in the margin.* The Report is not signed by the Venezuelan Commissioner, Dr. Toro. I understand that he did not agree with it; but Dr. Tirado, whom I have seen, says that Dr. Toro was not present when the line of the watershed was traversed and that no value will be attached to the absence of his signature.

5. With regard to Mr. Anderson's report, Mr. Perkins, in a covering letter, has called my attention to that part of paragraph 25 which I have marked.† It appears that the source of the Cotinga or Kwateng River is on Mount Roraima and not on Mount Yakontipu, which is some 6 miles distant. As Yakontipu Mountain was the starting point of the Brazilian Boundary Award, it follows that there is a short distance of 6 miles, the boundary of which has not been delimited either on behalf of Brazil or on behalf of Venezuela. The waters of the Kwateng River find their way to the Amazon, and therefore the boundary would presumably be one for arrangement between British Guiana and Brazil. I suggest that the Agreement already come to between British Guiana and Brazil be supplemented by a short Agreement, bringing the boundary between this country and Brazil up to the point where the boundary between British Guiana and Venezuela terminates. Mr. Perkins, who is now on leave in England, could give the necessary particulars.

I have, &c.
(Signed) F. M. HODGSON.

Inclosure 5 in No. 1.

Mr. Perkins to Government Secretary.

Georgetown, January 9, 1905.

Sir,

I HAVE the honour to submit the following Report on the work of the Boundary Commission from September 1903 :—

2. After completing the survey of the Akarabisi and Cuyuni Rivers, Mr. Anderson and myself were occupied in Georgetown working out the results of our observations and measurements, and had not been able to finish this part of our duty when the Venezuelan Commissioners, Señors Tirado, Toro, and Blanco, arrived—8th July—from Venezuela, with a view to continuing the demarcation. The weather at the time was not favourable for survey work in the interior, and on my suggestion they decided to wait till the commencement of the dry season in September. It had been found imperative to send to England, for cleaning and repairs, the three chronometers used on the survey; and as I found that the time before this could be done, and the instruments returned to Demerara, would be a matter of two and a-half months, I arranged with the Venezuelan Commissioners to start with them at an early date in September.

3. The chronometers were received in August, and steps were at once taken to rate them preparatory to our proceeding into the interior. Through the kindness of the Governor, Sir Alexander Swettenham, we were permitted to set up the transit theodolite in the grounds of Government House for astronomical work, and as the chronometers were kept at the residence of one of us, close to the Governor's premises, our work was greatly facilitated. Unfortunately, one of the chronometers was found to maintain so irregular a rate that it was considered unadvisable to take it up-country with us, and another instrument belonging to the Harbour-master's department was substituted for it. The defective chronometer was subsequently returned to the firm

* To Secretary of State, May 31; ditto, August 11; Secretary of State, July 28; ditto, September 27, 1904.

† See bracketed paragraphs in Inclosure 7.

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who had repaired and cleaned it, and was eventually taken over by them in part payment for a new one that they supplied.

4. On account of the numerous cataracts lying between the Cuyuni mouth and the Government station at Arrawak Matope, I instructed Mr. Anderson (who had been appointed co-Commissioner with me) to convey the chronometers and large transit theodolite across the Kamaria road, and join the boats of the expedition at the station. The rating was not quite complete when, in company with Señors Toro and Blanco, I left Georgetown on the 10th September for Bartica, whither all the stores for our journey and subsequent work had been previously dispatched. At Bartica the next day was occupied in loading our six boats, three of them belonging to each Commission, and manned by over 100 men in all, including captains and bowmen. Messrs. Tirado and Anderson remained in Georgetown to finish rating the chronometers, and joined us at Arrawak Matope on the 16th.

5. Señors Toro, Blanco, and myself left Bartica on the 12th September, about 9·15 A.M., and camped at Akaio Cataract, and, continuing our journey, reached Arrawak Matope at 4 P.M. on the 15th. Considerable difficulty was experienced in getting the two largest of our boats up through the falls, and I foresaw that the general progress of the expedition up the river would be delayed in consequence of their being less easily propelled than the other smaller craft. In face, however, of our experiences during our last journey, when we left our principal boat with its load of stores to follow behind us, and its subsequent swamping, I determined to keep in touch with all the boats during the whole upward journey, and particularly wherever there were cataracts to be surmounted.

6. On the 16th, whilst waiting for Messrs. Tirado and Anderson, I ordered the boatmen to go forward to the portage at Arrawak Matope Fall and there discharge and carry over all the cargo of the boats and the boats themselves to the river above, and await the coming of myself and my companions. Messrs. Tirado and Anderson arrived at 9·15 P.M. with six chronometers and two theodolites, and next morning we all proceeded to the fall, and, getting into the boats, which we found already loaded, started up stream. The same day one of the boatmen in one of the Venezuelan Commissioners' boats, reported himself as unfit for work, and, as he developed symptoms of small-pox, next day was sent back to Bartica Hospital by a boat descending the river.

7. We experienced heavy storms of wind and rain daily, and on the 17th, about 2 P.M., a terrific thunderstorm burst over our boats, the lightning being extremely vivid. It lasted for nearly four hours, until just before we camped at 6 o'clock above the Maritout Rapid. The ground was saturated and mosquitoes very troublesome. A large swarm of bush wasps collected under the tent of our only tent-boat just before we stopped, and great care had to be exercised in getting out our camp stores and the chronometers for the night. In the morning, fortunately, the wasps had taken themselves off. Sunday, the 24th, was spent in camp on the right bank of the river, about two hours below Quartz Stone, and we took advantage of the rest to attend to our correspondence, which we intended to be dispatched from Quartz Stone, as we should have no chance of sending down letters again until the return of our cargo-boats from the spot where we intended to make our base camp in the Wenamu River at the furthest point to which the boats could be taken.

About 5 P.M. the boat hands saw a large flock of bush hog (*dicotyles*), some 400 in number, swimming across the river, and in a very short time four of the boats, with ourselves on board, put out in pursuit of them. Every one of the men was wildly excited, and the boats raced against each other to be first amongst the pigs, which, alarmed at the noise made by the advancing boats, were swimming desperately for the further shore. With our guns and a revolver we managed to kill and secure twenty of the animals, whilst two small ones were taken alive by the boat-hands, who fearlessly dived into the river amongst them. It was already late when we returned to camp, and nothing could be done with the game we had got except to remove the entrails in order to prevent the meat from spoiling in the night. Next morning a couple of hours were devoted to preparing the carcases for food, and our journey was resumed at 8 A.M. We reached the great cataract of Devil's Hole on the 28th, where it was necessary to unload all the boats and portage them and the goods for about 150 yards to the river above. This took us nearly the whole of the next day, and, as it was too late to proceed that afternoon, we remained at the cataract till the 30th. The river was very low at the time, and we experienced great difficulty in getting the large heavily-laden boats to keep up with the smaller and lighter craft, and as I still determined to keep the boats all together at camping time each day, I found we were not proceeding so rapidly as was desirable, and, on reaching the Carib village of Amamuri on the 1st October,

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made up my mind to let Mr. Anderson go on in the tent-boat with the chronometers and instruments, in company with the boat conveying the Venezuelan Commissioners, as far as Akarabisi River mouth, and there to take observations for time to check our previous astronomical work at this place, whilst I exchanged into one of our other boats which had no tent to protect me from the weather, and travelling in her to keep constantly in touch with the cargo-boats of both Commissions, and go up the Wenamu with them as far as it was possible for them to go, and there establish a general store and base camp, and dispatch the empty boats back to Bartica in order to reduce the expenses of the hire of them and their complement.

Accordingly, after seeing Mr. Anderson and the Venezuelan Commissioners safely started, I left Amamuri next morning, and on the 5th found the party at the Akarabisi mouth, where they had arrived about one day before, busily occupied with astronomical observations. I arranged with Mr. Anderson that after the observations were completed he was to proceed up the Cuyuni to the Wenamu River mouth, and there await my arrival from my journey up the latter stream. I did not manage to get away from Akarabisi till nearly 11 next day, and slept close to the old station of Makapa, now falling into ruin.

I have omitted to mention that on the 25th September our numbers were increased by two Arekuna Indians, who walked into our camp on the river, and reported, through interpreters, that they were journeying up the river in our rear, in a woodskin, to the Arawai Fall, in the Wenamu, and that their craft, containing nearly all they possessed—guns, cloth, beads, &c.—had become unmoored during the previous night and had drifted away, leaving them stranded. Knowing that our camp was close by, they came and asked for assistance to enable them to reach their homes. I told them I would willingly take them on if they would help to paddle the boat, and would pay them if they worked well. This they agreed to do, and when Arawai was reached I settled with them and told them to get their Indian friends living on the Paruima and Kamarang Rivers to come to us for work. They seemed pleased with the treatment they had received at our hands, and I have no doubt that our kindness to them induced their fellow-tribesmen to come to us in the numbers they did afterwards, which helped greatly towards the shortening of the work of the expedition and its successful termination.

7 A. Continuing my journey from Makapa, I reached Arawai, without any special incidents, on the 16th October, and after satisfying myself that the boats could go no further, I selected a site for our base camp, and, after putting up temporary shelters for the stores, discharged our boats and one of the Venezuelans', and left next morning for the mouth of the Wenamu River, where I had arranged to meet Mr. Anderson. One of our boats, with its captain, bowman, and crew of twelve men, I ordered to remain at Arawai, to clear away the forest to enable astronomical observation to be taken, and to construct a substantial store-house for our goods. Our other boat, with that of the Venezuelans, I took down with me, and after a journey up the Cuyuni from Amamuri and up the Wenamu, exposed to the weather, with no shelter except an umbrella, for seventeen days, arrived at Wenamu mouth on the 19th. Here I dismissed the store-boats, leaving us with twenty-eight men, two captains, and two bowmen, and awaited Mr. Anderson's arrival on the 20th. On my way down the river after breakfast on the 18th we heard a large flock of bush hogs at no great distance in from the river, and one of the captains and five of the boat-hands went ashore with my gun to try to get some of them for food. The men were away about half-an-hour when we heard one shot fired, and expected shortly after to see the men returning with the dead pig. Instead of this, quite an hour elapsed before they returned, the men first, singly, and after them the captain, who was bleeding from wounds in his arms and legs, inflicted, he said, by the hogs, who had turned on him after he fired the shot we had heard. He had attempted to fire again, but the gun, for some unknown reason, missed fire, and by this time the foremost pig of the herd was upon him; by clubbing the gun, the stock of which he returned to me broken, he kept off the beasts for a little while, but was soon knocked down and bitten; then, rising to his feet, he made a dash to escape, and managed to get up a small tree, where he stayed till the pigs dispersed.

8. Mr. Anderson reported to me that on the 11th about 3 P.M. a very violent squall struck the camp at Akarabisi, causing them all to get out of their tents under the trees and take to the clearing. Huge trees were falling in every direction, and great branches were being snapped off by the force of the storm. The view within 2 miles' distance up the Cuyuni from the camp was impressive in the extreme, as tree after tree torn down by the wind fell with a tremendous splash into the river.

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Torrents of rain fell, but fortunately no harm was done to anybody nor to the instruments. During the whole of their stay at Akarabisi from the 4th to the 16th the party experienced quite a plague of caterpillars that fell from the mora trees—on the young leaves of which they were feeding—on to the camp beneath, where they swarmed over everything, rendering it necessary to employ two of the boat hands all day picking them up and destroying them. I had noticed the same phenomenon at my night camps on my way to Arawai. All night long there was a constant rain of their droppings on the tarpaulin stretched over my hammock, and in the morning it looked almost black from the same cause. The Indians call the caterpillars "laliwa," and say they are the larvæ of the yellow and orange and white butterflies that we saw afterwards in countless numbers on the Cuyuni and Wenamu Rivers.

9. At the Wenamu mouth we verified our astronomical work of the previous May and fixed the course of the boundary-line from a point on a large island called Anakoko opposite the mid-stream of the Wenamu to a point on the other side of the same island, and from thence to a point on the mainland on the left bank of the Cuyuni, where the Colony's boundary continues on to Akarabisi, &c. We marked the points by driving posts of bullet tree some 6 feet in length into the ground, and surrounding each with a pyramid of stone collected from the river bed and carefully packed around them. These should last for many years, if not for ever. A line had previously been cut and surveyed across the island by me during our work on the Cuyuni earlier in the year, and this was made use of to determine the positions of the boundary marks.

10. On the 28th October, after observations of the sun for time, we left Wenamu mouth for Arawai, which we reached on the 31st about 5 P.M., and found that the men left there had, during my absence, made an extensive clearing and erected a well-built palm-thatched hut for our stores. The two following days were occupied in astronomical observations and putting up a paper-roofed house for ourselves. On the 4th November I sent the captain of one of our boats with four men to an Indian village near the junction of the Tshuau River with the Wenamu to ascertain the condition of the path thither, and of the reported clearing at the village, as to the fitness of the road for the transport of chronometers and of the clearing, for observations. The party took provisions with them for a week, as I could not learn definitely from an Indian guide, named Manuel, who had been born at Tshuau, how far exactly the village was from Arawai, and I told the men to mark, and where necessary clear, the true path as they returned. In the meantime, whilst these men were away, our house was completed, and an attempt made to carry a survey from Arawai along the side of the river to Tshuau, but owing to the numerous large rocks and cataracts in the river and the steepness of the banks it was found impracticable to do so, and instead a line was cut and marked at a little distance in from the river, which was afterwards surveyed in part by Dr. Blanco, Venezuelan Commissioner, and in part by Mr. Bowhill, Government Surveyor, whose services were placed at the disposal of the Venezuelan Commissioners after Dr. Blanco had to leave the work owing to malarial fever. On the 1st November the Venezuelans, whom we had left at Wenamu mouth, to complete their observation for latitude and longitude, arrived at Arawai, and put up a separate camp and store-house for themselves. Our captain and men returned from Tshuau on the 11th, and reported the road to be about 14 miles in length, hilly in some places and swampy in others, and as passing through old Indian fields in two places. The river, they stated, was navigable above the Tshuau River mouth for some distance, and below also to what the Indians called their woodskin landing. The clearing at Tshuau, they said, was a very large one, and we should have no difficulty in getting observations, and the chronometers could be safely taken along the road which they had cleared and marked as they came back. After making preparations for the supervision of the stores and the forwarding of them to us, we left Arawai on the 13th and reached Tshuau early on the 15th, where we found a large space cleared of forest and two Indian houses with about thirteen inhabitants, amongst them being an Indian named Alick, who had worked with us on the Cuyuni early in the year (with his wife and family). The road we found a trying walk after having had no exercise of the kind since we left George-town over two months previously, and as the village is about 800 feet higher above sea level than Arawai, the difference of temperature in the early morning (69° Fahrenheit) and at night was very noticeable.

11. We decided to make our camp close to the clearing and a short distance off it in the forest, put up the tarpaulins, and sent back our men to bring in stores from Arawai as quickly as possible, to enable us to make our next move forward. Some of the men declared they were unable to carry the heavy loads, and they were thence-forward employed at Tshuau, with one man whom I had specially engaged to make

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corials for us, for the navigation of the Wenamu upwards. One of the Tshuau Indians, named George, pointed out a large hubudi or wild cashew tree (*anacardium*), and also some brown sirouaballi trees, as suitable for making into corials, and out of these we constructed two canoes, from the hububi one of 33 feet in length, 2 ft. 2 in. width, and 20 inches depth, capable of carrying a crew of seven men and a load of some 800 to 1,000 lbs. The sirouaballi tree furnished us with a smaller craft that took five men and about 300 lbs. of stores. A store-house on the riverside, where the road to Roraima passes, was also built at this time.

As soon as the large canoe was finished I started in it from Tshuau up the Wenamu on the 4th December, with five men and a week's stores. I had to haul the boat up two falls and a long stretch of rapid water before I reached an Indian house, which we afterwards used to store our provisions in for the Upper Wenamu work, about three miles from Tshuau, named Tunapung, and at the upper fall found it necessary to send back to Mr. Anderson for as many men as he could spare to take the canoe up the fall, so that it was not until the 5th, at mid-day, that I was able to continue my journey for the purpose of ascertaining the condition of the Upper Wenamu, and the point up to which it was practicable for us to proceed by water. Going up the river, I made a rough watch-and-compass survey of the stream, noting all the principal tributaries met with, which were shown to me and named by George, the Tshuau Indian I have previously mentioned. By doing this I hoped to get a good idea of the general course of the river, and thereby facilitate the very difficult work of finding in the dense forest and amongst mountains its most westerly source.

12. In this way I proceeded up the river until mid-day on the 8th, when close to the Tariparu, a large tributary on its left bank, further progress was found to be impossible, owing to the low state of the water and the large number of fallen trees in the river bed. A camp was at once made, and as George informed me the river in the wet season was navigable far above half a day further up to a series of cataracts, I determined next day to cut a path along the stream to the place he had mentioned, and early next morning we proceeded a short distance along an Indian trail which runs from the Tariparu mouth to a point on the Cuyuni whence the El Dorado Settlement can be reached, and then struck off, cutting the bush as we went, until we were close to the cataracts. On my return to camp in the evening I decided to return at once to Tshuau to bring up more stores, and begin the arduous work of finding the source. Our way down was constantly barred by fallen trees, which, as the river had fallen considerably, were left above water, though submerged when we came up, and much time was occupied in cutting through them with axes to allow the passage of the corial. I foresaw that unless the rains set in we should have endless trouble with the fallen trees, but fortunately the weather, up to that time fine and dry, changed, the river filled rapidly, and, with fluctuations of level from time to time, maintained a fair average height the whole of the time we were occupied on that part of our work.

13. On the 19th November, four days after Mr. Anderson and I arrived at Tshuau from Arawai, I received a letter from Dr. Tirado, stating that Drs. Toro and Blanco having both been suffering from malarial fever, he had, with great regret, had to send them back to Bartica, *en route* for Georgetown, but that he hoped to be with us in a few days, and on the morning of the 27th he came, and when I returned to Tshuau on the 11th December I met him and Mr. Anderson taking observations. From this time onwards only one instrument, the British, was used for taking the principal astronomical observations, although the cost of the carriage of it from place to place was borne equally by both Commissioners.

14. Previous to dispatching the cargo-boats in October on their return to Bartica, I had taken a list of all our stores, and as I considered a very much larger stock should be laid in before the nature of our work took us far away from our base camp at Arawai, I requisitioned for a supply of six months' provisions for thirty men, and ordered additional tinned foods for ourselves for a like period, and calculated that they would be delivered at Arawai early in December, at which time we should be not more than 20 miles from Arawai, and could check the supplies received, and give a discharge to the men in charge of the boats, so that accounts, &c., could be satisfactorily settled on their reaching Bartica. I found, on returning from the upper river, that during my absence the mail-boat which used to carry our letters up and down had brought news that boats with supplies were on their way up. One of them, with stores for the Venezuelan Commissioners, was at the Wenamu mouth, and the other a short distance behind, but that the Wenamu was too dry for the large boats to come to Arawai. Mr. Anderson acted very promptly on the occasion and sent all hands except nine to Arawai, to proceed thence to the Wenamu mouth, in one of our boats left at Arawai

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called the "Admiral," clearing a passage if necessary on the way, and with instructions that all the boats were to discharge their cargoes at Wenamu mouth and two of our hired boats to return at once to Bartica; the third, a new one built for the Commission, to remain at Wenamu mouth for letters and orders. The "Admiral" was to bring up the stores, as much as possible at a time, according to the state of the river. She had great difficulty in getting down to Wenamu mouth, where the instructions were given to the captains and carried out. Soon after leaving on her return journey to Arawai the river commenced to swell, and no difficulty was experienced afterwards in bringing up safely all our stores. Indeed, if the orders to the large boats had been delayed they might themselves have got up with full loads, but it was impossible to foresee this, and I consider Mr. Anderson acted rightly in giving the orders he did. With the boats had travelled up a Mr. McBeth, a young Scotchman who was anxious to prospect for balata, gold, and diamonds, and had been permitted to make the journey by the Commissioner of Lands and Mines. He had, fortunately, a complete list of all the goods coming up, which simplified the checking of them immensely. As I thought he could be useful to us when we might be many miles away from Arawai, I offered him work under us, and as Dr. Tirado was also anxious for his services, we agreed to employ him jointly, and found him of great assistance to us.

15. On the 29th November some fifteen Carib Indians, men, women, and boys, arrived at Tshuau to ask for work, and were employed, some by us and some by Dr. Tirado, to bring in loads of provisions from Arawai. They had come from various parts of the Cuyuni River, led by a man named Robert, whom we had met on the river and to whom we had promised work. We learned soon afterwards that these fifteen were only a portion of the party which had reached Arawai, for at that camp they had left a number of young children, a semi-paralyzed boy, and an elderly blind man, all of whom, it seems, they expected us to feed. It had to be explained, however, that we could not possibly do this, but could give rations to those only who worked with us. After bringing in a few loads from Arawai the Indians gradually took their departure, and we were not sorry when they left, as about twenty strong, able-bodied Akawoios from the Kamarang came to us on the 2nd December, and over hilly country proved themselves capable weight carriers, which the Caribs were not.

16. Our second corial having been completed on the 13th and taken up above the falls to Tunapung by the Indians from Kamarang, I left with ten men and the two corials for the upper river to establish a permanent camp at a point as far up as the corials could be taken and whence the search for the most western source could be prosecuted. There was plenty of water in the river, and I reached the Tariparu camp on the 15th, whence, after discharging the two canoes, I sent back the larger one to Tunapung to bring up more stores. In the smaller canoe next morning I got up quite easily to the cataracts mentioned in paragraph 12, chose a site for the camp on the right bank of the river, and returned to Tariparu in order to bring on the remainder of the stores next day. Three days were occupied in felling the trees round the camp and erecting shelters to sleep under. On the 19th the larger corial returned with stores, and, together with the smaller craft, was sent back to Tunapung on the 20th for further supplies. I kept four men with me, all Indians—two from the Kamarang, one from Tshuau, and a Macusi, who had acted as interpreter and general servant, and who had worked in various employments in Georgetown and the gold-fields. With these I cut along the right bank of the river for about 3 miles, crossing some large tributaries and gradually ascending into higher ground. I continued the line next day, and would have done so on the following one as well, but very heavy rain fell in the night, and by morning the river was greatly swollen, and the tributaries mentioned above quite impassable, so that further work was impossible, and as it seemed that these branch streams might continue swollen indefinitely, I came to the conclusion that it would be wiser to move camp to the other side of the river and try to cut to the head from there, so on the return of the corials on the 24th I determined next day—Christmas day—to make the necessary clearing on a small hill on the Venezuelan side of the river, and moved everything across. By afternoon this was finished, and on the 26th I began a line that eventually measured some 20 miles in length from the new camp to the westernmost source of the Wenamu. We found growing in great abundance at the new camp a peculiar species of palm called by the Indians "kura," or "kurai," the stem of which they use as the outer cover or protection for the reed or inner tube of their blow-pipes. It is a species of *Iriartia*, and as I found the Indians had no name for the cataracts, I called them "Kura," after the palm, and the camp the "Kura Falls Camp," to distinguish it from the many others we had from time to time to construct.

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17. On the 27th, Sunday, whilst resting at Kura Falls Camp, I received a message from Mr. Anderson at Tshuau, stating that important letters had been received from Georgetown requiring my immediate attention, and that it was necessary I should return to Tshuau to deal with matters in connection with the boats and stores which had come up. Starting the same day at 1 P.M., I reached Tshuau at 10·30 A.M. next day, attended to the correspondence, and paid off some of the Indian labourers who wished to return to their homes on the Kamarang, and gave the final instructions regarding our last return boat and prepared to start back for Kura Falls Camp on the 30th, leaving Mr. Anderson to continue rating chronometers with the help of Dr. Tirado and complete accounts to be sent to town. On the 31st I reached Kura Falls, and shortly after my return five Indians whom I had left there with instructions to continue the line cutting to the source came in, reporting they had carried the trail on for some miles from where I had had to leave it, but that the river where they finished was very little less wide than where I had last seen it. They said there was plenty of palm and other leaves for camp building, the river was a series of falls and cataracts, and the land was very mountainous and stony. I had arranged with Mr. Anderson to meet him at Kura on the 8th January, and intended in the meantime to proceed with the search for the source, and with this object on the 2nd I walked in to the end of the line where the Indians had stopped cutting. It was a tedious journey of about seven and a-half hours, the last three in drenching rain. We made a rude hut thatched with palm leaves, in which the party of six camped. The vegetation at this camp was very stunted, and the soil composed of sand, the result of the decomposition of the sandstone formation, and a little decayed vegetable matter. The whole surface of the ground was a mass of matted tree roots, under which the water could in places be heard running to the river. The palms were chiefly booba (*Iriartia exorrhiza*) and manicole (*euterpe edulis*). Rain fell in torrents every day, in spite of which we continued tracing the course of the stream and its important tributaries. Progress was slow owing to the difficult nature of the walking over the broken ground, precipitous in some places, marshy in others, and covered with surface roots and fallen trees. It was interesting to note the change of rock formation as evidenced by the vegetation growing thereon. Terrace after terrace of sandstone covered with low-growing dwarf trees and shrubs gave place to lofty forest, where the diabase rocks, by their decomposition, had furnished a bright reddish soil, and this again varied where the granite and gneiss were met. Over one particular part of this latter formation were many bare rock spaces covered in part with a rank coarse grass, a few ground orchids, of no great beauty, large bromeliads (*brocchinia cordylinoides*) bearing in the axils of the leaves, the splendid purple-flowered *Utricularia Humboldtii*, and in the more sheltered spots, where the soil was deeper, grew two or three other kinds of *Utricularia*, purple and yellow flowered, with mosses and selaginellas. On the bare rocky ground we often saw the bright-plumaged cock-of-the-rock (*rupicola crocea*), while insect life, excepting mosquitoes, was everywhere abundant. Along the banks of the main stream various species of sobralia were common, as well as the small spiny-stemmed ita palm (*mauritia aculeata*). One other peculiarity of this part of the river is the frequent occurrence of a dwarf silk cotton ("bombyx"), growing to a height of never more than 20 feet, and confined almost entirely to the banks of the stream. Owing to the incessant rain, it was useless to attempt to wear fresh clothes every day, and, instead, I adopted the practice of having the garments I took off on leaving work for the day dried over the heat and smoke of a large fire which was kept burning all night in our hut, and put on the same clothes next morning. At night, after dinner, as it was impossible to do more than read through the notes of the rough survey of the day's work, I employed my time in learning from the Indians, through the interpreter, what they knew of the surrounding country, and what I could of their own habits and customs, their journeying to various parts of the territories of Venezuela and Brazil and the Colony, and in this way relieved the dulness of the evening until the early hour at which we all, tired out by our exertions, fell asleep. So far as I could discover, none of the Indians had ever been to the river head, nor did they know any one who had. They had a general idea that the source lay on a high mountain, and were able to point out the direction where they thought it was situated. I continued the search for it, cutting lines through the forest and constructing additional camps as the work proceeded until the 7th, when I started with the Indians on my return to Kura Falls Camp to meet Mr. Anderson, and with him to take observations for determining its position. Mr. Anderson arrived on the 11th, having been detained at Tshuau and Tunapung arranging for the dispatch of our last return boat and of several labourers, whose time having expired, were desirous of returning to Georgetown. He had had a great deal of trouble in placing everything on a satisfactory basis in

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connection with this, and with the forwarding of our stores from Arawai and Tshuau to Kura Falls.

18. On the 14th seven Indians were sent back on the line in the direction of the Wenamu source to continue clearing a path towards it, and returned on the 24th, reporting that they had tracked the river to a point not far from the head on a flat-topped mountain. Giving them a day to rest themselves, I prepared to set out on the 26th to verify their statements, but just before I started our smaller corial arrived from Tunapung with some of the Venezuelan labourers and stores with the news that Dr. Tirado, at whose disposal our craft were placed, was following in the larger corial and would soon be at Kura Falls. I decided to await his arrival to discuss with him the conduct of the work by the two Commissions during my absence at the head of the river, and, having met him and settled affairs, left after breakfast. On the 28th I reached the last camp made by the Indians and found their statements correct, although the actual most western source had yet to be determined, and for the next three days was occupied in roughly surveying the various tributaries of the main stream at and near this camp, which is about 18 miles distant from Kura Falls. The formation at the camp is sandstone, and the vegetation very stunted and close growing. Most of the trees are thickly covered with moss, which is always in a state of saturation from the extremely humid atmosphere, which derives its moisture from the mist and cloud caused by a high fall of the Wenamu which occurs close by. Very few palms were to be found here, and it was difficult to get sufficient to make an adequate covering for our leaf camp. There were, however, growing around the place quantities of a peculiar arboreal aroid with long fleshy leaves, and these were used to supply the lack of palms. The Indians first constructed the framework of the house, and on the rafters, made of thin sticks, they laid on the leaves of the aroid just like shingles layer after layer, one layer slightly higher on the roof than the next, and so on till it was finished. The leaves have a thick fleshy midrib which the Indians split near its thickest part, forming a kind of hook which is applied to the rafter, and this keeps the leaf in place even in a fairly strong breeze when the leaf is green and heavy, but the leaves are easily displaced when dry, as the hook then shrivels and has no hold on the rafter. The young pendent roots of these aroids at this altitude, 4,000 feet above sea level, are covered with a thick perfectly white and transparent jelly or protoplasm, which gives them the appearance of icicles. We found the night temperature of this camp (54° Fahrenheit) very trying after the warmth of that at Kura Falls, and fires were kept burning from sunset to dawn.

19. After cutting lines to the heads of the four principal streams which unite to form the Wenamu, I found the most western source on a mountain some 2 miles from the camp at an elevation of 5,129 feet above sea level, and, marking the spot as well as I could temporarily, I returned to camp preparatory to my return to Kura Falls, where I had left Messrs. Tirado and Anderson taking astronomical observations. I had been somewhat inconvenienced during my work at the source by the illness of one of my Indians, who had been suffering from severe internal pains ever since we arrived, and I had to leave him at the camp with one of his tribe whilst we were tracking the tributaries of the river. His condition appeared to be slowly getting worse, in spite of medicines and medical comforts which I administered to him. One of the Indians with me was a piaiman (priest or witch doctor), and he asked to be allowed to try his skill on the sick man, who was anxious to be treated by him; so one night after I had given the piaiman a handful of strong tobacco, from which he made a powerful decoction of tobacco water, which he drank, and after preparing a hut of leaves for the sick man, impervious to the light, he began his peculiar incantations and noises lasting for about three or four hours, during which sleep for any of us was impossible. Next morning the sick man said he felt better, and I had hopes that he would recover and be able to return with us to Kura Falls, but when I was ready to start his friends told me that he could not walk and that they were unable to carry him, so I left him at the camp with three of his tribe with instructions to bring him on as soon as he could move, and reached Kura Falls on the 2nd February. On my way I met some of Dr. Tirado's men carrying in loads for the use of the party at the source. They had letters for me and gave me the news of the sad death of Dr. Blanco in Georgetown, which was verified by Dr. Tirado when I met him at Kura Falls. Mr. Bowhill, Government Surveyor in the service of the Colony, who had been permitted to accept employment under the Venezuelan Commissioners, had arrived at Kura Falls on the 21st January, and he was, I learned, at this time busily engaged surveying the Wenamu from Kura Falls upwards. Messrs. Tirado and Anderson left on the 3rd for the purpose of fixing the position of the source, taking with them one 10-inch theodolite and two chronometers, one British and

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one Venezuelan, whilst the other chronometers were left at Kura in my charge until their return. They also took with them some ship's rockets which were to be fired from the last camp on a night agreed upon between us and at a given hour, in order that I might, if the light of the rockets was visible from Kura Falls, take with a small theodolite the true bearing of the line from Kura Falls to the last camp. This, unfortunately, proved to be impossible, owing, no doubt, to the dense mist and cloud prevailing at the point where the rockets were fired.

20. On the 6th the Indians I had left at the camp near the source with their sick comrade returned to Kura Falls. I asked for him in the few Indian words I could muster. They answered laconically in their language that "he was not," and all of them looked extremely depressed. Later on they told me he had died the day after I left them. They explained also that they had buried him in the hut where he died, but that they had had great difficulty in doing so, as the ground was rocky, and only a very scanty supply of soil could be got to cover the remains. I expressed my great sorrow at the man's death, and told his brother who had worked with us that I would take care when we were at the Paruima River, where the dead man had lived, to send for his relatives and pay over to them the wages due. This had an excellent effect on all of them, and I feel sure contributed in a great measure to the very pleasant relations we maintained with the Indians, of whom we subsequently met some hundreds.

21. Whilst we were at Kura Falls some twenty-five Indians came to us from the Paruima and Kamarang Rivers and from the savannah country round Roraima seeking for work and were all of them at once taken on. Some of them were employed carrying stores from Tshuau to the Paruima, whither we sent forward one of our bowmen to construct a store for the reception of the goods, and in this way we were enabled to move rapidly and without anxiety when the time came for us to commence our long land journey from Tshuau in the direction of Roraima; others of these new labourers we put in the corials to bring the necessary stores to us at Kura Falls. All the men worked well, and were extremely careful of their loads, and never broached a single one of the packages. We were very careful to be absolutely just and fair to them all, and by kindness to encourage them to do their best for us, and we were amply repaid in consequence.

22. Mr. Anderson returned from the river head on the 11th to Kura Falls, leaving Dr. Tirado, who was afterwards joined by Mr. Bowhill, to survey from the observation station (where the Indian had died, and which we thenceforward called Dead Man's Camp) to the actual source of the river on a ridge dividing the Cuyuni and Wenamu water systems. A boundary mark was placed on an immense mass of gabbro on the stream a short distance from the source by cutting into the face of the rock, where it was protected from the weather, the letters "B.G." and "V." This mark will, I trust, be a permanent one. The position of the rock is shown on the map. Mr. Anderson reported that he had had great difficulty in getting observations at Dead Man's Camp, owing to the persistently bad weather and the mist clouds from the fall near by. The results obtained were, I am glad to report, excellent. We again rated our chronometers preparatory to leaving for Tshuau, and awaited the return of Dr. Tirado and Mr. Bowhill, who arrived on the 13th. The next day Dr. Tirado and I left for Tshuau, getting to Tunapung the same afternoon a little after 3, and surveying the river as we travelled with watch and compass. Messrs. Anderson and Bowhill had to remain behind to take further observations, and joined us at Tshuau on the 21st.

23. When we engaged our first lot of Indians we had learned from them that they would like to be paid in barter at the end of their service with us, and as we had now a large number of Indians on whom we thought we could rely, I determined to send down one of our boats with a full crew and such of the men engaged in town who desired to leave the work, in order that the boat might on her return bring up the barter, and then go back to Bartica at once, and the crew be then and there paid off. I hoped in this way also to effect a saving on the vote for the boundary demarcation. It took us a few days to get ready the pay sheets of the men and the list of goods we required, as well as attend to our correspondence. Whilst we were doing this, the stores left at Kura Falls which could not be brought down when Mr. Anderson returned were sent for, Mr. Bowhill being, meanwhile, occupied with the survey of the Wenamu from Tshuau to Arawai. After I found that matters were satisfactorily settled, I left Tshuau with fifteen Indians and two boat hands for an advance camp on the Paruima. Mr. Bowhill, having completed the survey of the river to Arawai, took charge of our mails and left for Bartica in our boat on the 2nd March. I found the journey to Paruima rather tedious, owing to the inability of some of the Indian porters to keep up with myself and the quickest of the carriers, and much time was consumed in

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enforced halts waiting for the last of the men to come up. They were evidently not accustomed to such speedy travelling as I desired, and had I been alone I could have accomplished in two days that which I was actually nearly three days over. The path after crossing the Wenamu follows the course of its largest tributary, the Tshuau, for some 17 miles, the first 10 of which are on fairly flat ground, covered with forest until the foot of Karamuta Mountain is reached. Thence it climbs to the mountain top by a steep and rugged ascent, passing by huge masses of sandstone and conglomerate to a height of 2,270 feet by aneroid. From the top there is a splendid view for miles to the northward over the valley of the Wenamu. as the summit of the mountain is in part free from forest. The country to the south and south-east in the direction of the Paruima is also visible for a long distance, but the view is much more restricted on this side than on the others. The Indians say that Ilutipu Mountain, one of the huge sandstone masses similar in appearance to Roraima, can be seen on a clear day from this part of the road. It was not visible when I passed. Close to the path where the road reaches the mountain top there are large blocks of sandstone and conglomerate surrounded by a scanty vegetation, comprising many kinds of ferns, notably the local bracken (*Pteris*), and splendid clumps of terrestrial orchids (*Sobralia* and *Lælia*), which on my first visit were not in flower. The trees are moss-covered in some places, and are really mere shrubs, common amongst them being two species of clusia. On one of the large sandstone masses are rude drawings in charcoal made by the Indians, and of no particular interest. We found the names of two travellers who had passed the place inscribed also in charcoal on the face of the rock. The names are those of C. Palmer and E. Seidl, and the dates 1884 and 1889. I have not discovered who C. Palmer might have been, but Seidl I had met at Roraima in 1884, when he was engaged collecting the Roraima cattleya (*C. Lawrenceana*) for Messrs. Sanders, of St. Albans.

24. From the open space at Karamuta the path proceeds to Paruima over a succession of sandstone terraces broken in places by dykes of gabbro and diabase, and traverses thin and low-growing forest on the sandstone and large trees on the other formations. Balsam copaiba (*Copaifera officinalis*) and tonka-bean trees (*Dipteryx odorata*) are frequently met with, and near the Paruima, at rare intervals, india-rubber trees (*hevea*) are found; manicole (*Euterpe edulis*) and other palms occur in fairly large numbers, but our camps were thatched chiefly with the leaves of the large aroid described in paragraph 18. Heavy rain fell every night, and, as we were gradually rising higher above the sea level each day, the temperature in the early morning hours felt unusually chilly. On our return from Roraima, where we had experienced a greater degree of cold, we did not notice the chilliness of these camps and did not cover with blankets at night, which we found so necessary before. I reached the Paruima River on the 27th February and found there a large woodskin which had been made by two of our Indians that I had sent from Tshuau, and in this we crossed over the stream where it is some 50 yards wide in safety. Just below the spot where we landed the Paruima has a fine fall, called Soraba, and thence descends in a series of cataracts for some 5 or 6 miles to its junction with the Kamarang. From the landing the forest path leads for about 1½ miles by a steep decline to an Indian village on the Paruima, in full view of the sandstone mountain Warimatipu. In this village our advance camp with stores was already built, and I found it well stocked on my arrival. There are some large clearings at the village, and the place is well adapted for astronomical observations, although it is noted for sandflies, which proved very troublesome when taking stars for latitude and longitude. The day after my arrival I sent back nearly all the carriers to Tshuau to bring on more stores, and prepared to make a journey up the Paruima as far as I could, in woodskins, to ascertain the position of its head, and with that object left on the 4th March for the landing on the upper river. Arrived there, I found that the woodskins could not carry the men and baggage I required for an extended stay. The loads were therefore left under cover at the riverside, and I proceeded up the stream with only one day's provisions to see its character above. I found that the craft could go only 6 miles up, as the river from that point is at many points impeded by rapids and cataracts; so, after making a survey of its course as far as I could go, I returned to the camp at Paruima village and there awaited the arrival of Messrs. Anderson and Tirado from Tshuau with our transit theodolite and the chronometers. They came on the 7th, after a walk of nearly four days, having had to travel slowly and carefully to avoid injury to the instruments, which stood the journey well, in spite of the roughness of the path and the heavy rains experienced on the way. I left the next day, with four Indians, for the purpose of cutting a line to the head of the Paruima to determine its position, and proceeded along the path from Tshuau to the

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point where it first touches the river, and from thence cut my way along the left bank, moving my camp as the work proceeded. Heavy rain fell nearly every day, and on one occasion the banks and land on each side were so deeply flooded that we had to work in water mostly waist deep, and in places breast deep. Progress was naturally slow, but I finished the work, and returned to Paruima village on the 13th. Two days after I dispatched Mr. Anderson to ascertain the sources of the Kamarang River, whilst Dr. Tirado and I remained to complete the astronomical observations necessary to fix the position of the camp and rate chronometers. In the meantime stores of all kinds were being brought in from Tshuau, and sent on to our next forward camp at the Kamarang, whence we hoped to complete our journey and walk at Roraima.

25. I had discussed with Dr. Tirado at Tshuau the advisability of adopting, if possible, the watershed between the Mazaruni and the Karoni and Cuyuni river systems as the best boundary-line for our respective countries between Wenamu head and Roraima; and he agreed with me that it would be better, if our Governments were favourable to the idea, to make the natural division between these river systems the boundary, and it was with this object that the sources of the Paruima and Kamarang were ascertained, and a survey of the watershed carried on to Roraima.

26. On the morning of the 17th Dr. Tirado and I left Paruima for the Kamarang, which we reached at half-past 3 the same day. Our road was through forest all the way, and in four places we had to cross large tributaries of the Kamarang, sometimes on trees felled for the purpose of bridging the stream, and sometimes by wading across. No settlements of Indians were seen on the way, but we found traces of former occupation in the abandoned fields which they had previously used, and it was curious to find in some of these old sites plantain and banana trees flourishing and bearing fruit, although overshadowed by the vegetation which had sprung up when the land was left uncultivated. The Indians stated that the fields had been abandoned for years, and this was borne out by the size of the trees that had grown up in the place of those destroyed when the field was first cut; but the plantains, &c., did not appear to have suffered, and, from the size of the fruit, it would seem that the soil, unlike that in many other parts of the interior of the Colony, is rich, and capable of producing crops for an unlimited period. The Kamarang, where we crossed it, was about 180 yards wide, and running swiftly, owing to recent rains. Just below the crossing was a small rapid, and our camp, we found, had been prepared for us in advance by Indians, sent a-head for the purpose, on a small patch of open ground, with low trees growing on one side of it. A small corial had also been made for us by the Indians, and we crossed over safely, one at a time.

27. Next day we sent on seven carriers, five of them Indians and two black men, to Roraima, with stores, and orders to report to us on their return as to the nature of the path by which we were to travel. In the meantime we took observations on the sun and stars for time and latitude, and superintended the arrival of stores from Paruima and Tshuau. On the 28th the carriers sent to Roraima returned, and reported they had taken six days to reach Roraima, where they found two large villages of Indians, and that at one of them, Kamaiwawong, the principal man in the village, named Jeremiah, had set aside a house for our stores and for our own use when we might arrive. They said there were many small and two large streams to be crossed, one of which might be waded across, but the other, the Yuruani River, was impassable, except in some kind of craft. Preparations were made to leave Kamarang next day, and in the morning we started with fifteen carriers and all the instruments and some food as well as our personal baggage. The road followed the course of the Kamarang River for 5 miles through forest, passing two Indian settlements on the way. Part of it was over very hilly ground, rendered very slippery by the rain in places where the ground was a stiff yellowish red clay. After about two hours' walk we came suddenly on to the falls of the Utshi, a considerable tributary of the Kamarang. It is at this point some 200 feet in width and is precipitated down a sandstone and conglomerate cliff for about 600 feet. The white mass of falling water surrounded by dark forest makes a wonderful contrast to the scenery we had hitherto met with, and though we saw many stupendous falls later on, we were perhaps more impressed by this one than any of the others, except the Kukenam Fall, which we saw for the first time under peculiar circumstances after heavy rain. We breakfasted at one of the Indian clearings by the side of the Kamarang, and after another hour's walk came to a steep escarpment where the land suddenly rises about 1,000 feet. Our way lay up this escarpment, which we found a somewhat trying climb, and we rested for a few minutes on the top, then, resuming our walk, we came out after ten minutes on to fine open savannah country, which continues from here onwards right to the Rupununi. We found it a

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most exhilarating change, after months and months of toil, stress, and hardship, through hundreds of miles of forest from the brink of the ocean itself, and working by river, stream, and land, in camps shaded by overhanging trees, camps dank with the undergrowth of the forest and vegetable decomposition, camps one sea of mud and slush and horrible discomfort, and camps where, on occasion, as had happened to us on the ridge of the Imataka Mountains, we had had sometimes barely enough to eat and drink, and certainly not sufficient water to bathe adequately and refreshingly. It was delightful to come out into open country where one could walk freely and with confidence, and without the constant care and watchfulness necessary along forest paths, where the attention is always fixed on the avoidance of obstacles in the path, and the mind is in consequence in a state of constant tension.

Close to the point where we came out on the savannah we obtained a fine view for miles in every direction save that from whence we had come. The country was a succession of rolling ridges, following one on another like the waves of a grassy sea. Here and there clumps of forest nestled between the hills, and past them flowed rivulets, tributaries of the Kamarang River. Far on the horizon line we noticed an Indian house, and on one side of the house rose a thin veil of mist rising from a terrific fall of the Kamarang River some 600 to 800 feet in height. Still further in the distance the hills assumed a dark blue tinge till they lost themselves in one long, indefinite, irregular line of deepest indigo. A cool breeze was blowing charged with the scents of flowers growing on the savannah and in the forest patches. The sun shone brightly, and in the hollows between the hills where the breeze was not perceptible the heat was unpleasant, but the new feeling of freedom from the forest caused us to overlook this temporary inconvenience. We reached the Indian hut early in the afternoon, and here the Indians desired to pass the night, but, feeling we could accomplish a great many more miles owing to our new-born energy, we decided to continue our route, and, after wading through several streams, camped on the right bank of the Warupa, a tributary of the Kamarang, about 40 yards wide, and in full view of the mountain mass of Ilutipu and Eluwarima, on whose precipitous sides we counted seventeen waterfalls.

We were now on an elevated tableland some 3,600 feet above sea level, where during the day the breeze blew continuously, and where the nights were so distinctly cold that we were glad of blankets and extra clothing to keep ourselves warm. Our Indians, who served us loyally throughout, felt the cold at night keenly, although many of them have their houses on this tableland. Yet they are accustomed, it must be said, to sleep in houses that have mud walls, and at night every interstice likely to give a passage to the cold wind is closed, and fires are lighted in many places on the floor to make them all warm and comfortable. In the daytime life on this high tableland is most pleasant, and one is capable of far greater exertion with much less discomfort than is possible on the forest-covered lowlands. One great drawback met with close to the many streams which we had to wade, swim, or boat across was the presence of immense numbers of a peculiar venomous fly, the kabowru or lunka, allied to the sandflies (*simulium*) of the coast, and known on the Amazon as the pium, which simply covered us with bites whenever we had to expose our bodies to swim or wade in a state of nudity across the watercourses we met with. All the time we were in the savannah country we were in full view of stupendous sandstone mountains about 8,000 feet in height, down whose precipitous sides huge waterfalls with a descent of from 1,000 to 1,800 feet were constantly discharging into the dark forest which surrounds the bases of these weird, flat-topped, rocky masses. After heavy rain, if the clouds cleared from the mountain summits, the sight was particularly fine, as the volume of each fall was then greatly augmented, and new falls appeared in spots where none had been suspected before to exist. These cold, bare rock surfaces are frequently covered with dense clouds in the morning, and towards the afternoon they are sometimes quite clear all day long, and it is then chiefly that the wonderful waterfalls are seen clearly marked against the dark rock background formed by the mountains themselves.

The precipitation of moisture must be immense on them and in their neighbourhood, and the wealth of plant life, particularly orchids and ferns, of unknown, rare, and valuable species, must be boundless. As one passes these mountains one yearns to explore them thoroughly and to bring back for plant-loving friends specimens of the wonders that must exist on and around them.

The savannah itself is rich in flowers, many of them resembling forms seen in the Swiss Alps, and though there are not many of fragrant odour, the colouring is most beautiful and varied. There are several kinds of grass met with, which grow luxuriantly in places, and as it is the habit of the Indians to fire it in the dry weather, insect pests

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such as bête-rouge and ticks are non-existent. We were fortunate, also, in not finding any mosquitoes at any of our camps during the whole of our stay in the savannah. The Indians do not appear to derive any pleasure from the abundance of plant life, though they at once evince a desire to bring specimens of new or unusual appearance to any one who takes any interest in plants or insects.

28. A curious feature of the scenery of the savannah is the great differences which one notices between the natural characteristics of one savannah valley as contrasted with those on either side of it. One valley may present a charming scene, where the gently undulating land, covered with light green grass, dotted with flowers, and with a few groups of trees here and there, gives the appearance of an English park. Passing through to the next valley the scene changes, the grass grows scantily and in isolated tufts, the soil itself is covered with coarse rock fragments and shows patches of yellowish and reddish clays. In the distance over bare rock spaces the streams come brawling down to join the main drainage of the valley in its course towards a still larger stream, which passes noisily over its rocky bed, while the whole looks bleak and barren. Ascending the intervening hill to the next valley, and arriving at the other side, the view again changes to perhaps a pleasant valley with grass-covered billows, with streams gently running in between them, and masses of flowers of many shapes and and colours scattered over the surface of the land, and if there be a larger stream than usual in the valley bottom, rows of stately palms can be seen mingled with other forest growth in the narrow strip of trees which fringes the water. During our walk we came across valleys where grotesquely-shaped rocks and bleak, barren-looking soil reminded us of Dartmoor. Others, again, were like the Scottish moors. All the while, except in the hot sun, and where the kabowru flies were numerous, we felt equal to any exertions, and thoroughly emancipated from the gloomy forest which we had traversed continuously since we first started on the boundary delimitation three and a-half years before.

29. On the 30th March we crossed the Warupa, at a point where it was some 6 feet deep in the middle, by means of a roughly-constructed bridge made by the Indians when they were with our men whom we had sent on to Roraima on the 18th. It was necessary here, as at other points, to take off some of our clothing, as the stream had partly destroyed the bridge, which was serviceable only at the deepest part of the river. The chronometers and instruments were taken over without any mishap, and we suffered nothing more than a wetting and irritating bites from the flies. Our next camp was at the Kama, an Arrawak name for the tapir, which the Indians told us are sometimes found along its banks. There are no Arrawaks in this part of the country at the present day, and the name is a curious survival of the times when other tribes inhabited the district. Those we met with were chiefly Arekunas and Akawoios, or a mixture of the two. Next day we crossed many of the bleak, barren, stony valleys, and were exposed nearly all day to heavy rain with storms of wind. The Indian path we followed acted as a natural water-course for the storm-water, and walking was extremely unpleasant, and we were glad to pitch our camp at about 5 P.M. in a small patch of bush on the Kaiwarak River, a tributary of the Yuruani River. On the 1st April we reached the Yuruani itself, a broad stream of about 140 yards, where the only means of crossing was a frail bark canoe or woodskin, capable of carrying only one of us at a time with a single load of luggage, and after we had breakfasted at an Indian house close to which we found a palm-thatched hut had been erected specially for us all, we gradually made the passage of the river. It was nearly 3 o'clock by the time we had got everything safely across, and as the Indians told us it would be very late if we went on before we got a suitable camp, we determined to make a camp close to the crossing. Hardly had we got our tarpaulins erected and hammocks slung than we were joined by Mr. Anderson and his party, who were on their way from Kamarang head to Roraima, where we had arranged to meet. Later in the afternoon very heavy rain again fell, and part of the camp had to be moved owing to the rush of storm-water from the high land adjoining. Before the rain came, however, we managed to get observations on the sun, and would have taken stars at night for lattitude had the weather permitted.

30. Starting at a little after 7 next morning, we made our way towards Roraima in full view of the sandstone mountains Ilutipu, Waiakapaiapu, and Kukenam, until at breakfast-time we reached a patch of forest at the foot of Kukenam Mountain which took us nearly two hours to cross and to regain the open savannah on the other side. Very heavy rain fell for about an hour whilst we were at breakfast, and as we came out on to the savannah in front of the bare cliff faces of Kukenam and Roraima we saw a most magnificent waterfall, the principal source of the Kukenam River,

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descending the dark, precipitous side of Kukenam Mountain in one gigantic leap of 1,300 feet into the dark forest below. The water leaves the mountain top at a point some 40 or 50 feet below the summit by means of a channel which has been gradually worn down in the sandstone, and is about 60 feet in breadth. Close to the point where it commences to fall the water bears a slightly brown tinge, and those curious rocket-shaped masses of fluid characteristic of many similar falls can be distinctly seen for some distance down its face; but after some 200 feet of descent the rocket-shaped masses break into foam, and the whole body of the fall becomes an intensely white curtain of falling spray resembling a vast lace streamer, its whiteness rendered more vivid by the contrast afforded by the dark rocky background. On Roraima we also saw falls, but none to compare in grandeur with that on Kukenam.

31. About 3 o'clock we reached an Indian village of five houses, and containing some sixty persons, where we were cordially received by an Arekuna Indian named "Schoolmaster" by Mr. J. J. Quelch, who visited the mountain in company with Mr. F. McConnell in 1894. According to the usual custom of the Indians, fresh cassava bread, cassiri, and pepper water were handed to us and partaken of, and after a rest of forty minutes we proceeded on to Kamaiwawong village, situated at the foot of Roraima, on the other side of the Kukenam River, which is here some 40 yards wide, and running swiftly over a bed composed of large boulders of sandstone and diabase. The village of Kamaiwawong consists of eleven houses, most of them of the typical cone-shaped savannah kind, some of them very large, arranged in a circle, and in the centre an edifice some 60 feet in length and 40 feet in breadth and height, used by the Indians as a church and school, where the Chief, a powerfully-built Arekuna named Jeremiah, officiates. On our arrival we heard singing proceeding from this building, and found that the whole population had, on seeing our approach, betaken themselves to it, mainly, we supposed, with the idea of impressing us with their civilized habits and devotional spirit. Soon afterwards Jeremiah himself came to us and showed us the house he had set aside for our use, where we found stored, and quite safe, the various packages of food we had sent on in advance for our use at the mountain. Next day we engaged some of the local Indians with some of our own men to clear a path from the village to the summit through the forest which surrounds the base of the cliff portion of Roraima, and to construct a palm-leaf house near to the cliff, which we thought might prove useful in ascending to the mountain top. Astronomical observations were taken at intervals, and a triangulation survey of the country made. We found many of the Indians with small-pox marks on their bodies, and as we had a supply of vaccine lymph sent up for us by the Surgeon-General of the Colony, we notified the inhabitants that we had with us a "bina," or preventive for the disease, which we would inoculate them with if they desired. In consequence, quite 350 persons, men, women, and children of all ages, came or were brought forward, and we were kept busy for several hours on successive days vaccinating the people. They took it very kindly—chiefly, I suppose, on account of their faith in our medicine, and because they are in the habit of cutting and scoring their own bodies, and rubbing into the cuts the juices of various plants, to prevent disease and to give them skill and good fortune in hunting and in following their various avocations.

32. On the 7th Mr. Anderson proceeded to the top of the mountain to locate the best point for a boundary mark and to report generally on his return as to the conditions for camping there. Meanwhile, Dr. Tirado and I continued the astronomical observations. Mr. Anderson returned on the 10th, after making a rough camp on the summit and surveying the western part of the mountain top. Next day Dr. Tirado and I went up, taking five hours from the village to accomplish the climb, which we found, on the whole, a very exhausting one, particularly the second portion of it. The path on leaving the village runs through the savannah, up the lower slopes or foot hills of the mountain, gradually ascending till the swamp described by Richard Schomburgk as a "botanical El Dorado," for such it certainly is, is reached. The forest-covered portion of the slope then begins and continues up to the cliff face of the mountain. Walking here is extremely difficult and trying, over tree roots, masses of sandstone, fallen trees, and through prickly brambles (*Rubus Schomburgki*), which remind one strongly of England, as the bramble is a true blackberry, exceedingly like that found in England. The path after meeting the cliff face proceeds along its base at varying levels to a point where a considerable waterfall, one of the sources of the Kamaiwa River, an affluent of the Kukenam River, is reached. Passing through this, which wet us to the skin immediately, we proceeded up the remaining part of the way, an extremely steep slope composed of step-like stages of sandstone rendered intensely slippery by the constant wetting it receives from the fall and the condensation of

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moisture caused thereby. Above the ladder-like section the slope becomes easier, though the soil underfoot is boggy and water-saturated, covered in places with the large brocchinia (*B. Cordylinoides*), whose leaves hold large quantities of water, which are discharged on one's clothing in making progress through them. In the bases of the leaves grows the large purple-flowered utricularia (*U. Humboldtii*); the pitcher plant (*heliamphora mutans*) is common; flowers of many kinds are abundant, as also is a prickly cactus-like plant (*abolboda sceptrum*), whose sharp spines easily penetrated our clothes and made it difficult and painful for the unprotected feet and bodies of our porters On the summit a strong cold wind was blowing, and in our saturated condition our teeth fairly chattered, and we were glad to make our way as quickly as we could to the rough camp prepared by Mr. Anderson and left for our use. It consisted of a wedge-shaped crevice between two sandstone masses, over which had been thrown a tarpaulin weighted with heavy stones; a rough ridge pole made of a single small crooked tree-stem helped to form a water parting for the roof, and a rough structure of tree-stems was placed inside to hang hammocks on. In its centre through the sand-covered floor a small drain had been scratched to allow rain water to run off out of the shelter. The base of the wedge was filled in with heaps of small stunted bushes, which grow sparsely on the mountain, and which helped in a measure to keep off the cold wind and driving rain. We changed into dry clothes and made a large fire to dry our wet ones, and then proceeded to inspect our surroundings, intending the next day to visit the point described to us by Mr. Anderson as the actual watershed between the Karoni and Mazaruni streams on the western side of the mountain. From the summit we obtained a fine uninterrupted view to the south and south-west over open savannah country dotted with dome-shaped mountains with sloping sides, and in the far distance showing isolated square-topped sandstone masses similar to Roraima. Early in the afternoon dense masses of mist and cloud rolled up over the mountain. The cold wind seemed to become suddenly colder, and we were glad to creep into our shelter, where ten of us slept, some in hammocks and some huddled together on the floor, with three fires kept constantly burning till morning. The night temperature shown by the thermometer, placed under a sheltering rock, was 50° Fahrenheit.

I had recorded, on my previous visit to the mountain in December, 1884, at a camp made some 3,000 feet lower than our present one, a temperature of 45°, and it is possible that in this same month the summit temperature may be even lower than this. All our men felt the cold extremely, and we were glad of extra clothing and blankets during the night. In the morning we set out to fix the boundary mark, and after walking for some 2 miles in various directions, but chiefly towards the west, a point close to that indicated by Mr. Anderson was selected, and after scrambling down a precipice of some 70 feet I had with a hammer and cold chisel cut into the solid sandstone surface, where there was a flat space some few square yards in area, and as near the most south-westerly part of the mountain as we could get, at the head of the last Mazaruni tributary, the mark—

B.G. | V.
P. A. T.

the letters B.G. standing for British Guiana, V. for Venezuela, and the letters P. A. T. for the initials of the surnames of the three Commissioners who had visited the spot. Dr. Tirado drew up a statement in Spanish recounting our visit, which I signed, and which I left in a bottle covered with loose stones near to the mark. Close to the mark, on the top of one of the many hill-like inequalities into which the summit of the mountain has been worn, is a remarkable table-topped mass of sandstone, which can be seen from Kawaiwawong village, and will serve as a guide to any future visitor to the mountain, if he desires to acquaint himself with the precise spot where we made the mark. The altitude of the point was taken by boiling-point thermometer, and works out as 8,622 feet above sea level.

33. We returned to camp about noon, and Dr. Tirado left for the village soon after, arriving there about 5·30 P.M. I decided to stay another night on the top, and after seeing my companion to the edge of the cliff walked some 2 miles in a north-easterly direction, taking a few photographs as I went and returned. Close to our camp a ridge or table of sandstone some 200 feet high is met with, and on the other side of this the level is about the same as that of our camp. It is a bleak, desolate, looking landscape, with curiously shaped masses of rock scattered over a surface which is in the main roughly level. Millions of quartz crystals, opaque and transparent, are strewn over the ground in all directions. Pools of shallow water, some of them 5 or 6 feet in depth, are frequently met with, but the general appearance is that of a

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vast marsh-like expanse with scanty vegetation dotted at rare intervals over it. Heavy rain-clouds drifted over the mountain during the whole afternoon, with occasional fierce gusts of wind, succeeded by a few moments' bright sunshine. Of animal life I saw only a few sombre-coloured butterflies which I could not catch, as they were flying close to the edge of a precipice, one peculiar-looking bird, like a large night-jar (*caprimulgus*), that was out of gunshot, and numbers of small black toads, of which I obtained some ten or twelve specimens. Next day I returned to Kamaiwawong village, taking almost exactly the same time as I had previously to ascend the mountain.

34. After instructing Mr. Anderson to carry the survey of the mountain as far round as the Cotinga head in order to complete the measurement of the actual boundary, Dr. Tirado and I left Kamaiwawong on the 15th April for the Kamarang, taking with us the chronometers and large theodolite, and got as far as our old camp on the Yuruani River, and determined to make use of the structure the Indians had put up for us on the other side. Dr. Tirado arrived earlier than I at the river, by two or three hours, making use of a very small bark canoe to cross in. The canoe we had used previously had been carried down-stream by a sudden rise of the river and lost, and when I tried to cross over, the Indians saw that it was almost impossible to take two in the craft, so they attempted to swim and tow it across. All went well until the middle of the river was reached, when, without warning, down went the woodskin and we were left in the water. The Indian with me, thinking I was unable to swim, gallantly let his craft go wherever it might, and stayed by me. Fortunately, I was able easily to swim the distance across, though I found it a little awkward with heavy boots on, and was none the worse for the accident. As the river fell during the night, the loads left on the other side were carried across next day on the heads of our men, who forded the river close to a small rapid some 50 yards lower down stream.

We reached Kamarang on the 19th, and again took observations for time every other day until the 24th, when Mr. Anderson arrived, after completing the survey to Cotinga head. Dr. Tirado left next day for Arawai, from whence he proposed to survey the Wenamu down to its mouth, leaving Mr. Anderson and myself to complete observations at the Kamarang and at Tshuau on our way back. Very heavy rain fell on the night of the 25th, and we did not deem it advisable to attempt to cross the now swollen streams with the delicate instruments we had with us, and it was not till the 28th that we set out for Tshuau accompanied by all our Indians, who were desirous of being paid off, and obtaining for their wages the barter goods we had specially sent down to Georgetown for. We reached Arawai on the 9th May, where we settled with our Indian carriers, and, after a stay of fourteen days, left for the Pathawaru River, a tributary of the Wenamu, where a clearing had been made to enable us to get astronomical observations. Here we stopped till the 25th, and then we proceeded to the Wenamu mouth, where we again took sights and left for Akarabisi mouth on the 4th June, reaching that stream on the 5th, and, after getting observations for time, continued our journey on the 7th for Arrawak Matope, the Government station, where we slept on the 10th. Bartica was gained on the 11th, and Georgetown on the 13th June, after an absence of a little over nine months. When the steamer from Bartica touched the stelling in Georgetown, she was boarded by Sir Alexander Swettenham, the Governor, who thus early expressed his satisfaction at the successful termination of our work, and his act of graceful condescension in thus meeting us was greatly appreciated by Dr. Tirado and ourselves. We were fortunate in completing the work in nine months, instead of thirteen, which I had estimated it would take us, and there has been a large saving on the amount voted by the combined Court for the purpose. It was quite impossible to give an exact estimate, as the country was practically unknown to me, and I was able only to make a rough guess that the work would take so many months, and that each month a certain amount would be required to cover expenses. As we got through in nine months we had a considerable surplus of Government and of our own private stores left on our hands at our principal camp at Arawai. The former we sold to Mr. McBeth, and the money, nearly all he had, has since been paid in to the Treasury. Our own stores we could not bring down to town, as they would have increased the loads in our boats to an extent which might have made it dangerous to shoot the various rapids and cataracts on our way down, and there was therefore no alternative but to leave them behind at Arawai, and we therefore presented them to Mr. McBeth, who remained behind prospecting for balata, india-rubber, and gold.

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The Work of Survey.

35. The places fixed by astronomical observations on this occasion are Akarabisi and Wenamu River mouths (redetermined as a check on our previous work), Arawai, Pathawaru, Tshuau, Kura Falls, Dead Man's or No. 5 Camp, on the Wenamu River, Paruima Camp, Kamarang Store Camp, Arriwe Matai, Yuruani River, and Kamaiwawong village, at the foot of Roraima. Over 1,000 observations for time, latitude, and azimuth were taken, and a chain of meridian distances obtained from point to point. The head of Paruima River was obtained by route survey, and the country from Kamarang head to Roraima by latitudes and azimuths and triangulation. The Wenamu was surveyed partly by the subtense method and partly by watch and compass taken three times. Route surveys were also made by the various Indian paths travelled over. Our chronometers, considering the variations of temperature experienced and the jolting they had to undergo whilst we were travelling overland, behaved extremely well. We certainly took very great pains to insure them against damage or shocks, as, for instance, once, when going from Kamarang to the first camp in the savannah, the road ran through forest, over steep, slippery hill-sides, and at one point on the way I, who was in advance of the chronometer carriers, brushed against a large wasps' nest, and was severely stung in consequence. My first impulse was naturally to place as great a distance between myself and the wasps as I could, and I had got some 40 yards away from them when it occurred to me that the chronometer carriers would almost certainly get stung also, and they might possibly fall owing to the greasy, slippery nature of the wet clay soil where the nest was, and cause serious damage to the instruments. I therefore returned and broke down the nest, getting a good many additional stings. We covered up the clocks in green baize and waterproof cloth every night, and I think I may say that the india-rubber lining to the edges of the boxes and the screw caps placed over the winding gear of each instrument helped to keep them in a measure free from damp. Each separate chronometer had a man specially deputed to carry it, and the men were chosen for their steady, careful walking powers. The instruments were placed each in a separate painted canvas bag, at the bottom of which was put a layer of the man's clothing, then the chronometer was placed on the clothes in such a way that the box would be in a semi-upright position and the chronometer itself nearly horizontal whilst being carried; more clothing and the man's blanket and hammock were packed round and over the box to keep it from jolting and shaking, and to protect it from the sun's rays when in open country. A specially prepared stand was made of poles cut in the bush at each new camp to put the clocks on, and they were then covered with the baize and waterproof cloth. The rates were fairly regular, varying mostly with the change of temperature and humidity of the air.

36. In concluding this Report we cannot omit to draw attention to the very excellent work done by Sir Robert Schomburgk, who travelled in this Colony on behalf of the Geographical Society and the British Government. We found, on the whole, that our results agreed fairly with those obtained by him, and when we contrast the conditions of travelling at the present day with those that obtained when he was an explorer, we can only wonder at his endurance, patience, and skill, and, metaphorically speaking, take off our hats in respect to his memory.

Our own labours have been hard, and we have had many trying experiences, but throughout all we have felt greatly impressed by the important and interesting nature of our work, and cheered by the remarks of commendation addressed to us by the Secretary of State for the Colonies, and the interest shown by the officials of the Colony itself, notably by Sir Alexander Swettenham, K.C.M.G., whose kindly sympathy we were always assured of, and whose personal example was a direct incentive to us; by Sir Cavendish Boyle, K.C.M.G., under whose active administration the work was begun; by Mr. N. Darnell Davis, C.M.G., who devoted much time and study to the boundary question whilst it was yet unsettled, and to whose kindly thought we owe the regular postal communication which the Governor permitted us to maintain during the whole of our last journey. In no small measure have we appreciated the trust and confidence reposed in us by our fellow-colonists, who whenever called upon to vote, through their representatives in the Combined Court, the funds necessary for the prosecution of the work, have at once, without question, accepted the estimates set before them. It has been a pleasure, particularly on this account, for us to feel that our last journey, through great good fortune, has been accomplished at less cost than I at first anticipated. Of my colleague, Mr. Anderson, I can say that he has cheerfully

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borne his part in the arduous work throughout, and been actuated always by a high sense of duty, sometimes even at extreme risks to his own health.

We have, I am glad to record, maintained throughout the whole of the work the most cordial relations with our Venezuelan *confrères*, and we shall, when the time comes to part, do so with genuine regret—a regret which will be rendered all the more keen in that one of their number, Dr. Blanco, who died in December last, is not with us, and cannot share in our satisfaction at the successful conclusion of our work.

The map which is submitted with this Report has been duplicated by Mr. Bowhill for the Venezuelan Commissioners, so that we each have a record of the work done, signed by the Commissioners appointed by the United States of Venezuela and by Great Britain.

I have, &c.
(Signed) H. I. PERKINS,
Senior Boundary Commissioner.

Inclosure 6 in No. 1.

Mr. Perkins to Government Secretary.

Department of Lands and Mines, Georgetown, Demerara,
January 10, 1905.

Sir,

I HAVE the honour to submit herewith a Report by Mr. C. W. Anderson, Boundary Commissioner, on his journey from the Paruima to the Kamarang River head, and from thence to Mount Roraima and back to Kamarang River Camp.

(2.) I beg to draw his Excellency's attention to the paragraph No. 25 marked with red lines* on pp. 16 and 17 embodying facts mentioned under the date 16th April in connection with the Venezuelan and Brazilian Boundary Awards.

I have, &c.
(Signed) H. I. PERKINS,
Senior Boundary Commissioner.

Inclosure 7 in No. 1.

Mr. Anderson to Mr. Perkins.

Georgetown, January 10, 1905.

Sir,

I HAVE the honour to submit, for the information of his Excellency the Governor, the following report on a journey I made in March and April, 1904, to ascertain, in connection with the Boundary demarcation, the source of the Kamarang River, and to survey the watershed of the Mazaruni and Caroni streams thence to Roraima.

2. *March* 15.—Acting under your instructions, I left Paruima Camp at 8·15 A.M. with nine Indians, each carrying a load. We walked a slippery path over several hills and arrived at the Kamarang River at 3·52 P.M., where I found the river about 150 yards wide, and we had to cross in a small corial to the camp and depôt, which we had sent on orders for the Indians living there to prepare.

3. *March* 16.—From the stock of provisions I found at this depôt, I packed up ten days' rations for myself and eight Indians and started at 11·30 A.M. Proceeding in forest about 2½ miles up the Kamarang Gorge, on the right bank of the river, I suddenly came in sight of a magnificent waterfall with a perpendicular drop I estimated at 700 feet, distant about half-a-mile, on the other side of the Kamarang, where the Utshi River descends from the tableland. We camped at an Indian house we met about 1½ miles further up the river. Here I obtained information from an old Macusi Indian as to the shortest route to the Kamarang source.

4. *March* 17. We were ferried over the river by this Indian one at a time in a tiny woodskin to a place called Mopay Erlalang, below a great fall on the Kamarang, where we found some Indians living. Thence we climbed a steep ascent to the top of a table-land about 1,000 feet above the river, on which we emerged from the forest into

* See bracketed paragraphs.

Annex 42

Letter from F.M. Hodgson to Alfred Lyttelton *enclosing* Abraham Tirado, Minister of Foreign Affairs, *Report of the Frontier towards British Guiana* (20 Mar. 1905)

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British Guiana
No 315.

Government House,
Georgetown, Demerara
12th October, 1905.

Sir,

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With reference to my despatch No 18 of the 20th January last, I have the honour to inform you that I have received from Dr Abraham Tirado, Senior Venezuelan Boundary Commissioner, a copy of his report to the Venezuelan Government on the work of demarcating the boundary between Venezuela and this Colony.

2. I have had the report, which is printed in Spanish, translated into English, and I beg to enclose a copy of the translation.

I have the honour to be
Sir,
Your most obedient
humble servant.

F. M. Hodgson

The Right Honourable
Alfred Lyttelton, M.P.
&c &c &c

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Enclosure to Mr Swinburne's despatch No 315 of 13th October 1905

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Report of the Minister for Foreign Affairs (Venezuela) to the National Congress, in constitutional session, 1905.

The Frontier towards British Guiana.

Information supplied to the Minister for Foreign Affairs by Dr Abraham Tirado, Engineer in charge of the Commission for delimiting the Frontier between Venezuela and British Guiana.

Part I

The Cuyuni and Venamo Rivers.

1903-1904.

Close upon the end of the month of June 1903 this Commission left the port of La Guaira en route for British Guiana. It took more than twice the usual time to arrive in that place because we were subjected to the quarantine that was in force there at that period.

Immediately upon arrival I started on the technical astronomical work by observing the absolute conditions of the chronometers and their ratings: - observations that were essential, and which it was most important to make with the greatest accuracy, seeing that they were necessarily the foundation for the most delicate part of the work, viz. the determination of Longitudes. The careful attention paid to this matter has been well rewarded by the completeness of the results obtained; and I am personally very proud of being able to present a plan of the outcome of our work which, considering the

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the very unfavourable conditions under which our various journeys were made, is wonderfully accurate.

Here 58 good observations of absolute and equal altitudes of the sun were made on nine several occasions at approximately equal intervals, and the mean result was arrived at by the method of least squares.

Whilst this was being done for the technical part of the work, a good deal of the time at our disposal was taken up in the material organisation of the expedition; for the journey that we have accomplished involves immense difficulties; difficulties that have before this been very properly represented in the most striking way in scientific publications in England.

With an equipment of three large boats, carrying fifty seven persons as well as all the instruments, and ten tons of only such provisions as were absolute necessaries, we started, as soon as the swollen state of the Cuyuni river would allow, from a place called Bartica, which is situated at the junction of the Essequibo, Mazaruni and Cuyuni rivers. We ascended the last-named river from its mouth to that of the Acarabisi.

Over that journey we took nearly a month, struggling against difficulties that increased each day, and from the very day of setting out spending, as may well be imagined, far more money than the amount named in the estimate as being at our disposal. The mouth of the Acarabisi was the point from which the work was to begin.

It was during this our first journey that Dr Elias Toro, the doctor of the Commission, began to notice

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notice very unsatisfactory symptoms in the health of our dear comrade Dr Armando Blanco.

Dr Toro suffered for more than ten days from a severe fever, which sometimes reached a very high temperature, and I was myself attacked by a violent influenza ("grippe") which lasted for about twenty-five days, aggravated by the strange conditions of life that I had to put up with. We were obliged to leave one of the hands, in whom small-pox developed itself, at Quartz-stone, the last English station on the Cuyuni, and to send back another, who was seriously ill, from the mouth of the Acarabisi, taking advantage of the sending down of a boat.

On the 5th October of the same year, at the point already referred to, the astronomical observations were begun. They were taken from the sun during the day, and from stars during the night. For determination of errors and rates of chronometers the methods of absolute and equal altitudes of the sun and of one or two stars were employed (Covarrubia's method) with the meridian passages of the same; and for latitudes the method of meridian passages and that of circummeridional zenithal distances of the stars. I had to make 52 observations of the former kind, 30 of the sun and stars being good ones for the chronometers, and out of 49 of the other kind 31 were good for determining latitude.

Besides this, notes of temperature and of barometrical pressure were taken daily at this camp.

As soon as the time absolutely necessary for getting a complete set of satisfactory observations had

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had elapsed, we continued to ascend the Cuyuni to the mouth of the Venamo, taking six days on the voyage, during which we made a sketch map of the Cuyuni river by means of a time survey, although we had taken the precaution to bring with us an exact triangulation of that river made with the utmost precision and care by Mr Anderson, Civil Engineer.

At the mouth of the Venamo we had to reorganise our expedition, so far at least as the transportation of provisions was concerned, and the establishment of depots, &c. With this end in view Mr Perkins, Civil Engineer, head of the English Commission, had already pushed on with his and our two cargo boats as far as the Venamo was navigable. From this same camp at the mouth of that river one of our boats was sent back with twenty men, amongst whom I naturally sent those who on account of their health or for other reasons were not of much use. This boat was to go down and to return immediately with additional and fresh provisions, and I sent by it, just as I had done before, a letter to the Minister containing a detailed account of the progress of the work.

One of the three chronometers, which had for some days past been going irregularly, stopped while we were in this camp, so I decided to take this opportunity of sending it down, and to keep only two which in spite of the very unfavourable conditions to which they had been submitted kept in good condition.

We were detained in this camp to about the middle of November by daily observations of temperature, barometric pressure, the chronometrical ratings for the determination of longitude, observations for latitude

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latitude, &c., all of which observations were made by the technical methods most applicable under the circumstances.

As there is a large island in the mouth of this river it was necessary to bisect it by a straight line, indicated on the ground by two heaps of boulders at the two ends, and by a line cut through the whole length of it for a distance of four and a half kilometres.

It was here that we received letters for the first time since our departure from Georgetown.

Observations of the sun were taken at the mouth of the Venamo, for the chronometers, time and longitude, 30 of which proved good ones; and observations of the stars for latitude, 23 of which proved good ones. In calculating these observations the technical methods already indicated were employed.

From the mouth of the above-mentioned river we followed its course upwards as far as it was possible to do so in our boats, and after five days journey arrived at the Arawai Falls.

During our voyage this part of the Venamo was mapped by time survey.

At "Arawai Fall", or the Falls of the Arawai, we established a general camp for provisions, &c., because navigation by boat was only possible up to this point. There we constructed very durable buildings of wattle and neponset. The provisions were here disembarked and stored in right good order. We left in charge of this depot a specially selected man whose duty it was to receive and despatch provisions.

The

(Translator's note - I learn that these pillars ... boulders piled round them)

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The second of our freight boats was also sent down from here with a crew of 20 men on board with orders to return immediately with fresh supplies. During the whole time that the work lasted this Commission's boats made two journeys each, taking about two months for the complete voyage. They were manned by 18 or 20 hands, a bowman or "proero" and a captain. They had carried 18 tons of bare necessaries. The mean cost of transportation per lb., as far as this place, was 15 cents. We may call it a total of 30,000 bolivares (francs) ✲

Translator's note ✲ The franc or bolivar being reckoned at $20.

?20 cents

As we had at this point definitely reached the most advanced point of our journey I had here to extend the duration of the observations which, being taken as in the earlier halts daily, both by sun and stars, enabled us before proceeding to determine the chronometrical ratings with great precision.

Here I decided to send back my dear comrade Dr Armando Blanco, in accordance with the well-considered advice of Dr Elias Toro, who in his capacity of medical adviser gave me to understand that he would not answer for the life of our companion if he remained in the bush. I at once ordered his return to Georgetown; and neither the careful attention that Dr Toro lavished on him on the return journey nor the beneficial change of getting back to town succeeded in checking the illness the sad termination of which was notified to the Ministry on the first opportunity, and gave the Governor of this Colony the opportunity of again showing his kindly feeling towards our country. At last then, from November, I was left all alone; and little did I think

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think that the good-bye that I said to my generous friend was the last good-bye. This journey has parted me for ever from a comrade full of good qualities and of nobility of nature, whose death I shall always deplore, and to whose memory I render this day, when I cannot help remembering him with such sad repinings, the tribute of affection that my gratitude inspires.

From this date the English Commissioners agreed to work in conjunction with me, affording me most efficient aid. At this encampment, besides the notes on temperature and atmospheric density made daily, observations were made to determine the absolute rates of the chronometers, as well as for latitudes always in accordance with the technical methods most suitable under the circumstances. Besides this I continued from this place my detailed correspondence with the Ministry, always informing it in minute detail as to the progress of the work.

At the beginning of the month of December and (guided by (?) previous investigations made on a former occasion, we moved on by a two days' march on foot through the forest to a camp called "Tzhuau", very near the mouth of the same river on the "Venamo", following the same route that the explorer Sir Robert Schomburk followed 60 years ago for his interesting scientific expedition of 1840-1844. It was necessary to travel somewhat slowly on this march, so that the chronometers, which are exceedingly delicate instruments, might suffer as little as possible, - a result that we actually achieved to our satisfaction. The whole

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The whole time that Mr Anderson, C.I., and I spent here over astronomical observations, which were much hindered by the incessant rains, was occupied by Mr Perkins in exploring the "Venamo" to its head-waters; a work abounding in serious difficulties and his success in reaching the head is a testimony to this gentleman's energy. Three times he had to ascend that river, but at last he succeeded in crowning his laborious and interesting expedition with a clear definition of "the most western source of the Venamo". At this same place we had to build three corials to transport up the Venamo as far as the falls of the Kura, a distance of 55 kilometres, the hands, provisions, tents, etc., that were indespensable for carrying on the technical work, both astronomical and topographical, on that river. It was at this camp that the Engineer, Mr Bowhill, overtook me. He had been sent by Dr Blanco immediately on his arrival at Georgetown to place his efficient services at my disposal in lieu of Dr Blanco. I entrusted him the topographical survey of the Venamo throughout almost the whole of its length, which gave me the opportunity of comparing, with satisfactory results, the incomplete surveys taken before or after this by Schomburk, Perkins, Anderson, and the undersigned, and of rectifying the astronomical observations. I also wrote from this place to Dr Toro requiring him to remain till further orders in town; because his presence there was indispensable for the prompt despatch of the business of the Commission.

The astronomical observations in this region were

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were as follows :- 164 solar observations, of which 116 were good for determination of errors and rates of chronometers; determinations of longitude by culminations of the moon and stars; 85 observations of stars, of which 78 were good for latitude; determination of the azimuth of a line for the correct orientation of the tacheometric observations.

ka & Akawaio (?)

Here we came across the first "Guaica" and "Arawayo" Indians in two benabs of wattle, who cultivated a few wretched farms, and were greatly delighted with our arrival which would help them considerably. A few of them were sent off at once to the Parima and Camarang to induce a good number of them to come and work with us. This was very easily managed; and it was, as a matter of fact, our salvation to have at our disposition 50 or 60 of these unfortunate folk, who, perfectly contented and submissive, obedient, docile and extraordinarily strong for the work as they were, accompanied us from this time until it was finished.

The discovery of these Indians solved an economic problem which had caused us much anxiety. If we had found ourselves obliged to undertake this very difficult expedition with merely the hands that we brought from Demerara, thoroughly disobedient, lazy, and insubordinate as they were, receiving also extravagantly high wages, we should not have been able to meet the expenses incurred, even with double the amount estimated. The drogherage from the last camp, that of "Araway", to that of Tzhuau, some 25 kilometres apart, was done on the shoulders of negroes engaged for the purpose, who received 5 cents a pound extra

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extra as payment for porterage. We also employed Indians in this work, with satisfactory and economical results. We left here, properly arranged, and under the charge of a careful employe, our second magazine of stores, because after ascending the Venamo we should be unavoidably obliged to pass here once more on our way to Roraima.

As soon as the observations were finished for fixing astronomically the position of this important place, where, as on previous occasions, observations of temperature, etc., were noted, being now informed, thanks to the information furnished us by Mr Perkins, which was the best way to attempt the ascent of the river, we decided to quit that camp from which I reported in full detail to the Ministry the progress of the work.

After travelling through the forest for some four kilometres we ascended in the corials constructed for the purpose, and mentioned above, the 58 kilometres that separate the camp of Tunapung, where we embarked, from the Falls of Kura, the furthest point accessible in boats of this kind.

On this journey, as one of the three corials got lost, Mr Anderson with the instruments had to start before me. Having arrived at the Falls of Kura after a three days voyage he sent down the two remaining ones to me; and we started as soon as ever they arrived. At this camp. as usual, Anderson and I took observations for chronometers, longitudes, latitudes, etc. At the same time Perkins expeditiously opened up a trail to the head waters by which to

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to convey with the least possible risk the delicate instruments and the heavy bulk of the astronomical theodolite, and built along its course four camps for us to take shelter in during the incessant rains, and to spend the nights in.

Here I received the sad news of the death of our dear comrade Dr Armando Blanco, 35 days after the event. Although in this sad emergency Dr Elias Toro performed all that the duties that the noblest and most unselfish affection could suggest, thanking the Government of the Colony for the marked proofs of sympathy for our dead comrade that they gave, and immediately communicating the distressing news to our Government, I nevertheless wrote to the Government of the Colony thanking them for the manifestations of appreciation and sympathy which they had given Venezuela on this sorrowful occasion, and informed my Government officially of all the circumstances, and also of the state of the work; and I once more pointed out to Dr Toro the necessity for his remaining there, authorising him to continue to be the official representative of the Commission in the Colony.

With Mr Anderson I finished the part of the observations that fixed the astronomical position of that spot; and whilst we were thus occupied Mr Bowhill in the service of the Venezuelan Commission continued the topographical survey of the Venamo river.

At the same time we had sufficient provisions for this expedition brought from Tunapung in corials, and also had carried and distributed all along the trail to the head waters, viz. at camps Nos.1, 2, 3 and 4, and "Dead man's camp", such provisions as we

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we considered necessary for our ascent to "the most "western head of the Venamo".

As the height of these regions above the sea-level now began to be of some importance we decided to begin here hypsometrical observations to determine the boiling point of water and by this means to calculate the altitude of the place. This gave us the opportunity of testing the readings of our aneroids.

Besides this the temperature of the surrounding atmosphere, the atmospheric pressure, etc., was taken daily; and, whenever the rains allowed of it, all the astronomical observations by sun and stars essential for the exact determination of this point were made.

As Mr Perkins had now returned from his toilsome expedition we decided to start, agreeing to take with us only two chronometers, one belonging to the English and the other mine, and to leave the others at that camp in charge of the above-mentioned gentlemen.

We took this wise precaution because of the great difficulties of the journey, and the considerable risk of losing instruments that were the very life and soul of the work. We took the greatest care about their carriage to prevent any serious damage; and protected them carefully against the incessant rain and the abundant moisture of the air; and entrusted them to the hands of the most reliable men, viz., the captains of our "tent-boats". Thus we took them as far as "Dead man's camp".

We started on this pilgrimage - we may well call it so - from the Kura Fall, on the 3rd of February. We traversed vast forests, one after another, always taking

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taking care to place between Mr Anderson and myself the two men who carried the chronometers, and the three with the astronomical theodolite and the smaller instruments. Then followed the rest carrying our scanty personal effects, viz., a hammock, tarpaulin, and only one garment each in which we passed the night whilst the Indians dried by halves in the smoke the clothes worn during the day. We were obliged to do this because in the first place we were reckoning to do with only just enough people to carry food and the tarpaulin, and nothing more, and in the second place our financial resources would not allow us to exceed those narrow limits.

The cost of porterage per lb. from the Arawai camp to the half-way point of the Venamo river was 27 centavos (1.35 bolivares)* and I had to transport about three tons; that is to say ฿.10,000 was spent on this count alone.

*Translator's note - "cents", i.e. /100; i.e. ฿.1/20 = ฿.27/20 = .35 - Here 1 var is reckoned as $1/5, or 10d. in ish money. It early 1/2d. e the real - exchange e, I mean.

On the evening of that same day, after six hours of trying walking we encamped at Camp No.2. From this point we set out to continue the ascent, arriving by evening at Dead man's camp.

This was the spot selected beforehand by Mr Perkins for making the astronomical observations. It was necessary to take them here instead of at the actual most westerly source of the Venamo river, because it was perfectly impossible to transport the chronometers to that spot. But both points were connected by a tacheometric survey of 3 kilometres made by myself with the greatest care; and by this means the exact position of those two points was fixed.

Before our arrival some Indians had halted there to

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to make the clearing which was necessary for taking the observations. One of them fell sick on arrival there, and in spite of his physical vigour he could not stand the cold, the trying weather, and the food; and whilst his fellows were finishing the work, which took 8 days, more or less, this poor man who had left his home and his family to follow us, full of life and enthusiasm, ended his obscure days in those doleful mountains. His companions, scared and full of superstitious dread, barely covered the body with the thinnest layer of earth one inch deep, and afflicted and in tears ran back to join us in camp No.2, where, as I have already said, we were going to spend the night.

Terrified by the death of their companion they entreated us to allow them to go down as far as the Kura camp, where they would wait for us with Mr Perkins. It was then our first business to go to that other camp to bury the body properly, which in spite of the cold of that region soon began to decompose and to make its presence felt by the smell, for it was only 6 metres from our camp.

In this place, lashed as we were by violent and unceasing wind gusts, which brought with them pouring rains and a cold that we felt most keenly, as we were only half clothed, we had to spend nine dreadful days of utter misery. Mounting guard unceasingly from eight in the morning to an hour after midnight by the theodolite and the chronometers to avail ourselves of the very rare moments when one could with great difficulty catch sight of the sun or some star or other, we succeeded in making some 23 observations, 9 of which were good for latitude and 7 for

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for the chronometers, In calculating these we employed the formulae most suitable under the very unfavourable conditions that prevailed; but it is satisfactory to me to be able to state here that our pains were rewarded by the astonishing results obtained there - for instance the two values for longitude obtained from the two chronometers differed by only seven tenths of a second,- about 300 metres. We also entered in our note-books notes of the temperature, atmospheric pressure, and boiling point of water, determining also astronomically an azimuth for the orientation of the topographical observation; and finally we marked on a rock and on a tree the initials of the two nations, V.-B.G.

Starting two days before me, during which I made the tacheometric survey already spoken of, Mr Anderson set out on the return journey with the chronometers, to wait for me at the Kura Fall camp.

I ought not to omit to mention the unforeseen trials, the difficulties, and the discomforts, the excessive exertion and the laborious struggling, the endless hardships, and the great determination that was necessary to enable us to arrive at the objective of the first expedition, which we attained at the most westerly source of the Venamo river. There there lay, as a mute witness to all that this implies, the remains of a poor fellow whose hardihood and habitual life in the forest stood him in no stead against the conditions of life which we had to endure there. There physical energy was annihilated and one's spirits were so depressed that it was only an exalted sense of duty, and the satisfaction that one felt in serving one's country that could possibly sustain

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sustain us during such dismal days. Twenty-one men set foot for the first time in this remote and lugubrious region :- 12 English, 8 Indians, and 1 Venezuelan.

On the determination of this furthest point we had now the six points of most importance on the Venamo river astronomically determined, to wit :-
Its debouchure into the Cuyuni.
The Arawai Fall.
The mouth of the Tzhuau river.
The Kura Fall.
Dead man's camp, and
The most westerly source of the Venamo river.
Later on, during our return journey, the position of the mouth of the Pataguaru river, between the mouth of the Venamo and the Arawai Fall, was also determined And it was necessary to take this large number of points partly because the distance the chronometers had travelled and the peculiar conditions of each place made it necessary, and partly to define perfectly clearly the long course of the above-mentioned river.

At Dead man's camp the vegetation is notably impoverished. The vigour of the trees has been unable to hold its own against the bleakness of the region; and those trees which in lower zones flourish vigorously by reason of the rich soil and the exuberant life that it imparts to them become atrophied and disappear in these high regions, and give place to a different type of vegetation which is poor and feeble. The ground and the rocks were covered with moss, which in some places was more than half

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half a metre in depth, which makes the ground so yielding that it is more difficult than ever to travel over. The main body of the water runs through the various branches into which the Venamo splits up but because of the unceasing rain the whole of the ground is constantly washed by the waters underneath the covering of the moss already referred to.

In these regions thanks to the effects of the climate animal life also is far less exuberant. We were never able to observe the presence of birds or quadrupeds. Neither did we see a single snake in that district, and not even insects were met with. Chilly winds, the most intense cold, solitude and death form the surroundings that adorn the sources of the Venamo at more than 1200 metres above sea-level.

From the said camp I returned to Kura Fall so as, in conjunction with Mr Anderson, to take the observations that were necessary to determine the errors and rates of the chronometers; and, as Mr Bowhill also came up with us at that place on his return from the head-waters, I decided to leave him there in my place, and myself to proceed at once with Mr Perkins to the Tzhuau camp to organise the expedition to Roraima. It was then that one realised more than ever the great usefulness of the Indians.

Taking into consideration the great distances that we had to cover, and being guided by their suggestions, we sent on a first detachment of them to the mouth of the Parima river, a tributary of the Camarang, where they came across their first settlements and provision grounds. Here they were to leave in the custody of their families the provisions that they

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they took with them, and return again to Tzhuau. Their first expedition took six days for the whole journey. During this period we sent off two or three more gangs, transporting in each case whatever was most essential.

Whilst we were at the Tzhuau camp, a few days later than this, Messrs Anderson and Bowhill rejoined us, already on their way down. In conjunction with the former I made a successful series of observations to assure ourselves with perfect accuracy of the state and rates of the chronometers,- an indispensable datum for our approaching journey. Meanwhile the latter went to finish the little that remained to be done to complete the survey of the Venamo river.

On the arrival of these gentlemen Perkins at once set off to explore, so as to ascertain and send back to us precise and reliable information for our journey, which was a very delicate matter, as we had to take the chronometers with us.

At this camp I gave Mr Bowhill orders, now that his survey was completed, to return at once to Georgetown in one of my boats; and as his services were most useful it was with great regret that I found myself obliged to deprive myself of them, because the financial position of the Commission was most distressing, the expenses increasing enormously, so that I had not the least idea of what on earth I ought to do. From this camp, as from all the previous ones, I wrote to the Ministry a minute account of the progress of the work. I gave orders for the boat which was to take Mr Bowhill to Bartica to return immediately freighted with provisions. I had to change

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to change the freighter of the Atrawai depot, because I was not satisfied with his conduct. The depot was rearranged and stocked with a fresh consignment of goods.

I established continuous relays of freighters (or droghers) from Tzhuau, with depots on the Parima and Camarang. And while I was finishing the time observations with Mr Anderson, I was awaiting news from Perkins, who, as I have already mentioned, started from this point some time before us, so as to get everything ready for us for our journey.

Thanks to the generosity of the Governor of the English Colony we received while here a good supply of tubes of lymph, which we set to work to use among the Indians; and we succeeded in checking a terrible epidemic of small-pox that prevailed at that time in their settlements on the Parima, Camarang, and Roraima. During the whole course of our journey Mr Perkins and I vaccinated about 500 Indians that is to say the majority of those belonging to the Roraima settlement.

End of Part I.

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Part II

Mt.Roraima.

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Having received satisfactory tidings from Perkins we decided to start at once. We set out on the 3rd of March, accompanied by twenty-five persons, Indians and negroes together, always paying very particular attention to the transportation of the chronometers. For four days we advanced by slow marches so as not to expose our instruments to any sort of risk; traversing in the midst of torrential rains, and by almost impassible tracks, country of an exceedingly broken character; climbing up and climbing down towering and sometimes almost inaccessible mountains; having previously crossed the Parima river in three tiny skiffs of a kind known as "wood-skins", carrying no more than 80 or 100 lbs. weight apiece, which had been constructed beforehand by the Indians on Mr Perkins' order.

It was at this camp that the English Commissioners suggested to me the substitution of the watershed between the Orinoco and the Essequibo for the straight Venamo-Roraima line that the Paris Award declared to be the boundary.

I thought over the matter, and being convinced that the modification was undoubtedly to the advantage of my country, I answered them that I would at once report on the above-mentioned proposal to my Government through the proper channel, viz., the Minister

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Minister for Foreign Affairs, my official head. And I did so accordingly in a special despatch; in which I enumerated as clearly as I possibly could what I considered, and still consider to be, real advantages. The answer to this despatch, numbered 15, and dated March 10th, came to hand during the last days of the month of July. In another communication I also reported, as I did from all the other camps, on the progress of the work, detailing with the minutest care even the most trivial incidents.

Immediately after our arrival Mr Perkins left to make the necessary exploration of the Parima river up to its head waters, making a time-survey of the course of the river as he journeyed, but with no more than the approximate accuracy that was sufficient in this case. This contributed to a fuller knowledge of the region, which might hereafter be found useful for the alteration of the boundary-line. As usual Anderson and I spent the time that he was thus travelling in taking observations of longitude, latitude, time, etc., and noting the readings of the thermometers, aneroids, hypsometers, etc., Here 78 observations by sun and stars were taken, 14 of which were good for latitude, and 38 for chronometrical ratings.

At the same time, availing ourselves of the Indians' services, we sent on provisions for the next camping place at the passage of the Camarang; a place which, although it was not far from where we were at present, appeared to us, because of its importance, a very suitable spot to choose for the last observations before the final advance to Roraima.

Mr Perkins

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Mr Perkins having now returned from his expedition to the heads of the Parima, decided, so as to save time, to send on Mr Anderson at once to explore the Camarang (a matter that I shall recur to later on) while he finished the astronomical observations of the abovementioned position with me. As soon as ever these were completed, together with all the notes of minor observations, we prepared to continue our journey, which was however delayed for one day by a tremendous rise in the waters of a narrow affluent of the Parima. For we were at this point unprovided with Indian"wood-skins" to put the chronometers and delicate instruments on board whilst we swam across. From the Parima camp to that on the Camarang was a journey of eight hours, very slow walking because of the care required in the transport of the chronometers. It was here, on the banks of the river of the same name (Camarang) a principal tributary of the Mazaruni, that we came across the second Indian settlement. This consisted of not more than five or six houses with twenty or thirty persons in each. It was surrounded by provision grounds in which considerable quantities of cassava and cotton are cultivated, as well as lesser quantities of cane, yams, plantains, pine-apples, cashews, maize, kidney-beans, and other food-plants. As our tents were on the opposite bank to that on which we were,it was necessary to construct, with a view to future needs, two Indian "wood-skins", which we used with very satisfactory results during the whole time that we remained here in our journeys to and fro between here and Roraima. At this camp, which was the place where perhaps the rains were least heavy, a very

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a very good series of astronomical observations by sun and stars were taken, with the object of determining with due accuracy the errors and rates of the chronometers, a very necessary datum in view of the long journey which we had to make to reach the next camp. 109 observations were made to determine the longitude and latitude of the place, of which we used 76.

The temperature and atmospheric pressure were noted daily, and the boiling point of water was taken to verify the altitudes indicated by the aneroids.

Whilst this was being done with respect to the technical part of the work, with regard to our material necessities we lost no time in despatching relays of Indians to the Roraima settlement, freighting stores that they were to leave there under the charge of no one; for the Indian's sense of honour, which is proverbial in these regions, makes no precaution necessary, and they all of them looked after, respected, and took care of our property that had been left there even more zealously than they would their own. We waited for the return of the first party, with whom we had sent two or three of our best conducted negroes; so as to obtain from them a more definite and exact notion of the distances, difficulties, etc., before undertaking the journey ourselves.

At the same time that Mr Perkins and I were employed in the manner mentioned above, Mr Anderson was exploring and making a time-survey of the Camarang river up to its head-waters; and was determining astronomically the principal points in the distance

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distance covered, and was also with the delicate precision that distinguishes his work of this nature, making the important triangulations which, being as they are almost all of them on Venezuelan territory, will make our map distinguished for exact data in a region where it would otherwise have been impossible for economic reasons to obtain the sketch-plan of even the smallest portion of the territory. And at the present time, thanks to the special circumstances, under which I acted on my own initiative, and because I realised what was the best course to take, in the discharge of the duty entrusted to me, Venezuela will soon have an accurate plan of a region of almost 2,000 sq.kilometres; a plan the cost of making which by itself represents more than the whole of the money assigned to us for the work of delimitation, and the importance of which, although perhaps scarcely realised to-day, will be considerable in the future history of Venezuela.

All the savannahs, water-courses, and mountains situated west of the Venamo-Roraima line have been located with sufficient exactness; and the mapping of the boundary in this region does not follow the simple and uncompromising long straight line joining the two points, which is laid down by the Award, but is based upon the combination of details of great importance for my country, which, as I have already mentioned, are registered on a map which even from this point of view alone is of indubitable value. Mr Anderson extended his triangulations over the whole of the south-west region of Roraima, connecting together in this great net points of great importance for

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for Venezuela. He was the first to clear up by means of minute investigations among the Indians and by his many explorations on the different rivers and mountain-chains, certain points that have been erroneously laid down in all published official documents up to the present time. I tested, partly by observations of my own, and partly by correlating his survey with the astronomical observations taken by Mr Perkins and myself on Roraima, the whole of his work, and found the results satisfactory in the matter of exactness under such very disadvantageous conditions.

As soon as the first party sent on by Perkins and me from the Camarang camp returned from Roraima we decided to start. We set out very early in the morning of the day following the return of the exploring party. We left at this place a sufficient supply of provisions for them to go on forwarding them to the various points at which we might find ourselves. Provided with what was necessary in the way of provisions, tents, etc., for this long journey, nine men being employed in carrying the chronometers, theodolite, and other instruments alone, we began our climb, following the bank of the Camarang river. After two hours marching through dense forest we were startled by the majestic panorama of the Cutchi or Utchi Fall. The impression produced on our minds as we stood before that stupendous volume of waters precipitating themselves sheer down from a height of almost 300 metres is quite indescribable.

But there was another scene, no less interesting, that Nature had in store for us in these regions; for whilst

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whilst we had hitherto, for the space of seven months, had to endure living in the densest and gllomiest forests, where we never set eyes on even so much as 100 sq. metres of open country, and never saw a ray of sunlight, being ever in the deep shadow of the gigantic trees,- all of a sudden, after a most laborious climb of two hours, there opened out before us the vast expanse of the great savanahs extending the range of vision for many a long mile into the distance. The impression received was one of the intensest pleasure. We felt our respiration easier, and even the distressing fatigue of the preceding ascent was gone. We saw the broad expanse of the sky taking the place of the tops of secular forest trees. Our spirits revived with this change in the face of Nature, and our exhausted forces sprang into new life within us. From that time forward our marches were much more rapid; which the nature of the country made possible, being now much less broken. That same afternoon we began to catch sight of the imposing mountains which, with Roraima, constitute the great range of exceedingly high escarpments from which hundreds of falls form streams and rivers that intersect the savannahs in all directions.

Whilst we were encamped on the banks of the Caiguara we had the opportunity of gazing on the marvellously regular outlines of the Eliutipu, the advanced outpost of this range of mountains. We journeyed by very rapid marches for five days. During the third day we were much inconvenienced by the continual rain; and on the fourth, when we were encamped on the banks of the Yuruani, Mr Anderson joined

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joined us, opportunely for taking astronomical observations there, sufficient for fixing that point approximately.

Moreover it was from this day that we began to see in the far distance the longed for Mt Roraima. On the following day, at almost six o'clock in the afternoon, we arrived, utterly exhausted by the long journey that we had undertaken with very insufficient food,- at the Indian village on the savannah that skirts the base of the towering mountain. We were received by all the inhabitants with demonstrations of the greatest respect; and we found ourselves obliged, so as to gain confidence and banish all mistrust, to accept the complimentary offering of cassava that had been freshly made for us and "casire", their favourite drink. And it was a most delightful surprise to us to see how these poor folk had carried their delicate courtesy to such a length as to have all ready for us, clean and in perfect order, and placed entirely at our disposal, a complete house, built of wattle, with a flooring a yard above the ground, so as to protect us from the water of the incessant rains that fall here, as indeed they do over every other part of the vast savannah. The whole neighbourhood came out to receive us, and to clasp our hands in token of amity; and that in spite of the natural dread felt by many of them on seeing for the first time white or black men and the strange sight of men clothed. There were the stores in very good order; and not a thing was missing.

We had to stay fifteen days in the hamlet of Camaiguaguan, as the Indians call this place. This time

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time was broken by the days spent in ascending the majestic mountain. Anderson was the first to accomplish this journey, taking four days over it because he had to complete on the top of the mountain most careful geodetical operations, partly to determine the point selected as the end of the principal base-line for a triangulation of the third order, on which he was able to measure - repeating the angular measurements again and again - all the angles of the triangle formed by that point and the two extremities of the (measured (?) base; and partly to connect and check the positions of the multitude of points visible from here which he had already used in his astronomical observations and in his great net of triangles.

To fix the point selected, the base already referred to, three kilometres in length, was measured carefully . For its azimuth, we determined that by astronomical observations. Upon this base triangulations were made which were very important, not only to determine culminating points, but also to connect the great net of triangulations made on this base during Mr Anderson's expedition. At this camp we made daily notes of temperature and atmospheric pressure; and the boiling-point of water was determined by means of the hypsometer, to ascertain the altitude of the place. The longitude, latitude and errors and rates of chronometers, were calculated by means of the technical formulae most suitable under the circumstances. The result was 88 good observations out of more than 100 taken in all.

On Mr Anderson's return we left the chronometers in his charge whilst Mr Perkins and I climbed Roraima. Every

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Every preparation had been made beforehand. A camping place of wattle had been constructed half-way to spend the night in, in case we were not able to reach that great height in a single day. And, accompanied not only by our own people, negroes and Indians, but also by six or eight Indians more from the neighbourhood, we started early on the morning of the 11th of April, and after eight hours of very laborious walking interrupted by short moments of resting we at last attained the top of the interesting Mount Roraima. That afternoon there flared out upon it for the first time the Venezuelan flag; and I, the only one of my countrymen that has ever visited that giant, stationed there by Nature to divide the territories of three nations, and to feed with the waters that gush from its granite entrails the three great rivers of South America, the Amazon, the Orinoco, and the Essequibo, lifted up my heart to God to pray to Him for the welfare of the country that gave to the world the genius of American liberty.

The ascent is extremely difficult. In the first place it is necessary to travel a long way through dense bush with neither path nor sirrahee* to follow opening a passage with our own bodies through the matted undergrowth, clambering up the steepest declivities which often necessitated the use of the hands, over ground all sown with trunks and roots and completely covered with thick moss and dead foliage, which increased considerably the laboriousness of the ascent and multiplied the ever present peril of slipping backwards on that spongy covering and falling to the

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* Translator's note - Sirrahee, Indian for the slightest possible bush-trail, indicated only by a snapped twig or bent sapling there.

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to the bottom, with a very good chance of breaking an arm or a leg; one's hands, torn by the branches, trunks and roots which one had constantly to grasp, were frequently pierced by the ubiquitous thorns that thrust their sharp points into them. At the end of this first part of the ascent one finds oneself at the foot of the great mass, that is cut off vertically by a precipice of more than 500 metres in height. Skirting it, and ascending still steeper slopes which demanded proportionately greater efforts, I continued the ascent, passing every now and then beneath the falls through the free space left between the parabola described by the water in its fall and the natural talus of the mighty mass. At last, when we were now about 150 metres vertically below the top, we came upon the only breach that has been discovered by the Indians by which it is possible to reach the table-land of Roraima. By the time we reach here the vegetation has already disappeared, and one finds only a few rickety shrubs little more than a yard high growing at great distances apart.

This last part of the ascent is even more dangerous than the earlier part. It consists of a long stair-case consisting of slight and very slippery steps in the naked rock, almost vertical and completely bare. The vertigo caused by gazing on that profound abyss constitutes a grave danger in itself; and it is not everyone that is equal to facing this last climb, as is evidenced by the fact that some travellers have been obliged to turn back at this point; we ourselves also did not succeed in getting all our followers to the summit of the mountain.

During

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During the whole course of the journey we advanced under an abundant and disagreeable shower-bath; for at one time the dripping branches, or the rains, which in this region never cease save for a few minutes at a time, and at another time the clouds saturated with steamy moisture, or our passing beneath the falls kept our bodies constantly drenched during the whole time that our climb upwards lasted.

In this locality the cold is most intense, the thermometer falling as low as to 6°; and it produces quite a deadening feeling. The vegetation is poor, but has the peculiarity of offering to the travellers gaze a great variety of most lovely orchids of the handsomest types, and a multitude of flowers of very beautiful colours. These have been classified by the various expeditions which from the time of Schomburk have visited this spot, enriching the tropical flora with new and interesting types till then unknown. Of the animal life of the place we were not able to ascertain anything more than the presence of four or five small birds of black plumage, which bore a strong resemblance to our common swallows, which must surely be the species classified by Mr Sclater under the name of Agelaeus Imthurni.

For our camping place we used a cranny between two great rocks, covering it with a tarpaulin, and closing the narrow entrances with two branches of the dwarf tree Bonnetia Roraima, and taking care to keep a fire always burning inside to mitigate the intolerable feeling of cold.

The day after our arrival the point settled on as the

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as the boundary was marked on a rock, with the initials of the two nations and of the Commissioners, separated by a vertical straight line, thus :-

B. G.	V.	British Guiana - Venezuela
P.	T.	Perkins - Tirado.
	A.	Anderson.

Here the temperature of the boiling-point of water, and at short intervals that of the surrounding air were taken . But we did not note the indications of the aneroids, because the divisions marked on their quadrants did not reach so great an elevation and they were completely out of order. Inside a square flask, thoroughly well protected, we left on a paper, written in ink in the Spanish language, a declaration signed by Perkins and myself that we agreed to accept that point as the boundary laid down in the Arbitrators' Award.

Then we descended to complete at Camaiguguau the observations necessary for the determination of the latitude, longitude, and time. This we did by means of 86 good observations out of 107 taken in all.

On our return Anderson left to complete his triangulations, and to ascertain the true heads of the Cotinga, which are on Roraima.

When these last observations had been made the positions of all the most important points were now fixed. But, as the longitudes depended wholly on the chronometers, and those instruments, in spite of the very great care that we took over their transport, had

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had suffered changes in their rating, we decided to repeat on the return journey all the time observations at the same points as they had been taken at before. By comparing results we were able to discard those that differed from the mean by more than an amount agreed upon, and to accept only those that were completely satisfactory; and it is by these means that the values adopted for longitude have been rendered worthy of absolute confidence.

From Camaiguguau, Perkins and I went back to the Camarang to take the observations over again. Here Mr Anderson rejoined us. They waited there with all the instruments whilst I set out at once proceeding by rapid marches to Arawai on the Venamo river to complete its topographical survey with the tacheometer. Whilst I was employed on this work they occupied their time in taking time observations at the above-mentioned point and at Parima, Tzhuau, and Arawai. During my survey I made the clearing at the mouth of the Pataguaru river for the astronomical observations that they made as they passed the spot, viz., 10 for longitude (time and errors of chronometer) 18 good for latitude.

On this journey, as we passed by Tzhuau another of the Indians who were working with me died. All exertions to save him were unavailing, and neither the remedies employed nor his youth and physical strength could stay the fever that carried him off after four or five days. In this spot, which is in Venezuelan territory, he was given burial. This was the second mark of that kind evidencing the passage of the Commissions along the Venamo.

From

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From the Arawai camp I sent away almost all the Indians, only keeping the few that were absolutely necessary for surveying the river. With this same object in view I bought two corials from some other Indians. I wrote as usual to the Ministry a long letter giving an account of the expedition, mentioning in it every detail however insignificant. I venture respectfully to call the attention of the Minister to this letter, numbered 16.

At the mouths of the Venamo we all met once more Perkins, Anderson, and I; and together we took during nine days the observations for the chronometers From here we descended by the Cuyuni to the mouth of the Acarabisi, where during a short halt of a day and a half observations of the same kind were made; immediately after which the return journey to Bartica by the Essequibo river continued. At this spot we left the boats and all that was no longer of use for the expedition which we realised with delight was now, after a thousand difficulties, at last accomplished.

From Bartica we went on by steamer on the first opportunity to Georgetown; and on our arrival we were gratified by the honour of being met on board by that courteous gentleman His Excellency Sir James Alexander Swettenham, at that time Governor of this Colony.

It is my duty to mention here another instance of the same kind. During our sojourn in the bush the same gentleman arranged for a tiny craft manned by three hands to make regular voyages from Bartica to the highest point to which the Venamo was navigable to bring and convey our correspondence, and thus to keep

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keep in touch with us (although our news would arrive a month and a half late). This, although at first sight it may seem a small matter, was an inestimable service to persons condemned as we were to a life of complete isolation in these very remote regions. The Venezuelan Commission paid nothing on this account; but it is profoundly grateful, and does not forget all that that chivalrous gentleman did for it.

At Georgetown, after settling accounts with the hands who had come as far as this, we set to work on our observations of the sun with the object already referred to, viz., the determination of errors and rates of chronometers. After working at these for fifteen days in the gardens of Government House, generously put at our disposal by His Excellency the Governor, we looked on them as completed; so that we were now ready to set to work on the map.

The long and tedious work in this town, up to the day of writing, has consisted in (i) The calculation of more than two thousand observations and the correlation of their results, which was effected by the method of least squares, with the view of accepting the most satisfactory of them;- the preliminary calculations these, for the drafting of the general map: (ii) The drafting of that map from Punta Playa to Roraima on a scale of 1 in 200,000, in which the whole of the boundary line is contained; for this we agreed to use the system of polyconical projection with Clarke's spheroidal data: (iii) A copy of all the data obtained by the English Commission, when on account of special circumstances I was not able to take them directly from the country, as for

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as for instance in the case of the explorations of the Parima and Camarang: (iv) The interesting collection of data and a sketch of the triangulations made by Mr Anderson: (v) Calculations to determine the altitude of the different points, both by means of the aneroids and by the boiling point of water: (vi) Partial drafts of the different surveys of the whole of the Venamo river: (vii) A tracing of the general map of the boundary line on tracing paper: (viii) Detailed correspondence with the Ministry on a subject concerning their honourable office, with information and a sketch-plan relative to the modification of the Venamo-Roraima straight line, and a Minute giving the astronomical positions of the different points on the boundary line as laid down by the Arbitral Award of Paris.

For four months in this town I was assisted by Mr Bowhill. And, as the way in which he did his work here as well as in the bush was perfectly satisfactory, this has been stated in a testimonial which I gave him accordingly.

In obedience to the esteemed orders of the Ministry conveyed to me in a letter numbered 794 and dated the 20th of June last, I began to deal with the question of the "Modification of the Venamo-Roraima line"; and arrived at the satisfactory results which I immediately communicated. But I afterwards, without making any official statement, desisted from any further action in the matter in default of further instructions.

The Governor of this Colony, considering that the question of "The arrest of English subjects on English territory" is very closely connected with the

 question

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question of the boundary line, and as the wording of my credentials stated that I was the chief representative of my government in dealing with that of this Colony in all that pertains to the boundary, discussed with me the most convenient way of settling the matter, without prejudice to Venezuela. Without giving an official character to any of my acts in this connection, seeing that I felt sure that my intervention was likely to be useful to my country in view of the friendliness and the evidences of personal sympathy that he had already shown me, I, as the only Venezuelan here, that knows the region in question, and also because of the fact that I am able to understand the language a bit, listened to what he had to say, looked into his representations, and reported with careful consideration and precise detail to your Ministry.

This is an exact account of the work done during the time that has elapsed since the appointment of the new Boundary Commission, over which I have had the honour of presiding; and I devoutly wish that I could complete it by the detailed plans on a large scale into which the general map, for greater clearness, should be divided.

The honourable task is ended, and the delimitation between our Republic and the Colony of British Guiana an accomplished fact.

I, satisfied with the part which it has been my lot to play, congratulate Venezuela in the person of the patriotic Administrator who rules her destinies and who sees with generous pride the long-standing and irritating dispute that has caused his country so much annoyance settled under his regime.

Herewith

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Herewith are sent particulars of the table containing the positions of the different points, their elevations above sea-level, their mean temperatures, etc., etc.

May the Minister be pleased to receive, with my sincere felicitations, my sentiments of respect and distinguished consideration.

(Signed) Abraham Tirado.

Georgetown, Demerara.
March 20th, 1905.

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Annex 43

Letter from Alejandro Ybarra to P.C. Wyndham (19 June 1905)

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25409
Rec'd
Regd 20 JUL 05

Translation.

CARACAS,
19th June 1905.

Sir:-

With reference to your courteous Note of the 6th instant, in which you were so good as to inform this Ministry of the fact that you had received instructions from your Government to invite that of Venezuela to co-operate with them in clearing and marking in a more satisfactory manner the frontier line between Venezuela and British Guiana, more especially in the neighbourhood of "Jumbi Creek", I have the honour to state that the Venezuelan Government would have no objection to co-operating with the Colony in this case, provided that the demarcation which is to be carried out on the frontier shall be of a permanent character calculated to avoid any uncertainty in the future or doubt as to the real frontier between either territory.

I avail &c.,

(Signed) Alejandro Ybarra.

Honourable P.C. Wyndham.,
&c., &c., &c.

Annex 44

Letter from Mr. Bax-Ironside to General Ybarra (20 Feb. 1906)
(*Inclosure in Letter* from Mr. Bax-Ironside to Sir Edward Grey (10 Mar. 1906))

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No. 3.—ARCHIVES.

BRITISH GUIANA BOUNDARY.

CONFIDENTIAL.

[April 2.]

SECTION 1.

[11224]

No. 1.

Mr. Bax-Ironside to Sir Edward Grey.—(*Received April* 2.)

(No. 28.)

Carácas, March 10, 1906.

Sir,

WITH reference to the Marquess of Lansdowne's despatch No. 99 of the 26th October last, addressed to Mr. Wyndham, I have the honour to forward herewith copy of a note which I addressed on the 20th ultimo to the Venezuelan Minister for Foreign Affairs, respecting the delimitation of the boundary between Venezuela and British Guiana, and in which I inclosed six sets of Joint Acts or Declarations, duly signed by both the British and Venezuelan Commissioners, the result of their joint labours in delimiting the boundary.

I have, &c.

(Signed) OUTRAM BAX-IRONSIDE.

Inclosure in No. 1.

Mr. Bax-Ironside to General Ybarra.

M. le Ministre,

Carácas, February 20, 1906.

WITH reference to previous correspondence from His Britannic Majesty's Legation respecting the delimitation of the boundary between Venezuela and British Guiana, under the Paris Award of the 3rd October, 1899, I have the honour to forward herewith to your Excellency six sets of Joint Acts or Declarations, duly signed by both the British and Venezuelan Commissioners, the result of their joint labours in delimiting the boundary.

Your Excellency will observe from these Reports that both the British and Venezuelan Commissioners have agreed in recommending that the boundary line between the source of the River Wenamu and Mount Roraima should follow the watershed instead of the straight line between those points laid down in the Paris Award.

Whilst forwarding these Reports for your Excellency's information, I am instructed by His Majesty's Principal Secretary of State for Foreign Affairs to ask for a ratification of the labours of the Commission, including the deviation from the line of the Award, which has been jointly recommended by them.

I avail, &c.

(Signed) OUTRAM BAX-IRONSIDE.

Annex 45

Letter from Dr. Paúl to Mr. Bax-Ironside (10 Oct. 1906)
(*Inclosure in Letter* from Mr. Bax-Ironside to Sir Edward Grey (11 Oct. 1906))

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BRITISH GUIANA BOUNDARY No. 2.—ARCHIVES.

[October 29.]

CONFIDENTIAL.

SECTION 1.

[36530]

No. 1.

Mr. Bax-Ironside to Sir Edward Grey.—(*Received October* 29.)

(No. 82.)

Sir,

Carácas, October 11, 1906.

WITH reference to my despatch No. 28 of the 10th March and to previous correspondence respecting the delimitation of the boundary between Venezuela and British Guiana, I have the honour to forward herewith copy and translation of a note which I have received from the Venezuelan Minister for Foreign Affairs in reply to the one which I addressed to the Venezuelan Government on the 20th February of this year.

Referring to the request for the ratification of the labours carried out by the Commissioners, including the deviation from the line of the Award, M. de Paúl states that he will forward a definite reply as soon as the labours in question receive the approval of the Venezuelan Federal Executive.

His Excellency further adds that, as to the deviation from the line of the Award, the alteration appears to be proposed to the Venezuelan Government by Commissioners who have no due credentials from their Government, and the Venezuelan Commissioner was only authorized to hear the British Commissioners' proposals on the subject. It would be necessary, in his Excellency's opinion, therefore, besides making a lengthy examination order to weigh its advantages, to resolve the question in a definite form in conformity with the Venezuelan Constitution.

I have, &c.

(Signed) OUTRAM BAX-IRONSIDE.

Inclosure in No. 1.

Dr. Paúl to Mr. Bax-Ironside.

(Translation.)

Sir,

Carácas, October 10, 1906.

WITH reference to your Excellency's note of the 20th February, 1906, in which you were so good as to transmit six sets of Joint Acts and Declarations signed by the Venezuelan and British Commissioners, the result of their labours in delimitating the boundary between Venezuela and British Guiana, I have the honour to state to your Excellency that as the note in question requests the ratification of the labours carried out by the said Commissioners, including the deviation from the line of the Award recommended by some of them, I will give your Excellency a definite reply as soon as the labours in question receive the approval of the Federal Executive.

As to the deviation from the line of the Award, by adopting the mountain chain forming the watershed between the Orinoco and Caroni on the one side, and the Essequibo and Masaruni on the other, instead of the straight line from the westernmost source of the Wenamu River to Mount Roraima, the alteration to this effect appears to be proposed to the Government of the Republic by Commissioners who have no due credentials from their Government, and the Venezuelan Commissioner was only authorized to hear the British Commissioners' proposals on the subject. It would therefore be necessary, besides making a lengthy examination in order to weigh its advantages, to resolve it in a definite form in conformity with our Constitution and the other laws of the Republic.

I have, &c.

(Signed) J. DE J. PAÚL.

Annex 46

Extract from a Despatch in reference to the founding of a Dutch West India Company from Don Juan de Mancicidor to Secretary Prada (7 Jan. 1607)

present year; and the Indians declared that they were awaiting him during the time of the moon of the said month of March.

But as it appears that he had suffered considerably after leaving there, and had a much less number of men and forces than when he sailed from the Orinoco, owing to the victory we gained over him, I trust in the Lord that his designs of carrying out his injurious promises and purposes may be frustrated.

On the said bank of the Orinoco Captain Phelipe de Santiago and the Governor Antonio de Berrio met each other, where a serious difference arose as to the right each maintained, according to the instructions and obligations devolving upon them, to settle the Island of Trinidad. This was finally arranged by the agreement that Antonio de Berrio should remain with his people on the said bank, and Captain Phelipe de Santiago was to proceed with his expedition to the said Island of Trinidad, where, in the beginning of the month of January of the present year, he founded a settlement in it on the south bank, 3 leagues distant from the sea and from the port called "De España," on a river they call San Phelipe de Montes, as may more particularly be seen from the documents of proofs in possession of the Governor, Francisco de Vides, &c.

As it appears to me to be of the utmost importance to your Majesty's service that the bank of the Orinoco be settled, I have considered it well to push that matter forward, and in like manner the navigation of the Orinoco, on account of the correspondence that will exist between it and the new Kingdom of Granada, as well as the neighbouring provinces, as whatever may be brought from Spain will go by that route; and the gold and silver be brought down by the same river; and any other produce that may be necessary to send down may go right on to Trinidad, &c. And particularly is this matter important for the conquest and settlement of the Provinces of Guayana, Caura, and El Dorado, for this is the entry and road to attain that which those provinces give promise of; and this will be more clearly seen from the Report I am now forwarding to your Majesty in reference to the navigation of the Orinoco, and the best sites on the banks of that river.

And in like manner no opportunity will be given the enemy of settling it, nor will they have any entry to it by any other way; for, according to the intention of Guat-erral, who surveyed the whole of it in the past year, it is to be much feared that he will keep his promise and carry out his bad purpose, &c.

(Seal.) (Signed) ROQUE DE MONTES.

No. 3.

Extract from a Despatch in reference to the founding of a Dutch West India Company (1607).

Don Juan de Mancicidor to Mr. Secretary Prada, Brussels.

January 7, 1607.

The Dutch are now actively pushing forward the formation of the West India Company, which resolution was rather wavering before; but with the return of the Rear-Admiral, unexpectedly, who appears to have given them some important information, the project is now about to be carried out.

'Archivo de Simancas, Secretary of State, Holland, Bundle 2289, 1607. Inclosure. The Hague, December 24, 1606.

No. 4.

Extracts from Despatches in reference to Treaty of Truce finally made in 1609.

The Marquis de Spinola to His Majesty.

January 7, 1607.

The Dutch will enter into no agreements with His Majesty that will not assure to them all they possess and have conquered, with the full right of trade and navigation with the Indies.

Ditto (decyphet)

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Annex 47

Letter from Mr. O'Reilly to Sir Edward Grey (July 1907) (*Inclosure in Letter* from Foreign Office to Colonial Office (11 July 1907))

FROM : FO 420/242 (Public Record Office)
EXTRACT FROM : Further correspondence respecting the boundary between British Guiana and Venezuela (Confidential print, Foreign Office, 1908)

APPENDIX 13c

[20955]

No. 2.

Foreign Office to Colonial Office.

Foreign Office, July 11, 1907.

Sir,

WITH reference to the letter from this Office of the 30th October last, I am directed by Secretary Sir E. Grey to transmit to you the accompanying extract from a despatch from Mr. O'Reilly, His Majesty's Chargé d'Affaires at Caracas, relative to the delimitation of the boundary between Venezuela and British Guiana. Mr. O'Reilly incloses a Report published by the Venezuelan Minister for Foreign Affairs, a copy of which is also transmitted herewith,* which contains correspondence (see pp. 372 to 397) relative to the suggested alteration of the boundary line between the source of the River Wenamu and Mount Roraima, and it will be seen that the Venezuelan Government have apparently come to a decision not to agree to the proposed alteration, although that decision has never been communicated to His Majesty's Government.

Sir E. Grey proposes, if the Earl of Elgin concurs, to instruct Mr. O'Reilly to point out to the Venezuelan Government that His Majesty's Government have received no reply to the proposal made by them as far back as February 1906 (see Mr. Bax-Ironside's despatch communicated to your Department on the 3rd April of that year).

I have, &c.
(Signed) W. LANGLEY.

Inclosure in No. 2.

Mr. O'Reilly to Sir Edward Grey.

(No. 52.)
(Extract.)

British Guiana Boundary.

THE correspondence relating to the delimitation, and especially to the suggested alteration, of the boundary line between the most westerly source of the Wenamu and Mount Roraima will be found at pp. 396 *et seq.* Most of it is already, I believe, in your possession, but I would draw attention to the last three paragraphs of Señor Tirado's Report of the 8th August, 1904 (p. 374), and to the last paragraph of the legal opinion (p. 377), on which the Venezuelan Government appear to base their decision not to agree to the proposed alteration. This decision has, as you are aware, never been communicated to His Majesty's Government, and it is officially published for the first time on p. xxxiv of the present volumes in the following terms:—

"On examination of the proposed alteration it appears that the change of line would diminish the territory of the Republic by considerable areas of land suitable for cattle-raising and agriculture, without any equivalent compensation for the loss, and would therefore in fact amount to a cession of territory contrary to the provisions of the Constitution. For this reason the Restorer of Venezuela and Constitutional President of the Republic has forborne to give effect to the proposed modification."

I have had no communication with Dr. Paúl on the subject, but Dr. Rivas, the author of the legal opinion above mentioned, tells me that the idea of the Venezuelan Government is that the alteration can only be effected by a special Treaty—no doubt for a consideration.

No. 3.

[26313]

Colonial Office to Foreign Office.—(Received August 6.)

Downing Street, August 3, 1907.

Sir,

I AM directed by the Earl of Elgin to acknowledge the receipt of your letter of the 11th ultimo, forwarding a copy of a despatch and inclosure received from His Majesty's Chargé d'Affaires at Caracas relative to the delimitation of the boundary between Venezuela and British Guiana.

* Not printed.

Annex 48

Letter from Señor Paúl to Mr. O'Reilly (4 Sept. 1907) (*Inclosure in Letter* from Mr. O'Reilly to Sir Edward Grey (5 Sept. 1907))

2. I am to request you to inform Secretary Sir Edward Grey that Lord Elgin concurs in his proposal to instruct Mr. O'Reilly to point out to the Venezuelan Government that His Majesty's Government have received no reply to the proposal made by them as far back as February 1906.

3. The Yellow Book inclosed in your letter is returned herewith.

I am, &c.
(Signed) H. W. JUST.

[26313]

No. 4.

Sir Edward Grey to Mr. O'Reilly.

(No. 55.)
Sir,

Foreign Office, August 15, 1907.

WITH reference to the last paragraph of my despatch No. 47 of the 11th ultimo respecting the suggested alteration of the boundary-line between Venezuela and British Guiana from the source of the River Wenamu to Mount Roraima, I have to request you to point out to the Venezuelan Government, in connection with the statement in their recent Yellow Book as to their decision not to agree to the proposed alteration, that that decision has not been communicated to His Majesty's Government, who are still awaiting a reply to the proposal made in Mr. Bax-Ironside's note to General Ybarra of the 20th February, 1906 (see his despatch No. 28 of the 10th March, 1906).

I am, &c.
(Signed) E. GREY.

[31846]

No. 5.

Mr. O'Reilly to Sir Edward Grey.—(*Received September* 23.)

(No. 78.)
Sir,

Carácas, September 5, 1907.

WITH reference to the last paragraph of your despatch No. 47 of the 11th July, and to previous correspondence relative to the delimitation of the boundary between British Guiana and Venezuela, I have the honour to transmit herewith translation of a note which I have received from the Minister of Foreign Affairs containing the reply of the Venezuelan Government to the proposal made to them in Mr. Bax-Ironside's note of the 20th February, 1906, for the ratification of the joint Acts of the British and Venezuelan Boundary Commissioners, including the deviation from the line of the Award jointly recommended by them.

Dr. Paul states, you will see, that while his Government are prepared to ratify the work of the Commission where it follows the terms of the Paris Award, they decline to accept the proposed deviation therefrom.

I have, &c.
(Signed) W. O'REILLY.

P.S.—With reference to your despatch No. 55 of the 15th ultimo, received to-day, I would add that the reply above transmitted is in response to the frequent reminders which I have addressed to the Minister of Foreign Affairs.

W. O'R.

September 6, 1907.

Inclosure in No. 5.

Señor Paul to Mr. O'Reilly.

(Translation.)
Sir,

Ministry of Foreign Affairs, Carácas, September 4, 1907.

WITH reference to the previous correspondence between His Britannic Majesty's Legation and this Department, and to my last note of the 10th October, 1906, relative to the demarcation of the frontier between Venezuela and British Guiana in accordance with the Paris Award of the 6th October, 1899, I have the honour to inform you that the question of the modification of the boundary-line by the adoption of the watershed as the frontier between the most westerly source of the River Venamo and Mount Roraima, instead of the straight line laid down by the Award, was laid before Congress

Annex 48

at its last Session through the Ministry of Foreign Affairs, and that Congress, concurring in the opinion of the Federal Executive, approved the Report of the Permanent Committee of both Houses on Foreign Affairs, and declared the modification proposed to be inacceptable, principally because it amounts to a veritable cession of territory.

The ratification of the Federal Executive is thus limited to the work done by the Mixed Delimitation Commissions in accordance with the Paris Award of the 6th October, 1899, and recorded in a Report and maps prepared by the last Commissioners at Georgetown, and dated at the capital of British Guiana on the 10th January, 1905, which Report and maps are complementary to the work done by the former Commissioners, and recorded in the four Reports dated respectively at Mururuma Camp on the 12th December, 1900; at Haiowa Camp on the 21st January, 1901; at San Victor Camp (River Amacuro), on the 25th March, 1901, and at Georgetown, Demerara County, British Guiana, on the 4th November, 1902.

I avail, &c.
(Signed) J. DE J. PAUL.

[31846]

No. 6.

Foreign Office to Colonial Office.

Foreign Office, October 7, 1907.

Sir,

WITH reference to the letter from this Department of the 2nd October, 1905, relative to the joint acts of the Commissioners appointed to delimit the boundary between Venezuela and British Guiana under the Paris Award of 1899, I am directed by Secretary Sir E. Grey to transmit to you herewith copy of a despatch from His Majesty's Chargé d'Affaires at Carácas,* inclosing a note from the Venezuelan Minister for Foreign Affairs, in which the latter intimates that whilst his Government are prepared to ratify the work of the Commission so far as it follows the terms of the Paris Award, they decline to accept the proposed deviation therefrom, which involves a cession of territory on the part of Venezuela.

I am also to inclose, for the Earl of Elgin's concurrence, a draft despatch to Mr. O'Reilly,† instructing him as to the course of action he is to adopt in view of this objection, which was anticipated when the proposal was first made.

Instructions on this point were contained in Lord Lansdowne's despatch to Mr. Wyndham No. 99 of the 26th October, 1905, of which a copy is inclosed,‡ and in the terms of which concurrence was expressed in the letter from your Department of the 8th November of that year.

I am, &c.
(Signed) W. LANGLEY

[34274]

No. 7.

Colonial Office to Foreign Office.—(*Received October* 16.)

Downing Street, October 15, 1907.

Sir,

I AM directed by the Earl of Elgin to acknowledge the receipt of your letter of the 7th October on the subject of the delimitation of the boundary between British Guiana and Venezuela, and to request that you will inform Secretary Sir E. Grey that Lord Elgin concurs in the terms of the despatch which it is proposed to address to His Majesty's Chargé d'Affaires at Carácas in the matter.

I am, &c.
(Signed) H. BERTRAM COX.

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* No. 45

† See No. 7,

‡ To Mr. Wyndham, No. 99, October 26, 1905

Annex 49

Letter from Sir Edward Grey to Mr. O'Reilly (18 Oct. 1907)

[34274]. No. 8.

Sir Edward Grey to Mr. O'Reilly.

(No. 75.)

Sir, *Foreign Office, October* 18, 1907.

I HAVE received your despatch No. 78 of the 5th ultimo, inclosing a note from the Venezuelan Minister for Foreign Affairs relative to the ratification of the Joint Acts of the British and Venezuelan Boundary Commissioners.

Dr. Paúl intimates that, whilst his Government are prepared to ratify the work of the Commission, so far as it follows the terms of the Paris Award, they decline to accept the proposed deviation therefrom, inasmuch as it involves a cession of territory.

The possibility of the Venezuelan Government assuming this attitude was foreseen at the time when the Commissioners presented their Report, and my predecessor, in his despatch No. 99 of the 26th October, 1905, indicated to Mr. Wyndham the course of action to be pursued in the event of the Venezuelan Government declining to agree to the recommendation of the Commissioners that the boundary line between the River Wenamu and Mount Roraima should follow the watershed and not the straight line between these points, as laid down by the Paris Award.

Dr. Paúl has not, as might have been expected, suggested any form of compensation on the part of His Majesty's Government which might render the proposed deviation acceptable to Venezuela, but, with the object of ascertaining the views of the Venezuelan Government on this point, you should, in acknowledging Dr. Paúl's note, be guided by the instructions contained in the last paragraph of Lord Lansdowne's despatch.

I am, &c.

(Signed) E. GREY.

Annex 50

Letter from Sir V. Corbett to Dr. José de Paúl (25 Feb. 1908) (*Inclosure in Letter* from Sir V. Corbett to Sir Edward Grey (25 Feb. 1908))

FROM : FO 371/402 (Public Record Office)

APPENDIX 14

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ARCHIVES.

SOUTH AND CENTRAL AMERICA. [March 24.]

CONFIDENTIAL. SECTION 1.

[10087] No. 1.

Sir V. Corbett to Sir Edward Grey.—(Received March 24.)

(No. 19.)

Carácas, February 25, 1908.

Sir,

I HAVE the honour to forward herewith copy of a communication which, in accordance with the instructions contained in your despatch No. 5 of the 28th ultimo, I have this day addressed to the Venezuelan Government, placing on record the fact that His Majesty's Government is in continuing accord with the views of the Guiana Boundary Commissioners that a certain deviation from the line laid down by the Paris Award would be in the interest of both parties.

I have, &c.

(Signed) VINCENT CORBETT.

Inclosure in No. 1.

Sir V. Corbett to Dr. José de Paúl.

Carácas, February 25, 1908.

Sir,

MR. O'REILLY did not fail to communicate to the Government of His Britannic Majesty the note which your Excellency did him the honour to address to him under date of the 4th September last, and in which you informed him that the ratification by the Federal Executive of the labours of the Guiana Boundary Commissioners is limited to so much thereof as is in accordance with the Paris Award, and does not extend to the deviation from the line of that Award recommended by the Commissioners.

I have now been instructed by His Majesty's Principal Secretary of State for Foreign Affairs to inform your Excellency that, while taking note of this communication, he desires to place on record that His Majesty's Government are in continuing accord with the opinion of the Commissioners that the deviation proposed would be in the interest of both parties.

I avail, &c.

(Signed) VINCENT CORBETT.

Annex 51

Letter from J. de J. Paúl to Sir Vincent Corbett (12 Mar. 1908) (*Inclosure in Letter* from Sir Vincent Corbett to Sir E. Grey (16 Mar. 1908))

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13183
Rec'd 13 APR 08

Copy.

No. 23.
(11904).

CARACAS,
March 16th 1908.

Sir:-

I have the honour to forward herewith copy and translation of a note which I have received from Dr. Paul in reply to my note of the 25th ultimo (copy of which was forwarded to you in my despatch No.19 of the same date) informing me that the Venezuelan Government adhere to the terms of their note of September 4th last, which ratifies the decision of the Commissioners for the delimitation of the Guyana frontier only in so far as it is in accord with the terms of the Paris award.

I have &c.,

(Signed) Vincent Corbett.

Sir E. Grey, Bart.,
&c., &c., &c.

Annex 51

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Translation.

Dr. J. de J. Paul to Sir Vincent Corbett.

CARACAS,
March 12th 1908.

Sir:-

In acknowledging receipt to Your Excellency of your esteemed note under date of February 25th last relative to the ratification accorded by the Federal Executive to the labours of the Commissions for the delimitation of the frontier between Venezuela and British Guyana and which is entirely restricted to that part which is in conformity with the Paris award of October 6th 1899, without extending to the deviation of the line recommended by the Commissioners, I have the honour to inform Your Excellency that I have received instructions to refer myself entirely to the note of this Ministry of September 4th 1907 No.954 and to confirm to your Legation the declaration therein made on the subject by this Office.

I avail &c.,

(Signed) J. de J. Paul.

Annex 52

Letter from General Juan Vicente Gomez, President of the U.S. of Venezuela (1 Feb. 1911)

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GENERAL JUAN VICENTE GOMEZ.

President of the U.S. of Venezuela.

To all to whom these presents shall come Greeting.

4595
1 FEB 19

WHEREAS the post which demarcated the extreme of the Frontier between the United States of Venezuela and British Guiana at Punta Playa, was washed away by the sea together with the ground in which it stood;

WHEREAS the Government of the Republic has accepted the proposition made by the English Government to replace the said post with another which must be placed at the precise site in which the boundary line between the two countries cut the new coast which was fixed in the year nineteen hundred in accordance with the Award signed at Paris the 3rd of October 1899 by the Mixed Commission Anglo-Venezuelan.

WHEREAS Doctor Pedro Jose Torres Arnaez Chief of the Third Commission of the General Map of Venezuela has been appointed Venezuelan Commissioner in order that together Commissioners appointed by the English Government will proceed to replace the said post.

WHEREAS I conferr FULL POWERS that in his capacity a Commissioner following the instructions given will proceed to replace the post which was washed away by the sea in the extreme of the Frontier between Venezuela and British Guiana at Punta Playa with another which necessarily will be placed at the precise point where the boundary line cut now the line fixed in nineteen hundred in accordance with the Award signed at Paris the 3rd of October 1899 by the Mixed Commission Anglo-Venezuelan.

Given and signed and sealed in the customary way and countersigned by the Minister Of Interior and of Foreign Relations at the Federal Palace in Caracas this 4th day of November nineteen hundred and eleven.

(Sgd) J.V.Gomez.

(Sgd) M.A.Matos.
Minister of Foreign Relations.

True translation of the Credentials presented to His Excellency the acting Governor by Dr. Pedro Jose Torres Arnaez, appointed Commissioner for Venezuela to replace the post washed away by the sea at Point Playa.

(Sgd) Antonio G. Monagas.
Consul for the U.S. of Venezuela

Annex 53

Letter from the Venezuelan Minister for Foreign Affairs, P. Itriago Chacín, to W. O'Reilly (31 Oct. 1931)

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Enclosure in Caracas despatch No of 26 November, 1931.

353

TRANSLATION.

Venezuelan Minister of Foreign Affairs to Mr. O'Reilly.

Ministry of Foreign Affairs

Caracas, 31 October, 1931.

My dear Minister,

I have most carefully considered the proposal contained in your letter of the 23th of September last relative to a modification of the frontier de droit between Venezuela and British Guiana.

A similar modification was proposed as long ago as 1904 by the British members of the commission which then demarcated the frontier and was considered by the Venezuelan Government, which found itself, however, unable to accept it for many reasons of which the principal and conclusive one was the Venezuelan constitutional principle which forbids the alienation, in whole or in part, of national territory to a foreign Power.

At the present time also there exist objections of principle to an alteration by agreement of the frontier de droit, since, as this frontier is the result of a public treaty ~~of~~ ratified by the Venezuelan legislature, it could only be modified by a process which would take considerable time, even supposing that other difficulties, also of principle, could be got over.

As you will realise, it would be impossible in any case, for lack of time, to take advantage of the present expedition of the Venezuelan and British Commissioners to Roraima, and it is clear that both parties have a legitimate interest in the completion, as soon as possible, of the work required to carry out the Paris Award.

In the circumstances, therefore, it would seem preferable to desist from coming to any conclusion as regards altering the line. What however,

Annex 53

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however, might be done would be to take advantage of the expedition in order to obtain topographical data bearing on the modifications proposed in your letter for possible future use.

I remain etc.

(signed) P. Itriago Chacín

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El Ministerio de Relaciones Exteriores

Caracas. 355

31 de octubre de 1931.

Estimado Señor Ministro,

He dedicado preferente atencion á la propuesta contenida en su muy apreciable carta del 27 de setiembre último sobre una modificacion de la frontera de derecho entre Venezuela y la Guayana Britanica.

Ya en 1904, cuando trabajaron los Comisionados Venezolanos y Británicos en la demarcación de la frontera, se propuso por éstos una modificación análoga. Considerada la proposición por el Gobierno de Venezuela, resultó que no podía accederse a ella por múltiples razones, de las cuales era la principal, e inallanable, el principio constitucional venezolano prohibitivo de la enajenacion en todo o en parte, del territorio nacional a potencia extranjera.

Hoy tambien se oponen razones de principio a una reforma convencional de la frontera de derecho; pues, resultado como es ésta en último análisis, de un tratado público cuyo perfeccionamiento se obtuvo por el voto del poder legislativo de Venezuela, sólo podría modificarse por un procedimiento bastante demorado, y ello, en el supuesto de que fueran allanables otras dificultades tambien de principio.

Como Ud. puede apreciarlo ya, resultaría en todo caso imposible aprovechar la actual expedición de los Comisionados Venezolanos y Británicos a la región del Roraima por falta absoluta de tiempo, y es claro que hay legítimo interés de ambas partes en efectuar cuanto antes los trabajos que exige el cumplimiento del laudo arbitral de París.

Parece pues indicado desistir de toda decisión modificativa de la línea en los momentos actuales. Sí se podría aprovechar la expedición para estudios del terreno en relacion con las modificaciones propuestas en la carta de Ud. teniendo en mira que pudieran utilizarse los datos que arroje, en el porvenir.

Con las seguridades etc

(Signed) P. Itriago Chacin.

Excmo. Sr. W.O'Reilly

Annex 54

Telegram from P. Itriago Chacín, to W. O'Reilly (23 Nov. 1931)

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F.O. 371

A

A 6842
24 NOV 1931

334

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Decode. Mr. O'Reilly (Caracas),
23rd November, 1931.

D. 11.38 a.m. 23rd November, 1931.

R. 4.45 p.m. 23rd November, 1931.

No. 12. (R).

Your telegram No. 15. ? 13.

Venezuelan government regret that for constitutional reasons they are unable to depart from the letter of the award.

24 NOV 1931
RECEIVED
F.O. REGISTRY

Annex 55

Letter from P. Itriago Chacín, No. 1157/2 (3 Nov. 1932)

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Inclosure No. 1 in Mr. Hutcheon's despatch No. 28 of Novr. 5, 1932.

COPY

553

Dirección de Política
Internacional No.1157/2.

Caracas: 3 de noviembre de 1932.

Señor Encargado de Negocios:

Tengo a honra referirme a la atenta nota de V.S., fechada el 17 de octubre último y relativa a la demarcación de la frontera entre Venezuela y la Guayana Británica.

El Gobierno de la República se ha impuesto con satisfacción de que el Gobierno de Su Majestad decidió aceptar la proposición venezolana para que la referida frontera quedara determinada por una línea recta, que partiendo de la fuente del rio Venamo vaya a terminar en el punto del Monte Roraima, donde coinciden las tres fronteras de Venezuela, la Guayana Británica y el Brasil, punto recientemente fijado y marcado con un poste, por las Comisiones de los tres países; dando con ello una evidente prueba del espíritu de justicia, buena fé y cordialidad que inspira sus actos en la conducta de las relaciones internacionales.

A mi vez, me es grato informar a V.S., para que se sirva elevarlo a conocimiento de su Gobierno, que he recibido instrucciones del Presidente de la República para aceptar la sugestión contenida en la nota de referencia, relativa al indicado poste, el cual continuará designando el punto de reunión de las tres fronteras, independientemente de cualquier cálculo futuro o más exacto de su posición geográfica. Asimismo acepta mi Gobierno establecer, en un próximo convenio, y en favor de los súbditos británicos, el derecho de paso por la única vía que hoy existe para ascender a la cumbre del Monte Roraima, tanto para los particulares como para expediciones científicas,

con.....

Al Honorable Señor A.B.Hutcheon,
Encargado de Negocios ad interim
de la Gran Bretaña,
Presente.

Annex 55

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con exclusión de las militares, en tanto que no haya otra practicable para el ascenso.

554

Cúmpleme acompañar a la presente, un ejemplar del Boletín del Ministerio de Relaciones Exteriores, de 24 de julio del corriente año, donde corre inserta el Acta de inauguración de dos hitos venezolano-brasileros en el Monte Roraima. El primero de estos hitos es el que marca el punto de reunión de las tres fronteras.

Aprovecho con placer esta oportunidad para renovar a V.S. las seguridades de me consideración distinguida.

(as.) P. Itriago Chacín.

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Inclosure No. 2 in Mr. Hutcheon's despatch No. 28 of Novr. 5, 1932.

(Translation of Inclosure No. 1) 555

I have the honour to refer to your esteemed note of the 17th October last concerning the demarcation of the boundary between Venezuela and British Guiana.

The Government of the Republic has noted with satisfaction that His Majesty's Government has decided to accept the Venezuelan proposal that the boundary in question should be a straight line drawn from the source of the Wenamu river to the point of tri-junction on Mount Roraima of the frontiers of Venezuela, British Guiana and Brazil, as recently determined and marked with a pillar by the Commissions of the three countries - giving thereby a clear proof of the spirit of justice, good faith and cordiality which animates its actions in the conduct of international relations.

On my side I am pleased to inform you, and would ask you to bring it to the knowledge of your Government, that I have received instructions from the President of the Republic to accept the suggestion contained in your note concerning the pillar in question, namely, that it should continue to indicate the point of junction of the three frontiers, irrespective of any future or more accurate calculation of its geographical position. My Government is also agreeable to the establishment in favour of British subjects, in an agreement to be concluded in the near future, of the right of access to the summit of Mount Roraima by the only path at present existing, seeing that (? so long as - en tanto que) there is no other practicable means of access - this right to apply to private individuals and to scientific expeditions, but not to expeditions of a military character.

I enclose a copy of the Bulletin of the Ministry for Foreign Affairs of the 24th July of the present year, in.....

Annex 55

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in which is inserted the Act of Inauguration of ~~the~~ two Venezuelan-Brazilian pillars on Mount Roraima. The first of these pillars is that marking the point of junction of the three frontiers.

I avail myself, etc.

(sd.) P. Itriago Chacín.

Annex 56

Letter from the Venezuelan Foreign Minister, E. Gil Borges, to British Ambassador in Caracas, D. Gainer (15 Apr. 1941)

26310

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A

A. 2675
15 APR 1941

Venezuelan-British Guiana frontier.

Reports that a Caracas newspaper recently published series of three articles alleging that His Majesty's Government had unjustly appropriated a part of Venezuelan territory and incorporated it into British Guiana. Finally an award had been made which was unfair to Venezuela and which should therefore be upset.

In reply to enquiry Dr. Gil Borges replied that his view and that of Venezuelan Government were definitely that matter was chose jugée and that views expressed by the paper never had been and were not now shared by him or his Government.

(Minutes.)

Copy C.O.
M.O.I

Copies C.O. P.G.
15/4

Annex 57

Proceedings of the West India Company (Zeeland Chamber) (1626-1628)

travers duquel on pourroit voir des lineaments de la face d'un homme, tant il estait clair ; il me dit qu'il l'avait pris au dessus du second Val de la rivier, ou il y avait une mine de christal et que on en trouvait au pied de la montaigne où elle estoit de fort grosses pierres que la camine des eaux avoit arracheste, desquelles on pourroit charger infinis canaux ; il donna une partie de la piere quil avoit à Gelain van Stabele de Flixinguen.

Pour entrer en Eziquebe venant de Demelary il faut courir nord-west jusque a ce que vous ayer le Cap Ost de lisle qui est a l'emboucheure west de vous afin devitet les sables qui sont a la terre ferme et de la vous courez vers la dicte isle la rengeant dasser pres iusque a ce quayant l'extremite dicelle a l'west de vous vous courez vers la bande de l'est passant par un canal entre des isles sur bon fond jusque a un cap que faict la terre ferme de ce Cap vous renger la terre ferme de fort pres avecq des sables iusque a ce que vous veniez a remonter [?] une isle proche de la terre ferme du coste de l'ost . . . .

two fists, through which one could see the lineaments of the face of a man, so clear was it. He told me that he had taken it above the second fall of the river where there was a crystal mine, and that at the foot of the mountain where it was there were found some very large stones which the rush of the waters had torn away, with which one could load infinite canoes. He gave a part of the piece which he had to Gelein van Stabele, of Flushing.

To enter Eziquebe coming from Demelary one must run north-west until you have the east cape of the island, which is at the mouth west of you, in order to avoid the sands which are on the mainland, and thence you run towards the said island hugging it pretty closely, until having the extremity of it to the west of you you run towards the east bank, passing through a channel between some islands over a good depth of water as far as a cape formed by the mainland. From this cape you hug the continent very closely with a sandy bottom until you come to an island near the mainland on the eastern shore. . . .*

No. 24.

Proceedings of the West India Company (Zeeland Chamber), 1626.

October 8, 1626.

DAER is gecommitteert om op pampier te stellen wat nieuwe handelplaetsen binnen de limiten van octroij soude connen gevonden worden ende geraden is voor de Compe. negotie te doen de Burgemr. Jan de Moor Hren. Godin ende ten Haeff om op haer advis bij de Negenthiene geresolveert te worden.

* * * *

THE Burgomaster, Jan de Moor, and Messrs Godin and ten Haeff are deputed to commit to paper what fresh trading-places might be found within the limits of the Charter, and with which it is advisable for the Company to do business, in order that the Nineteen may pass Resolutions in accordance with their advice.

* * * *

November 26, 1626.

De comissarisen over de goederen werden geautoriseert een bequaem cargasoen te formeren naer de Amasones voor het jacht "Arnemuyden."

Is geresolveert met het vorss jacht "Arnemuyden" te zenden 20 aencommende jongens om die te landen in de Amasones Wiapoco ofte Isekepe daer het volc van onse camer zoude mogen gevonden worden, om aldaer de compagnie te dienen. Ende zal ijder van hun 2. 3. of 4 gul[den] ter maent naer haren capacitijten zal toegelecht worden.

* * * *

The store-keepers are authorized to make up for the yacht "Arnemuyden" a cargo suitable for the Amazon.

It is resolved to send twenty lads by the aforesaid yacht "Arnemuyden," and to land them in the Amazon, Wiapoco, or Isekepe, wherever the people of our Chamber should be found, in order to serve the Company there. And each of them shall be granted 2, 3, or 4 guilders per month according to their abilities.

* * * *

December 3, 1626.

Confrater Boudaen, Courten ende d'Heer Borgemr. de Moor worden geautoriseert, om d'instructien te stipuleren, op wat manier dat men t'volck naer d'Amazones ofte de rivieren daer omtrent sal leggen. . . .

* * * *

Confraters Boudaen, Courten, and the Burgomaster de Moor are authorized to draw up instructions concerning the manner in which the people for the Amazon or the rivers thereabouts are to be located.

* * * *

December 10, 1626.

Is goedgevonden Jacob Canijn uuij Isekepe te laten thuis comen ghelijck hij versouckt ende zijn plaetse met een ander te voorsien.

Oock mede dat men zonder tijt verlies hel volck die haer presenteren om op eenige eijlanden in

It is resolved to allow Jacob Canyn to come home from Isekepe in accordance with his request, and to fill up his place with another.

Also that the people applying to be placed upon some of the islands in the West Indies shall be

* A sketch chart accompanies this Report, in which the course up the Essequibo is clearly charted, ending with the anchorage at what is evidently Fort Kijkoveral: no names, however, are inserted on the chart.

West Indien gestelt te worden, zal overvoeren, te weeten een gedeelte van degene die gereet zijn bij het schip "Arnemuyden" dat metten eersten dient gedespescheert, ende de andere mette schepen die onder het commandement van Lucifer eerstdaechs zullen vertrecken.

Den Burgemr. de Moor wert geauthoriseert f[or]malicken te accorderen met den persoon van Claude Prevoost, soo hem presenteert met eenige lieden te laten overvoeren naer de West Indien ende dat onder de conditien voor desen hem voorgehouden.

* * * *

transported without delay, to wit, a portion of those who are ready by the ship "Arnemuyden" that is to be dispatched as soon as possible, and the others by the vessels which are to depart under Lucifer's command at an early date.. A

The Burgomaster de Moor is authorized to make a formal agreement with the person of Claude Prevost, who offers to allow himself to be sent over with some people to the West Indies, and that upon the conditions already laid before him.

* * * *

B

December 17, 1626.

Johannes Beverlander is aengenomen in dienst van de Compe. voor drije jaren om te liggen in de Riviere van Isekepe neffens Jan Adriaenss van der Goes ende dat voor eenentwintich guldens ter maendt. . . .

* * * *

Johannes Beverlander is taken into the Company's service for three years to lie* in the River of Isekepe, together with Jan Adriaenss van der Goes, and that for 21 guilders per month.

* * * *

No. 25.

Proceedings of the West India Committee (Zeeland Chamber), 1627.

C

April 22, 1627.

H[EEREN] Boudaen Coorte ende de Moor hebben Rapoort gedaen nopend de versochte Colonie bij Hr. Abraham van Peres op de cust West Indien in de Riviere Barbisse ende is dienvolgende seker projecte ofte contract dienaengaende in gestelt ende gelessen ende gearesteert volgende den inhouden.

MESSRS. Boudaen, Coorte, and De Moor rendered their report as to the colony petitioned for on the coast of West India in the River Berbice by Mr. Abraham van Peres, and in pursuance thereof a certain project, or contract, relating to this was presented, read, and its contents adopted.

No. 26.

D

Proceedings of the West India Company (Zeeland Chamber), 1627.

July 1, 1627.

IS goetgevonden dat het schip de "Arent" sal gaen naer de Amasones ende de Wilde Cust volgens de instructie daervan te concipieren.

* * * *

RESOLVED, that the ship "Arent" shall go to the Amazon and the Wild Coast, in accordance with the instructions to be drawn up therefor.

* * * *

De Confraters van Vlissingen werden geauthoriseert om vier gotelingen te coopen van 4 lb. isers voor het fort dat Confrater van Peres in de riviere van Berbice op de Wilde Cust voor heeft te maecken.

The Flushing members were authorized to buy four 4-pr. swivel-guns for the fort which Confrater van Pere intends to make in the River of Berbice on the Wild Coast.

E

July 5, 1627.

Confraters Boudaen Courten ende Moor werden gecommitteert met Hr. Abraham van Pere te handelen wegen sijne collonie.

Confraters Boudaen, Courten, and De Moor were deputed to treat with Mr. Abraham van Pere concerning his colony.

No. 27.

Proceedings of the West India Company (Zeeland Chamber), 1627.

F

August 23, 1627.

OPT rapport van Comissarisen boven gemelt, is goetgevonden Jan van der Goes in Isequebe, sijn gagie te verbeteren, naer sijn eerste drij jaeren (die aen de Compe. verbonden is) tot 5 £ Vl [aem]s ter maent, ende hem te zeijnden de ververssinge bij hem geheijst als per memorie is gestelt, nevens andere nootwendicheden, ende hem te authoriseren

ON the report of the above-named Commissioners, it was resolved to raise the wages of Jan van der Goes in Essequibo, after his first three years (for which he is bound to the Company), to £ 5 Flemish a-month, and to send the supplies asked by him as is set down in the request, together with other necessaries, and to authorize him to retain

* There is some warrant for supposing that this verb may have also had the secondary signification "to trade."

A 5 a 6 man uijt schip "Arent" bij hem te houden ende dat men hem per naesten 30 man zal zeijnden ende een fort doen maecken. D' Hr. de Moor heefte aengenomen, al de voorss behoeffte te versorgen. . . . .

five or six men out of the ship "Arent," and that by next [ship] we shall send him thirty men, and cause a fort to be made. Mr. de Moor has undertaken to furnish all the aforesaid necessaries.

No. 28.

From the Contract of the West India Company (Zeeland Chamber), with the Patroon Abraham van Pere, April 22, 1627.

B *Conditien ende articulen waerop de Bewinthebb[eren] der West Indische Compe. ter camer van Zeelandt geaccordeert ende geconsenteert hebben aen Sr. Abraham van Peres, om tot* 40 *mans ende* 20 *jongens tesamen* 60 *eeters als colloniers over te voeren naer de Vaste custe (genaemt de Wilde custe) van West Indien in de reviere Berbice op de hoochte van* 6½ *graden gelegen—noorderlicke breette.*

Conditions and Articles upon which the Directors of the West India Company in the Zeeland Chamber have accorded and granted to Abraham van Peres, that he carry men to the number of 40, *and* 20 *youths—in all,* 60 *individuals—as settlers, over to the coast of the mainland (called the Wild Coast) of West India, in the River Berbice, situate at the latitude of* 6½ *degrees north.*

11.

C DE voorsz. colloniers sullen vermogen in de voorsz. reviere een fort te leggen, op soo bequame plaetse als zij geraden zullen vinden met de inwonders des lants haren handel te drijven, bosschen vellen, saijen planten, mineralen soucken, ende voorts alles anders wat zij dienstig ende proffijtelijck voor haer collonie zullen oordeelen, oock andere naegelegen revieren ondersoucken, ende haer daerin transporteren soo zij daer beter proffijt dochten de vinden.

11.

THE aforesaid colonists shall be at liberty to build a fort in the aforesaid river, at such convenient place as they shall think fit, to carry on their trade with the natives of the land, to fell forests, sow, plant, seek minerals, and, in general, to do all other things which they shall judge good and profitable for their colony; also to explore other rivers lying near, and transfer themselves thither if they should think to find better profit there.

12.

D Doch sullen niet vermogen *in de reviere van Isiquebe te comen noch in geen andere revieren daer de Compe. het zij van dese ofte andere camers haer colloniers ofte volck het zij* weijnige in getal ofte vele hebben.*

12.

But they shall not be at liberty *to come into the River Essequibo, nor into any other rivers where the Company, whether of this or of other Chambers, has its colonists or folk,* whether many or few in number.*

No. 29.

Proceedings of the West India Company (Zeeland Chamber), 1628.

April 10, 1628.

E T'JACHT "Armuijden," te victalieren voor 10 maenden, ende voor 3 maenden voor soo veel coloniers, alsser sullen medegaen t'selve t'schip sal gaen naer d'Amazones, Wiapoko, Kiana, ende soo voorts na Isekebe, gemant met 35 eeters. Ditto schip sal overvoeren alle de behoefte, voor de coloniers.

T'jacht "Westcappel," sal oock gevictaliert worden voor 10 maenden, daerop te stellen 30 eeters, ende voor de coloniers 3 maenden ende t'selve sal overvoeren de coloniers ende behoeften voor Abraham van Peres naer de Reviere Berbice, mitsgaders t'cargasoen naar Isekebe.

THE yacht "Armuyden" to be provisioned for ten months, and for three months for as many colonists as are to go with it. This ship shall go to the Amazon, Wiapoco, Kiana, and so onward to Essequibo, manned with thirty-five men. The said ship shall carry over all the necessaries for the colonists.

The yacht "Westcappel," on which thirty men shall be placed, shall also be provisioned for ten months, and for the colonists three months: and it shall carry over the colonists and necessaries for Abraham van Pere to the River Berbice, together with the goods for Essequibo.

F

April 13, 1628.

Jean van Woerden van Vlissingen. Is aengenomen tegen 20 gl. [gulden] ter maent om te liggen in d'Amazones voor den tijt van drij jaren, mits dat hij noch drij mannen tot hem sal opspeurren, om daertsamen te liggen.

* * * *

Jan van Woerden, of Flushing, is engaged for 20 guilders a-month to lie in the Amazon for the space of three years, on condition that he shall hunt up three others beside himself to trade there together.

* * * *

* The italicized words are underscored in the manuscript.

April 17, 1628.

Jan Henderixsen Benckelaer is aengenomen om te liggen op de Wilde Cust voor assistendt, voor den tijt van 3 jaren tot 18 ghulden ter maent.

Oook is binnen gestaen Burger Graeff: ende aengenomen, om te liggen op de Wilde Cust, voor den tijt van 3 jaaren voor assistent, ter plaetse daer men hem sal van doen hebben—tegen 12 f. ter maent.

Jan Hendrikszen Benckelaer is engaged to lie on the Wild Coast, as assistant, for the space of three years, at 18 guilders a-month. A

Also presented himself Burger Graeff, and was engaged to lie on the Wild Coast for the space of three years, as assistant, wherever he may be needed, at 12 guilders a-month.

No. 30. B

Conditions for Colonies, adopted by the West India Company (the Nineteen), November 22, 1628.

Vryheden ende Exemptien voor particuliere die op de Wilde Custe van Brasil ofte de eylanden daeraen ende ontrent liggende, eenige colonien ende vee sullen planten, toegestaen ende vergunt by de geoctroyeerde West Indische Compaignie.

1.

DAT alle de participanten in de gemelde Comp[e] die genegen sullen sijn eenige colonien te planten, op de Wilde Custe, ende de eijlanden daeraen ende ontrent gelegen, sullen vermogen met de schepen van dese Comp[e] derwaerts gaende te seijnden, drie ofte vier persoonen om de gelegentheijt aldaer te besichtigen, mits dat se neffens de officieren ende bootsvolck den artickelbrief sullen beedigen, voor soovele die haer aengaet ende betalen voor montcosten, passagie van gaen ende comnen ses stuijvers daegs, ende die in de cajute souden versoucken te eeten twalff stuijvers, ende hun onderwerpen in cas van offensie oft defensie haer tewere te stellen, gelijck als andere, ende eenige schepen veroverende sullen oock haer portie genieten pro rato neffens de bootsgesellen ider naer sijn qualiteijt.

2.

Ende int sake ware meer persoonen dit versochten als des Comp[es] schip ofte schepen welgevoechlijck conden accomoderen soo sullen in desen deele geprefereert worden, die haer eerst aen de Comp[e] sullen hebben aengegeven ende versocht sullen hebben overgevoert te worden.

3.

Alle die haer bij eenige camer alhier te lands sullen aengegeven hebben, ofte oock aen den Command[r] ende Raedt die de Comp[e] ginder sal hebben opgerecht van meijninge te wesen op eenige rievier aen de Wilde Custe ofte eijlanden daer ontrent een colonie te planten van t'sestich *zielen sullen voor patroonen* van alsulcke colonie gehouden worden ende vercrijgen de naervolgende privelegien ende immuniteijten.

4.

Sullen van eerster uren aen, dat sij de plaetse daer sij haer colonie meijnen te planten hebben aengewesen voor alle andere geprefereert sijn tot

Liberties and Exemptions accorded and granted by the Chartered West India Company to private Individuals who on the Wild Coast of Brazil or the Islands lying there and thereabout shall plant any Colonies and [introduce ?] Cattle.

1.

ALL shareholders in the aforesaid Company, who shall have the inclination to plant any colonies on the Wild Coast and the islands lying near and about the same, shall have the right to send thither, in the ships of this Company which go thither, three or four persons to inspect the situation there, on condition that they, together with the officers and ship-folk, swear to the articles in so far as these concern them, and that they pay for table-board and passage, both going and coming, 6 stivers per day, and those who may wish to take their meals in the cabin 12 stivers, and that they agree to carry arms in case of offence or defence in the same way as the other ship-folk, and, if any ships are captured, they shall also receive their share *pro ratâ* together with the ship-folk, each according to his rank. C D

2.

And if it should happen that more persons applied than the Company's ship or ships could conveniently accommodate, in that case preference will be given to those persons who shall have been the first to signify to the Company their request that they be carried over. E

3.

All those persons who to any Chamber in this country, or to the Commandeur and Council established yonder by the Company, shall signify their intention of planting on any river on the Wild Coast, or the islands thereabout, a Colony of sixty persons, *shall be regarded as patrons* of such colony, and shall obtain the privileges and immunities specified hereafter. F

4.

From the first moment that they shall have designated the place where they intend to plant their Colony, they shall have preference over all